

NOTES OF THE SCRUTINY BOARD HELD ON 14 DECEMBER 2017 IN CR7, CHESHIRE POLICE HEADQUARTERS, CLEMONDS HEY, WINSFORD, CW5 2UA.

Present: D Keane, Police & Crime Commissioner
J McCormick, Acting Chief Constable

Office of the Police & Crime Commissioner

G Burroughes, Head of Governance
M Walton, Governance Officer & Performance Analyst

Cheshire Constabulary

D Martland, Acting Deputy Chief Constable
N Bailey, T/Assistant Chief Constable
J Gill, Assistant Chief Officer
P Woods, Head of Planning & Performance

One member of the public was also present to observe the meeting.

1. NOTES FROM 23 AUGUST 2017 MEETING

1.1 The notes from the meeting on 23 August 2017 were noted and approved.

2. POLICE & CRIME PLAN: PERFORMANCE REPORT

2.1 The Acting Chief Constable provided a verbal update in relation to three recent operations:

Operation Resonate: Early-morning raids today (Thursday 14 December) saw police take action against organised crime groups suspected of exploiting vulnerable people to deal Class A drugs in Widnes. More than 340 officers were involved in the high-profile operation with 12 houses targeted in Widnes and 18 homes targeted in Merseyside. So far, officers have arrested 28 people on suspicion of conspiracy to supply Class A drugs and remain in custody. The strike also saw seven crack house closures being carried out in Widnes - a record for the Constabulary in one day. Today's arrests are the result of a six-month investigation, carried out by Cheshire Police and supported by colleagues from Merseyside Police, TITAN and the National Crime Agency, in partnership with Halton Council and partner organisations across Halton.

Operation Masterclass: Early-morning raids on Wednesday 06 December saw more than 60 officers from Cheshire Constabulary executing warrants at 11 addresses in Ellesmere Port with one woman and eight men all aged between 16 and 34 arrested. This action was the result of a lengthy and complex investigation, which was carried out by Ellesmere Port Local Policing Unit, and focused on the activities of a gang suspected of being involved in the supply of Class A drugs.

Operation Bullfight: Cheshire Constabulary has recently secured 22 convictions in court that relate to the supply of Class A drugs.

2.2 The Commissioner commended the Constabulary for the tremendous amount of activity in recent weeks and expressed his pride in such work that local communities welcome. The Commissioner also discussed with the Acting Chief Constable the positive response received from the public in relation to the 'all we want for Xmas' campaign.

- 2.3 The Commissioner considered in detail a revised performance pack aligned to the 2016-21 Police & Crime Plan, with detail on performance for the period up to 31 October 2017. It was acknowledged by the Acting Chief Constable that the measures within the performance pack were subject to continuous development and that the Constabulary will work with the Commissioner's Office to ensure that they remain relevant to the Police & Crime Plan priorities.
- 2.4 The Commissioner stated that visibility continues to be of significant importance given the interrelationship between visibility and public confidence. The Commissioner indicated that he was pleased to see a slight increase in PCSO time outside of the station but had hoped to see a greater increase. The Acting Chief Constable stated that the figures continue to include briefing time, refreshments and conversations with members of the public, all of which are important and will take place within the station. The Acting Chief Constable suggested that the introduction of community bases within local communities will significantly increase the visibility of PCSOs.

The Commissioner requested that a revised measure of PCSO time within community (as opposed to PCSO time outside of the station) is included in future performance packs. The Commissioner welcomed the inclusion of visibility data by LPU but recognised the variation between LPUs, for example approximately 7% difference in PCSO time outside the station between Macclesfield and Widnes. The Acting Chief Constable suggested that the new PCSO model will provide greater equity across the county but there will be a requirement to drive new cultures. It was confirmed that the Constabulary will also provide data in relation to what PCSOs are doing within local communities.

