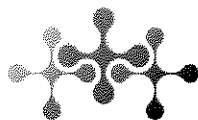


**Nottinghamshire Police and Crime Commissioner****Notice of Decision**

Nottinghamshire

**POLICE & CRIME COMMISSIONER**

<b>Author:</b>	<b>Kevin Dennis</b>
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<b>For Decision or Information</b>	<b>Decision</b>
<b>Date Received*:</b>	<b>8<sup>th</sup> May 2013</b>
<b>Ref*:</b>	<b>2013.13</b>

\*to be inserted by Office of PCC

**TITLE: Police and Crime Commissioner Governance Meeting Structure****EXECUTIVE SUMMARY:**

A key responsibility of the Police and Crime Commissioner is to hold the Chief Constable to account for the operational delivery of policing, including in relation to the strategic policing requirement as published by the Home Secretary. In November 2012 the Commissioner approved the Corporate Governance Framework for his office and agreed for future work to be completed on meeting structure options. This work has now been completed and the proposals are set out in the attached report.

**INFORMATION IN SUPPORT OF DECISION: (e.g report or business case)**

Police and Crime Commissioner Governance meeting structure – report.

**Is any of the supporting information classified as non public or confidential information\*\*?**

Yes

No

✓

If yes, please state under which category number from the guidance\*\*:

**DECISION:**

To agree the governance meeting structure as set out in Appendix 1 of the attached report.

**OFFICER APPROVAL**

I have been consulted about the proposal and confirm that the appropriate advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner.

Signature:

Chief Executive

Date:

6<sup>th</sup> May 2013.**DECLARATION:**

I confirm that I do not have any disclosable pecuniary interests in this decision and I take the decision in compliance with the Code of Conduct for the Nottinghamshire Office of the Police and Crime Commissioner. Any interests are indicated below:

The above request has my approval.

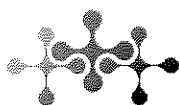
Signature:

Nottinghamshire Police and Crime Commissioner

Date:

9/5/13

\*\* See guidance on non public information and confidential information.



Nottinghamshire

**POLICE & CRIME COMMISSIONER**

**AGENDA ITEM:**

**REPORT OF THE OFFICE OF THE POLICE AND CRIME COMMISSIONER**

**Meeting:**

**Date of Meeting:**

**Report of: Police and Crime Commissioner**

**Police and Crime Commissioner Governance Meeting Structure**

**1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to agree the final arrangements for the Police and Crime Commissioner Governance meeting structure.

**2. RECOMMENDATION**

It is recommended that the Police and Crime Commissioner agrees:

- 2.1 To the Governance meeting structure as set out in Appendix 1, including bi-monthly Strategic Resources and Performance meeting and Community Stakeholder Forums be established from 1<sup>st</sup> April 2013;
- 2.2 To the Chief Executive being given delegated authority to negotiate the terms and fee for the contract with Nottinghamshire County Council.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 The Police and Social Responsibility Act 2011 and the Policing Protocol Order 2011 gives the statutory responsibility to Police and Crime Commissioners for the totality of policing within their force area. It further requires Commissioners to hold the Force Chief Constable to account for the operational delivery of policing, including in relation to the strategic policing requirement as published by the Home Secretary.

