

**NOTES OF THE SCRUTINY BOARD HELD ON 27 FEBRUARY 2019 IN CR7,
CHESHIRE CONSTABULARY HEADQUARTERS, CLEMONDS HEY, WINSFORD, CW7
2UA.**

Present: D Keane, Police & Crime Commissioner
D Martland, Chief Constable

Office of the Police & Crime Commissioner

P Astley, Chief of Staff
M Walton, Senior Governance & Performance Officer
C Tozer, Senior Communications Officer

Cheshire Constabulary

P Woods, Head of Planning & Performance
P Crowcroft, Superintendent (Local Policing)

Three members of the public were also present to observe the meeting.

The Commissioner welcomed the three members of the public present and explained that he wished to discuss with the Chief Constable a number of issues, some of which had been raised at the recent Police and Crime Panel, with others raised via social media as well as meetings with local town and parish councils. This approach would ensure that concerns direct from the public were discussed with the Chief Constable and answers provided.

1. NOTES FROM 14 NOVEMBER 2018 MEETING

1.1 The notes from the meeting on 14 November 2018 were noted and approved.

2. THEMATIC: A POLICE SERVICE FIT FOR THE FUTURE

2.1 The Commissioner welcomed the inclusion of the thematic report and explained that a police service fit for the future is a key priority as it is imperative that appropriate equipment is available to enable officers to provide an effective service to the residents of Cheshire.

2.2 The Commissioner highlighted the Tri-Force Niche project and welcomed the greater effectiveness and efficiencies that this will provide in the future. The Chief Constable explained that Cheshire, Merseyside and North Wales previously used independent systems but Tri-Force Niche will provide frontline staff with access to crime, safeguarding, intelligence and custody information of all three forces. Merseyside and North Wales had previously 'gone live' with early operational benefits identified. A training programme will be available to all frontline officers but functionality is similar to the previous Niche RMS version used in Cheshire. It is anticipated that the Tri-Force Niche project will also provide added functionality in the future within the Force Intelligence Bureau, forensics and criminal justice. The efficiencies gained via Tri-Force Niche are in relation to time, resources and partnerships.

2.3 The Chief of Staff welcomed the greater intelligence available on nominals from cross boundaries. The Chief Constable acknowledged the benefits and stated that the Constabulary remains committed to disrupting all travelling criminality. It was confirmed that a neighbouring force currently uses a separate system but there are additional opportunities available with other forces. The Commissioner explained that he had previously raised the issue at a regional collaboration meeting and had suggested that planning 'down the line' could enable further systems to be aligned and improve public safety. The Commissioner confirmed that he would once again discuss

the issue at a future regional meeting. The Commissioner applauded the introduction of Tri-Force Niche and suggested the enhanced data available to frontline officers will be invaluable. The Chief Constable stated there are already numerous examples of operational benefits and successes. The Commissioner and Chief Constable wished to place on record the efforts of Superintendent John Betts during his secondment in leading the Tri-Force Niche project.