- 2.5 The Commissioner explained that he was due to meet with the Acting Chief Constable to look at response times in greater detail as there is a desire to ensure equity across Cheshire in relation to response times rather than a postcode lottery. The Acting Chief Constable suggested there is equity but stressed that response times continue to include call handling and dispatch times, unlike other forces. Call handlers continue to grade calls based upon threat, harm and risk with appropriate oversight and governance in place in relation to regrading. The Acting Chief Constable confirmed that live time monitoring is in place to provide reassurance and progress continues to be made. The Commissioner expressed concerns in relation to the process of downgrading calls and whether this process could lead to perverse cultures. The Acting Chief Constable provided the Commissioner with reassurance by confirming that all calls that are downgraded are risk assessed and a rationale is provided. Furthermore, it was confirmed that the Constabulary continues to endeavour to manage public expectations in relation to response times.

The Commissioner commended the Constabulary in relation to response times but expressed disappointment that some complaints are not due to response times per se, but more the Constabulary has failed to keep the victim updated. This is potentially the biggest cultural failure within policing but must improve significantly if there is to be a substantial increase in public satisfaction. The Commissioner urged the Acting Chief Constable to ensure the culture of the Constabulary improves to ensure adequate engagement with victims is maintained. The Acting Chief Constable recognised that although there is a desire to keep victims updated, this is an area that the Constabulary can improve and there is technology available to support engagement that will be explored over the coming months.

- 2.6 In light of recent press coverage in relation to guidance on stop search, the Acting Chief Constable provided a brief update in relation to stop search in Cheshire. Following significant national debate whether the smell of cannabis provides reasonable grounds for stop search, it was confirmed that there must also be additional intelligence in order for stop search to comply. The Constabulary has provided impact training to officers to increase knowledge and confidence with regard to stop search which has also led to greater awareness of unconscious bias. The Constabulary previously had approximately 9,000 stop searches annually, of which less than 10% resulted in any action. Following the introduction of a Public Encounters Group that scrutinises stop search records, a more targeted approach has resulted in less than 2,000 stop searches annually but a proportional increase in action taken.

The Acting Chief Constable stated that approximately 10% of all stop searches are conducted by officers in the crime car, which is what the Constabulary would expect.

The Commissioner congratulated the Constabulary on the recent HMIC dip sample of stop and search records and stated this showed a significant culture shift. The Acting Chief Constable stated that although there is still work to be done with regard to unconscious bias, officers are now clear and continue to follow national guidelines. The Commissioner did question, however, why 6.4% of all stop search records had no outcome recorded and enquired whether this was a training/admin issue. The T/Assistant Chief Constable suggested it was probably a combination of issues but confirmed he would look into this further and include within the Public Encounters Group. The Commissioner also sought reassurance that all individuals who are stop searched are provided with the relevant documentation. The T/Assistant Chief Constable confirmed this is standard procedure but again the Public Encounters Group, along with the support of an IAG member, is reviewing this to ensure information is provided in a number of languages.

The Commissioner requested a briefing in relation to the Independent Advisory Group (IAG) and the process of selection. The T/Assistant Chief Constable stated that he was personally trying to increase the independence of the of the group to ensure representation of all communities. The IAG provides the Constabulary with advice and acts as a critical friend. The Acting Chief Constable explained that the existence of the IAG was a recommendation of the latest HMIC effectiveness report. The Commissioner stated that he wishes to have greater involvement with the IAG in the future.

2.7 The Commissioner noted the 8.6% reduction in the number of complaints and questioned whether this should be regarded as positive. The Acting Chief Constable stated that the volume of complaints in relation to incivility and neglect or failure of duty is a worry but the performance in relation to timeliness continues to be positive. That said, complaints resolved via local resolution take approximately one month to complete on average and although this would ideally be completed more efficiently, this is ultimately down to resources. The Commissioner expressed concern that over half of all complaints are related to incivility and neglect or failure of duty. The T/Assistant Chief Constable highlighted that these must be reviewed in the context of the situation but confirmed that such complaints are scrutinised by the Head of People and Professional Standards. The Acting Chief Constable shared the Commissioner's concerns and suggested that we can't be complacent.

