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PUBLIC

To: Members of Derbyshire Police and Crime Panel

Wednesday, 13 November 2019

Dear Councillor,

Please attend a meeting of the **Derbyshire Police and Crime Panel** to be held at **10.00 am** on **Thursday, 21 November 2019** in The Council Chamber, County Hall, Matlock, DE4 3AG, the agenda for which is set out below.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Emma Alexander'.

Emma Alexander
Executive Director
Commissioning, Communities and Policy

A G E N D A

PART I - NON-EXEMPT ITEMS

1. Apologies for Absence
To receive apologies for absence (if any)
2. Declarations of Interest
To receive declarations of interest (if any)

3. Minutes (Pages 1 - 10)

To confirm the non-exempt minutes of the meeting of the Derbyshire Police and Crime Panel held on 12 September 2019

4. Public Questions

To consider public questions (if any)

5. Member Question and Answer Session (Pages 11 - 16)

6. Challenge Topic : To understand the impact and prevalence of domestic abuse within rural communities (Pages 17 - 24)

Please could the PCC share with the Panel the details of the above mentioned project and the response from Derbyshire? It is noted from a comment within the report from the PCC of 12th September regarding the previous challenge topic that the project has attracted national interest and so please could the PCC outline the on-going work, the purpose of that work and when it is due to be completed

7. Complaints Procedure (Pages 25 - 34)

8. Police and Crime Panel - Grant Budget

9. Announcements from the PCC

10. Forthcoming Events

To hear an oral update on forthcoming events (if any)

11. Date of Next Meeting - 23 January 2020

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Agenda Item 3

MINUTES of a meeting of the **DERBYSHIRE POLICE AND CRIME PANEL** held on 12 September 2019 at Derbyshire Police and Fire and Rescue Service, Butterley Hall, Ripley.

PRESENT

Councillor C Hart (in the Chair)

Councillors F Atkinson (Amber Valley Borough Council) A Barrow (High Peak Borough Council), R Bright (Derbyshire Dales District Council), J Frudd (Erewash Borough Council), J Mannion-Brunt (Chesterfield Borough Council), R Mee (Erewash Borough Council), C Moesby (Bolsover District Council),(substitute member) P Niblock (Chesterfield Borough Council), P Pegg (Derby City Council), G Potter (Derby City Council), M Potts (NE Derbyshire District Council), J Smale (Derby City Council) A Wheelton (South Derbyshire District Council) M White (Erewash Borough Council), and B Woods (Derbyshire County Council) and S Handsley (Independent Member),

Derbyshire County Council officers also in attendance: J Berry (Director of Legal and Democratic Services, DCC) Ivan Walters, (Democratic Services, DCC) and L Wild (Legal Services, DCC).

Also in attendance: H Dhindsa, Police and Crime Commissioner, K Gillott, Deputy Police and Crime Commissioner, D Peet, Chief Executive, Office of the Police and Crime Commissioner, A Dale, Chief Finance Officer, Office of the Police and Crime Commissioner and L Taylor, Derbyshire Fire and Rescue Service.

Apologies for absence were submitted on behalf of Councillors M Bagshaw, G Hickton and S Peake and V Newbury.

18/19 **MINUTES RESOLVED** that the minutes of the meeting of the Derbyshire Police and Crime Panel held on 27 June 2019 be confirmed as a correct record and signed by the Chairman.

19/19 **MEMBER QUESTION & ANSWER SESSION** Members were provided a written response to the Police and Crime Panel to the pre-submitted questions raised by individual Panel members.

Councillor Pegg: What is the strategic priority of the 101 service, and how call waiting time factors are used in evaluating the effectiveness of the service?

PCC Response: The 101 service is an integral component of policing, providing access for the public in non-emergency situations. The reason for calls is highly varied and may be to report an incident or to try and make contact with a specific officer or member of staff. As part of our work we have introduced the concept of THRIVE (Threat, Harm, Risk, Investigation (opportunities), Vulnerability & Engagement) in order for call handlers to be able to better deal with the issues callers are raising, therefore delivering a better quality of service. However, as with all aspects of the police budget, austerity has had its impact, and money spent on employing call handlers and police officers based in the control centre cannot then be spent on employing police officers based in communities.

The decision to improve crime recording at point of contact has understandably meant that individual calls are taking longer, which can impact on the time it takes to answer a call. The Force are working on technological solutions that may help filter some of the calls that come through – asking to speak to specific officers for example, which should help direct people to where they want to be more quickly, and reduce call times.

There are no specific targets for answering calls, though the time it takes to answer a call and the rate of people abandoning calls are reviewed as a proxy measure for performance. It should, however, be noted that for emergencies the Force are consistently able to respond to a call in under ten seconds and at the end of the day these are the calls that we would all expect to be answered quickly as there may be a risk to life.

The Panel should also note that alternative methods of contacts such as the use of the national Single Online Home portal that will allow people to do many of the things they would wish to do through the use of 101, again potentially reducing the volume of calls into 101.

Councillor Potter: The National Crime Agency has recently issued some concerning reports regarding Serious & Organised Crime Gangs and the financial expectations of combating these gangs Nationally. If the Derbyshire Constabulary still undertakes crime mapping of such gangs what and how many such groups have we operating within the County and especially in the City of Derby?

PCC Response: Derbyshire currently have a total of 50 OCGs (Organised Crime Groups) mapped across the County.

- 15 of these are on the South Division (with 11 operating within the City area itself)
- North Division have 10
- Crime Support have 3
- The Organised Crime Management Group have 22

The Panel should also be aware that in their most recent PEEL (Police Efficiency, Effectiveness & Legitimacy) inspection, HMICFRS deemed Derbyshire Constabulary's performance to be Outstanding for Tackling serious and organised crime.

Supplementary Question Councillor Potter: I appreciate the answer but the National Crime Agency (NCA) has stated that it would take an extra £3bn to fight organised Crime. Following the most recent PEEL inspection which deemed Derbyshire Constabulary's performance to be Outstanding for tackling serious and organised crime how might this announcement affect this.

PCC Response: Derbyshire continue to work closely the NCA, who have a base in the East Midlands Regional Collaborative Unit and would continue to work in Partnership within budget resources to fight crime both locally, regionally, nationally, and globally.

Councillor Potter: When can we expect to see the practice of "lone working" for patrol officers on night shift eradicated?

PCC Response: Patrol strategy is something that is clearly an operational matters and as such falls within the remit of the Chief Constable. That said, as PCC I have sought assurance from the Chief Constable that all 'frontline' officers, and staff, have received the appropriate training and have the necessary equipment to undertake their roles effectively and safely.

Supplementary Question Councillor Potter: Whilst I appreciate its operational it is the PCC's responsibility to ensure efficient and effective policing in the Area. Assaults are up by 20% nationally and this is inevitably having an impact on the sickness and mental Health issues amongst officers.

PCC Response: I agree with your comments. Even before PCC's the reality is that if policing is under funded it will have an impact on how it works. In order to eradicate lone working more funding would be needed. It's a matter of balancing resources against service delivery. The welfare of the workforce is important to me and I will continue to work with the Chief Constable to protect the workforce.

Councillor Wheelton: How will the promised increase in police funding be used to address the two biggest criticisms of front line policing; 'Lack of police visibility on the street' and 'speed of response'?

PCC Response: As the Panel are only too well aware, a consequence of austerity since 2010 has been that the number of police officers in Derbyshire fell by approximately 450 to a level not seen in decades. In addition, there were also significant cuts to police staff numbers, including PCSO's. In 2018/19 and 2019/20, the Government gave me the option of increasing the

local council tax to first halt, and then reverse some of these cuts to police officer and staff numbers. However, even this year's increase of 120 additional police officers and staff still leave the Force under resourced, a factor which continues to have an impact on visibility and speed of response.