- 2.4 The Commissioner requested additional details in relation to the Constabulary's efforts to further develop its biometrics capability. The Chief Constable explained that finger print technology is currently being trialled by the Roads Policing Unit that provides real time ability to identify wanted individuals at the roadside. The trial device has received positive feedback and the Constabulary will continue to trial with a view to potentially increasing the use of the device across the Constabulary. The Commissioner welcomed the efficiencies such a device can provide at the roadside. The Chief Constable explained that remote access to the national database negates the requirement to travel to a custody suite to identify individuals, saving a significant amount of time for officers.
- 2.5 The Chief of Staff applauded the Constabulary in relation to the various technologies currently available to frontline officers via both transformation funding and Cheshire resources. It was suggested that the Constabulary should continue to promote where possible the current technology to demonstrate efficiencies and increase public confidence. The Chief Constable stated that the Digital Board captures such work and that some of the national programmes, such as submitting evidence to the CPS, is mandatory. The Chief Constable explained that there are costs associated with such programmes as well as training and resource implications. The Commissioner suggested it would be useful to understand such implications to support the Chief Constable wherever possible.
- 2.6 The Commissioner applauded the Constabulary given the recent progress in IT and collaborations. The Commissioner highlighted the Government expectations in relation to collaborations and such evidence will enable the Commissioner to continue to challenge the Government for a fair funding settlement for Cheshire. The Commissioner wished to thank all staff involved for their ongoing work and dedication to ensure greater efficiency and effectiveness of Cheshire Constabulary.
- 2.7 The Commissioner recognised the tremendous amount of work undertaken by the Constabulary over the previous 18 months in relation to the roll out of local community bases aligned to the 122 PCSO community footprint. Although there are now 122 community bases identified at little or no cost to the Constabulary, the Commissioner expressed his concern that there are still some bases that do not have a sign in place. The Commissioner acknowledged that the criteria for a community base was agreed with the previous Acting Chief Constable, but reiterated his expectation of 100% compliance by April 2019, suggesting that a community base is not a community base without a sign. The Commissioner stated that the use of an 'A' board' alone is not sufficient and suggested that the Constabulary looks to explore additional locations where our presence is visible for local communities. The Commissioner sought assurance from the Chief Constable that he will ensure that the PCSO model and roll out of local community bases will be fully implemented as previously agreed.
- 2.8 The Chief Constable provided such assurance and explained that Neighbourhood Policing is a key priority and that he shared the Commissioner's vision. The Chief Constable explained that work is continuing in the seven community areas with no agreed sign location and that a Superintendent will soon be aligned to each of the four local authority areas with the responsibility for Neighbourhood Policing and delivering the PCSO model. The Chief Constable committed to providing a further update in relation to community bases and signage but agreed that should an agreed sign location not be possible, the Constabulary should look for alternative visible locations within local communities.
- 2.9 The Commissioner wished to highlight the significant initial success of the PCSO model but stressed that although he recognises the challenges of working in collaboration with partners, the added value of visibility within local communities and the relationship between residents and PCSOs is of paramount importance. The Commissioner welcomed further clarity and urged the Constabulary not to become complacent. The Commissioner wished to place on record the efforts

of Superintendent Peter Crowcroft in leading the rollout of the local community bases aligned to the 122 PCSO community footprint. It was noted that Cheshire Constabulary is only one of a few forces that has increased PCSO numbers, with many forces either decreasing numbers or removing the role of PCSO.

- 2.10 The Commissioner welcomed the Constabulary's continued efforts to explore opportunities for shared facilities with Cheshire Fire and Rescue Service, citing Frodsham as a great example. The Chief Constable explained that the public consultation with regard to Risley Police Station is open until 07 March 2019 with initial feedback suggesting overwhelming support for the move from Risley to Birchwood Fire Station, although there is mixed opinion in relation to moving the helpdesk function to Warrington Police Station (Arpley Street). The Chief of Staff stated that there appears to be some misunderstanding with regard to the helpdesk functionality and suggested the Constabulary communicates with the local community to ensure both the mechanics and benefits are understood. The Chief Constable confirmed that a detailed analysis of the consultation will be provided following the consultation. The Commissioner welcomed the openness of the Constabulary to consult with the local community and applauded Corporate Communications and local PCSOs for promoting the opportunity for local residents to participate.
- 2.11 The Commissioner noted the recent employment tribunal that found the Constabulary had breached the equality act, but explained that it was not his intention to discuss in any detail given the ongoing legal proceedings. Whilst the Commissioner complimented the objective of ensuring a more diverse and inclusive police service for Cheshire, he stated he had previously raised concerns with the approach of the Constabulary. The Commissioner stated that he intended to discuss in more detail at a future scrutiny meeting following the conclusion of the legal proceedings, stressing the importance of openness and transparency. The Chief Constable confirmed that the new Deputy Chief Constable would undertake a full review of the recruitment and promotion processes. The Commissioner explained that further consideration in public would be required to provide reassurance. The Chief Constable confirmed that the previous recruitment process had ceased and welcomed future discussions to provide such assurance to the public.
- 2.12 The Commissioner noted the ongoing work in relation to equality, diversity and inclusion (as highlighted in paragraphs 26, 27 and 28), applauding the Constabulary in its efforts to achieve Autism Accreditation.