The Commissioner stressed that he does recognise some good cultures, but he will continue to have a greater involvement in complaints moving forwards to increase accountability. The Acting Chief Constable confirmed that the Constabulary is working with the Police Federation to distribute a staff survey and confirmed that the Constabulary will also conduct a sexual harassment and bullying audit in 2018. Whilst the Commissioner accepted there will be some barriers to the audit in relation to anonymity, he offered his full support to the Acting Chief Constable. The T/Assistant Chief Constable also confirmed that the Professional Standard Department is also working in conjunction with Citizens Advice in an attempt to engage with communities that historically will never make complaints following police contact.

2.8 The Commissioner commended the Constabulary for the vast improvement over the previous 18 months in relation to a diverse workforce. The Constabulary hosting the recent National Black Police Association annual conference was a significant success receiving positive feedback from the BPA and delegates from forces and partners across the country. The Commissioner did, however, inform the Acting Chief Constable that his office had received letters in relation to the police constable recruitment process, some of which have challenged the legality of the process. This comes after the currently suspended Chief Constable suggested in an interview with the press that he had taken advice about breaking the law in an effort to hire more police officers from black and ethnic minority (BAME) communities. The Commissioner stated, therefore, that the OPCC will monitor this matter over the coming months. The Acting Chief Constable stated that the Chief Constable had received legal advice and that the Chief Constable wished to ensure positive action as opposed to positive discrimination. The Acting Chief Constable suggested that there are still improvements to be

made in this area and would continue to work to increase staff confidence to enable staff to disclose protected characteristics. The Commissioner welcomed a culture within the organisation that would encourage colleagues to identify and disclose.

- 2.9 The Commissioner stressed that victim satisfaction remains an area for improvement and challenged the Constabulary to improve engagement with victims to keep them updated. This will also reduce the demand on the 101 service.
- 2.10 The Acting Chief Constable stated that approximately 30% of all missing and absent children incidents are 'looked after' children with half of such incidents attributed to just 13 individuals. The Commissioner reiterated his concerns that there needs to be an adequate provision of places of safety across the whole of Cheshire. The Acting Chief Constable confirmed that as a result, foster care is often used but in incidents involving violence and/or alcohol, this simply isn't an option. The Commissioner stated that he will raise the issue once again at the Cheshire Criminal Justice Board and welcomes the support of the Acting Chief Constable.
- 2.11 The Commissioner stated that he had discussed Child Sexual Abuse and Domestic Abuse at recent meetings with the Acting Chief Constable.
- 2.12 The Commissioner expressed concerns in relation to the significant increase in the volume of rape offences. Furthermore, the Commissioner suggested that the decrease of 13pp in the solved rate to 11.9% is a massive concern and there is potential that this may impact future reporting. The Acting Chief Constable echoed such concerns and stated that better recording processes and better recording have undoubtedly influenced the increase in reported rape offences. Nevertheless, the significant increase in non-recent rape offences reported and further issues such as reporting outside of the forensic window and witness not supporting prosecution is ultimately increasing the difficulty of investigations. The volume of rape offences means investigations continue to be shared across the Dedicated Rape Unit, Public Protection Directorate (Safeguarding) and local policing units. The Acting Chief Constable confirmed that the Constabulary continues to work with CCGs and GPs to increase referrals to RASASC and there continues to be a strong desire to proportionately solve more offences. The Commissioner stated that he appreciated the need for more resources in this area but in reality, any increase in resources would be at the expense of other departments within the Constabulary. That said, the Commissioner suggested that the priority should remain on such offences that create the most distress for the victim for the longest period of time and commended the Constabulary for being one of only a few forces nationally that continues to have a Dedicated Rape Unit.
- 2.13 Following a question to the Commissioner at a recent Police & Crime Panel, the Commissioner sought reassurance from the Constabulary that domestic abuse victims are not placed in prison as a place of safety. The Acting Chief Constable stated this certainly wasn't the case but as the Chair of the Domestic Abuse Board, would request a mapping exercise to identify any gaps in provision. The Acting Chief Constable also confirmed that Operation Enhance is providing weekend cover for IDVAs. The Commissioner offered his support and greater involvement, stating that austerity affects people in different ways and there will be inequality across Cheshire.
- 2.14 The Commissioner noted the significant increase in hate crime and expressed concerns that confidence issues continue to prevent reporting, despite the existence of third party reporting centres at the heart of communities. The Commissioner also sought reassurance that the Constabulary investigates malicious communication seriously. The Acting Chief Constable confirmed that the volume is increasing, mainly due to CDI improvements, but hate crime continues to be hugely underreported due to a lack of confidence to report. The Constabulary will continue to respond and investigate as well as continuing to focus upon education and prevention with corporate communications raising awareness. The Acting Chief Constable stated that national discussions are ongoing to maintain focus upon all characteristics and that the Safer Schools Partnership will continue to educate to improve behaviours at a younger age. The Commissioner stated that he was pleased that hate crime