**4. SUMMARY OF KEY POINTS**

- 4.1 In November 2012 the Commissioner asked the Chief Executive to undertake further work on establishing the governance structure for the Office of the Police and Crime Commissioner. At the moment all significant public interest decisions are taken via the Commissioner through the executive decision making process. How this process operates is defined in 'Governance and Decision making policy'.
- 4.2 On the 9<sup>th</sup> January the Commissioner published the first Police and Crime Plan for public consultation and discussion with the Police and Crime Panel. Consultation period on the plan finished on the 15<sup>th</sup> February and the findings are in the process of being analysed. The Plan contains information on the key strategic themes, targets and delivery activities. They include:
1. Protect Support and respond to victims, witnesses and vulnerable people
  2. Improve the efficiency, accessibility and effectiveness of the criminal justice system
  3. Focus on those areas that are the most affected by crime and anti-social behaviour
  4. Reduce the impact of drugs and alcohol on levels of crime and anti-social behaviour
  5. Reduce the threat from organised crime
  6. Prevention, early intervention and reduction in re-offending
  7. Spending your money wisely
- 4.3 The purpose of the governance structure is to provide a mechanism for ensuring that the Commissioner is able to efficiently maintain oversight of all aspects of policing, set the strategic direction for the Force and holding the Chief Constable to account for the delivery against the Police and Crime Plan.
- 4.4 Appendix A and B contain a chart for proposed governance meeting structure and terms of references, including guidance and public access to meetings and information.
- 4.5 It is proposed that bi-lateral meetings between the Commissioner and Chief Constable will continue to take place on a weekly basis. The focus of these meetings will be on short term performance, briefings on incidents and events and to co-ordinate the Force and Commissioner's office communication activity. These meetings will also be used as pre-agenda

**-NOT PROTECTIVELY MARKED-**

meetings for the proposed bi-monthly strategic performance and resources meeting.

- 4.6 In order for the Commissioner and Deputy Commissioner to discharge their statutory responsibility and deliver on the priorities, targets and activities and defined in the Police and Crime Plan they will need to work in partnership and influence a range of strategic public sector partnerships, who have a common interest and responsibility helping to achieve a 'safer community' for Nottingham and Nottinghamshire. It is proposed that these meetings will take place on a quarterly basis to enable a two way dialogue to take place.

In order to encourage a greater alignment and co-operations the Commissioner should meet on a quarterly basis with Chairs of the key public sector strategic partnerships across Nottingham and Nottinghamshire. These partnerships include:

- Safer Nottinghamshire Board
- Nottingham Crime and Drug Partnership
- District Community Safety Partnerships
- Health and Wellbeing Boards (City and County)
- Safe Guarding Adults Boards (city and County)
- Nottinghamshire Criminal Justice Board
- Youth Offending boards (City and County)

## **5. FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

- 5.1 The former Police Authority had a contract with Nottinghamshire County Council Governance services for administering its committee meeting structure.

The County Council's Governance Service Team has significant expertise and experience with administering similar Governance arrangements for the County Council and other partnerships.

It is proposed that Chief Executive is given delegated authority to negotiate a new contract with the County Council to be responsible for administering the new governance structure as described in this report. It is anticipated that there will be a saving on the costs of the previous contract with the Police Authority.

## **6. HR IMPLICATIONS**

- 6.1 There are no specific human resources implications arising from the proposed contract with Nottinghamshire County Council.

**-NOT PROTECTIVELY MARKED--**

**7. ORGANISATIONAL RISKS**

- 7.1 The establishment of the Governance structure will enable the Commissioner to discharge his legal responsibilities as set out in the Police and Social Responsibility Act and the Policing Protocol Order 2011.

**8. POLICY IMPLICATIONS AND LINKS TO POLICING PLAN PRIORITIES**

- 8.1 The proposed governance arrangements will enable the Commissioner to hold the Chief Constable to account for the delivery against the Police and Crime Plan priorities, targets and activity.

**9. DETAILS OF CONSULTATION**

- 9.1 There has been extensive discussion as part of the transition planning for the arrival of the Police and Crime Commissioner with the Force Chief Officer team on the governance and decision making structure.