ACTIONS:

- 2019/01: The Commissioner is to be provided with an update in relation to signage at 122 Tier 2 locations.
- 2019/02: The outcome of the recent Employment Tribunal will be discussed at a future Public Scrutiny Board.

3. POLICE & CRIME PLAN: PERFORMANCE REPORT

- 3.1 The Commissioner noted the ongoing developments in relation to PCSO visibility data, stating the previous measure of PCSO 'time outside the station' was not an accurate reflection of PCSO visibility (it was previously estimated 50% of PCSO time was in the station, 20% traveling and 30% visible in communities). The Commissioner welcomed the revised performance measure of PCSO 'time in allocated community' but urged the Chief Constable to ensure greater visibility of PCSOs in their allocated communities. The Commissioner acknowledged the variables across Cheshire in relation to geography, the location of the main deployment base within the LPU and Tier 1 bases, but reiterated his desire to see increased visibility of PCSOs in our communities.
- 3.2 The Chief of Staff raised concerns with regard to the method of capturing such data and questioned whether there is technology available to capture more meaningful data. Nevertheless, the Chief of Staff suggested that anecdotal evidence suggests a significant increase in PCSO visibility following the roll out of the PCSO model. The Commissioner stated he continues to

receive positive feedback about PCSO visibility as well as PCSOs undertaking speed enforcement and surgeries in local communities.

- 3.3 The Commissioner again welcomed the inclusion of such data and suggested this evidences the Chief Constable's desire to ensure openness and transparency. The Commissioner stated that he wished to support the Constabulary to improve visibility and whilst anecdotal evidence is useful, he requires data to be presented in order for him to hold the Chief Constable to account.
- 3.4 The Chief Constable agreed with the Commissioner and stated that the data did not reflect what he sees or feels when visiting LPUs. The Chief Constable explained that he wished to understand the variations in the data as there is a clear commitment that the Constabulary is visible and accountable to local communities via clear leadership within each LPU. The Chief Constable stressed this is a key priority for Cheshire Constabulary and that the Superintendent aligned to each of the four local authority areas will ensure that PCSOs are increasingly visible in communities.
- 3.5 The Commissioner referenced previous discussions and concerns in relation to lone working, suggesting there is a perception of limited supervision for PCSOs if they are no longer booking on at the main LPU deployment base. The Commissioner enquired whether the next step is to ensure officers are also based at Tier 1 bases to strengthen relationships. The Commissioner reiterated his concerns with the centralised model and suggested whether the Constabulary could further support PCSOs to strengthen Community Policing. The Chief Constable agreed with the Commissioner but stressed that he would need to explore the practicalities. That said, the Chief Constable stated he is keen to develop as Neighbourhood Policing is a team approach.
- 3.6 Superintendent Crowcroft explained that the use of tablets and video conferencing has enabled PCSOs to communicate with supervisors but the issue has been raised by PCSOs and there remains an ongoing commitment to wellbeing across the Constabulary. Although there is still work to be done, the profile of PCSOs has been raised and the PCSO model is unique to Cheshire. The Chief Constable explained that he wished to satisfy himself that the Constabulary was not asking PCSOs to do anything that prevents them being visible in their allocated communities.
- 3.7 The Commissioner suggested that an integrated team of PCSOs and officers will support wellbeing (and therefore potentially reduce sickness/absence) as well as ensuring a consistent policing model across Cheshire. The Chief Constable confirmed that there is ongoing work in relation to public contact, a reduction in crime allocation to frontline officers and a trial in relation to shift patterns, all of which it is hoped will increase the visibility of both PCSOs and officers.
- 3.8 Superintendent Crowcroft also highlighted the importance of effective relationships with partners to increase knowledge and understanding of local communities, citing ROC as an example of active citizens. The Commissioner applauded such partnerships and suggested greater partnerships with local authorities would prevent ongoing frustrations of residents. The Commissioner also explained that there are ongoing discussions with Cheshire Fire & Rescue Service in relation to a collaboration with PCSOs and fire advocates to improve community safety.
- 3.9 The Commissioner noted the 17.6% decrease in the number of missing and absent children incidents and enquired whether there were any reasons for such a decrease. The Chief Constable explained that there was no single explanation but missing from home incidents continue to pose a significant challenge to the Constabulary, particularly during evenings and the weekend. Approximately 65% of all missing from home incidents involving children can be attributed to children in care (children from outside of Cheshire can be linked to repeat incidents) and approximately 50% of missing from home incidents involving adults are associated to mental health. The Chief Constable reiterated that missing from home incidents continue to require significant police resource and although he was pleased with the reduction in the number of incidents recorded, the Constabulary will continue to monitor. The Chief Constable also explained that the Constabulary is soon to adopt a new policy in relation to missing from home incidents that will ensure individuals are returned home and interviewed with PCSO involvement.