Whilst much has been made of the headline figure of 20,000 new police officers, frustratingly, at the time of writing the detail of how and where these officers will be delivered and deployed has yet to be worked out by Government. I am working to make sure that Derbyshire is at the forefront of forces when it comes to recruiting any additional officers and Derbyshire Constabulary are engaging with other forces nationally to understand the preparedness to be able to deliver this challenging pledge. My expectation is that Derbyshire should be entitled to the best part of 300 new officers joining the ranks if the Prime Minister delivers on his pledge. Whilst welcomed, this uplift would not fully reverse the decline in officer numbers felt locally over the past ten years due to austerity, and it is still unclear what this announcement means for police staff numbers, including PCSO's. However, this increase would result in additional officers being deployed out in communities which would, in turn, have an impact on both visibility and speed of response. The locations of any deployments would be an operational decision and therefore one for the Chief Constable to make, but as I have explained there are significant potential opportunities through the uplift pledge.

Supplementary Question Councillor Wheelton (covers all three questions) I used the word 'frontline' officers as I wasn't sure how else to describe it. The public I speak to are interested as to how many police officers they see on the ground and how visible they are in the locality?

PCC Response: By my response I meant that frontline is hard to define. It's not just about officers on the street. For example 60% of the contact from the public is through the contact centre and this is a vital role. I prefer to describe it as the total number of people required to deliver an efficient and effective service to the public. Whilst I have been visiting the many communities across the County, visibility of officers is the key concern for people. No doubt as more resources have become available to assist in officer recruitment visibility on the streets clearly has a positive impact.

Councillor Wheelton: In a multi-media world, where increasingly the Public's perception of the Police is shaped by the PR skills and personal awareness of the officer in front of the lens - what support, guidance and advice is provided to police interviewees to ensure that they consistently reflect the professionalism of their colleagues and an image of the service that inspires public respect.

PCC Response: This is an operational matter and as such is the responsibility of the Chief Constable. Inevitably, the level of training varies

depending upon the seniority of the officer, what level of media engagement they are routinely expected to undertake and so as part of the ongoing training and development of officers, elements of media and PR skills are given. The Force encourages officers to embrace modern technology, but guidelines are given on how social media should be used as a positive tool for public engagement. As part of the training for senior officers, input is given as they often will find themselves in front of the camera as representatives of the organisation. As part of the recruitment of the Chief Constable, my office devised a series of tests as part of the interview process to see how well candidates responded to both supportive and hostile media. As reported to the Panel at his confirmation hearing, CC Peter Goodman performed well in these tests.

Councillor Wheelton: Building on the need to strengthen public trust and confidence in local policing, please can you provide a clear County overview of the current number of front-line officers? Likewise, how you see those numbers moving forward over the next 12/24 months?

PCC Response: This very much depends upon what is meant by the “front-line” and the reality is, is that without a clear understanding of what the questioner means by that concept any answer would be misleading.

As stated previously, as far as future police numbers are concerned, the Home Office has only been able to give minimum details of the pledge beyond the Prime Minister’s headline figure of “20,000” police officers. As of today, we do not know how many of those extra officers will be allocated to Derbyshire, what years we will be allowed to recruit them in or how they and the associated on-costs will be paid for. That said, I will be disappointed if we do not get the best part of 300 new officers as a consequence of the Prime Minister’s announcement and we are working hard to ensure that Derbyshire is ready, willing and able to start recruiting immediately the Government confirms that funding is in place to allow us to do so.

Councillor Hart: Please can an update be provided on the recruitment process connected to the additional precept award and where their placements have been in relation to the Safer Neighbourhood teams?

PCC Response: When the Chief Constable and I discussed the potential of a £24 precept rise I was very clear that people needed to feel the difference, a view that was supported by the Chief. He made the commitment that we would have all of the officers recruited by the end of July and I am pleased to be able to say that this has been achieved. As I am sure that panel will appreciate, the process of training and preparing new recruits for the challenging role of a police officer is not a quick or simple one that process is still ongoing.

Supplementary Question Councillor Hart: Are the new recruits still in training or are they 'out on the street'

PCC Response: 60 officers were now on the beat, 40 were working independently and 20 with their tutors. On top of those numbers there were 17 detective staff investigators, 11 Neighbourhood Investigating officers, and 40 PCSO's

RESOLVED to note the question and answer session

20/19 **CHALLENGE TOPIC : RURAL CRIME TEAM** Hardyal Dhindsa updated the Panel on the work of the Derbyshire Rural Crime Team and provided a briefing on the work around rural criminality

The Challenge topic requested the PCC to explore the following areas:

- What services is it providing for rural Derbyshire?
- How is the team comprised, where is it based and how does it work?
- What is the distinction between this newly created team and the existing Safer Neighbourhood Team
- What issues are they looking at and strategies for reaching out to remote communities.

Since taking up office, PCC Hardyal Dhindsa had been clear that he was the PCC for the whole of Derbyshire: Urban, suburban and rural.

As a county Derbyshire had very urban communities such as those in Derby City and Chesterfield, as well as very rural communities such as those in the High Peak and Derbyshire Dales.

The types of crimes and issues facing these different communities could often be very different and as a result under the former PCC Alan Charles, and continued through PCC Dhindsa, the Force had worked with a small team of officers who had a greater level of understanding of the crime types and potential impacts on these communities

The main aim of the Rural Crime Team was to provide a dedicated and effective policing service to the various rural communities of Derbyshire.

This included working with those communities should they find themselves a victim of crime e.g. fuel or plant theft, fly tipping as well as looking at specific crime types that are perpetrated within rural settings such as the persecution and destruction of protected species i.e. raptors, badgers and bats.

A key part of the work has been, and continued to be, building relationships and trust with those who lived within Derbyshire's rural communities. This included working closely with the National Farmer's Union as well as other key stakeholders to ensure that Derbyshire Constabulary's commitment to this area of business is understood out there in communities.

The team provided a co-ordinating function that linked into the wider Force and acted as a focus for understanding what worked in tackling rural and wildlife crime.

As with any area of policing business there would be specific tactics used which could not be shared in a public arena, but it is fair to say that an approach that used the 4 Ps of Prepare, Prevent, Protect and Pursue underpin the work.

The work of the team also supports the National Police Chiefs' Council (NPCC) Rural Affairs Strategy which sees priorities in the following areas:

- Farm machinery, plant and vehicle theft
- Livestock Offences
- Fuel Theft
- Equine Crime
- Flytipping
- Poaching

The team also had a focus around CITES – the Convention on International Trade in Endangered Species of wild flora and fauna. (This would include the illegal trade in ivory, animal skins and animal parts for traditional medicine.)

The Rural Crime Team itself had 7 full time constables and a Sergeant and was supported by an admin support officer.

The Force had allocated a Superintendent as the Gold Strategic Lead, supported by an Inspector as Silver. Both supported by the Rural Crime Team Sergeant as the Bronze. The Force had 34 Wildlife Crime Officers across the whole of the Force area who have all completed specific Wildlife Crime training. They are supported by 2 co-ordinators who are both former police officers and wildlife crime officers (including one who was a national trainer on the subject). There were also 2 specifically trained Forensic Wildlife Crime Officers.

This gave a total of 48 officers and staff who have responsibilities that include wildlife and/or rural crime

Members of the Special Constabulary and Police Service Volunteers also support this area of work. Work is being developed to understand where specially trained PCSOs would be able to add value to the work.

The team had a base at Matlock Police Station and a hub based in Melbourne to support work in the south of the County.