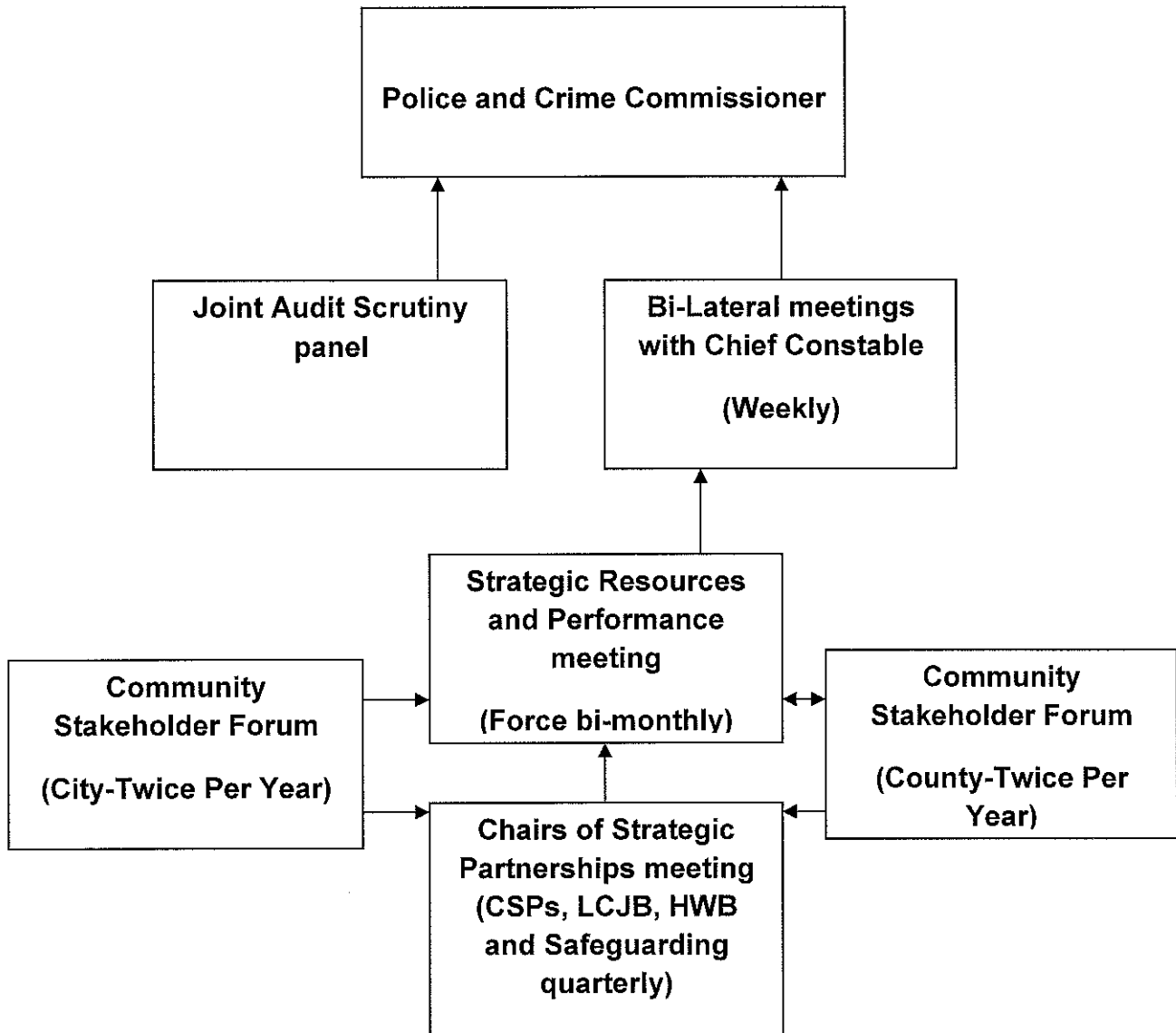
The Chief Executive will have further discussion with the Deputy Chief Constable to ensure that the Force is fully supportive of the new meeting structure proposals.

**10. BACKGROUND PAPERS AND RELEVANT PUBLISHED DOCUMENTS**

- 10.1 None.

<b>REPORT AUTHOR:</b>	Kevin Dennis, Chief Executive
<b>OTHER CONTACTS:</b>	

Appendix A



## Strategic Performance and Resources Meeting

### MEMBERSHIP AND ATTENDANCE

This Meeting is chaired by the Police and Crime Commissioner, or in his absence, his Deputy.

It does not have a fixed membership although the Chief Constable and/or Deputy, other Force Chief Officers, and the Commissioner's Chief Executive and Chief Finance Officer, are expected to attend. The Commissioner may also invite other people to participate in Meetings, for example chief officers of other organisations and representatives of community groups and subject experts.