is now included in the eight point plan and that officers should also be encouraged to report such crimes.

- 2.15 The Commissioner recognised the ongoing work in relation to crime data integrity but questioned when does the Constabulary expect to see all crime plateau. The Acting Chief Constable stated that the current incident to crime rate is now approximately 90% (previously 70%) so there is probably a further increase to come but not far away from all crime plateauing.
- 2.16 The Commissioner congratulated the Constabulary in relation to the significant amount of work around ASB and stated he was hugely impressed with the response. The change to the PCSO shift pattern was welcomed but the Commissioner did question whether PCSO deployment to ASB incidents is appropriate. The Acting Chief Constable suggested that, on occasions, the deployment of PCSOs is both appropriate and proactive as PCSOs may have a relationship with offenders. That said, PCSOs have previously been deployed to incidents were not appropriate. Incidents are now screened and risked assessed with supervisors reviewing patrol plans to ensure support is provided to PCSOs. The Commissioner welcomed such an approach but did enquire the process of ensuring the emergency red button of radios is tested periodically. The Acting Chief Constable suggested this is completed on a weekly basis but will check and provide a briefing to the OPCC.
- 2.17 The Commissioner applauded the significant amount of work in relation to fatal four and welcomed the continued twitter engagement by LPUs. The Commissioner stated that whilst he was pleased to see an increase in enforcement activity in relation to drug drive, it was massively disappointing and concerning to see a decrease in enforcement activity in relation to speed. The Commissioner questioned whether the Constabulary is using resources effectively and given the investment in four speed vans, can we 'sweat the asset' as much as possible. The Acting Chief Constable confirmed that enforcement activity in relation to speed remains a priority and future performance reports will include number of hours TruCam/speed van enforcement to provide reassurance. The Commissioner stated that a recent meeting with Rod King from 20's Plenty group was positive and the Constabulary must ensure there are a sufficient number of TruCams available within each LPU to enable speed enforcement within our local communities.

ACTIONS:

- 2017/42 - A measure related to 'PCSO time spent within community' (as opposed to 'time outside of the station') to be added to the performance pack.
- 2017/43 - A measure related to the number of hours Speed Vans/TruCam activity to be added to the performance pack.
- 2017/44 - The Commissioner is to be provided with a briefing in relation to IAG and the independence of members.
- 2017/45 - The Commissioner is to be provided with future dates of IAG meetings to enable more involvement in the future.
- 2017/46 - Future performance pack to include a breakdown of complaints by LPU with enhanced detail in relation to incivility and neglect.
- 2017/47 - The Commissioner is to be provided with a legal briefing in relation to the recruitment process for PCs.
- 2017/48 - Future performance pack to include a breakdown of recent vs. non-recent for CSA and Rape.
- 2017/49 - The Commissioner is to be provided with a briefing on current issues and a narrative around why CSA and rape offences are not solved/supported by the victim. A separate meeting is also to be arranged to discuss in more detail.
- 2017/50 - The Commissioner is to be provided with a briefing on the process to ensure the emergency call button on radios is working correctly.
- 2017/51 - The Commissioner is to be provided with a briefing on the Xmas drink driving campaign.