The work of the team was intelligence led, but they were also able to respond to non-urgent incidents when on duty.

The Rural Crime Team offered an additional layer of specialism that compliments the work of the Safer Neighbourhood Teams.

Their training had focussed on rural and wildlife crime related issues but there was a clear understanding of the necessary links into Safer Neighbourhood Teams, who would already have links and relationships with local communities.

As previously stated the team works based on a 4 Ps approach:

- **Prepare:** Building relationships with stakeholders, understanding what works (locally and nationally), understanding threats and risks;
- **Prevent:** Through work with partners providing information, advice and equipment to help prevent people becoming victims of crime as well as disrupting activity of known offenders;
- **Protect:** Again by providing information and support to help prevent people becoming victims and providing support to those who unfortunately do; and
- **Pursue:** Undertaking thorough and effective investigations and ensuring those who are identified are brought to justice including work on organised crime groups.

The team had built up strong working relationships with key stakeholders including the NFU, NFU Mutual, Young Farmers etc. as well as originations such as the Peak Park Authority and local wildlife charities. Arrangements had also been arranged for a Peak Park summit

Training and support had been provided to the Peak Park Rangers so they were able to identify and report incidents of rural or wildlife crime.

Work was currently underway to produce a resource that could be distributed to interested parties with crime prevention advice and other useful information. The team also worked to help deliver the NPCC's strategy where applicable.

The PCC remained committed to ensuring that rural and wildlife crime remained a priority for the Force. He sat as a Board Member on the National Rural Crime Network and Derbyshire were one of the participants in both the National Rural Crime Survey and specific project that sought to understand the impact and prevalence of domestic abuse within rural communities. This latter piece of work attracted national interest and the office was currently working through both the national and local findings to understand what the research is telling us.

Members were given the opportunity to ask questions or make comments which were duly answered or noted. The general consensus was that the dedicated Rural Crime team was starting to show

RESOLVED to note the report

21/19 POLICE & CRIME COMMISSIONERS ANNUAL REPORT 2018/19 Hardyal Dhindsa, Police and Crime Commissioner for Derbyshire, presented the draft Annual Report for the period 1 April 2018 - 31 March 2019 in accordance with Section 12 of the Police Reform and Social Responsibility Act 2011.

Members were given the opportunity to ask questions and also made a number of comments and observations on the Annual Report, to which the Police and Crime Commissioner responded.

RESOLVED (1) to recommend to the Police and Crime Commissioner that the Annual Report 2018-19 be issued subject to the agreed amendments; and

(2) that the report be published via the Police & Crime Commissioner's Website, www.derbyshire-pcc.gov.uk.

22/19 ANNOUNCEMENTS FROM THE PCC Hardyal Dhindsa, the Police and Crime Commissioner announced the following:-

- County Lines Event organised for 16 September 2019 at The Post Mill Centre for Senior officers from all Authorities;
- The Knife Angel would be in the Cathedral area of Derby during October with many events organised throughout the period. The launch event was 6.15pm on 3 October;
- Lobbying with the PM's office and the Home Office continued to make sure that on the back of the promise for 20,000 new officers that Derbyshire got its fair share. The force was committed to 50 new recruits by 31 March each year should the funds be made available;
- The comprehensive spending review had been put back a year but work would continue to ensure the best deal for Derbyshire; and

- It was noted that following the Whaley Bridge incident, the magnificent emergency response from all partner agencies involved which had been coordinated by the Deputy Chief Constable had been recognised nationally and by the public. The PCC was extremely proud of everyone involved and placed on record his thanks and appreciation to the local community and the many people agencies involved in keeping people safe whilst the situation was resolved. This was echoed by all the Members of the PCC and highlighted fantastic partnership working.

RESOLVED to note the announcements from the Police and Crime Commissioner.

23/19 FORTHCOMING EVENTS Members were reminded of the Training Event for elected members to be run by Front Line consulting on the morning of 24 October 2019, commencing at 9.30am at County Hall, Matlock. Full details would be circulated in due course.

Two members of the Police and Crime Panel were to attend the National Police and Crime Panel conference in Warwick on 19 November 2019

RESOLVED to note the update

24/19 DATE OF NEXT MEETING RESOLVED to note that the next meeting of the Derbyshire Police and Crime Panel would take place on Thursday 21 November 2019 commencing at 10.00am at County Hall, Matlock.

Following the meeting some members of the Panel were given a tour of the facilities, including the dog unit, the contact centre, and a demonstration of the work of drones. This was well received by all those present and Panel members placed on record their thanks and appreciation to the OPCC and the police officers who had made this possible, for a most interesting and informative visit.

MEMBER QUESTIONS TO THE PCC – 21 NOVEMBER 2019Question 1: from Cllr Ged Potter

Could all Derbyshire PCP panel members be supplied with the most up to date expenditure and expense account figures for the PCC office, together with the last 3 previous years accounts in time for the November PCP meeting.

Figures attached separately.

Question 2: from Cllr Ged Potter

Our Towns and Cities are suffering from Anti- Social Behaviour, in many cases caused by drug users and those undertaking aggressive begging, as we approach the festive period and hopefully more families will be visiting our Towns and Cities will our Policing Priorities reflect the need for families and visitors to feel reassured by visible policing and effective action against those who are intent on causing alarm and distress.

Concern about anti-social behaviour in our city and other major conurbations and its impact on those who live, work and shop in those centres has been a concern for the Commissioner for some time, and isn't just limited to the festive period. The causes of this behaviour are complex and not simply a result of reductions in police visibility.

The Panel will recollect from previous meetings that the Commissioner facilitated and chaired the Derby City Centre and Chesterfield Town Centre Summits to address these very issues in those two localities. In addition, he has hosted smaller "mini summits" in other communities.

Increasing police officer and staff numbers so as to increase visible policing has been a priority for the Commissioner and has been funded by his decision to increase the council tax to replace some of the police officers and staff lost as a result of the Government's austerity policy.

Officers from the Commissioners staff discussed policing over the Christmas period with the Force at the end of the summer and the Commissioner has already had a briefing on this subject from one Divisional Commander and anticipates that the other Divisional Commander will cover the issue at their next regular meeting.

Local Inspectors are currently preparing reports for their Divisional Command Team on how they propose to police town/city centres during the Christmas period. However, it should be remembered that all such plans are subject to

unexpected operational need and that keeping town centres safe and welcoming places is not solely a policing issue.

The decision regarding when and what action to take against anyone engaging in anti-social behaviour or criminal activity is a matter for the individual police officer and not for the Commissioner. However a criminal justice solution is not always the most effective option and, the Commissioner has supported a number of measures to make dealing with this type of behaviour more effective, including working with and financially supporting partners to provide alternative solutions such as the Safe Space in Derby and the Pathways Homelessness initiative in Chesterfield.

Question 3: from Cllr Robert Mee

In September, the government announced a £10m budget for equipping additional officers with Taser.

A number of forces (e.g. Northamptonshire and Durham) now equip all frontline response officers with Taser if they request it.

1. If this “new” money does actually materialise, is there any indication that any of it will be offered to Derbyshire, and if so will it be accepted?

Whilst the Government may have announced this initiative several months ago, not for the first time, a government announcement wasn’t accompanied by details of how the money is to be spent.

There are currently no indications regarding which Forces will receive any of the National Taser funding, never mind how much they might receive. It is known that the funding will be subject to a bidding process, although the criteria used when making a bid are not known. However, subject to those criteria it is expected that Derbyshire will submit a bid for additional funding to support the Chief Constable’s current policy on the rollout of TASER.

