

Sussex Police and Crime Panel

27 June 2014

Annual Report from the Host Authority

Report by The Clerk to Sussex Police and Crime Panel

Recommendations

That the Panel:

1. notes the budget outturn for 2013/14;
2. agrees West Sussex County Council will continue to act as the host authority for the foreseeable future;
3. agrees to amend its constitution as detailed in section 5 of this report;
4. agrees the work plan for 2014/15 in the appendix to this report; and
5. notes the new mileage rate of 46.9p per mile.

1. Background

1.1 The Panel received funding from the Home Office to cover administrative costs and members' travelling expenses in the period 1 April 2013 to 31 March 2014 as follows.

- £53,300 for administrative expenses.
- £2,689 for members' expenses.

Total: £55,989

1.2 The Panel previously requested that a summary of its operating costs is considered at its annual meeting.

2. Discussion

2.1 In the period 1 April 2013 to 31 March 2014, the total Panel running costs were:

- £55,051 in administrative expenses
- £2,689 in members' expenses.

Total: £57,740

The administrative expenses are almost exclusively for staffing (including on-costs). Some points to highlight are:

- a) The Home Office will reimburse up to a maximum of £18,400 (£920 per member) for PCP members' travelling expenses. As was the case in 2013/14,

the Panel has only claimed a relatively small proportion of the available funding.

- b) The Panel formally met four times. One of these meetings was for confirmation hearings, which carry an additional burden in staff time, and require specialist guidance from staff in legal services and human resources.
- c) The Panel established two working groups. The Police and Crime Plan Working Group acted as a critical friend to the development of the “refreshed” Police and Crime Plan, and presented its report to the Panel’s meeting in January 2014. It has since been agreed that the Group will remain constituted and meet in 2014/15, broadening its work to include scrutiny of the Sussex Police 2015/16 budget development process. The Victims’ Services Working Group works to give independent consideration and evaluation to the victims’ services commissioning process. In total, three informal working group meetings were held.
- d) The initial handling of complaints was not originally foreseen as a duty which the host authority would be required to undertake. Although the level of complaints has not been as high as initially feared, their handling is time-intensive.

2.2 WSCC does not seek funds to cover the overspend.

2.3 It is anticipated that the staff costs of administering the Panel will be achieved within the envelope of funding provided by the Home Office, for the forthcoming year.

3. **Host Authority**

3.1 One authority within Sussex (known as the Host Authority) is required to provide the administrative support for the Panel. West Sussex County Council, which has acted as Host Authority since the Panel’s inception, has recently reviewed its commitments in this respect, and is willing to continue acting as Host Authority for the foreseeable future, should the other Sussex authorities be content with this arrangement.

3.2 In the event of an authority wishing to relinquish, or take on, the role of host authority, time must be allowed to ensure the smooth transfer of knowledge and information to the new host, and to ensure that the necessary work with the Home Office is undertaken in a timely fashion. A notice period of at least six months is proposed, to expire on either 1 April or 1 October in any year (to fit with the Home Office’s funding cycle). See para 5.2

4. **Funding and expenses claims for 2014/2015**

- 4.1 Funding - The Home Office has confirmed that funding will remain unchanged for 2014/15, £53,300 (for Panel administration costs), and up to £18,400 (20 x £920, available for members' expenses). The funding will be paid in arrears, in six-monthly instalments.
- 4.2 Mileage Rate - The host authority (West Sussex County Council) of the Sussex Police and Crime Panel is responsible for the payment of travelling expenses including a car mileage rate at the level paid to members of WSCC. In May 2014 West Sussex County Council reduced its mileage rate to 49.6p per mile. This will now be the rate that members of the Panel will be able to claim for travel by car on Panel business. This rate will apply to all claims received after 1 May 2014.

5. **Sussex Police Crime Panel Constitution**

Members are asked to agree the following amendments to the Constitution. The Panel's constitution was agreed by the PCP at its meeting on 26 November 2012 and is attached, for information.

5.1 **Panel Arrangements, paragraph 1**

The paragraph currently states:

- 1 All Home Office funding for the Panel will be received and administered by the Host Authority. The Host Authority for the first full year will be West Sussex County Council.

With regard to paragraphs 3.1 and 3.2, it is proposed to amend this paragraph to state:

- 1 All Home Office funding for the Panel will be received and administered by the Host Authority.

5.2 **Panel Arrangements - proposed new paragraph**

With regard to paragraph 3.2 of this report, it is proposed to insert a new paragraph, between existing paragraphs 1 and 2.

- 2 Any authority wishing to take on or relinquish the role of Host Authority must give at least six months' notice to the Panel, to expire on either 1 April or 1 October in any given year.

5.3 **Rules of Procedure, paragraph 36**

The PCP delegated initial handling of complaints to the proper officer of the host authority at its 26 November 2012 meeting. It also agreed to review the arrangements for handling complaints after a suitable period of operation. (Note: under the current arrangements, the Monitoring Officer to West Sussex County Council acts as the "Proper Officer")

The paragraph currently states:

36 "In the event of the Panel receiving a complaint about the conduct of the Commissioner, the issue will be examined by the Proper Officer of the host authority to establish that the complaint falls within the remit of the Panel. The Panel will establish a **sub-committee** to consider complaints and to determine whether and through what mechanism any particular complaint should be **investigated**. Any complaint referred for **investigation** shall be considered by the same or a differently constituted **sub-committee** of the Panel using the hearing procedures of the host authority's standards regime."

5.4 The Act is clear that the Panel has no powers of investigation, and it is proposed to delete such references within the Constitution.

5.5 The term "sub-committee" has particular significance under the Local Government Act 1972, introducing formality which may not be conducive to the informal resolution of a complaint. It is proposed to replace this term with "working group", as used elsewhere in the Constitution.

5.6 Generally, paragraph 36 has not yet been amended to reflect the decision the Panel took around the handling of complaints at its meeting on 26 November 2012.

5.7 Therefore it is proposed to amend the paragraph, and add subsequent paragraphs as follows:

36) In the event of the Panel receiving a complaint about the conduct of the Commissioner, or of a conduct issue otherwise coming to the attention of the Panel, the initial handling is delegated to the Proper Officer of the Host Authority. The Proper Officer shall determine whether or not the complaint falls within the remit of the Panel, and whether it is deemed to be serious, under the Police Reform and Social Responsibility Act 2011.

37) Where a complaint falls within the remit of the Panel, but is judged to be non-serious, the Panel will establish a working group to consider the need for, and to undertake, informal resolution of the complaint. The working group, having a quorum of 3, will have up to 5 members. The membership will be rotated and the working group will strive to include 1 minority party member and 1 independent member.

38) The Panel shall receive a schedule of complaints at each quarterly meeting.

6. **Resource Implications and Value for Money**

6.1 The Constitution of Sussex Police and Crime Panel states that its total running costs shall be contained within the funding provided by the Home Office.

7. **Risk Management Implications**

7.1 None

8. **Other Considerations – Equality – Crime Reduction – Human Rights**

8.1 Not applicable

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Appendices:

[Appendix 1](#) - Sussex Police and Crime Panel Constitution.

[Appendix 2](#) - Sussex PCP Work Programme 2014/15