3. CRIME DATA INTEGRITY PROGRESS REPORT

- 3.1 The Commissioner requested that the Acting Chief Constable provide an update with regard to progress to date.
- 3.2 The Acting Deputy Chief Constable stated that a huge amount of work had been completed by the Constabulary including communication with staff, ongoing training, bi-weekly Gold group meetings and real time audits. It was confirmed that HMICFRS is expected to return in May 2018 to check and challenge progress in relation to CDI and the results of the latest in-house audit will be available in late January 2018. The Acting Deputy Chief Constable stated that CDI remains a key priority for the Constabulary and that he is in continuous dialogue with the HMI Lead for CDI.
- 3.3 The Commissioner thanked both the Acting Chief Constable and the Acting Deputy Chief Constable for the huge amount of work completed to date. The Commissioner stated that he felt more assured on the process and progress but will welcome the results of the latest in-house audit.

4. VOLUNTEER SCHEMES: ANNUAL REPORTS

- 4.1 The Acting Chief Constable welcomed the annual reports and thanked all volunteers for their continued support. The Commissioner also thanked volunteers for their continued support which is very much appreciated. The Commissioner stated that he wishes to increase the number of call auditors and for them to become more involved in the audit in relation to crime data integrity.

5. OPERATION TREACLE: UPDATE

- 5.1 Superintendent Crowcroft provided a verbal update in relation to Operation Treacle. The operation ran between 25 October 2017 and 05 November 2017 and covered three key dates including mischief night, halloween and bonfire night. The objective of the operation was to increase the feeling of safety within communities with a specific focus upon the most vulnerable within local communities. Early engagement with the public and partners (local authorities, Cheshire Fire and Rescue Service, schools and LPU cohesion groups) informed planning in relation to prevention of low level crime and ASB. Diversionary activities at Rampworks were a massive success and received positive feedback. The IAG reviewed the operation and the Youth Advisory Group was also in attendance to facilitate engagement between the police and young people. Cheshire Fire and Rescue Service reported that there had been a significant reduction in the number of fires with Winsford receiving just eight calls throughout the operation period compared with 158 calls the previous year.
- 5.2 The Commissioner thanked Superintendent Crowcroft for the update and congratulated the Constabulary for a successful operation. The Commissioner welcomed the use of diversionary activities and welcomed efforts to connect with communities, stressing the importance of a focus upon the most vulnerable within our society. The Commissioner requested that Superintendent Crowcroft passes on his thanks to all staff involved in the operation.

6. HEALTH AND SAFETY STRATEGY UPDATE REPORT

- 6.1 The Acting Chief Constable provided a brief overview of the report and stated that a new Health, Safety and Wellbeing Strategy would be developed in 2018.
- 6.2 The Commissioner noted the report and progress to date, but requested that a real focus upon wellbeing is included in the new strategy. The Commissioner also requested that representatives from trade unions are also involved in the process of forming the new strategy to which the Acting Chief Constable confirmed that trade unions will have involvement throughout the process.

7. PEOPLE STRATEGY: PROGRESS REPORT

- 7.1 The Commissioner reviewed performance against the key measures included in the People Strategy. The report summarised the establishment figures for officers and staff; recruitment and progression; health and wellbeing initiatives and included a detailed breakdown by rank/post and diversity factors.
- 7.2 The Acting Chief Constable stated that MIAA (internal audit) will provide an evaluation on staff recruitment in early 2018 and stated current attrition has been influenced by police officer recruitment at GMP and Merseyside. Current recruitment within Cheshire will continue to promote protected characteristics. The Acting Chief Constable explained that the Constabulary had recently been awarded top 50 UK inclusive employers and that the force had submitted a Stonewall application that would provide external recognition of the progress made to date.
- 7.3 The Commissioner stated that he supported the Stonewall application but expressed his concerns at awards provided by private companies that may involve some cost to the Constabulary. The Commissioner requested a briefing on which accreditations the Constabulary has and plans to apply for, including costs.
- 7.4 The Commissioner reiterated his desire to increase the number of Specials operational via the Employee Support Programme (ESP) and questioned why the most recent Special intake had approximately eight Specials where previous intakes had between 20 and 30. The Commissioner stated that some Specials may see the opportunity as a route of entry to police constable and challenged the perceived lack of focus upon ESP. The Acting Chief Constable stated that greater focus will be placed upon ESP over the coming months. The Commissioner sought assurances given the Constabulary had planned 120 Specials to be recruited in 2017/18 through four intakes but to date, only 57 Special Constables had been recruited. The Acting Chief Constable confirmed that an additional intake was planned for January 2018 and that discussions with HR were ongoing to ensure a further intake is planned prior to April 2018. The Commissioner requested a massive focus on ESP over the coming months to help sustain the number of Specials.
- 7.5 The Commissioner welcomed the new T/Assistant Chief Constable Sacha Hatchett to Cheshire Constabulary.
- 7.6 The Commissioner raised the issue of long term sickness and expressed serious concerns in relation to the levels of psychological stress, although there was recognition that this is a nationwide issue. The Acting Chief Constable stated that the Constabulary's wellbeing lead is to review long term sickness and there is now increased counselling opportunities via occupational health with a new SLA in place to ensure speed of appointment. The use of Traumatic Incident Stress Management (TISM) De-briefing has also received positive feedback. Whilst it was recognised that there are some instances of underperformance issues which should have been progressed, the Acting Chief Constable stated that other forces have a high rate of medical retirement which is something the Constabulary wishes to avoid. The Acting Chief Constable stated that Police Mutual will provide financial advice at the forthcoming Joint Consultative Committee and the Counter Corruption department will again run a Christmas campaign in relation to financial pressure and signpost to support available.

The Commissioner stated that he would cautiously challenge underperformance issues to encourage a change in culture within the organisation.. The Commissioner also challenged the Constabulary with regard to short term sickness as this can become long term if employees are not supported effectively. The Acting Chief Constable confirmed that the Constabulary will always provide back to work opportunities where possible as opposed to long term sickness. The Commissioner welcomed this approach and was pleased to hear there is a willingness to support staff. Given the poor long term sickness levels within public sector organisations nationally, the importance of welfare and appropriate supervision at levels is of paramount importance. The Acting Deputy Chief Constable agreed with the Commissioner and explained that there are currently some

desperately sad cases with very young staff absent from work due to serious illness or injuries.

ACTIONS:

- 2017/52 - The Commissioner is to be provided with a briefing on which accreditations the Constabulary has and plans to apply for.
- 2017/53 - The Commissioner is to be provided with a briefing on Employer Supported Policing (ESP).

8. COMPLAINTS, GRIEVANCES & EMPLOYMENT TRIBUNALS: QUARTERLY REPORT

8.1 The Commissioner scrutinised the number, nature and frequency of public complaints; performance against key complaint measures for the latest quarter as well as details of employment tribunals and grievances.

8.2 The Commissioner stated that the introduction of body worn video will have a positive influence on the number of complaints as well as the potential for public perception change. The Acting Chief Constable agreed with the Commissioner but stated a desire to manage local resolutions more efficiently.

PART 2 - PRIVATE ITEMS

The following matters were considered in private on the grounds that they involved the likely disclosure of exempt information as defined in the Freedom of Information Act 2000 and in accordance with the sections of the Act indicated below:-

<i>Item Section</i>	<i>Section</i>
<i>Action Log</i>	<i>(31) Law Enforcement</i>
<i>Conduct Matters and IPCC Referrals</i>	<i>(40) Personal Information</i>

9. 2017/6 SCRUTINY BOARD ACTION LOG

9.1 The action log was reviewed and updated.

10. 2017/7 CONDUCT MATTERS AND IPCC REFERRALS

10.1 The Commissioner considered a report on the number of conduct matters relating to police officers and police staff, and incidents which had been statutorily or voluntarily referred to the Independent Police Complaints Commission. The Commissioner identified that there were no particular trends emerging.

Duration of meeting: The meeting commenced at 10.00 and finished at 13:15.