2. What is the view of the Police and Crime Commissioner regarding the much wider availability of this weapon for use by officers? In this regard, I would welcome your comments not only on the budgetary implications, but also on public perception. I would also ask if your views are at all affected by the geographical issues which face a force such as Derbyshire.

The decision surrounding the rollout of TASER, how many officers carry a TASER and in what circumstances, is an operational matter for the Chief Constable, not the PCC. However, the PCC has been supportive of the Chief Constable in his decision to equip more officers with a TASER and to train 100 additional police officers per year in its use over the next 3 years.

The Panel will recollect from its deliberations at the beginning of this year that part of this year's precept increase was to pay for the training of more police officers in the use of TASER, including the recruitment of two dedicated police officer TASER trainers.

Whilst supportive of the Chief Constable when operation need requires police officers to carry a TASER, the PCC is aware of the wider "public perception" issue raised by this question and of how the public may have mixed views on whether all police officers should routinely carry a TASER. It is a matter that he has raised in appropriate arenas and is supportive of a wider, national, public debate taking place to better understand the public's view. The Commissioner would welcome the comments of Panel Members on this issue of greater use of TASER.

If the policy of the Government is to have more or all "front line" police officers carry a TASER, particularly if a stage were reached when that level of TASER deployment was not being requested by the Chief Constable, that is not without substantial cost. The view of the Commissioner is that policing has been underfunded for most of the last decade and that central government should contribute more towards paying for policing rather than continuing to rely on the local council tax payer to pick up the costs

Office of the PCC for Derbyshire
Outturn by year (2016/17 through 2018/19) plus 2019/20 forecasted outturn

Description	Cat	2016/17			2017/18			2018/19			2019/20		
		Budget (£)	Amount (£)	Variance (£)	Budget (£)	Amount (£)	Variance (£)	Budget (£)	Amount (£)	Variance (£)	Budget (£)	Forecast (£)	Variance (£)
Salaries & on-costs	1	772,700	727,260	(45,440)	774,100	780,149	6,049	877,900	801,948	(75,952)	909,200	925,100	15,900
Recruitment & training	2	4,200	2,302	(1,898)	3,200	2,451	(749)	6,500	4,283	(2,217)	6,500	1,300	(5,200)
Travel, accommodation & subsistence	3	25,200	17,039	(8,161)	24,700	25,198	498	23,800	26,170	2,370	23,800	20,800	(3,000)
Office equipment and consumables	4	14,600	3,316	(11,284)	21,900	17,448	(4,452)	23,800	26,915	3,115	28,500	23,400	(5,100)
Professional fees, subscriptions and contracted services	5	200,700	208,604	7,904	211,000	211,503	503	196,500	205,146	8,646	209,500	209,700	200
Conference & engagement expenses	6	11,800	3,259	(8,541)	6,400	4,610	(1,790)	10,300	6,597	(3,703)	10,300	5,500	(4,800)
Bank Charges	7	7,000	6,188	(812)	7,000	6,377	(623)	7,000	5,757	(1,243)	7,000	9,000	2,000
Commissioned services & grants	8	2,688,592	2,185,954	(502,638)	2,392,941	2,168,037	(217,404)	2,789,241	2,832,119	42,878	2,799,241	3,442,399	643,158
MOJ grant income	9	(1,220,095)	(1,220,095)	-	(1,215,144)	(1,215,144)	-	(1,215,144)	(1,211,079)	4,065	(1,211,676)	(1,211,676)	-
Partner contributions & other income	10	-	-	-	-	-	-	-	(108,230)	(108,230)	-	(204,049)	(204,049)
Transfers to / (from) reserves	11	-	-	570,870	-	-	217,969	-	-	130,271	-	-	(439,109)
		2,504,697	1,933,828	0	2,226,097	2,000,628	(0)	2,719,897	2,589,626	(0)	2,782,365	3,221,474	(0)

Derbyshire Police & Crime Commissioner's Office
Outturn for 2016/17 through 2018/19 with forecast for 2019/20

Note:

- * the reserve referred to at the foot of this report is the "PCC Grants & Commissioning" reserve
- * positive figures are transfers into reserves whilst negative figures are transfers from reserves
- * some short-term initiatives and projects in the Commissioning/Community Safety portfolio are funded from reserves

Key:

- 1 Salaries & on-costs
- 2 Recruitment & training
- 3 Travel, accommodation & subsistence
- 4 Office equipment and consumables
- 5 Professional fees, subscriptions and contracted services
- 6 Conference & engagement expenses
- 7 Bank Charges
- 8 Commissioned services & grants
- 9 MOJ grant income
- 10 Partner contributions & other income
- 11 Transfers to / (from) reserves

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Account	Account (T)	2016/17			2017/18			2018/19			2019/20			
		Budget (£)	Amount (£)	Variance (£)	Budget (£)	Amount (£)	Variance (£)	Budget (£)	Amount (£)	Variance (£)	Budget (£)	Forecast (£)	Variance (£)	
1100	Police Staff Pay	618,800	604,683	- 14,117	628,100	634,846	6,746	712,200	649,330	- 62,870	734,100	753,000	18,900	1
1119	Police Staff Misc	-	120	120	-	-	-	-	-	-	-	-	-	1
1120	Police Staff Overtime - Plain Time	1,000	208	- 792	-	-	-	1,100	-	- 1,100	1,100	-	- 1,100	1
1123	Police Staff Overtime - Double time	-	292	292	-	-	-	-	-	-	-	-	-	1
1140	Police Staff National Insurance	54,500	63,724	9,224	66,200	67,337	1,137	74,700	69,614	- 5,086	79,300	79,800	500	1
1160	Police Staff Superannuation	98,400	58,232	- 40,168	79,800	77,966	- 1,834	89,900	83,004	- 6,896	94,700	92,300	- 2,400	1
1501	Training - External Courses / Seminars	-	390	390	1,000	850	- 150	5,000	3,395	- 1,605	5,000	1,000	- 4,000	2
1503	Training - Subsistence, misc exps	-	3	3	-	-	-	-	-	-	-	-	-	2
1504	External Trainers	-	-	-	-	680	680	-	-	-	-	-	-	2
1600	NHS Re-Imbursement	200	-	- 200	200	-	- 200	-	39	39	-	-	-	2
1602	Recruitment Advertising	-	-	-	-	555	555	1,000	849	- 151	1,000	300	- 700	2
1603	Interview Expenses	4,000	1,909	- 2,091	2,000	366	- 1,634	500	-	- 500	500	0	- 500	2
2210	Hire of Rooms	3,200	815	- 2,385	1,200	314	- 886	1,200	430	- 770	1,200	500	- 700	6
3200	Police Vehicle Fuel	-	26	26	300	211	- 89	400	361	- 39	400	300	- 100	3
3300	Hire of Vehicles	-	74	74	600	969	369	1,200	1,197	- 3	1,200	500	- 700	3
3400	Mileage (HMRC Rate)	9,000	8,684	- 316	12,700	13,742	1,042	11,000	11,024	24	11,000	10,500	- 500	3
3401	Casual Mileage	4,400	3,389	- 1,011	-	-	-	-	-	-	-	-	-	3
3403	Rail Travel	8,000	3,049	- 4,951	8,000	6,914	- 1,086	8,000	10,165	2,165	8,000	7,000	- 1,000	3
3405	Airfares	-	-	-	-	169	169	-	121	121	-	-	-	3
3408	Travel Misc (Car parking,Taxis etc)	1,000	608	- 392	1,000	1,129	129	1,000	864	- 136	1,000	700	- 300	3
4000	Equipment - General	5,000	663	- 4,337	3,000	2,661	- 339	3,000	5,776	2,776	3,000	4,600	1,600	4
4001	Equipment & Other Expenses (Payroll Only)	-	81	81	-	20	20	-	34	34	-	-	-	4
4003	Photocopiers	500	-	- 500	-	-	-	-	-	-	-	-	-	4
4040	Furniture	500	-	- 500	2,500	-	- 2,500	2,500	3,154	654	2,500	500	- 2,000	4
4070	Books	-	-	-	-	-	-	-	29	29	-	-	-	4
4100	Accommodation / Hotel Expenses	2,500	918	- 1,582	1,800	1,665	- 135	1,800	2,042	242	1,800	1,500	- 300	3
4101	Subsistence Expenses	300	291	- 9	300	398	98	400	395	- 5	400	300	- 100	3
4291	Refreshments	6,100	776	- 5,324	1,700	1,301	- 399	1,700	1,988	288	1,700	2,500	800	6
4400	Printing and Stationery - General	3,800	1,848	- 1,952	3,800	1,472	- 2,328	5,000	515	- 4,485	5,000	-	- 5,000	4
4401	Publications	500	150	- 350	500	300	- 200	500	-	- 500	500	-	- 500	4
4505	Financial Contracts	51,000	48,870	- 2,130	51,000	43,922	- 7,078	48,000	40,324	- 7,676	48,000	42,000	- 6,000	5
4520	Professional Fees	19,200	48,808	29,608	22,400	38,488	16,088	22,400	51,325	28,925	22,400	14,300	- 8,100	5
4543	Professional Fees - Legal	15,000	1,554	- 13,446	17,600	16,004	- 1,596	8,600	4,128	- 4,472	17,600	9,200	- 8,400	5