- 3.10 The Commissioner again applauded the Constabulary for delivery of the Herbert Protocol and, in particular, the involvement of PCSOs given their knowledge of their local community. The Commissioner also applauded the use of the drone and the team of Special Constables that are called to support the search for missing people during the golden hour. Given the size of rural areas within Cheshire, the Commissioner stated he supported the potential increase in the number of drones to support the response to missing from home incidents.
- 3.11 The Commissioner noted the 24.1% increase in the recorded number of domestic violence with injury crimes, enquiring whether this increase can be attributed to CDI, increase confidence to report or an actual increase. The Chief Constable suggested the increase can be attributed to all three scenarios, with specific spikes throughout the summer months. Domestic abuse will continue to be a priority for the Constabulary and there will be a pilot in Chester LPU over the coming weeks that will focus on the outcomes of national work. The Chief Constable raised the 9.8pp decrease in solved rates, but stressed that the traditional 'solved' outcomes are not always appropriate. The Commissioner urged all victims of domestic abuse to report such offences as in some cases, perpetrator programmes can prevent future crimes or help to protect future partners via Clare's Law. The Head of Planning and Performance suggested that the report and recommendations following the HMICFRS inspection will also aid understanding and future work.
- 3.12 The Commissioner noted the 11.1% increase in total recorded crime, but given this is a smaller increase compared to Q2 (20%) and Q1 (25%) data, the Commissioner asked whether the impact of CDI was starting to plateau. The Head of Planning and Performance confirmed that total recorded crime had remained stable since July 2018.
- 3.13 The Commissioner expressed his sadness at the number of fatalities on Cheshire roads in recent months, some of which multiple fatalities, and stated his thoughts were with those families affected. The Commissioner asked what prevention work was being undertaken by the Constabulary and whether this was in partnership with road safety partnerships and local authorities. The Chief Constable explained there is no real link or explanation, with the analysis suggesting 63% of fatalities were linked to driver error, some were not wearing seatbelts and the use of mobile phones is still a significant issue. The number of fatalities (40 during 2018) is a concern and the Constabulary will continue to work with the OPCC and Cheshire Fire & Rescue Service to raise awareness.
- 3.14 The Chief of Staff also raised concerns in relation to the number of fatalities and questioned whether any reduction in enforcement activity would send the right message. The Chief Constable confirmed that enforcement activity remains a key priority for the Constabulary, as well as education and prevention. The Commissioner stated that 40 fatalities is 40 too many, suggesting the perception that enforcement activity is related to income generation is irresponsible as enforcement activity must be focused upon road safety and saving lives.