Any member of the public and press may attend to observe, and the Commissioner may invite them to participate.

### AIM OF MEETINGS

1. To provide a public forum for the Commissioner and his Deputy to scrutinise the performance of Nottinghamshire Police Force and to make decisions. It will enable the Commissioner to maintain an oversight of the totality of policing and hold the Chief Constable to account for the delivery against the Police and Crime plan.
2. The principal terms of reference are:
  - To monitor and maintain an overview of the Forces performance and delivery against the strategic themes, targets and activity in the Police and Crime Plan.
  - To scrutinise, support and challenge the overall performance of the Force.

- To monitor the Force actual spend against budget, to review forecast budget and agree cement requests.
  - To agree and monitor the Commissioner and Nottinghamshire Police responsibilities in relation to safeguarding and equality.
  - To provide a decision making mechanism in relation to business cases for change, any amendments to policies, commissioning and awarding of grants.
  - Ensure timely and appropriate responses to public and victim consultation and research findings.
3. To consider and discuss different themes or subjects for scrutiny and challenge of the Force and other partners. Such themes may include: domestic violence, hate crime, victims and witness care and support, young people as victims and offenders and speeding up the criminal justice system.
  4. To encourage greater partnership working.

## **PROCEDURE FOR MEETINGS**

To ensure Meetings run smoothly and are conducted properly, some procedural requirements are set out below.

### **1. Frequency of Meetings**

Meetings will normally take place every 8 weeks.

### **2. Notice of Meetings**

At least five clear working days' notice of all meetings will be given unless an item of business is considered sufficiently urgent to justify shorter notice. The agenda and reports will normally be published at least five clear working days before the meeting.

### **3. Decision-making (Commissioner or Deputy Commissioner)**

- 3.1. The chair of the meeting will take a decision on each individual agenda item once discussion has concluded, if required, providing he or she is authorised to do so under Scheme of Delegation.



#### **4. Record-keeping**

- 4.1. The minutes of all Meetings and decisions taken will be published prior to the next meeting, and the minutes will be presented for approval at the next meeting.
- 4.2. The Commissioner will supply copies of the publicly available documents to any person who requests them but may make a charge for costs incurred such as postage and photocopying.

#### **5. Public Access to meetings and information about meetings**

If non-public or confidential information is required to enable a proper decision to be taken, or to enable a full discussion, the press and public may be excluded from a meeting, and reports and minutes may not be published. Please refer to 'Public Access to meetings and information about meetings' for more information.

DRAFT

# COMMUNITY STAKEHOLDER FORUMS

## Membership

Meetings will be chaired by the Police and Crime Commissioner or his representative. The forum will have a wide membership; approximately [xx] members will be invited to any single meeting, depending on location and the topics to be discussed.

Membership is open to anyone who lives in, is employed in or training in the Nottinghamshire area, or anyone who represents a community group or organisation in the area. Membership of the Forum will comprise of representatives from victims organisations, private and third sector organisations. It will also include representatives from Nottinghamshire Police Independent Advisory Group structure. Anyone under 16 can be a forum member and may be accompanied by an adult supporter if necessary.

(Meeting attendance is limited to invited forum members).

Community based or other organisations may be invited to contribute to the forum in an advisory capacity.

## Aim of the Forum

The forum provides members of local communities with a direct channel of communication with the Police and Crime Commissioner. The forum also acts as an ongoing consultative body for the Office of the Police and Crime Commissioner.

The forum will:

- Identify local concerns
- Provide advice and information on experiences of policing and community safety services
- Enable the Commissioner and Deputy Commissioner to keep the public updated with their work and decisions.

The forum will not deal with specific concerns relating to individuals; these can be dealt with outside the forum structure.

## Information about Forum Meetings

Invitations will be sent out [x] weeks prior to the meetings, with a call for agenda items [x] days before the meetings.

The outcomes of meetings will be published on the Commissioner's website prior to the next meeting.

## **PROTOCOL**

The following guidelines are intended to facilitate forum meetings and ensure they are conducted in an open and orderly manner and in an environment safe for all in attendance.