4575 Media Relations	40,500	45,571	5,071	45,000	44,656	- 344	42,500	38,158	- 4,342	46,500	38,000	- 8,500	5
4630 Hardware - Purchase	3,000	442	- 2,558	800	- 800	- 800	-	668	668	-	-	-	4
4635 Software Purchase	1,300	133	- 1,167	11,300	12,995	1,695	12,800	16,740	3,940	17,500	18,300	800	4
4721 Members - Mileage	-	45	45	-	-	-	-	-	-	-	-	-	5
4731 Members - NI Contributions	-	44	44	-	-	-	-	-	-	-	-	-	5
4740 JARAC - Attendance Allowance	7,000	5,841	- 1,159	7,000	7,294	294	7,000	7,675	675	7,000	10,100	3,100	5
4741 JARAC - Mileage	1,000	341	- 659	1,000	322	- 678	1,000	286	- 714	1,000	600	- 400	5
4805 Non Recruitment Advertising	-	-	-	1,000	1,869	869	4,900	3,012	- 1,888	4,900	2,000	- 2,900	6
4807 Conference Expenses	2,500	1,668	- 832	2,500	1,125	- 1,375	2,500	1,167	- 1,333	2,500	500	- 2,000	6
4888 Bank Charges	7,000	6,188	- 812	7,000	6,377	- 623	7,000	5,757	- 1,243	7,000	9,000	2,000	7
4890 Misc Expenditure	34,400	46,950	12,550	23,700	121,685	97,985	-	182,685	182,685	25,000	224,049	199,049	8
4891 PCC Grants&Commissioning - Crime Prevention	250,000	93,512	- 156,488	275,000	237,104	- 37,896	250,000	205,407	- 44,593	275,000	259,108	- 15,892	8
4892 PCC Grants&Commissioning - Community Safety	1,265,997	928,569	- 337,428	938,841	866,839	- 72,002	1,405,997	1,283,716	- 122,281	1,365,997	1,430,922	64,925	8
4893 PCC Grants&Commissioning - Victim and RJ	1,138,195	1,178,573	40,378	1,155,400	1,072,479	- 82,921	1,133,244	1,338,878	205,634	1,133,244	1,528,320	395,076	8
4895 Subscriptions General	67,000	57,529	- 9,471	67,000	60,816	- 6,184	67,000	63,250	- 3,750	67,000	95,500	28,500	5
9040 Government Grants General	-	- 61,650	- 61,650	-	- 122,570	- 122,570	-	- 178,566	- 178,566	-	-	-	8
9042 Ministry of Justice Grant - PCC	- 1,220,095	- 1,220,095	-	- 1,215,144	- 1,215,144	-	- 1,215,144	- 1,211,079	4,065	- 1,211,676	- 1,211,676	-	9
9043 Police Innovation Fund - PCC	-	-	-	-	- 5,000	-	-	-	-	-	-	-	8
9114 Contributions - Other Sources	-	-	-	-	-	-	-	- 841	- 841	-	-	-	10
9130 Local Authority/PCC - Contributions	-	-	-	-	-	-	-	- 107,389	- 107,389	-	- 204,049	- 204,049	10
9415 Admin Charge	-	-	-	-	- 2,500	-	-	-	-	-	-	-	8
9420 Costs Recovered - General	-	-	-	-	-	-	-	-	-	-	-	-	10
8650/60 Transfer to/(from) reserves			570,870			217,969			130,271		- 439,109		11
Grand Total	2,504,697	1,933,828	0	2,226,097	2,000,628	0	2,719,897	2,589,626	0	2,782,365	3,221,474	0	

POLICE AND CRIME PANEL**21st November 2019****REPORT OF THE POLICE AND CRIME COMMISSIONER FOR DERBYSHIRE****Challenge topic: Impact and prevalence of domestic abuse in rural communities****1.0 PURPOSE OF THE REPORT**

This report provides a summary of:

- The findings of a rural survey conducted by the National Rural Crime Network (NRCN);
- progress made so far in terms of commissioning of DA services taking into account rurality;
- and options for future outreach and engagement including a summary of the Dragonfly project in Dorset and local options with the Farming community.

2. NATIONAL RURAL DOMESTIC ABUSE SURVEY

2.1 The survey was undertaken by a small private company called 'The Buzzz' who were contracted to do the work. The Buzzz are an independent market research company who are members of the MRS (Market Research Society) and ESOMAR. They have experience of working with victims of crime, Domestic and Sexual Abuse since 2014. A team of 3 researchers undertook this project.

2.2 The researchers found the following overarching national themes:

- Rural victims are half as likely to report their abuse to others.
- Rural victims' abuse goes on significantly longer.
- Rural victims cannot readily access support services.
- Rural victims live in a society that defacto protects the perpetrators.
- Rural victims are "isolated, unsupported and unprotected in a rural hell, which is purposefully 'normalised'."

2.3 The researchers identified the below **national** themes and recommendations. They suggest that:

- Rural life may foster a strong sense of male entitlement, which goes comparatively unchecked, alongside endemic ignorance about domestic abuse, deliberate or otherwise. It is taboo, with people deliberately turning their backs on victims, who are left physically and socially isolated, feeling deeply ashamed.
- Abuse lasts longer and is harder to escape from -there may be animals to care for, they might have skills that are difficult to employ in a new life, especially in an urban area. Services are also much harder to access and

societal structures make escape less likely resulting in rural victims being half as likely to report their abuse.