4. REPORT ON AN UNANNOUNCED INSPECTION VISIT TO POLICE CUSTODY SUITES IN CHESHIRE

- 4.1 The Commissioner welcomed Her Majesty's Inspectorate of Constabulary and Fire & Rescue Service (HMICFRS) and Her Majesty's Inspectorate of Prisons (HMIP) joint report, published 01 February 2019, which sets out the findings of the unannounced inspection visit to police custody suites in Cheshire between 03 September 2018 and 13 September 2018. The Commissioner stated that it was particularly pleasing to read that 'overall this was a very good inspection' and that Inspectors found that the Constabulary was properly focused on the good treatment of detainees, particularly given that detainees are, at times, some of the most vulnerable people in which the police come into contact with.
- 4.2 The Commissioner applauded the Constabulary on a very good inspection, explaining the findings of the 'unannounced inspection', which are some of the best in the country to date, found that the 'leadership and accountability for custody services in Cheshire were good' and 'there was a clear objective to divert vulnerable people away from custody'.

- 4.3 Although this was a positive report, the Commissioner stated it was disappointing to read that of the 15 recommendations made during that previous inspection in 2013, only seven had been achieved, three had been partially achieved and five had not been achieved. Given the importance of such inspections and the welfare of detainees within police custody, the Commissioner suggested it appeared unacceptable that Cheshire Constabulary had not implemented some of these recommendations since 2013. The Commissioner did, however, explain that he would understand if the Constabulary felt that recommendations were not proportionate, but the Constabulary must document this and provide a clear rationale.
- 4.4 The Chief Constable agreed with the Commissioner and explained that the recommendations would be treated as a priority and embedded in core practices within the custody environment. As such, it was confirmed that the Constabulary had produced an action plan that captures all recommendations, including the outstanding recommendations from the 2013 inspection. The Commissioner reiterated his clear expectation that the Constabulary will implement recommendations provided by HMICFRS and HMIP. Nevertheless, if some recommendations are considered disproportionate, the Constabulary must provide a clear rationale as to why such recommendations will not be implemented. As such, the Commissioner requested that the action plan (detailing all 2013 and 2018 recommendations / areas for improvement) is presented at the Public Scrutiny Board in May 2019 that details: i) completion; ii) progress towards completion; or iii) a clear rationale as to why a recommendation / area for improvement will not be implemented by Cheshire Constabulary.
- 4.5 The Commissioner noted that Inspectors also commented upon the effective Independent Custody Visiting Scheme administered by the OPCC. The Commissioner suggested that the findings of the report are testament to the hard work of police officers and staff who work within the custody environment and to the dedication of volunteer Independent Custody Visitors (ICVs) who give up their free time to ensure detainees are treated with respect and have access to appropriate facilities. ICVs continue to act as 'critical friends' providing the Commissioner and Constabulary with invaluable feedback on a weekly basis in relation to the welfare of detainees from an independent, impartial and non-discriminatory view of all parties involved in the custody process.
- 4.6 The Commissioner again congratulated the Chief Constable on a very good inspection and asked that his congratulations are sheared among colleagues working within the custody environment.

ACTIONS:

2019/03: Following the publication of the HMICFRS & HMIP joint custody inspection, a full action plan (detailing all 2013 and 2018 recommendations / areas for improvement) is to be presented at the Public Scrutiny Board in May 2019 that details: i) completion; ii) progress towards completion; or iii) a clear rationale as to why a recommendation / area for improvement will not be implemented by Cheshire Constabulary.