### **Confidentiality**

- Where possible issues should be discussed without identifying people by name/address etc. Where this is unavoidable forum members should keep such information confidential.
- No photos, audio or film recording may be taken without the written consent of those involved.
- In some circumstances the Commissioner or his representative may refer information to social services, the Police Force or another appropriate body if a child or vulnerable adult is thought to be at risk of harm, or where a serious crime has taken place.

### **Respect**

- Forum members should respect the viewpoints of others even when these differ from their own. Any discriminatory language or behaviour will not be tolerated.
- Mobile phones and other electronic devices should be turned off, or put on silent mode.
- Any person making personal, defamatory or profane remarks or who engages in any disorderly conduct which disrupts or disturbs the peaceful conduct of the meeting will be asked to leave by the chairman.

### **Integrity**

- All comments and observations during the meeting should be factually based.
- Members should recognise the different life experiences and opportunities that affect people, and endeavour to provide feedback and concerns received from their communities, even if they themselves do not perceive the issue to be a problem.

## **PUBLIC ACCESS TO MEETINGS AND INFORMATION ABOUT MEETINGS**

### **INTRODUCTION**

The Commissioner is committed to the principles of openness and accountability and encourages the public to attend meetings and take an active interest in matters that affect them. The Commissioner is committed to making available agendas, minutes and reports for public inspection as far as possible.

### **REPORTS**

1. Meeting reports and discussion documents will normally be available to the public 5 clear working days before the meeting. However if non-public or confidential information is required to enable a proper decision to be taken, it will be placed in an appendix to the report. **The terms 'non-public' and 'confidential' are explained below.**
2. Reports which include non-public information will set out the reason it has not been made not available in the body of the report and explain why it is not in the public interest to make that information available at that time.
3. On rare occasions it may be necessary for a whole report to be non-public or confidential and not publicly available due to the nature of the information it contains.

### **MEETINGS**

Members of the public will be excluded when non-public or confidential information is discussed.

### **PUBLIC ACCESS TO DOCUMENTS AFTER THE MEETING**

Copies of meeting documents and decision records will be made publicly available unless they relate to non-public or confidential information.

### **WHAT IS NON-PUBLIC AND CONFIDENTIAL INFORMATION?**

#### **Non-public Information**

4. Information can be **non-public** if it falls within one of the categories listed below and the public interest in not making it available outweighs the public interest in disclosing the information.

1. Information relating to any individual, such as names, addresses, telephone numbers, or job titles
2. Information which is likely to reveal the identity of an individual, such as names, addresses, telephone numbers, or job titles
3. Information relating to the financial or business affairs of individuals or organisations (including the Police Force and the Police and Crime Commissioner). This could include contemplated as well as past or current activities.
4. Information relating to any consultations or negotiations on employee relations
5. Information to which legal professional privilege applies
6. Information which discloses the Commissioner's intention to issue a formal legal notice or make a formal legal order or direction
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

5. Information which may be considered sensitive, for example because it reveals poor performance, is related to a contentious issue or might cause reputational damage, will be published unless it falls under one of the categories listed above.

6. A document marked 'restricted' or 'confidential' will not automatically be considered non-public; the content must in the opinion of the Police and Crime Commissioner's Monitoring Officer (the Chief Executive) fall under one of the categories above.
7. Information must be published if it is required by law to be publicly available.

### **Confidential Information**

8. **Confidential** information is defined as: -

- a. information given to the Commissioner or the Chief Constable by a Government Department on terms which do not permit its public disclosure
- b. information which cannot be publicly disclosed by virtue of any enactment or by Court Order.
- c. Information which in the view of the Chief Constable it would be against the interests of national security to publicly disclose, or might jeopardise anyone's safety or might prejudice the prevention or detection of crime if disclosed.

9. If information is **confidential** there is no requirement for public interest considerations to be set out. This is different to 'non-public information' where the public interest always needs to be taken into account.

### **THE FREEDOM OF INFORMATION ACT**

10. Any request for non-public and confidential information will be considered under the provisions of the Freedom of Information Act.