- Policing response may not be as good. There can be a lack of female officers to respond and difficulty accessing places to report.
- The more isolated someone is, the greater the risk of harm, less effective support and risk of repeat victimisation.
- It is almost impossible for a victim to seek help without it being known to others, or to call the police without further community questioning or even share their fears with others in confidence.
- Abusers deliberately 'recruit' the community to their cause, which unwittingly becomes a mechanism for controlling and isolating the victim yet further.
- Men tend to hold the positions of power in rural communities– they are usually the heads of the household e.g land owner, landlord, policeman, farmer. This patriarchal society makes women more vulnerable to coercion and control, prevented from speaking out and accessing support. Whilst there is evidence that this is changing slowly, it needs to be understood, confronted and challenged where it still exists.
- Refuges are not always the safety net they can be in urban settings, as the nature of rural domestic abuse results in victims not needing crisis support in the same way, as their abuse is longer, slower and has a less 'urgent' profile. Their needs are very different and should be distinctly understood by commissioners and others.
- Reduction in rural GP practices, limited broadband, problems with public transport all compound the ability of the abuser to keep control of victims' access to help.
- There is a fragmented landscape of service provision, which meant service providers are spending a disproportionate amount of time chasing funding, rather than supporting victims, or developing their services. In some areas, commissioners were not working effectively together, with overlapping services and inefficient use of precious resources. Demand-led services, like policing and domestic abuse support, are gearing their service towards urban areas and urban victims. There is simply less data on rural victims, resulting in less being done to address the problem effectively. The same is true for rural communities in the most general sense, with vast swathes of data and decision-making being based on an urban clientele.

2.4 The report recommends:

- Government needs to ensure rurality is specifically considered when developing policy and legislation, and that service providers and commissioners locally and nationally proactively consider the hidden demand and hidden risk before delivering a service.
- Police need to consider a more pro-active, intelligence-led approach, rather than relying on responding to reports. Importantly, much more needs to be done to ensure that police officers understand the rural context of abuse, such as the impact of physical isolation, the rural characteristics of coercive control, the potential role of the community in abuse, and the patriarchal power structure.
- Resourcing needs to reflect the hidden demand in rural communities and the nuanced needs of rural victims need to be better understood, including the gender of the response officer, training of rural officers and whether or not the officer is known to the victim and alleged perpetrator

- Support services need to improve their reach into rural areas, facilitating the exiting of abusive relationships and doing more to understand the true demand in the areas they work within. Refuges are part of the solution, but innovation is required as rural domestic abuse victims are one of the most 'hard to reach' groups in our society.
- Services and commissioners must analyse demand by postcode in future, using a common definition of rurality to develop a meaningful dataset, ensuring prevention and intervention work is also targeted at areas where there is apparently little demand – this report suggests there will be demand, just hidden.
- Those providing funding need to work together more, and to allow providers the time and space to develop their services. Commissioners should specifically consider rurality in their service specifications and hold providers to account for Recommendation 3, ensuring delivery better reflects the needs of rural victims and survivors.
- The government and local agencies such as Police and Crime Commissioners, criminal justice partners and Local Authorities must ensure their policies and services are 'rural proofed', no longer based solely on demand, but on need. This requires a deliberate strategy to ensure research, data and analysis is not skewed towards urban demands and is fully inclusive of rural communities.
- The study reveals a traditional society where women (and it is mostly women) are subjugated, abused and controlled, not just by an individual abuser, but defacto, by very the communities in which they live, too often left unsupported and unprotected. This is not at all unique to rural areas, but it is very significant, and change is slow.

3.0 DERBYSHIRE FINDINGS

3.1 The survey findings were based on a very small number of respondents from Derbyshire , in total 35 for the whole, so caution must be taken in relation to the findings, although general themes may be considered.

- Derbyshire was one of only two areas using ONS postcode classifications to define rurality. This has resulted in their focus on rurality to be reflective of the most isolated rural areas.
- Derbyshire are also commended for using data analysis to inform commissioning strategy – in collaboration with the council therefore we have a platform to continue to use performance data to support the commissioning of future victim services.
- In Derbyshire, the importance of localised service provision was underlined throughout.
- Derbyshire is the only area sampled other than Lincolnshire who uses the ONS defined categorisation of rural and urban areas. It is recommended that postcode analysis to use in the planning and commissioning strategy to ensure a more equal distribution of resources between urban and rural areas.
- Specific initiatives need to be targeted at rural areas to compensate for the under-reporting and as the implications of this study start to show themselves within the terms of contracted services.

- From a referral perspective, the role of GP's is underlined in the picture for Derbyshire and could play a more prominent role in terms of outreach.
- In Derbyshire, it appears that the small numbers of rural victims responding to the survey could all access support services within 30 minutes which may support the current distribution of smaller localised partners.
- In Derbyshire, there were few (4 in total) responses from victims aged over 55. However, the national findings suggest this may be an overlooked group across the UK.
- In Derbyshire the researchers found concerns around fragmentation of service.
- The policing response for Derbyshire shows a mixed picture. However, the sample size was small with the result that 3 in 5 victims responding to the survey had contacted the police from urban areas compared to just 2 in 5 for rural areas and the more remote rural areas the numbers contacting the police dropped again. This reflects a national picture.
- Interviews with victims in Derbyshire referenced a common factor of a dominant male in the relationship more than any broader societal influence.
- In Derbyshire, the researchers found a significant fear amongst victims that calling the police would lead to an almost automatic involvement of Social Services.
- While present in both rural and urban Derbyshire, the overriding sense from our interviews with rural victims was the feeling of embarrassment/shame they felt by admitting to the small world they lived in that they were a victim.
- Appropriate locations need to be found for people to attend courses such as Freedom programme due to the reliance on failing rural transport

3.2 The researchers recommended the following for Derbyshire:

- Obtain a more comprehensive data set amongst victims of Domestic Abuse in Derbyshire
- Conduct a reassessment of current strategic commissioning for the rural areas
- Improve current service provision – distributed too thinly, under resourced and under duress
- assess the police service's ability to respond and the level of training and gender balance of officers needed to attend to Domestic Abuse incidents

4.0 OPCC RESPONSE

- 4.1 The sample size of the NRCN survey means we must treat the survey with caution (only 35 people responded). We may need to do further testing of the findings to understand if these are really playing out in the communities of Derbyshire as we cannot be assured of the statistical validity.

- 4.2 The current commissioning strategy for all victim services is founded on an open and transparent procurement process based on service specifications written according to need and following extensive review. Procurement of medium risk Domestic Abuse services in the County between the OPCC and local authority has been consolidated under a single consortia provision covering the geographical requirements of the county. The high risk service in the City and County is contracted to one single provided and an aligned specification. Both specifications account for rural outreach, accommodation and access for people from rural communities. There is also a county-wide advice/helpline to increase access. Bespoke cases studies were used during the tendering process to elicit responses to provide assurance around effective engagement and targeted interventions for rural victims.
- 4.3 Work is developing with Rural Action Derbyshire who have strong and trusted links with the rural and farming communities across Derbyshire. Discussions are taking place to scope some key activities to further inform and enhance our understanding of Domestic Abuse and design services appropriate to the rural context. This may include some of the following:
- Developing networks with women in farming around the county and holding informal focus groups.
 - Undertaking surveys at farming and social events with women in particular around the issue to gain a better understanding of the issues.
 - Developing funding bids in partnership.
 - Developing training products to roll out awareness raising training next year to groups such as young farmers, women's groups such as WI and Mothers Union, and men's groups where they exist
 - Further developing rural Digital Hubs and champions to be able to provide access to advice and a safe place where people can access information and services.
 - Identifying positive male role models in rural communities who can have these conversations, such as male chaplains and farmer volunteers.
- 4.4 We will work with the Force to explore together how rural communities are effectively policed including the PPU and the vulnerability teams. It is not clear if the issues about visibility and response times relating to DA are truly reflective.
- 4.5 We have commenced a scoping exercise on a volunteer outreach programme modelled on a service provided in Dorset called Dragonfly. The Dragonfly Project started in 2016 in Dorset to identify victims of domestic violence and abuse (DVA) who are isolated within their own communities. This was based on a recognition that some people are not able to access services, or are not even aware that these services exist. The following describes the service offer which is essentially about communities supporting communities. It has resulted in both an increase in rural referrals and elderly referrals to the commissioned services. They:
- Train Champions living and working in communities so they are able to receive and respond to disclosures of DVA

- Work together to end misplaced stigma to enable people in our communities to access support and help for themselves if they are experiencing DVA
- Empowering communities to support and help those who are being affected by DVA
- Educating communities to work together to raise awareness of DVA
- Make support easily accessible in isolated areas
- Increase early identification and intervention to prevent any long term adverse effects of DVA
- Offer ongoing links for all Champions to a specialist DVA Worker

Contact details in the event of enquiries	Name: Dawn Robinson External telephone number: 0300 122 6004 Email address: pccoffice@derbyshire.pnn.police.uk
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PUBLIC

Agenda Item 7

DERBYSHIRE POLICE AND CRIME PANEL

21st November 2019

**Report of the Deputy Director of Legal Services of Derbyshire County
Council**

COMPLAINTS PROCEDURE

1. Purpose of the Report

To consider for review the current Complaints Procedure adopted by Derbyshire's Police and Crime Panel (PCP).