5. PEOPLE & HR: PERFORMANCE REPORT

- 5.1 The Commissioner sought assurances from Chief Constable in relation to current levels of sickness, noting the ratio of sick hours to contracted hours for officers (5.1%) is above the national average (4.6%). The Commissioner stated that he wished to support the Police Federation wherever possible following the findings of the PFEW Demand, Capacity and Welfare Survey 2018 (released 13 Feb 2019).
- 5.2 The Chief Constable explained his desire to focus upon preventing absence from work and a commitment to working more closely with both the Police Federation and Unison. This will involve a review of long term sickness, a more flexible approach to working and a vision of supporting staff and officers to ensure Cheshire Constabulary is a first class organisation. The Commissioner stated that the ratio of sick hours to contracted hours for officers in Cheshire is currently 5.1% (0.5% above the national average) and asked the Chief Constable to set a target for 12 months' time. The Chief Constable stated that he wished the Constabulary to be below the national average, but he wished to achieve this proportionately by working with the staff associations.

- 5.3 The Chief Constable highlighted that there had been nine assaults on officers in previous weeks and an additional three assaults the night before, which is totally unacceptable. The Chief Constable confirmed that all officers who are assaulted are now visited or spoken to by a senior officer. The Commissioner agreed with the Chief Constable that officers being assaulted whilst on duty is totally unacceptable and that he fully supports the 'protect the protectors' legislation.
- 5.4 The Commissioner enquired whether there is any specific reason for the increase in assaults. The Chief Constable confirmed that the Constabulary was still analysing but there were some horrific incidents that can be attributed to drink or drugs. The Chief Constable explained that he now provides a victim impact statement to support all prosecutions following police assaults, something which the Commissioner fully supports.
- 5.5 The Commissioner raised the issue of 'single crewing' and enquired whether there was the ability to 'double crew' at times when officers could be most vulnerable. The Chief Constable confirmed that he wished to explore the policy in relation to 'double crewing' and that although there is research that suggests that 'double crewing' won't prevent assaults, the Chief Constable and the Commissioner both stated they would challenge such research. The Commissioner applauded the Chief Constable for his willingness to consider the policy in relation to 'double crewing' and stated that he would welcome future discussions.

6. COMPLAINTS, CONDUCT MATTERS, EMPLOYMENT TRIBUNALS AND GRIEVANCES: QUARTERLY REPORT

- 6.1 The Commissioner noted the 34% decrease in incivility allegations and enquired whether this can be attributed to the introduction of Body Worn Video (BWV). The Chief Constable stated that there is no direct evidence but there appears to be a correlation between the introduction of BWV and a decrease in incivility allegations. The Chief Constable also suggested that anecdotal evidence via officers 'on the ground' would suggest that BWV has had a significant impact. It was noted in paragraph 21 (page 113) that BWV had assisted in the resolution of three complaints where the footage highlighted that the perception of the complainant was not consistent with the footage. The Commissioner stated that he was pleased with the initial results and that he hoped BWV would continue to prove effective.
- 6.2 The Commissioner also noted that within Cheshire, 97% of complaints are recorded within 10 working days, which compares favourably with other forces as outlined in Chart 6 (page 115). The Commissioner applauded the Constabulary and wished to thank staff in the Professional Standards Department for their ongoing work.

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 / IOPC Referrals</i>	<i>(40) Personal Information</i>
<i>Compliance with the Strategic Policing Requirement 2016: End of Year Report</i>	<i>(31) Law Enforcement</i>

7. SCRUTINY BOARD ACTION LOG

- 7.1 The action log was reviewed and updated.

8. CONDUCT MATTERS / IOPC REFERRALS

8.1 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 Office for Police Conduct. The Commissioner identified that there were no particular trends emerging.

9. COMPLIANCE WITH THE STRATEGIC POLICING REQUIREMENT 2016: END OF YEAR REPORT

9.1 The Commissioner considered the report and was content that the Constabulary continues to comply with the Strategic Policing Requirement.

Duration of meeting: The meeting commenced at 10.00 and finished at 13:10.