2. Information and Analysis

The current Complaints Procedure was adopted by Derbyshire's Police and Crime Panel in April 2013. A copy of the Procedure is attached at Appendix 1.

The Panel has statutory responsibilities under the Elected Local Policing bodies (Complaints and Misconduct) Regulations 2012. These include the Panel ensuring that it is kept informed about complaints and conduct matters and their handling in respect of Derbyshire's Police and Crime Commissioner and his Deputy, together with responsibilities regarding informal resolution in respect of particular complaints. There are further requirements to notify and refer complaints to the Independent Police Complaints Commission in certain circumstances.

In accordance with the regulations detailed above, the Panel is able to delegate the receipt, initial handling and recording functions relating to complaints to the Chief Executive of the Commissioner or the Monitoring Officer of the host authority (the Director of Legal Services of Derbyshire County Council). Under the current procedure, at paragraph 4.1, the Panel has delegated authority for the initial handling of complaints together with other aspects of the process to Derbyshire County Council's Monitoring Officer and Director of Legal Services under section 101(2) of the Local Government Act 1972.

The Panel is also able to delegate the functions regarding informal resolution to a sub-committee, a single member of the Panel, or to a person who is not a member of the Panel. Under the current Procedure, the Panel has also delegated this function to the Monitoring Officer and Director of Legal Services of Derbyshire County Council under at paragraph 4.1.

The current Complaints Procedure has been in place since April 2013 and Members of the Panel have indicated a wish to review it.

LGA guidance from May 2015 “*Good Practice for Police and Crime Panels: Guidance Document*” recommends that in reviewing the complaints procedure, it is good practice for panels to consider:

- Clearly setting out responsibility for all types of complaint
- Reviewing whether a triage system would be useful
- Making sure that complainants understand that recording a complaint is not the same as upholding it
- Considering whether it is appropriate for the chair of the panel to see all complaints
- Many complaints against police officers to the IPCC are partly upheld through lack of recording although the substance later fails. The produces unsatisfactory outcomes – consider scrutinising the PCC’s performance in tackling this
- Having clear guidance for recording complaints
- Developing clear guidance for recording complaints
- Rather than referring to the IPCC general casework team; referrals should be to a specialist link with experience of PCC complaints
- Having a process to take back and conclude complaints when received back from the IPCC

Therefore, Members may consider it appropriate to identify a working party to review the Complaints Procedure, taking into account the guidance provided by the LGA.

3. Considerations

In preparing this report, the relevance of the following factors has been considered: financial, legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health and transport considerations.

4. Background Papers

The file currently held by the Deputy Director of Legal Services.

5. Officer’s Recommendation

That a working group from the Panel is established to review the Complaints Procedure.

Simon Hobbs
Deputy Director of Legal Services

Derbyshire Police and Crime Panel

Complaints Procedure

1. Background

- 1.1 This procedure has been adopted to ensure compliance with the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 ('the Regulations') which are issued under the Police Reform and Social Responsibility Act 2011.
- 1.2 This policy covers complaints against the Police and Crime Commissioner for Derbyshire ('the Commissioner') and the Deputy Police and Crime Commissioner for Derbyshire ('the Deputy Commissioner'). It does not cover complaints against the Commissioner's office and staff, or complaints regarding operational policing, the Chief Constable and other police officers.

2. Aims/Objectives

- 2.1 To set out the way complaints against the Commissioner and the Deputy Commissioner will be handled by the Derbyshire Police and Crime Panel ('the Panel').
- 2.2 To reassure the public that complaints against the Commissioner and the Deputy Commissioner are dealt with fairly and appropriately.
- 2.3 To reassure the public that any complaint relating to a criminal offence will be referred by the Panel to the Independent Police Complaints Commission ('IPCC').

3. Definitions

- 3.1 'Complaint': is any complaint about the conduct of a commissioner or deputy commissioner.
- 3.2 'Conduct Matter': is an indication that a commissioner or deputy commissioner may have committed a criminal offence, which comes to light otherwise than by way of a complaint (for example, through legal proceedings or media reporting).
- 3.3 'Serious Complaint': is a particular type of complaint – one which alleges that the commissioner or deputy commissioner has committed a criminal offence.

4. Submitting a complaint

- 4.1 The Panel has delegated authority for the initial handling of complaints, together with other aspects of the process, to Derbyshire County Council's Monitoring Officer and Director of Legal Services, under Section 101(2) of the Local Government Act 1972.

Complaints should be sent to:

**Director of Legal Services
Derbyshire County Council
County Hall
Matlock
Derbyshire
DE4 3AG**

Or emailed to simon.hobbs@derbyshire.gov.uk

- 4.2 When making a complaint it is helpful to provide as much information as possible, to be specific regarding what was allegedly said or done, the date it happened, and whether there were any witnesses. A form is available on the website below which complainants may find useful.

www.derbyshire.gov.uk/community/derbyshire_police_and_crime_panel

5. Timescales

Wherever possible complaints will be acknowledged within 5 working days, and concluded within 40 working days if dealt with through informal resolution (under paragraph 14 below).

6. Duty to preserve evidence

Where a complaint is received there is a duty to ensure that all appropriate steps are taken to obtain and preserve evidence relating to the complaint. This duty is on-going until or unless arrangements are made for the complaint to be dealt with through informal resolution (under paragraph 14 below).

7. Notification and recording of complaints

- 7.1 A complaint which:

- a) relates to the Commissioner or Deputy Commissioner for Derbyshire;
- b) is not already being dealt with by means of criminal proceedings;
- c) has not been withdrawn (under paragraph 12); and
- d) is received by or notified to the Panel;

will be recorded.

- 7.2 Where a complaint which satisfies paragraph 7.1(a)-(c) above is made to the IPCC, the Chief Constable, the Commissioner or the Deputy Commissioner that person/body will give notification of the complaint to the Panel.
- 7.3 If the complaint relates to a commissioner or deputy commissioner of another police force area, the police and crime panel (PCP) for that area will be notified and will deal with the complaint.
- 7.4 Where the complaint is not notified or recorded as above, the person/body who received the complaint shall notify the complainant of this decision and the grounds for it.

8. Copies of complaints

- 8.1 The Panel will supply the complainant with a copy of the record made of a complaint recorded in accordance with paragraph 7.1 above.
- 8.2 The Panel will supply the subject of the complaint with a copy of the complaint, unless to do so:
- might prejudice any criminal investigation or pending proceedings, or
 - would otherwise be contrary to the public interest.
- 8.3 The copy of the complaint supplied under paragraph 8.2 above may be anonymised.
- 8.4 A decision not to supply a copy of the complaint under paragraph 8.2 above will be kept under regular review.

9. Notification and recording of Conduct Matters

- 9.1 Where a Conduct Matter comes to the attention of the Panel (e.g. in civil proceedings), the Panel will record the matter, unless:
- the Panel is not the relevant PCP in relation to the office holder involved;
 - the matter has already been recorded as a complaint; or
 - the matter is the subject of past or present criminal proceedings against the office holder.
- 9.2 If the Panel is not the relevant PCP in relation to the office holder, the Panel will notify the relevant PCP.

10. Reference to the Independent Police Complaints Commissioner (IPCC)

- 10.1 The Panel is not responsible for investigating or determining whether a crime has been committed. The Panel has delegated authority to Derbyshire County

Council's Director of Legal Services for filtering Complaints and deciding which Complaints may amount to Serious Complaints. The Director of Legal Services may take advice from the IPCC before making a referral.

- 10.2 The Director of Legal Services will refer the following to the IPCC:
- Any Serious Complaint;
 - Any Conduct Matter it has recorded; and
 - Any complaint or matter which the IPCC notifies the Panel that it requires to be referred.
- 10.3 The referral will be made as soon as practicable and, in any event, no later than the close of business the day after the Director of Legal Services becomes aware that the matter should be referred.
- 10.4 Where the Director of Legal Services refers a complaint or Conduct Matter he/she will notify the complainant and, except where doing so might prejudice a possible future investigation, the subject of the complaint or Conduct Matter.
- 10.5 The IPCC may refer any complaint back for resolution.

11. Disapplication of the Regulations: circumstances when the Panel does not need to deal with a complaint

- 11.1 Where a complaint is not a Serious Complaint or the IPCC has referred the complaint back to the Panel, the Director of Legal Services may decide *not* to subject the complaint to resolution or to take any action at all, in the following circumstances: -
- where the complaint has been made by a member of the Commissioner's staff, arising from their work;
 - where the complaint is more than 12 months old where there is no good reason for the delay or the delay would be likely to cause injustice;
 - where the complaint is about conduct that is already the subject of another complaint;
 - where the complaint is anonymous;
 - where the complaint is vexatious, oppressive or otherwise an abuse of process for dealing with complaints; or
 - where the complaint is repetitious (e.g. where the complaint is substantially the same as a previous complaint which has already been dealt with under the Regulations and it contains no fresh allegations or fresh evidence).
- 11.2 Where no action is to be taken in relation to a complaint, the complainant will be notified of this decision and the reason for it.

12. Withdrawn complaints

- 12.1 A complainant can withdraw or discontinue their complaint at any time.
- 12.2 If the Panel receives signed, written notification (addressed to the Director of Legal Services) that the complaint is withdrawn or discontinued this will be recorded.
- 12.3 If a complainant indicates that they wish to withdraw or discontinue their complaint but no signed, written notification is received, the Director of Legal Services will write to the complainant to determine whether or not they wish to withdraw or discontinue. If the complainant confirms that they wish to withdraw or discontinue the complaint, or does not reply within 21 days, the Director of Legal Services will treat it as if he/she had received a signed, written notification as above.
- 12.4 If the complaint has been referred to the IPCC they must be updated.
- 12.5 The Panel (or IPCC) may decide to treat the withdrawn/discontinued complaint as a Conduct Matter. This decision will be made by the Director of Legal Services in consultation with the Chair of the Panel. The procedure for Conduct Matters will thereafter be followed.
- 12.6 The person who is the subject of the complaint will be kept informed, unless to do so might prejudice a criminal investigation or pending proceedings, or be contrary to the public interest.

13. Conduct occurring outside England and Wales

The Commissioner and Deputy Commissioner are under a duty to notify the Panel, via the Director of Legal Services, of any allegation, investigation or proceedings relating to their conduct outside England and Wales. The Panel can take whatever action it thinks fit in these circumstances. This decision will be made by the Director of Legal Services in consultation with the Chair and/or Vice-Chair of the Panel.

14. Informal resolution of complaints

- 14.1 Informal resolution is a way of dealing with a complaint by solving, explaining or settling the matter directly with the complainant, without an investigation or formal proceedings. It is a flexible process that may be adapted to the needs of the complainant and the individual complaint.
- 14.2 Informal resolution will involve:

- no investigation, other than requiring the subject of the complaint to provide information and documents to the Panel and attend to answer questions;
- an opportunity for the complainant and the subject of the complaint to comment on the complaint as soon as is practicable;
- recording if the subject of the complaint chooses not to comment on the complaint; and
- no tendering of an apology on behalf of the subject of the complaint unless that person has admitted the conduct in question and agreed to the apology.

14.3 This paragraph applies where the Panel:

- has recorded the complaint;
- has not referred the complaint to the IPCC or has had it referred back; and
- has not decided to disapply the Regulations under paragraph 11.

14.4 Where this paragraph applies the Director of Legal Services, in consultation with the Chair and/or Vice-Chair of the Panel, will make arrangements for the informal resolution of the complaint, unless he/she determines that the complaint has already been satisfactorily dealt with.

14.5 Making arrangements for informal resolution include deciding whether the process will be handled by

- a sub-committee of the Panel;
- a single member of the Panel; or
- another person, such as the Commissioner's Chief Executive, the Director of Legal Services, a voluntary organisation or a private mediation company.

14.6 The Commissioner and Deputy Commissioner cannot be appointed to informally resolve complaints.

14.7 The Panel can take back responsibility for informal resolution at any time.

14.8 Informal resolution will be discontinued if the IPCC notifies the Panel that they require the complaint to be referred to them, or if the Director of Legal Services, in consultation with the Chair and/or Vice-Chair of the Panel, decides the complaint should be referred to the IPCC.

15. The outcome of informal resolution

15.1 There will be no formal sanctions with informal resolution; ultimately the Commissioner and Deputy Commissioner are held accountable by the ballot box.

- 15.2 The aim is to resolve the complaint to the satisfaction of the parties involved. For example, the subject of the complaint may agree that an apology would be appropriate, an explanation might resolve the concern, or an agreement on how to move forward may be reached following mediation.

16. Recording and publishing the outcome of informal resolution

- 16.1 A record of the outcome of the informal resolution will be made as soon as practicable after the process is completed. Copies will be provided to the complainant and the subject of the complaint.
- 16.2 The record of the outcome of informal resolution can be published if it is considered to be in the public interest. This decision rests with the Director of Legal Services in consultation with the Chair and/or Vice-Chair of the Panel. Before doing so the complainant and the subject of the complaint will be invited to comment and their views will be considered.

17. Keeping records for monitoring purposes

- 17.1 The Panel will keep a record of every:
- complaint and purported complaint it receives;
 - every Conduct Matter recorded by it; and
 - every action taken under the Regulations.
- 17.2 The record will be kept until 12 months after the Commissioner and/or Deputy Commissioner leaves office. The record will include the name of the complainant, details of the complaint/Conduct Matter and how the matter has been dealt with.
- 17.3 Summary reports regarding complaints dealt with under this procedure will be submitted to the Panel on an annual basis.

18. Appeals

- 18.1 There is no right of appeal in relation to informal resolution.
- 18.2 A complaint can be made about the way a matter was handled, for example if it was delayed or if there was a failure to record a complaint. In the first instance the complaint should be addressed to the Director of Legal Services:

The Director of Legal Services
Derbyshire County Council
County Hall
Matlock
Derbyshire
DE4 3AG

- 18.3 If a satisfactory response is not received the complainant can refer the matter to the Local Government Ombudsman:

The Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH