

West Midlands Police and Crime Panel**Monday 18 March 2024 at 14:00 hours****Coventry Council House, Committee Room 3, Earl Street, Coventry CV1 5RR**

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More information about the Panel, including meeting papers and reports, can be found on the Panel website www.westmidlandspcp.org.uk

Contact Officer: Sarah Fradgley email: wmpcp@birmingham.gov.uk Tel: 0121 303 1727

AGENDA

Supporting Document	Item	Topic	Approximate time
	1	NOTICE OF RECORDING This meeting will be webcast for live or subsequent broadcast and members of the press/public may record the meeting. The whole of the meeting will be filmed except where there are confidential or exempt items.	14:00
	2	APOLOGIES	
	3	CHANGE TO PANEL MEMBERSHIP To note the Walsall MBC seat has become vacant and a replacement has yet to be appointed by the district.	
	4	DECLARATIONS OF INTEREST (IF ANY) Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation. If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation. If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest. Information on declaring interests at meetings is available on the Local Government Association's Model Councillor Code of Conduct .	

Supporting Document	Item	Topic	Approximate time
Attached	5	MINUTES To confirm the Minutes of the meeting held on 5 February 2024.	14:05
Attached	6	POLICE AND CRIME PANEL ACTION TRACKER To consider the progress of actions arising from previous meetings.	14:07
	7	PUBLIC QUESTION TIME To receive questions from members of the public notified to the Panel in advance of the meeting. Any member of the public who lives, works, or studies in the West Midlands (other than police officers and police staff) can ask a question at the meeting about the Panel's role and responsibilities. Questions must be submitted in writing 4 days before the meeting to wmpcp@birmingham.gov.uk	14:10
Attached	8	WEST MIDLANDS POLICE AND CRIME PANEL EXPENDITURE 2023-24 AND BUDGET 2024-25 Report of the Panel Lead Officer The report details costs incurred by the Panel during 2023-24 and sets out the forecast budget for 2024-25.	14:40
Attached	9	POLICE AND CRIME PANEL ANNUAL COMPLAINTS MONITORING – MARCH 2023 – FEBRUARY 2024 Report of the Panel Lead Officer The report provides an annual update on the handling of complaints made against the West Midlands Police and Crime Commissioner.	14:50
To Follow	10	POLICE AND CRIME COMMISSIONER – END OF TERM REPORT Report of the Police and Crime Commissioner	15:00
Attached	11	POLICE AND CRIME COMMISSIONER UPDATE AND KEY DECISIONS Report of the Police and Crime Commissioner on recent activities. A list of recently published key decisions is appended to the report.	16:00
	12	DATE OF ANNUAL GENERAL MEETING 2024/2025 The Panel is asked to note the proposed date of the Panel AGM is Monday 15 July 2024	16:30

Supporting Document	Item	Topic	Approximate time
	11	URGENT BUSINESS	16:35
		To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.	

MINUTES OF THE MEETING OF THE WEST MIDLANDS POLICE AND CRIME PANEL HELD ON 5 FEBRUARY 2024 AT 14:00 HOURS – BIRMINGHAM COUNCIL CHAMBER

PRESENT: -

Members

Cllr Jasbir Jaspal – Chair (City of Wolverhampton)
Cllr Raqeeb Aziz (Birmingham City Council)
Cllr Heather Delaney (Solihull Metropolitan Borough Council)
Cllr Sam Forsyth (Birmingham City Council)
Derek French (Independent Panel Member)
Cllr Syeda Khatun (Sandwell Metropolitan Borough Council)
Cllr Abdul Khan (Coventry City Council)
Cllr Gareth Moore (Birmingham City Council)
Kristina Murphy (Independent Panel Member – Vice Chair)
Cllr Tersaim Singh (City of Wolverhampton)

ALSO PRESENT:-

Simon Foster – Police & Crime Commissioner
Chief Constable Craig Guildford – West Midlands Police
Jonathan Jardine – Chief Executive, Office of the Police & Crime Commissioner
Sarah Fradgley – Overview & Scrutiny Manager, Birmingham City Council
Jane Heppel – Chief Finance Officer, Office of the Police and Crime Commissioner
Ashley Preece – Communications Officer, Office of the Police and Crime Commissioner
Amanda Simcox – Scrutiny Officer, Birmingham City Council

787 NOTICE OF RECORDING

The Chair announced the meeting would be webcast for live or subsequent broadcast and members of the press/public may record the meeting. The whole of the meeting would be filmed except where there were confidential or exempt items.

788 APOLOGIES

Apologies for non-attendance were received from Cllr Shabina Bano (Birmingham City Council), Cllr Adam Aston (Dudley Metropolitan Borough Council), Cllr Alan Feeney (Solihull Metropolitan Borough Council), and Cllr Ed Lawrence (Dudley Metropolitan Borough Council).

789 DECLARATIONS OF INTEREST

Members were reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting and Cllr Gareth Moore declared an interest as he was a trustee of Birmingham LGBT which provides domestic abuse services.

790 MINUTES OF LAST MEETING

Minutes of previous meeting held on 15 January 2024 were approved by the Panel.

791 POLICE AND CRIME PANEL ACTION TRACKER

The Chair advised the Panel that there were no outstanding actions.

792 PUBLIC QUESTION TIME

The Chair advised there had been no questions received from the public prior to this meeting.

793 POLICE AND CRIME COMMISSIONER'S REVENUE BUDGET, CAPITAL PROGRAMME AND POLICING PRECEPT FOR 2024/2025

The Panel noted its responsibility under Schedule 5 of the Police Reform and Social Responsibility Act 2011 to review the Police and Crime Commissioner's proposed precept and the process that needed to be followed.

The PCC and the Chief Finance Officer for the Office of the PCC presented the revenue budget 2024/23, capital programme 2024/25 – 2028/29 and the precept proposal for 2024/25 of £215.55 per annum for Band D property, an increase of £13.

In response to panel member questions, these were the main responses from the PCC, Chief Constable and Chief Finance Officer (OPCC):

In Year Budget and Reserves

It was clarified that the current underspend of £18m was reflected in the budget. Some of the underspend would be used to fund estate moves in the current year. The remaining underspend would be moved into general reserves and be relied upon to support costs over the next two to three years.

The Panel learnt that the reserves detailed in the report included those held for regional and national teams (£4m plus a notional contingency reserve of £1m), the £3.6m allocated to reserves to support the investment of 75 officers next year will not be needed if the grant funding bid was successful but had been allocated to reserves to provide a balance of risks, and the general fund reserve of £12m was considerably less than one week pay for all officers.

It was highlighted that Paragraph 14.2 in the report referred to the reserves being sufficient to meet any short to medium term costs of local government reorganisation.

Financial Risks

The Panel was informed that failing to meet the police officer recruitment target was the main financial risk and the Police was taking the necessary steps to avoid this risk. Other risks included the pay award, inflation, forecasting investment income, and the rise in Home Office purchasing charges.

Staffing

Spending commitments were made for 10 additional officers into the Public Protection Unit (PPU) and 10 non-warranted police staff investigators to support case file progression, the prosecution of serious sexual offences and the management of sex offenders.

The Panel was informed that there were no large-scale staffing savings. Deep dive reviews had identified some budget reductions, and the new approach to training would also deliver savings. An equality impact assessment was not required due to there not being any specific service changes as none of the service priorities and saving proposals related to a reduction in officers or PCSOs.

The Estate Strategy

The costs associated with the Estates Strategy split between revenue and capital and a £6m per annum saving was anticipated when implemented, and the retained estate was fit for purpose. This would give a return on investment and support the Chief Constable's policing plans.

Many neighbourhood policing units had relocated and co-location with partners had proved successful. However, it was acknowledged there were difficulties of adopting this approach in some areas in view of costs and policing needs.

The Panel voted seven to three in favour of the motion and made two recommendations.

RESOLVED:

- i. That the Panel supports the Police and Crime Commissioner's proposed precept of £215.55 for 2024/2025, an increase of £13 per annum for a Band D Property.**
- ii. The Panel make two recommendations for the Police and Crime Commissioner to consider:**
 - a. The Police and Crime Commissioner to provide reassurance to the public that additional funds collected from the increase in the precept was to be invested in the delivery of policing as identified in the findings of the Police and Crime Commissioner's public budget consultation.**
 - b. The Police and Crime Commissioner and Chief Constable fulfil the commitment made at the Panel meeting to fund 10 additional officers in the Public Protection Unit and 10 non warranted police staff investigators to support case file progression, the prosecution of serious sexual offences and the management of sex offenders.**

794 UPDATE ON HMICFRS 2023/2025 PEEL INSPECTION OF WEST MIDLANDS POLICE REPORT – AREAS OF CONCERN

The Commissioner introduced the report and highlighted the improvements that have been made in relation to addressing the four areas of concern and the areas for improvement identified in the HMICFRS notice of concern and the 2023/2025 PEEL Inspection. He stressed his commitment to holding WMP to account and working with HMICFRS.

The Chief Constable gave the presentation and highlighted the decrease in headcount in 2023 from 2010, the increase capacity to investigate with the new policing model, national comparisons for 999 call-answering, response times, crime data integrity, firearms recovery, improvements to case file quality, and the increase in the number of rapes cases solved and domestic abuse arrests.

The update in relation to the four areas of concern (Multi-Agency Risk Assessment Conference (MARAC), sex offender management, online child abuse, and investigations) highlighted the governance structure in place to deliver the outcomes, training and skills provided to practitioners, the development of performance management information, improvements to outcomes for victims, the backlog of visits in relation to managing sex offenders had been addressed, cleared the backlog in relation to managing online child abuse risk, doubled the resources for digital forensics, and gone to other forces to share best practice and taken knowledge from elsewhere. The Chief Constable assured the Panel that he could demonstrate the improvements made and the sustainability of these to HMICFRS.

During the discussion, the following points were made:

- The Panel gave their appreciation for the work that had taken place with the new police operating model and the difference it was making.
- The Panel thanked the work of officers, and the commitment to tackle safeguarding, increase rape convictions and the funding for digital forensics.
- The Panel stressed the importance of staff wellbeing and was conscious of the changes and pressure police officers were under.
- The Panel suggested WMP communicated more about how they were responding to the concerns of the public due to the general dissatisfaction of the public around police visibility.
- The Panel was informed that the regional HMI would set the criteria and timetable for WMP to be disengaged from enhanced monitoring.
- It was highlighted that the main police engagement with communities was with local groups, and PCSOs and Police Officers contact into schools. There was also a lot of online engagement and also through the independent advisory groups, Violence Reduction Unit, and services for victims.

RESOLVED:-

- i. That the Panel note the report**
- ii. The Police and Crime Commissioner be requested to present a progress report on the work to respond to the recommendations of the 2022/2025 HMICFRS PEEL Inspection report and Notice of Concern in six months.**

795 POLICE AND CRIME COMMISSIONER UPDATE AND KEY DECISIONS

The Commissioner drew the Panel's attention aspects of the report which included an update on policing governance, the annual business summit, Steps to Stronger Partnerships Conference, Rebuilding community policing, pay day lenders, speed camera fine consultation, Violence Reduction Partnership, zombie knives, and the launch of the public health approach to fraud on 30 January 2024. The Commissioner's recently published key decisions were also noted.

During the discussion, the PCC was questioned on the launch of the public health approach to fraud, and he explained that this was an innovative approach with tailored campaigns around particular fraud issues in particular areas and included a focus on upskilling people. The establishment of a helpline for businesses was also being explored.

RESOLVED:-

- i. That the summary of the activities the Police and Crime Commissioner had been engaged in since the previous meeting of the Police and Crime Panel on 15 January 2024 be noted.

796 POLICE AND CRIME PANEL WORK PROGRAMME

The Panel considered work programme items for its March 2024 meeting. The Chair asked Panel Members to suggest a further item(s) as there were no suggestions, she undertook to ascertain a further item for the next agenda.

RESOLVED: -

That

- i. That information set out in Work Programme Appendix 1 be noted; and
- ii. That subject to further input from the Chair and Deputy Chair, the following items were agreed:

18 March 2024:

- Complaints received by the Panel.
- Panel Budget and Expenditure.
- PCC Update Report and Recent Key Decisions (standing item).
- The Chair to ascertain a further item for the next agenda.

797 URGENT BUSINESS

There were no items of urgent business identified.

The meeting ended at 16.01 hours.

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CHAIR

West Midlands Police and Crime Panel – Action Tracker – March 2024

1. Outstanding Actions

Minute/ Action No.	Meeting Date	Action	Update/ Notes
793	5/2/24	<p>POLICE AND CRIME COMMISSIONER’S REVENUE BUDGET, CAPITAL PROGRAMME AND POLICING PRECEPT FOR 2024/2025</p> <p>Panel submit report to PCC with recommendations that:</p> <p>a. The Police and Crime Commissioner provide reassurance to the public that additional funds collected from the increase in the precept was to be invested in the delivery of policing as identified in the findings of the Police and Crime Commissioner’s public budget consultation.</p> <p>b. The Police and Crime Commissioner and Chief Constable fulfil the commitment made at the Panel meeting to fund 10 additional officers in the Public Protection Unit and 10 non warranted police staff investigators to support case file progression, the prosecution of serious sexual offences and the management of sex offenders.</p>	<p>WMPCP report and PCC response published on WMPCP website.</p>
794	5/2/24	<p>UPDATE ON ADDRESSING HMICFRS RECOMMENDATIONS AND NOTICE OF CONCERN</p> <p>The Police and Crime Commissioner requested to present a progress report on the work to respond to the recommendations of the 2022/2025 HMICFRS PEEL Inspection report and Notice of Concern in six months.</p>	<p>Item added to WMPCP 24/25 Work Programme</p>



Report to the West Midlands Police and Crime Panel - West Midlands Police and Crime Panel Expenditure 2023-24 and Budget 2024/25

Date: 18 March 2024

Report of: Kevin O'Keefe, Chief Executive Dudley MBC, Lead Officer of the West Midlands Police and Crime Panel

Report author: Sarah Fradgley, Overview and Scrutiny Manager, Birmingham City Council

Email: sarah.fradgley@birmingham.gov.uk

Phone: 07927 665 829

1 Purpose

1.1 The West Midlands Police and Crime Panel accepted a grant from the Home Office to meet the costs of the Panel for the year 2023-24. This paper reports on costs for 2023-24 and sets out the forecast budget for 2024-25.

2 Recommendation

2.1 **The Panel is asked to note the expenditure for 2023-24 associated with the administration of the Panel and to make any comments in relation to the forecast for 2024-25.**

3 Background

3.1 In establishing Police and Crime Panels, the Home Office agreed that a limited grant would be provided to each Local Authority acting as the Host Authority (in providing the administrative support and management and maintaining the Police and Crime Panel). In the West Midlands, this is Birmingham City Council.

3.2 The Panel's Arrangements, agreed with the Home Office in July 2013, stated that:

The annual costs associated with the operation, organisation and administration of the Panel shall be offset by the Home Office grant to be managed by the Host Authority. All of the relevant costs incurred by the Host Authority in connection with the work of the Panel shall be met from the funding allocated by the Home Office unless the Authorities agree otherwise. The Host Authority shall monitor all expenditure incurred and make provision for an annual report.

4 Home Office Grant and Expenditure 2023-24

- 4.1 The maximum amount which can be claimed from the Home Office in the financial year 2023-24 is £66,153.73.
- 4.2 Appendix 1 outlines a total expenditure of £ 61,578.17 in the financial year, 2023-24, and provides a breakdown of this expenditure. Birmingham City Council will submit claim for this expenditure in line with the Grant Agreement for this Home Office funding stream.

5 Home Office Grant and Proposed Expenditure 2024-25

- 5.1 Notification of the Home Office grant for 2024-25 has not yet been received but is expected to be in line with previous years.
- 5.2 The proposed forecast expenditure for 2024-25 is outlined in Appendix 2.

6 Transparency

- 6.1 Under the Home Office grant agreement, Police and Crime Panel's must "publish, as a minimum on their website, details of all their expenditure (or, where that is not possible, on the Host Authority's website)." This was introduced in 2016, and [details are published on the Panel website](#)

7 Ongoing Home Office Funding

- 7.1 No commitment has been made for future years at this stage.

8 Finance Implications

- 8.1 The administration and activities the West Midlands Police and Crime Panel is funded solely through an annual Home Office Grant. This grant is renewed on an annual basis and therefore there is no commitment beyond 2024-25 at this stage.
- 8.2 The Home Office grant will be managed in accordance with Birmingham City Council's financial regulations, and in line with the grant agreement. Expenses relating to Members are managed in line with [Birmingham City Council's Member Expenses Scheme](#).

9 Legal Implications

- 9.1 A Police and Crime Panel must be maintained to carry out scrutiny functions and responsibilities as set out in the [Police Reform and Social Responsibility Act 2011](#).
- 9.2 A Grant Agreement between Birmingham City Council (Host Authority) and the Secretary of State for the Home Department sets out the legally binding terms and conditions which apply to providing the grant and its use to maintain a Police and Crime Panel.

10 Equalities Implications

10.1 The Panel has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

10.1.1 eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;

10.1.2 advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

10.1.3 foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

10.2 There are no specific equalities implications arising from this report

11 Appendices

11.1 Appendix 1 – Home Office Grant and Expenditure 2023-24

11.2 Appendix 2 – Police and Crime Panel Forecast Expenditure 2024-25

12 Background Information

- Police Reform and Social Responsibility Act 2011
- Grant agreement between Secretary of State for the Home Department and Birmingham City Council for the Police and Crime Panel Grant for the 2023-24 financial year.

WMPCP Home Office Grant Claim and Expenditure 2023-24

Budget Category	Spend (£)
Panel administration (1)	61,578.17
Member Expenses (2)	38.00
Panel Meeting Expenses (3)	2,586.27
Allowances (4)	1,951.29
Total Home Office Claim	66,153.73

Notes on expenditure 2023/24:

- (1) Panel Administration - Costs for panel administration include officer time and website maintenance. Some Panels have appointed a full-time officer to support the Panel; within Birmingham a number of officers have some involvement in the Panel, but none work on it full time. Support costs associated with the WMPCP website (westmidlandspcp.org.uk) is also supported by the grant.
- (2) Member Expenses - Members of the Panel can claim expenses in line with [Birmingham City Council's member expenses scheme](#), for travel, subsistence and childcare.
- (3) Panel Meeting Expenses - The grant also covers the cost of meeting rooms, refreshments, printing, and postage.
- (4) Allowances - In January 2013 the Panel agreed that Members would not use the Home Office grant to draw allowances for members of the Panel. On 20 March 2023 the Panel agreed to change this arrangement and pay an annual discretionary allowance of £920 to the co-opted independent panel members.

WMPCP Forecast Spend 2024-25

Budget Category	Forecast spend (£)
Panel administration (1)	£50,000
Member Expenses (2)	£2,000
Panel Meeting Expenses (3)	£4,000
Allowances (4)	£2,160
Contingency (5)	£8,020
Total	£66,180

Notes on proposed expenditure 2024-25

- (1) Panel administration - Costs for panel administration include officer time and website maintenance. Some Panels have appointed a full-time officer to support the Panel; within Birmingham a number of officers have some involvement in the Panel, but none work on it full time. Support costs associated with the WMPCP website (westmidlandspcp.org.uk) is also supported by the grant.
- (2) Member Expenses - Members of the Panel can claim expenses in line with [Birmingham City Council's member expenses scheme](#), for travel, subsistence and childcare.
- (3) Panel Meeting Expenses - The grant also covers the cost of meeting rooms, refreshments, printing, and postage.
- (4) Allowances - In January 2013 the Panel agreed that Members would not use the Home Office grant to draw allowances for members of the Panel. On 20 March 2023 the Panel agreed to change this arrangement and pay an annual discretionary allowance of £920 to the co-opted independent panel members.
- (5) Contingency - Contingency funding is available for other expenses, including conferences, training, and development.



Report to the West Midlands Police and Crime Panel – Police and Crime Panel Annual Complaints Monitoring – March 2023 – February 2024

Date: 18 March 2024

Report of: Kevin O’Keefe, Chief Executive Dudley MBC, Lead Officer of the West Midlands Police and Crime Panel

Report author: Sarah Fradgley, Overview and Scrutiny Manager, Birmingham City Council

Email: sarah.fradgley@birmingham.gov.uk

Phone: 07927 665 829

1 Purpose

- 1.1 This report provides the West Midlands Police and Crime Panel with an update on the handling of complaints made against the West Midlands Police and Crime Commissioner (PCC). This report covers the period March 2023 – February 2024.

2 Recommendation

- 2.1 **That the annual update on administration of West Midlands Police and Crime Panel Complaint Procedure be noted.**

3 Background

- 3.1 The Panel has a statutory responsibility under the [Elected Local Policing Bodies \(Complaints and Misconduct\) Regulations 2012](#) for handling complaints against the Police and Crime Commissioner. The Panel is responsible for recording and referring complaints alleging criminal conduct to the Independent Office for Police Conduct. Complaints regarding non-criminal behaviour are resolved by the Panel through an informal resolution process.
- 3.2 In October 2012 the Panel approved its complaints procedure based on the Regulations and, following further guidance from the Home Office, agreed in January 2013 to delegate all complaint handling, recording of decisions and the brokering of informal resolutions to the Birmingham City Council Monitoring Officer. Birmingham City Council’s Scrutiny team supports the Monitoring Officer in this function.
- 3.3 In September 2013 the Panel updated its protocols for handling complaints to include the option to establish a Complaints Sub-Committee of Members of the

Police and Crime Panel in cases where the Monitoring Officer deemed it the most appropriate method to resolve a complaint.

- 3.4 The Panel also agreed to an annual complaint monitoring report to update Members on the complaints that have been dealt with by the Monitoring Officer on its behalf. This report advises Members on the number of complaints received and provides a summary of any actions taken. Details of the complaint, complainant and case files will remain confidential.

4 The Panel's Complaints Procedure and Outcomes

- 4.1 A copy of the Panel's Complaints procedure is attached as Appendix 1. The Panel's complaints procedure and an online complaint form is also available on the Panel website www.westmidlandspcp.org.uk
- 4.2 Each recorded non-criminal complaint against the PCC is subject to an 'informal resolution' process described in the Panel's complaints procedure. However, the regulations permit the Monitoring Officer to 'dis-apply' the informal resolution process, should the complaint fall into a number of categories outlined in the Regulations.
- 4.3 The remit of the Panel complaints procedure is limited to the personal conduct of the PCC. Whilst the PCC must monitor all complaints made about the West Midlands Police, and handle complaints against the Chief Constable, he has no remit or legal authority to act as an advocate for individuals, investigate individual cases or direct the Chief Constable on how to manage or respond to an individual complaint. Therefore, complaints about the PCC's failure to act in police complaints will generally not be recorded under the Panel's procedure.
- 4.4 The [Policing and Crime Act 2017](#) enhanced the role for PCCs in police complaints. There were no changes to the Panel's remit which continues to handle complaints about the conduct of PCC under the existing framework of [The Elected Local Policing Bodies \(Complaints and Misconduct\) Regulations 2012](#).
- 4.5 As such, it should be noted that the Panel has no remit to consider complaints about the PCC review of police complaints introduced under the Policing and Crime Act 2017.
- 4.6 The Panel website and guidance makes it clear that the Panel cannot look at police complaints. However, the office continues to receive a number of police complaints and redirects these complainants to the West Midlands Police complaint procedures.

5 Complaints about Panel Members

- 5.1 In the absence of any provision or guidance regarding who should handle a complaint made against the Panel itself, it should be noted that each elected Panel Member is subject to their respective appointing Authority's Codes of Conduct. The two independent members of the Panel have adopted the Code of Conduct of the host authority (Birmingham).

6 Summary of Complaints Received March 2023 – February 2024

- 6.1 Three complaints against the Police and Crime Commissioner were received during the reporting period.
- 6.2 In each case, the Monitoring Officer determined not to record the complaint on the grounds that the Panel was unable to sustain such a complaint against the Police and Crime Commissioner.

7 Finance Implications

- 7.1 There are no direct financial implications in relation to the recommendation contained in this report. The cost of administration of the West Midlands Police and Crime Panel's Complaints Procedure in handling complaints submitted against the Police and Crime Commissioner are met by the Home Office grant funding.

8 Legal Implications

- 8.1 The Panel has a statutory responsibility under the [Elected Local Policing Bodies \(Complaints and Misconduct\) Regulations 2012](#) for handling complaints against the Police and Crime Commissioner. The Regulations are applied to each complaint received and determine the actions taken on a case-by-case basis.

9 Equalities Implications

- 9.1 The Panel has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 There are no equalities implications arising from this report.

10 Appendices

- 10.1 Appendix 1 – West Midlands Police and Crime Panel Complaints Procedure

11 Background Papers

Report and Minutes from Police and Crime Panel 30 September 2013

Report and Minutes from Police and Crime Panel 19 January 2015

West Midlands Police and Crime Panel Complaints and Misconduct Procedure

1.0 Introduction

- 1.1 This procedure has been developed to ensure compliance with the elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 (“the Regulations”) issued under the Police Reform and Social Responsibility Act 2011 (“the Act”). It set out the process and responsibilities for dealing with complaints about the conduct of the West Midlands Police and Crime Commissioner (PCC) and Deputy Police and Crime Commissioner (DPCC). Nothing in this procedure overrules the provisions of those Regulations.

2.0 Role of Panel under the Regulations

- 2.1 The West Midlands Police and Crime Panel (“the Panel”) has a statutory responsibility under the Regulations for handling complaints regarding the non-criminal behaviour of the PCC and DPCC, and for informally resolving such complaints. In addition, the Panel is responsible for recording and referring Serious Complaints and Conduct Matters to the Independent Office for Police Conduct (IOPC) and dealing with any such complaints the IOPC refers back to the Panel.
- 2.2 There are separate procedures for complaints about operational policing matters, complaints about the Chief Constable and other police officers, and complaints about the PCC’s staff, Assistant PCCs and the Non-Executive Strategic Policing and Crime Board Members which are not covered in the Regulations and so are beyond the remit of the Panel. Further clarification on the remit of the Panel’s complaints procedure is set out in paragraph 5 below.

3.0 Powers Delegated to the Birmingham City Council Monitoring Officer

- 3.1 In accordance with the Regulation s28(3), the Panel delegated responsibility for all complaint handling, recording decisions and the brokering of informal resolutions to the Birmingham City Council Monitoring Officer. Birmingham City Council is the Panel’s Host Authority. Any reference within this procedure or the Regulations to ‘the Panel’ should be read as ‘the Monitoring Officer acting on behalf of the Panel’.
- 3.2 The Monitoring Officer is supported in this function by Birmingham Scrutiny Office.
- 3.3 In practice it will be the Monitoring Officer who will make formal decisions on complaints under delegation from the Panel, but in exercising that function the Monitoring Officer and Scrutiny Office will work with the Chief Executive of Office of the Police and Crime Commissioner (OPCC) to ensure that complaints received are correctly identified as being complaints which are subject to the Regulations, and other complaints (for example complaints about the PCC’s staff or the police force) are redirected as appropriate.

4.0 Key Definitions

4.1 The Regulations and the Act contain the following of key definitions:

A **“Complaint”** means a general complaint about the conduct of the PCC (or DPCC), whether or not that conduct is potentially criminal (*s31(1) (a) of the Act*).

“Conduct” includes acts, omissions, statements, and decisions (whether actual, alleged or informed) (*Reg. 2 (1)*).

“Criminal Offence” means any offence triable in England and Wales (*Reg. 2 (1)*).

A **“Recorded Complaint”** means a complaint that the Panel formally records because it has determined it is a complaint about the conduct of the PCC (or DPCC), and it is the correct Panel to handle it (*Reg.9 (5)*). The Panel will formally record the complaint by entry in the Recorded Complaints and Conduct Matters Register.

A **“Conduct Matter”** means a matter where there is an indication (whether from the circumstances or otherwise) that the PCC (or DPCC) may have committed a criminal offence (*s31 (1)(b) of the Act*), which comes to light other than via a complaint, e.g., a media report or legal proceedings (*See Home Office Guidance Note*).

A **“Serious Complaint”** means a complaint about the conduct of the PCC (or DPCC) which constitutes, involves, or appears to constitute or involve the commission of a criminal offence (*Paragraph 2 (6) Schedule 7 to the Act*). The Panel must notify the Independent Office for Police Conduct (IOPC) of a Serious Complaint.

5.0 Clarification on the remit of the Police and Crime Panel complaints procedure

5.1 The Panel handles complaints relating to the personal conduct of the PCC and DPCC in their Office for Policing and Crime capacities primarily, although complaints may extend to their conduct in their private or other public capacities.

5.2 **Complaints Against West Midlands Police**

5.3 West Midlands Police (WMP) is responsible for dealing with most complaints about the force and the conduct of police officers and staff, while the IOPC investigates the most serious complaints, incidents, and allegations of misconduct. Both deal with appeals from people who are not satisfied with the way their complaint has been dealt with.

5.4 The PCC’s role is to ensure efficiency and effectiveness of the force. This includes oversight of the WMP complaints process: how WMP manages complaints, conduct and performance. The PCC role is set out in the Policing Protocol Order 2011 as being to “monitor complaints made against officers and staff [of WMP]”

5.5 The PCC fulfils the obligation in paragraph 5.4 through the Strategic Police and Crime Board (SPCB). The SPCB receives regular reports from the Chief Constable on the

number of complaints about misconduct and corruption, the police disciplinary processes and outcomes, and the management of conduct matters.

5.6 The management of police complaints is an operational matter. Under the Police and Social Responsibility Act 2011 and the Policing Protocol Order 2011, the PCC cannot fetter the operational independence of the Chief Constable. The PCC has no remit to act as an advocate for individuals or to investigate individual cases. The PCC cannot direct the Chief Constable on how to manage an individual complaint.

5.7 The Panel therefore cannot consider complaints about the PCC's:

- (i) intervention or lack of it into complaints against West Midlands Police, its police officers, and staff
- (ii) failure to act as an advocate for an individual
- (iii) failure to investigate a personal case.

5.8 ***Complaints against the Chief Constable***

5.9 The PCC is responsible for handling complaints against the Chief Constable. Such complaints are formally recorded by the PCC and serious allegations are referred to another police force to be investigated.

5.10 The Panel is not an appeals body for complaints against West Midlands Police or the Chief Constable and has no legal power to handle, investigate or order actions to be taken in such cases. Such complaints fall beyond the Panel's jurisdiction.

5.11 ***Complaints about the merits of a PCC decision or policy***

5.12 The Regulations and this complaints procedure do not cover complaints about the merits of a PCC decision, for example where somebody disagrees with a policy the PCC has introduced. Although complaints about whether a decision was taken properly and in accordance with procedures can be considered.

5.13 Concerns from the public about a particular policy is something the Panel should be aware of and reflect upon as it scrutinises the PCC's policies. However, these cannot be taken up through this complaint procedure.

6.0 **Submitting a Complaint**

6.1 Complaints about the conduct of the PCC (or DPCC) should be submitted in writing on the Panel's Complaint Form:

WMPCP, Scrutiny Office, Council House, Victoria Square, Birmingham, B1 1BB. Or by email: wmpcp@birmingham.gov.uk

6.2 Complaints cannot be accepted via Twitter, Facebook, or telephone.

6.3 The Complaint Form has been developed to assist complainants set out the necessary information. The form can be completed online, or downloaded from the Panel's website, or emailed or posted on request.

- 6.4 Complainants may wish to arrange for someone to act on their behalf, such as a friend or relative. However, written consent must be provided by the complainant before the Panel can discuss the case with them.
- 6.5 Where the Monitoring Officer considers that a complaint requires further information or detail in order for him to properly consider it under the Regulations, the complainant may be asked to provide such detail.
- 6.6 ***Direct complaints to the PCC and preservation of evidence***
- 6.7 The PCC must notify the Monitoring Officer of a complaint made to them no later than the end of the following working day writing via email to wmpcp@birmingham.gov.uk, and provide details of the steps they have taken to preserve such evidence, including its location and in whose possession it is in.
- 6.8 Where a complaint is made directly to the PCC then she/he is under a statutory duty to take all such steps as appear to them to be appropriate for obtaining and preserving evidence in relation to the conduct in question, both initially and from time to time after that. In discharging this duty, they shall take such steps as a reasonable person would consider appropriate in the circumstances to obtain and preserve evidence, and in any event shall comply with any requests of the Panel.
- 6.9 ***Direct complaints to the Police and Crime Panel Members***
- 6.10 Any complaint addressed to an individual Panel Member should be immediately directed by the recipient to the Monitoring Officer via email to wmpcp@birmingham.gov.uk, along with any other available information that is relevant to the complaint, in accordance with the Regulations.
- 6.11 ***Direct complaints to the Police***
- 6.12 Where a complaint is made to the Chief Constable, they have a duty to notify the Monitoring Officer in writing via email to wmpcp@birmingham.gov.uk.
- 6.13 ***Direct complaints to the Independent Office for Police Conduct***
- 6.14 When a complaint is made to the Independent Office for Police Conduct (IOPC), it has a duty to notify the Panel to enable a recording decision to be made, unless the IOPC considers that there are exceptional circumstances to justify notification not being given.

7.0 Triage and Recording of Complaints

- 7.1 Upon receipt of a complaint the Monitoring Officer will determine whether it falls within the scope of the Regulations and Panel Complaints Procedure and whether to record the complaint. If recorded, the Monitoring Officer will determine how the recorded complaint will be dealt with under the Regulations.

- 7.2 If the complaint falls outside the remit of the Panel, (e.g., is relates to operational policing) the complainant will be advised of the appropriate body.
- 7.3 Complaints that purport to be a complaint about the PCC but in fact relate to the situations described in paragraphs 5.7 and 5.10 will generally not be recorded. Regulation 10 applies to such cases.
- 7.4 The Monitoring Officer will advise the complainant if a decision is made not to record the whole or part of a complaint and take no action upon it giving the ground for this decision.
- 7.5 If the complaint relates to another police force area it will be passed to the relevant police and crime panel (Reg. 9 (2)(b)).

8.0 Record of Complaint

- 8.1 If the complaint relates to the conduct of the West Midlands PCC (or DPCC) it will be recorded on the West Midlands Recorded Complaints and Conduct Matters Register unless the Monitoring Officer is satisfied that any of the following exceptions apply, (in whole or in part) (Reg. 9 (6)):
- (i) if it has been or is currently being dealt with by criminal proceedings: this will normally be the case where the Police have formally charged the person complained about or information alleging an offence has been laid before a magistrate's court; or
 - (ii) the complaint has been withdrawn in accordance with Regulation 16.
- 8.2 If the Monitoring Officer decides not to record the complaint due to the above and, therefore, to take no action upon it, the complainant will be notified and given the grounds on which that decision was made, whether in relation to whole or part of the complaint (Reg.10 (2)).
- 8.3 Where a complaint is recorded, a copy of the record will be sent to the complainant with information about the next steps to be taken in relation to the complaint (Reg.31 (1) (a)).
- 8.4 When a complaint is recorded the person complained against, and the Chief Executive of the OPCC, will also be informed and provided with a record of the complaint (Reg. 31(1) (b)). However, the record may be altered to hide the identity of the complainant or any other person. In addition, a record may not be sent if in doing so might prejudice any criminal investigation or pending proceedings or otherwise be contrary to the public interest. The Monitoring Officer will take these decisions and will keep this under review (Reg. 31(2) to (4)).

9.0 Notification and Recording of Conduct Matters

- 9.1 If an issue arises other than via a complainant, for example through legal proceedings or media report, where there is an indication (whether from the circumstances or otherwise) that the PCC (or DPCC) may have committed a criminal offence in England

or Wales or, although committed elsewhere, it is an offence triable in England or Wales, this is referred to as a Conduct Matter.

9.2 A Conduct Matter, therefore, occurs where no formal complaint has been received.

9.3 Where the existence of such a Conduct Matter is brought to the Panel's attention by virtue of either

- (i) the Conduct Matter, or
- (ii) the facts relating to the incident giving rise to the Conduct Matter forming part of either: -

- (a) civil proceedings being brought; or
- (b) likely to being brought,

against either any PCC (or DPCC), the Panel will record the Conduct Matter, or refer the matter to the Panel responsible for that PCC or DPCC (Reg 11).

9.4 A Conduct Matter must be recorded, and entered onto the Recorded Complaints and Conduct Matters Register, unless the Monitoring Officer is satisfied either of the following exceptions apply (Reg. 12(2)):

- (i) the matter has already been recorded as a complaint under regulation 9(5); or
- (ii) the matter has been, or is already being, dealt with by means of criminal proceedings against the PCC (or DPCC). This will normally be the case where the Police have formally charged the person with a criminal offence or information alleging an offence has been laid before a magistrate's court.

9.5 If the IOPC becomes aware of a Conduct Matter which has not been recorded by the Panel, it may direct the Panel to record the matter (Reg.12 (3)).

9.6 To enable the Panel to discharge its duties under the Regulations, the Panel needs to be informed about any proceedings where the PCC (or DPCC) is the defendant to or an interested party in legal proceedings.

9.7 The PCC, (or DPCC), the Chief Executive of the OPCC, every counsel, solicitor or legal or other advisor, instructed or retained by them are therefore required, as soon as reasonably practicable, to notify the Monitoring Officer via email to wmpcp@birmingham.gov.uk.

9.8 Such persons are expected generally to cooperate with the Panel in the discharge of its statutory duties under the Regulations (Reg.11) to such extent as is not inconsistent with any legal professional privilege or obligation of confidence.

10.0 Conduct Occurring Outside England and Wales

10.1 The PCC (and DPCC) is under an individual duty to notify the Panel via the Monitoring Officer of any allegation, investigation or proceedings relating to their conduct outside England or Wales. The Panel can handle the matter in whatever manner (if any) it

thinks fit in these circumstances (Reg.17). This decision will be made by the Monitoring Officer.

10.2 Accordingly, by no later than the end of the working day following the day on which the investigation, allegation, or proceedings (as above) comes to his/her attention, the PCC (or DPCC) shall notify the Monitoring Officer in writing via email to wmpcp@birmingham.gov.uk of the matter.

10.3 This obligation applies to conduct within England and Wales that took place before the PCC was elected to office.

11.0 Referral of Recorded Serious Complaints and Recorded Conduct Matters to the Independent Office for Police Conduct (IOPC)

11.1 The Monitoring Officer has authority for filtering complaints and deciding which may amount to criminal conduct as a Serious Complaint and should be referred to the IOPC (using IOPC Referral Form 7.1). The Monitoring Officer may take advice from the IOPC before making a referral.

11.2 The Monitoring Officer must refer the following to the IOPC:

- (i) All Recorded Conduct Matters.
- (ii) All Serious Complaints (i.e., a complaint that constitutes or involves or appears to constitute or involve, the commission of a criminal offence).
- (iii) Any Serious Complaint or Recorded Conduct Matter where the IOPC has called it in.

11.3 If any of the above comes to the attention of one of the named Panel Officers at a point when liaison with the Monitoring Officer is not possible i.e., out of office hours or Bank Holidays, then it may be referred to the IOPC without reference to the Monitoring Officer.

11.4 On referring a Recorded Complaint or Conduct Matter to the IOPC, the Panel will notify the complainant (where there is one) and the person complained about of the referral, unless it appears that notifying the PCC (or DPCC) might prejudice a possible future investigation (Reg. 13(6)). The Monitoring Officer will make this decision.

11.5 *Call-in by the IPCC*

11.6 The Panel must refer a Recorded Complaint to the IOPC if required to do so (Reg. 13(3) and (4)).

11.7 *Timescales for Referral to the IOPC*

11.8 Referrals should be made as soon as is practicable, and in any event no later than the end of the day following the day on which it becomes clear to the Panel that the Recorded Complaint or Conduct Matter is one that should be referred or was required to (Reg. 13 (3)). The details in the Recorded Complaints and Conduct Matters Register

will be made available to the IOPC, together with such other information considered appropriate.

11.9 Referral-back from the IOPC

11.10 Where the IOPC decides it does not need to investigate a Serious Complaint referred to it, it will refer the complaint back to the Panel to resolve in accordance with Part 4 of the Regulations (Set out in Section 16 of this procedure). The IOPC will notify the complainant and the person complained against about this decision (Reg.14 (2)(a) and (3)).

11.11 Where the IOPC decides that it does not need to investigate a Conduct Matter it will refer the matter back to the Panel to be dealt with in such a manner, if any, as the Panel thinks fit. The IOPC will notify the PCC (or DPCC) about this decision (Reg. 14(2)(b) and (3)).

12.0 Circumstances where the Panel does not need to deal with a complaint

12.1 If the Monitoring Officer considers that a Recorded Complaint (which is not one that otherwise must be referred to the IOPC) is one in respect of which no action should be taken, and it falls within the circumstances set out below, then they may decide to handle the Recorded Complaint in whatever manner they think fit (Reg. 15 (2)).

12.2 The types of Recorded Complaint where the Regulations may be disapplied and dealt with in this way are:

- (i) A complaint concerned entirely with the PCC's (or DPCC's) conduct in relation to a person who was working as a member of the PCC staff at the time when the conduct was supposed to have taken place (Reg.15 (3) (a));
- (ii) Where more than twelve months have elapsed since the incident and there is no good reason for the delay, or injustice would be caused by the delay (Reg.15 (3) (b));
- (iii) The matter has already been the subject of a complaint (Reg.15 (3) (c));
- (iv) The complaint is anonymous (Reg.15 (3) (d));
- (v) The complaint is vexatious, oppressive, or otherwise an abuse of the procedures for dealing with complaints (Reg.15 (3) (e)); or
- (vi) The complaint is repetitious (Reg.15 (3) (f)).

12.3 A "Repetitious Complaint" (above) is one which is:

- (i) the same, or substantially the same, as a previous complaint, or concerns substantially the same conduct as a previous conduct matter, contains no fresh allegations which affect the account of the conduct complained of, no fresh evidence which was not reasonably available at the time the previous complaint; or
- (ii) has already been referred to the IOPC and dealt with appropriately (Reg. 15 (4)).

- 12.4 The Monitoring Officer may handle these complaints in whatever manner (if any) they think fit (Reg. 15 (2)).
- 12.5 The Monitoring Officer will notify the complainant of any decision not to apply the Regulations to a Recorded Complaint or to take no further action in relation to it and provide the grounds for that decision (Reg.15 (5)).

13.0 Habitual or vexatious complaints

- 13.1 The Monitoring Officer can disapply the Regulations and take no further action in accordance with Regulation.15 (3) (e) where, in the reasonable opinion of the Monitoring Officer, the complaint is either:
- (i) made with the objective of causing disproportionate or unjustified level of disruption, irritation, or distress to either the PCC, (DPCC) the Police and Crime Panel, or the Monitoring Officer; or
 - (ii) is a disproportionate, manifestly unjustified, inappropriate, or improper use of the complaints process,

14.0 The Panel's duties to obtain and preserve evidence

- 14.1 When a complaint or conduct matter comes to the attention of the Panel, it is under a duty to ensure all appropriate steps are taken to obtain and preserve evidence in relation to the conduct in question, both initially and from time to time after that. It is not the Panel's role to investigate matters and it is likely that before taking steps to obtain or preserve evidence it will normally consult the IOPC. The IOPC may also give the Panel and the PCC (or DPCC) directions for obtaining and preserving evidence (Reg. 8).
- 14.2 Accordingly, the Panel may make formal requests of any of the following persons to take such steps as the Panel considers are expedient or necessary for obtaining and preserving evidence in relation to the conduct in question, both initially and from time to time after that. This includes requests that steps are taken concerning the disposition of the property and resources of the PCC's office (such as its buildings, assets, equipment, supplies, accounts, records, information, electronic data etc. in their widest sense and wherever located) or other persons:
- (i) The PCC
 - (ii) The DPCC
 - (ii) Any employee of the PCC's office
 - (iii) Any member or employee of a functional body
 - (iv) Any person or organisation having a current or past contractual relationship with the PCC's office or its predecessors or in receipt of a grant from such bodies.
- 14.3 A person given a direction by the Panel under this procedure shall comply with it in full and generally cooperate with the Panel and its authorised officers in the discharge of their statutory duties under the Regulations.

- 14.4 Such persons shall also permit access and render possession of any such evidence in relation to the conduct complained about to the Panel as is in their possession, custody, or control in accordance with instructions.
- 14.5 The Panel shall be informed of any instances where there has been a complete or partial failure by any person or organisation to comply with any request regarding evidence.

15.0 Timescales

- 15.1 Wherever possible complaints will be acknowledged within 5 working days and concluded within 12 weeks if dealt with through informal resolution.
- 15.2 However, each case is different, and the time taken to reach a conclusion will be determined by the nature of the complaint. The complainant and the person complained about will be provided with regular updates of progress.
- 15.3 These are locally agreed timescales as none are specified within the Regulations.
- 15.4 If the Serious Complaint or Conduct Matter is referred to the IOPC, this must be done as soon as possible, and no later than the close of business the day after the Panel becomes aware that the matter should be referred (Reg.13(3) and (4)).

16.0 Withdrawal of Complaints

- 16.1 At any stage a complainant can decide to withdraw their complaint or discontinue it. If the Panel receives written notification to this effect, signed either by the complainant, their solicitor or other person acting on their behalf, it will record the fact on the Recorded Complaints and Conduct Matters Register (Reg. 16).
- 16.2 If the Recorded Complaint is with the IOPC, the Panel must notify the IOPC that it has recorded the withdrawal of the complaint. The IOPC will then consider whether the complaint should be treated as a Conduct Matter. The IOPC will notify the Panel accordingly and the Recorded Complaints and Conduct Matters Register will be updated.
- 16.3 If the complaint had not been referred to the IOPC, or was referred and then referred back, the Panel must decide whether the complaint should be treated as a Conduct Matter. A complaint should be treated as a Conduct Matter where there is an indication that a criminal offence has been committed (Reg. 16(4)). The Monitoring Officer will make this decision.
- 16.4 Where it is determined (by the IOPC or Monitoring Officer) that a withdrawn complaint should be treated as a Conduct Matter, the Panel must record it as a Conduct Matter, and apply the Regulations accordingly (Reg. 16 (6)).
- 16.5 The Panel will follow the provisions prescribed in the Regulations for contacting the complainant if they indicate they wish to withdraw their Recorded Complaint but not submitted a signed the withdrawal request (Reg.16 (8)).

16.6 The Panel will notify the person complained against and the Chief Executive of the OPCC if it records a complaint as being withdrawn or discontinued, if it is being treated now as a Conduct Matter, or if the Regulations cease to apply to the complaint on the basis that it has been withdrawn or discontinued (Reg. 16(9), unless it was previously decided not to notify the person complained against.

17.0 Informal Resolution of Complaints

17.1 Under Part 4 of the Regulations the Monitoring Officer must make arrangements to informally resolve Recorded Complaints which the Monitoring Officer has:

- (i) Not referred to the IOPC, or having referred it to the IOPC, has had it referred back; and
- (ii) Decided not to disapply the regulations.

17.2 Informal Resolution is a way of dealing with a complaint by solving, explaining, clearing up or settling the matter directly with the complainant, without investigation or formal proceedings. It is a flexible process that may be adapted to the needs of the complainant and the individual complaint. This may be done by correspondence or in a face-to-face meeting.

17.3 The Monitoring Officer will act as a broker to the informal resolution and in attempting to secure resolution of the complaint, will consider whether further information / clarification / explanation is required and/or whether any actions are required.

17.4 There can be no formal sanctions applied as part of the informal resolution; ultimately the PCC is held accountable by the ballot box. However, the Panel may publish a report or recommendation.

17.5 The following formal requirements for Informal Resolution are set out in the Regulations:

- (i) No investigation can take place. The Panel has the power to require the person complained against to provide information and documents and to attend to answer questions. This does not amount to investigation (Reg. 28 (7)).
- (ii) The complainant and the person complained against must be given the opportunity to comment on the complaint as soon as practicable (Reg. 28 (9)).
- (iii) Any failure by the person complained against to comment on the complaint when invited to do so will be noted in the written record (Reg. 28 (10)).
- (iv) No apology can be tendered on behalf of the person complained against unless the person had admitted the alleged conduct and agreed to the apology (Reg. 28 (11)).

17.6 Where it appears to the Monitoring Officer that a Recorded Complaint against the PCC (or DPCC) has in fact already been satisfactorily dealt with by the time it was brought to the Panel's notice, the Monitoring Officer may, subject to any further representations by the complainant, treat it as having been resolved and take no further action. The Monitoring Officer will make this decision (Reg. 28 (8)).

18.0 Complaints Sub-Committee

- 18.1 If the Monitoring Officer deems that the complaint cannot be resolved based on the written information available, a Complaints Sub-Committee of the West Midlands Police and Crime Panel may be convened, as permitted in Regulation 28 (3), to which the PCC (or DPCC) will be invited to respond to the allegations in person.
- 18.2 The Complaints Sub-Committee is not an appeal body to reconsider previous Monitoring Officer decisions or resolutions.
- 18.3 The Complaints Sub-Committee will consist of three Panel Members drawn from the full membership of the Panel, in conjunction with the Panel Chair (or Vice Chair) and based on availability. The Complaints Sub-Committee will include, where possible, one Independent Panel Member. Named Substitute Panel Members can be appointed to the Sub-Committee.
- 18.4 At the meeting the Monitoring Officer, or their representative, will present the available written information to the Sub-Committee.
- 18.5 Given the Panel's inability to investigate, normally the Complaints Sub-Committee will only be able to call upon the complainant and the person complained about to attend. Both parties will be invited to make a statement in support of their position and will be expected to answer questions, and where necessary, provide additional evidence to the Sub-Committee.
- 18.6 The Complaints Sub-Committee will consider the written and oral evidence and secure an informal resolution.
- 18.7 It is likely that the Complaints Sub-Committee will need to consider whether to pass a resolution to exclude the press and public from meetings on the basis of discussion of sensitive personal data e.g., alleged offences, in accordance with Part 1 of Schedule 12A to the Local Government Act 1972.

19.0 Record of Informal Resolution

- 19.1 A record of the outcome of the informal resolution will be made as soon as practicable after the process has been completed. Copies will be sent to the complainant and the person complained against (Reg. 28 (12)).
- 19.2 The record of the outcome of informal resolution (or part of it) may be published if considered to be in the public interest. Before making the decision, the Monitoring Officer will give the complainant and the person complained against the opportunity to make representations in relation to the proposed publication (Reg. 28 (13)).
- 19.3 In cases where an informal resolution cannot be agreed the record will detail the reasons given by the parties why the matter could not be resolved.

20.0 Appeals and Complaining to the Local Government Ombudsman

- 20.1 There is no right of appeal regarding a recording decision or outcome of a complaint handled by the Panel.
- 20.2 The Local Government Ombudsman has jurisdiction over the administrative functions of the Police and Crime Panel and complainants can contact them if they are unhappy with the way that the complaint was handled.
- 20.3 The Panel's complaints procedure will need to be followed to its conclusion, before the Local Government Ombudsman will become involved.

21.0 Provision and Recording of Information

- 21.1 The Panel must maintain a formal register for the purposes of recording complaints and conduct matters under the Regulations. The Recorded Complaints and Conduct Matters Register is an electronic database recording all key details pertaining to a complaint including the date received, the complainant, a summary of the complaint / the category into which it falls (Recorded Conduct Matter, Serious Recorded Complaint, or other Recorded Complaint), the date on which it was recorded, actions taken on the complaint under the Regulations and any other information deemed relevant.
- 21.2 The Panel shall keep records of every complaint and purported complaint made to it or received by it; every conduct matter recorded by the Panel and every action taken under the Regulations (Reg. 34).
- 21.3 The Panel shall provide to the IOPC all such information or documents specified, and all evidence or other things so specified or described by the IOPC in a notification given by the IOPC to the Panel and in a manner and within a time so specified (Reg. 35).
- 21.4 Summary reports (such as can be reported in public), regarding complaints dealt with under this procedure will be submitted to the West Midlands Police and Crime Panel on a regular basis for monitoring purposes and at least annually.

Publication Date: 30 September 2014

Updated: July 2016

Accessibility checked July 2022



Report to the West Midlands Police and Crime Panel

West Midlands Police and Crime Commissioner End of Term Report

Date: 18 March 2024

1 Reason for Lateness and Urgency

- 1.1 This report has been published less than five clear days before the meeting and the Chair is asked to accept it as a late item.
- 1.2 The report relates to an item listed on the agenda however was not available at the time of the agenda despatch for the meeting. It is important that the Panel has the information at this stage so that it can be fully considered and inform the discussion at this meeting.

2 Purpose

- 2.1 This report provides the opportunity to the Police and Crime Commissioner to set out key activities and achievements during his term of office.
- 2.2 A copy of the presentation slides that will be used by the Police and Crime Commissioner is attached at Appendix A.
- 2.3 During the meeting several short video clips will be played. It has not been possible to embed the clips into the meeting paperwork. However the clips will be available to view via the recording of the meeting live stream.

3 Recommendations

- 3.1 **That the Police and Crime Panel gives consideration to the information presented by the Police and Crime Commissioner.**

4 Background

- 4.1 The [West Midlands Police and Crime Plan 2021-25](#) was published by Simon Foster PCC in 2021.
- 4.2 The Plan set out the PCC's vision and commitments for the strategic direction of policing, the criminal justice system, collaboration and partnership work. The Plan included several objectives and set out the PCC's priority issues.
- 4.3 The PCC's End of Term report provides an opportunity to hear about the activities, achievements and key pieces of work during his term of office.

5 Finance Implications

- 5.1 There are no financial implications arising from the recommendations in this report. The provision of the Police and Crime Panel, including the administration of panel meetings, is funded through a Home Office Grant Agreement.

6 Legal Implications

- 6.1 The powers and responsibilities of panels are set out in Police Reform and Social Responsibility Act 2011 which give panels the authority to scrutinise all decisions or actions in connection with the discharge of the Commissioner's functions.

7 Equalities Implications

- 7.1 The Panel has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

1. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
2. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
3. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 7.2 The protected characteristics and groups outlined in the Equality Act are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex, and sexual orientation.

- 7.3 The Panel will ensure it addresses these duties by considering them during work programme development, the scoping of work, evidence gathering and making recommendations. This should include considering how policy issues impact on different groups within the community, particularly those that share a relevant protected characteristic; whether the impact on particular groups is fair and proportionate; whether there is equality of access to services and fair representation of all groups within the West Midlands; and whether any positive opportunities to advance equality of opportunity and/or good relations between people are being realised.

- 7.4 The Panel should ensure that any recommendations which contribute towards reducing inequality, are based on evidence.

8 List of Appendices

- 8.1 Appendix A – Police and Crime Commissioner's presentation slides

9 Background Papers

- 9.1 [West Midlands Police and Crime Plan 2021-2025](#)



west midlands
police and crime
commissioner

End of Term Report

Simon Foster

Police and Crime Commissioner for the West Midlands





The PCC exists to...

Police and Crime
Plan

Budget and
precept

Holding to
Account

Prevention

Partnerships

Trust and
Confidence

Victims

Rehabilitation

Justice/Safety/
Security

Holding the Chief to Account

Police and Crime
Plan

Strategic Policing
and Crime Board
& Group

Weekly 1:1 with
the Chief
Constable

Set Budget &
Precept

Hiring/firing the
Chief Constable

Complaints &
Reviews

Letters to the
Chief Constable
on specific topics

Oversight of Key
Projects

Scrutiny Panels

Independent
Custody Visitors/
Appropriate
Adults



Holding the Chief to Account in Action

At the end of 2022/23, average complaint resolution time dropped significantly to 63 days from 136 days in the previous year.

Police Complaints

999 Calls

The 999 ten seconds rate SLA rate is now 94%, up 31 percentage points from 2022/23 YTD. Average answer time: 3 seconds, 33 seconds quicker.



101 Calls

The 101 three-minute SLA rate is now 84%, up 56 percentage points from 2022/23 YTD. Average answer time: 1 minute and 9 seconds, 18 minutes faster.



P1 Response

P1 incidents have a median response time of 11 minutes 42 seconds, 2 minutes 19 seconds quicker than in 2022/23 YTD. 65% of P1 incidents met the SLA rate.



P2 Response

P2 incidents have a median response time of 53 minutes 45 seconds, around 50 minutes faster than in 2022/23 YTD. 53% of P2 incidents met the SLA rate.



Body Worn Video

Body worn video compliance has increased from 42% in 2018/19 to 89% in 2020/21, 95% in 2021/22, and 97% in 2023/24 for stop and searches.

Scrutiny Panels

11 community scrutiny panels covering 10 Stop and Search/Use of Force, 1 Custody, and Youth pilots, enhancing consistency and documenting learning.

Custody

Since 2021/22, there have been 555 custody visits, seeing 2,877 detainees, and 2,380 Appropriate Adults provided to vulnerable adult detainees.

Community Updates

The number of residents enrolled in WMNow community messaging has risen by 8%, climbing from 111,000 in 2021 to 120,000 in 2023.

Complaint Reviews

Since 2021/22, 360 reviews have been completed: 73 upheld, 287 considered reasonable and proportionate. Upheld cases represent 20%.

Leading partnership work



west midlands
police and crime
commissioner

Violence
Reduction
Partnership

Community
Safety
Partnerships

Combatting
Drugs & Alcohol

Road Safety

Criminal Justice

Victims

Serious Violence
& Counter
Terrorism

Rebuilding Community Policing



west midlands
police and crime
commissioner



More Police

Secured an additional 1,451 officers, and with ongoing investment, West Midlands Police is on track to expand its service strength to a total of 8,084 officers by March 2024.



Local Policing

Since April 3rd 2023, there has been a 30% rise in the proportion of police officer establishments under local ownership. Currently, just under 53% of all establishments are under Local Policing Areas.



Special Constabulary

There are currently 214 specials volunteering across the West Midlands. In 2023, they dedicated a staggering 69,202 hours.

Over the past two years, an impressive 44% of female specials leavers chose to transition into Police Officer roles, showcasing their commitment and ambition to policing. In comparison, 26% of male counterparts pursued similar opportunities.

Ethnic Diversity

The police force comprises 1,098 ethnic minority officers, constituting 14% of total officers. This marks a rise of 260 officers since 2021. The overall diversity within the force stands at 16%.

Neighbourhood Crime



-9%

Overall Reduction

Key Trends



Vehicle Crime
-12%



Theft from Person
-19%



Burglary
-8%



Female Diversity

There are 2,861 female police officers, comprising 36% of the total officers. The overall female diversity within the force is 45%.



Sexual Diversity

There are 521 LGBTQ+ police officers, accounting for 7% of the total officers. The overall LGBTQ+ diversity within the force is 6%.



Rebuilding community policing



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WELCOME AND INTRODUCTIONS

WELCOME AND INTRODUCTIONS

Tackling VAWG & DA



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I will
RESPECT her
SPACE so she feels
SAFE



Tackling VAWG & DA...




~~It's because I love you so much.~~
~~You were asking for it.~~
~~You brought shame on the family.~~
~~It's how I was brought up.~~
~~You shouldn't have worn that dress.~~
~~Why didn't you leave?~~
~~I was just being friendly.~~
~~You shouldn't have been out alone.~~
~~It's only banter.~~
~~You must've sent mixed messages.~~
~~Why did you drink so much?~~
~~You're such a tease.~~

There is never an excuse for abuse. Join us in ending male violence against women and girls in the West Midlands.

#NoExcuseForAbuse
west midlands police and crime commissioner



 west midlands police and crime commissioner

Welcome and Introduction
10am-10.10am

...on Foster, Police and Crime Commissioner for the West Midlands

~~It's because I love you so much.~~
~~You were asking for it.~~
~~You brought shame on the family.~~
~~It's how I was brought up.~~
~~You shouldn't have worn that dress.~~
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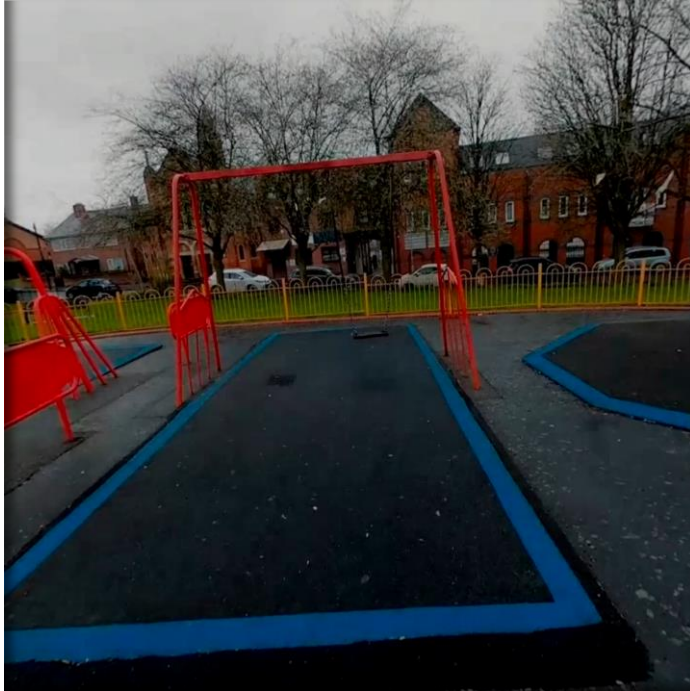




West Midlands Violence Reduction Unit



Virtual reality headsets



Step Together



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A new scheme has launched in the West Midlands to keep children safe on their way to and from school

Emergency Department A&E



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Tackling serious violence

Tackling serious violence2



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Weapon surrender bins



- 31 bins now in place across the West Midlands
- 13 added during Simon Foster's time as Police and Crime Commissioner
- 3,214 weapons collected between March 2022 and June 2023

Overall Crime Trends



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Since 2017, the number of people in the West Midlands saying they've recently been victims of crime has nearly halved*

*Office for National Statistics, Crime Survey for England and Wales, 2017-2023

Overall Crime Trends



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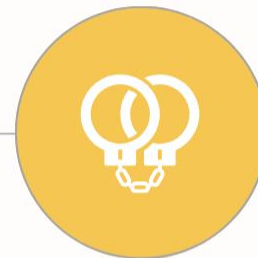
Recorded Crime

-9%



Positive Outcome Rate

8%



Arrest Rate

16%



Overall Crime Trends



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Violence
-12%



Youth Violence
-7%



Stalking
-22%



Spiking
-39%



Gun Crime
-11%



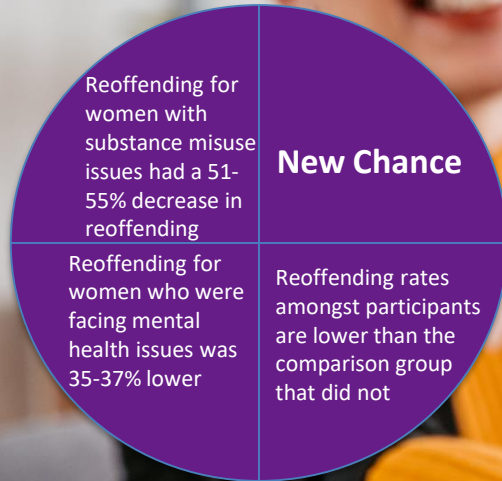
Knife Crime
-3%



Diverting people away from the Criminal Justice System



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Diverting people from the CJS



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Diverting people away from the Criminal Justice System



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Diverting people away from the Criminal Justice System

CASE STUDY

Caroline was one of Offending to Recovery's first clients. Now 5 years clean, Caroline's journey alone has prevented more than £200,000 from fuelling the drugs economy, and over £600,000 of stock being stolen from retailers. Caroline works part time at a rehabilitation facility as a support worker for others and is currently studying L4 Adult Health & Social Care. Her abstinence from drugs has allowed her body to heal. She is now out of the 'danger zone'.



Expansion agreed to Coventry, Walsall, Dudley and Wolverhampton

Offending to Recovery

Net benefits to WMP alone are £1,822,000 over 5 years

For every 20 offenders, up to £1,140,000 saved from stolen goods

73 young people with an offending history enabled to enter employment - 63 of black heritage

Enterprise to employment

Five young people with an offending history enabled to set up a business

Reoffending rate of 2.1% vs national rate of 25.6%

Prioritising Victims

Financial Year	Total monies spent	Total victims supported
2021-2022	£5,575,151.20	62,518
2022-2023	£6,323,865.88	89,911
2023-2024 YTD	£6,306,074.40	36,799
Total	£18,205,091.48	189,228

What	Start of term	Now
Independent Domestic Violence Advisors (IDVAs)	20	68
Independent Sexual Violence Advisors (ISVAs)	4	31.5

Prioritising Victims...



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Suicide Following Domestic Abuse Awareness and Learning Conference



Your Speaker is...



Alethea Fuller

Deputy Chief Executive

Deputy Chief Executive,
West Midlands
Police and Crime
Commissioner



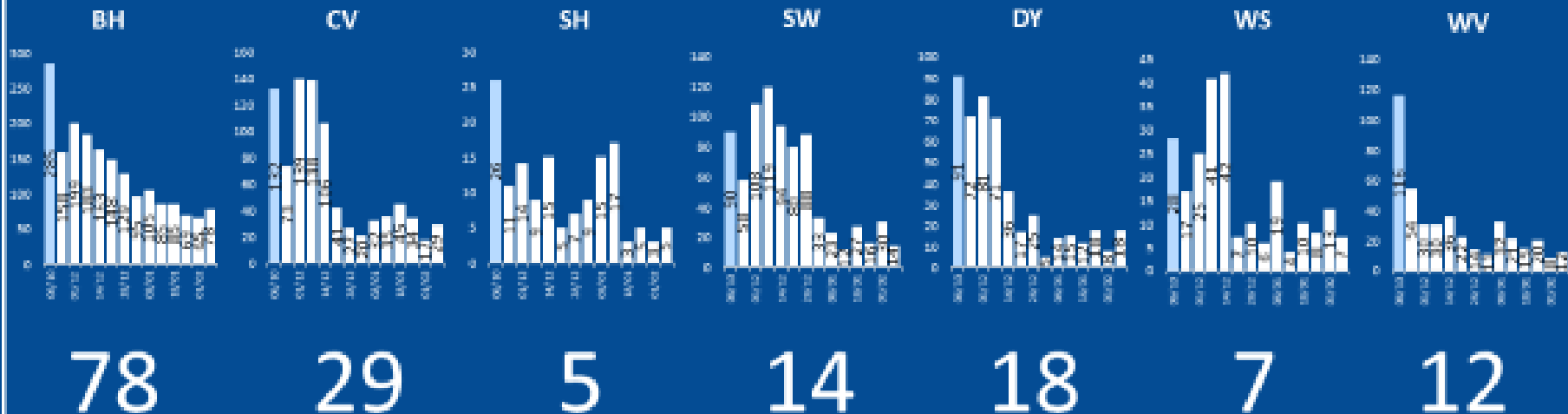
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- Light blue bar indicates figures pre Op. Willowbay (dated 6th Oct).
- All areas operating within upper and lower control limits
- In order to truly reflect the performance in each area, we have revised the recording of the time cases wait for MARAC to display the exact number of calendar days from referral to hearing

Cases awaiting MARAC



Time from New Referral to Hearing in Calendar Days

CHANGE – Now counted in Calendar days NOT weeks!

12

Calendar days

21

Calendar days

19

Calendar days

12

Calendar days

21

Calendar days

13

Calendar days

20

Calendar days

Prioritising Victims..



Brought together local DA support service providers with the Dogs Trust and Cats Protection to enable their pet fostering services to be expanded into the West Midlands

"I had been in an abusive relationship for three years. I eventually managed to flee and went into a refuge with my son, but they were unable to take pets which led me to discover the Freedom Project. They were fantastic – within 24 hours they had found Dusty a foster home.

"The staff showed such compassion and understanding and reassured me daily. The service is outstanding and it's because of the Freedom Project that us three amigos – myself, my son, and Dusty – are still together.

"My life has changed for the better, and so has Dusty's. For that, we're extremely grateful."

Prioritising Victims.



WAITS


ROSHNI

**BIRMINGHAM
LGBT**



Panahghar

For lives free from violence



Road Safety



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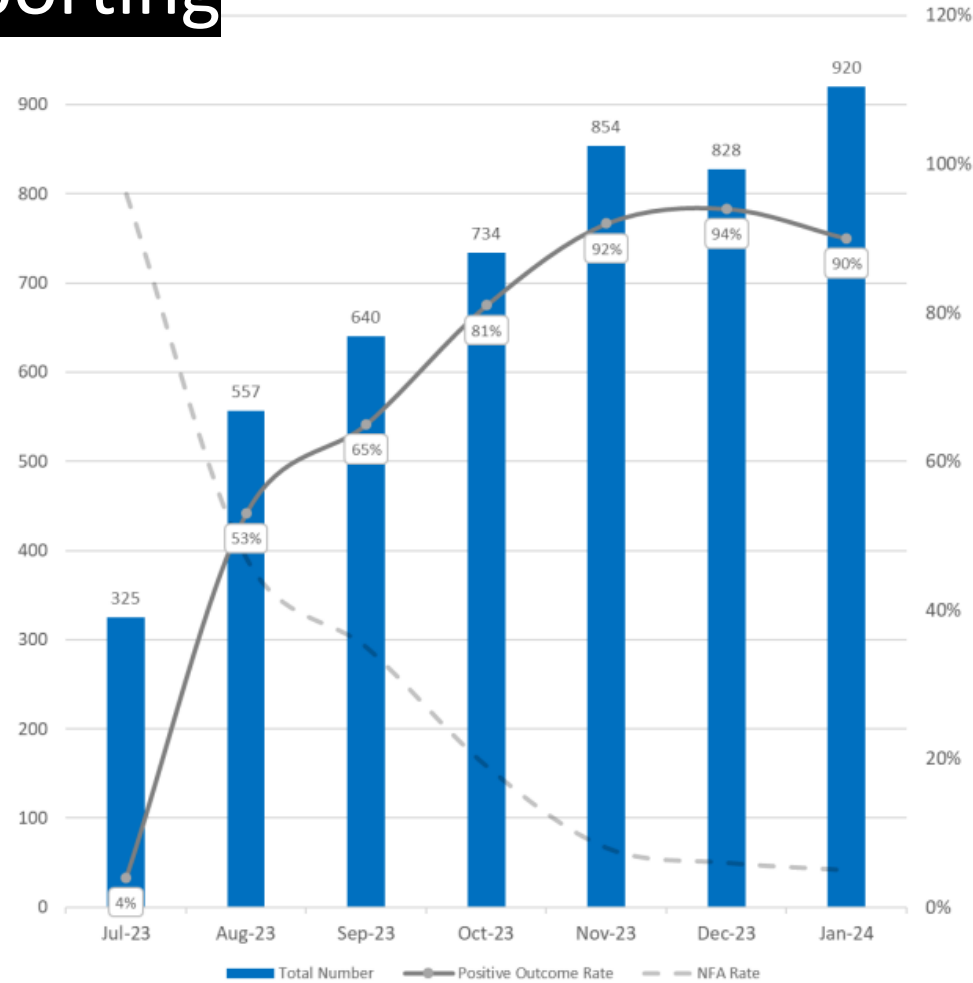


3rd party reporting

Reports and Outcomes



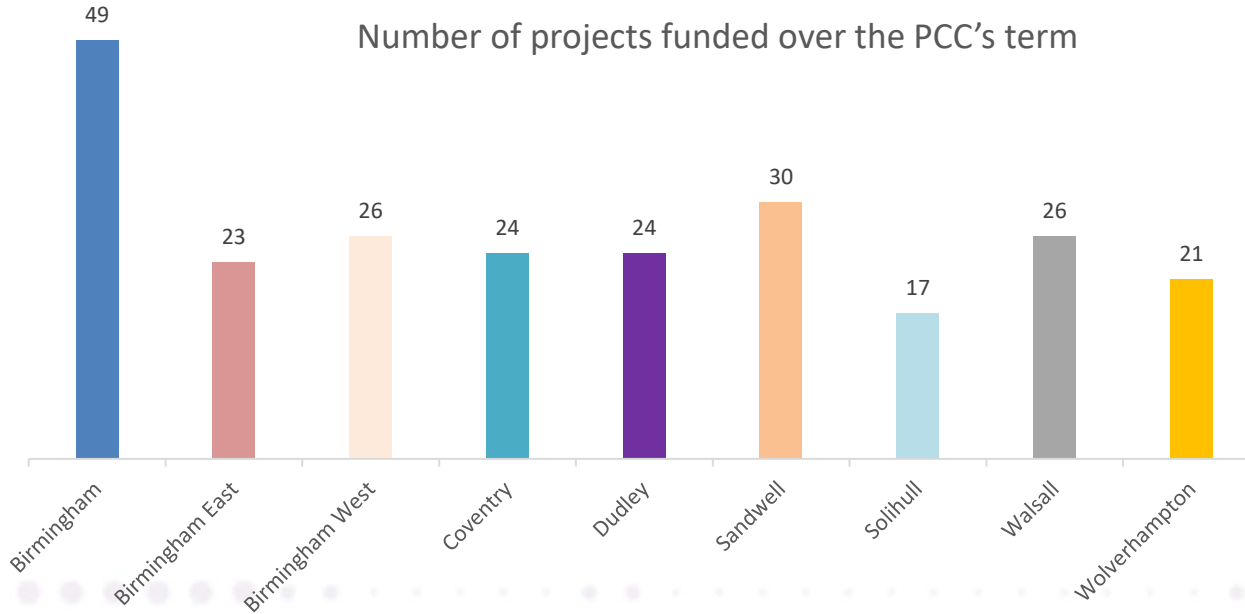
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Helping Communities Fund



Number of projects funded over the PCC's term



Row Labels	Sum of Amount funded
Birmingham	£189,261
Birmingham East	£91,834
Birmingham West	£78,819
Coventry	£96,334
Dudley	£79,330
Sandwell	£109,575
Solihull	£65,390
Walsall	£86,805
Wolverhampton	£85,646
Grand Total	£882,992

Helping Communities Fund...



Helping Communities Fund...



Outstanding Citizens Awards 2022



Outstanding Citizens Awards 2023



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OUTSTANDING CITIZEN
AWARD 2023

From

**WEST MIDLANDS POLICE
& CRIME COMMISSIONER**

19 / 07 / 2023





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Coventry UK City of Culture



The Police Museum



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The Environment & Sustainability



ENVIRONMENTAL STRATEGY
2022/27



Youth Commissioners



Police Cadets



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Community Safety Partnerships

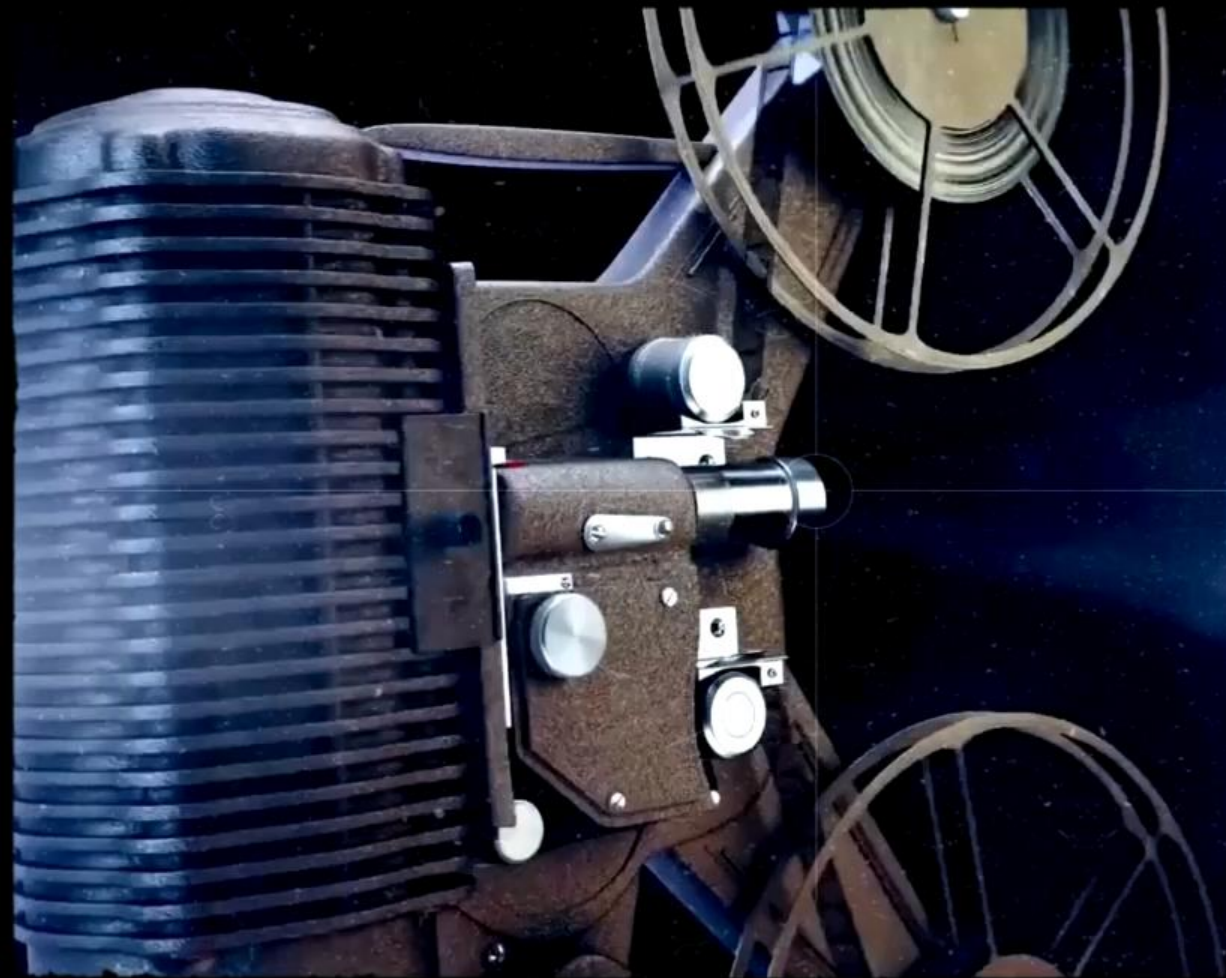
Local Authority Area	Funding 21/22 – 23/24
Birmingham CC	£1,860,000
Coventry CC	£495,000
Dudley MBC	£405,000
Sandwell MBC	£495,000
Solihull MBC	£270,000
Walsall MBC	£405,000
Wolverhampton CC	£450,000
Total	£4,380,000

Funding Secured by the PCC



Award winning work





Report to the West Midlands Police and Crime Panel

Police and Crime Commissioner Update on Key Activities and Key Decisions: March 2024

Date: 18 March 2024

Report of: Kevin O’Keefe, Chief Executive Dudley MBC, Panel Lead Officer

Report author: Sarah Fradgley, Overview and Scrutiny Manager, Birmingham City Council

Email: wmpcp@birmingham.gov.uk

1 Purpose

- 1.1 The Panel is responsible for scrutinising the actions and decisions of the Police and Crime Commissioner.
- 1.2 The Panel is invited to consider the list of key decisions posted by the Police and Crime Commissioner since the last Panel meeting (attached at Appendix A). The List includes links to decision reports where available. This information is also available on the Commissioner’s website [Police and Crime Commissioner Decisions](#)
- 1.3 The Panel is invited to consider the Police and Crime Commissioner’s update report (attached as Appendix B) detailing the activities the Commissioner and his team have been engaged in since the meeting of the Police and Crime Panel held on 5 February 2024.

2 Recommendation

- 2.1 **That the Police and Crime Panel note the attached update prepared by the Police and Crime Commissioner and the recent key decisions published.**

3 Finance Implications

- 3.1 There are no direct financial implications relating to the recommendation in this report.
- 3.2 The financial implications of the key decisions made by the Police and Crime Commissioner are outlined in the individual decision reports published by the Commissioner.

4 Legal Implications

- 4.1 There are no direct legal implications relating to the recommendation in this report.
- 4.2 The powers and responsibilities of panels are set out in Police Reform and Social Responsibility Act 2011 which give panels the authority to scrutinise all decisions or actions in connection with the discharge of the PCC’s functions.

- 4.3 The legal implications of the key decisions made by the Police and Crime Commissioner are outlined in the individual decision reports published by the Commissioner.

5 Equalities Implications

- 5.1 There are no direct equalities implications relating to the recommendation in this report.
- 5.2 The equalities implications of the key decisions made by the Police and Crime Commissioner are outlined in the individual decision reports published by the Commissioner.

6 Appendices

- 6.1 Appendix 1 - Key Decisions: Published Since 5 February 2024.
- 6.2 Appendix 2 - Police and Crime Commissioner Update: March 2024

Police and Crime Commissioner Key Decisions Published Since 5 February 2024:

The following key decisions have been published by the Police and Crime Commissioner since the last Panel meeting on 5 February 2024.

Further details of decisions, including non-confidential reports and supporting documents are available on the website: [Police and Crime Commissioner Decisions](#)

PCC Decision – 013-2024 – Force Contact Workforce Management Solution 28 February 2024

This is a confidential decision relating to Force Contact Workforce Management Solution.

PCC Decision – 011-2024 – Decision to apply for a judicial review 15 January 2024

This is a confidential decision relating to the application for a judicial review.

PCC Decision – 010-2024 – Provision of Airwave Terminals: Maintenance of a Managed Service 13 January 2024

This is a confidential decision relating to the provision of Airwave Terminals: Maintenance of a Managed Service

PCC Decision – 015-2024 – 2024/25 Revenue Budget, Precept, Capital Programme 2024/25 to 2028/29 and Medium-Term Financial Plan (MTFP) to 2028/29 - 8 February 2024

This report sets out the Police and Crime Commissioner's 2024/25 Revenue Budget, Precept and Capital Programme for 2024/25 to 2028/29 and MTFP to 2028/29 and can be download from the Police and Crime Commissioner Website

PCC Decision – 009-2024 – License at Council House, Earl Street, Coventry - 7 February 2024

This is a confidential decision relating to the license at Council House, Earl Street in Coventry

PCC Decision – 008-2024 – Purchase of 39 Anchorage Road, Sutton Coldfield – 30 January 2024

This is a confidential decision relating to the purchase of 39 Anchorage Road, Sutton Coldfield

Police and Crime Panel: Police and Crime Commissioner Update: 18 March 2024

Crime Data in the West Midlands

There has been public commentary of late, to the effect that crime in the West Midlands has “doubled”. To anyone who has been seeking to rely on this statistic, I would draw your attention to the following.

The Crime Survey for England and Wales is commissioned by the Office for National Statistics. It is an annual, face to face survey.

It is treated by government and others as the most accurate way to assess whether crime is increasing or decreasing.

It has the data that government ministers usually quote. It is a consistent and authoritative source for crime trends.

According to the Office for National Statistics, Crime Survey for England and Wales, 2017-2023, since 2017, the number of people in the West Midlands saying they have recently been victims of crime has nearly halved.

However, let me be clear. I remain committed to constant and unremitting action to prevent, tackle and reduce crime in the West Midlands. That commitment is absolute, unconditional and non-negotiable.

Engage Update

Action has been taken, is being taken and will continue to be taken, to address the causes of concern and resolve the areas for improvement.

I am investing in addressing the causes of concern. That includes: 15 additional staff into Criminal Justice working on case file preparation; 10 additional officers into the Public Protection Unit; 20 additional officers into Local Policing Areas; cost of living increases to victims and witnesses’ services and IDVAs and ISVAs; and separate, but in addition to that, I will shortly be announcing additional investment into the MARAC process.

The action has already been taken to address 3 of the 4 causes of concern identified in the report relating to MARAC, Sex Offender Management and Online Child Sexual Exploitation. The action that has been taken and continues to be taken to improve investigations, remains a work in progress. What matters now is to ensure that the action that has been taken remains sustainable.

I remain committed to holding West Midlands Police to account, to address the causes of concern and resolve the areas for improvement.

Weapons Surrender Bins

Four new weapon surrender bins have been installed across the West Midlands in January 2024 by Police and Crime Commissioner, Simon Foster as he continues his crackdown on dangerous weapons and knife crime.

The weapon surrender bins have been installed in Coventry, Solihull, Tipton and Wolverhampton in a move to prevent, tackle and reduce violence, protect people and save lives.

In total, the number of weapon bins installed, thanks to the PCC across the region, has now reached 30. Latest figures show as many as 659 weapons, including knives, guns and machetes, were deposited in the surrender bins between April and June 2023. That's 55 dangerous weapons taken off our streets each and every week, on average, thanks to the PCC-backed initiative.

The 4 new weapon surrender bins being installed, once again shows my commitment to prevent, tackle and reduce knife and gun crime in the West Midlands. In addition to robust policing, to deal with people who are intent on causing harm to others, we also need to focus on prevention, early intervention, diversion and addressing the underlying causes of violence and knife crime. My Violence Reduction Partnership, set up in 2019, is at the forefront of this work.

I am committed to constant and unremitting action to prevent, tackle and reduce violence, protect people and save lives. The bins are providing people with a legal and safe way to dispose of dangerous weapons and knives, which they should not be carrying. Every dangerous weapon and knife, placed in a surrender bin, is potentially a life saved.

The latest bin installations follow three recently installed in Erdington (New Testament Church of God, B23 5PN), Small Heath (Ghamkol Sharif Mosque, B10 0DX) and Smethwick (Windmill Shopping Centre, B66 3PR).

The locations for the 4 new weapon surrender bins are as follows:

- Coventry (January 24): Coventry Central Police Station, Little Park Street, Coventry CV1 2JX
- Wolverhampton (January 25): Phoenix Park, Dudley Road, Wolverhampton WV2 3JU
- Solihull (January 23) Solihull Railway Station, Solihull B91 1LE
- Sandwell (January 26): Tipton Sports Academy, Alexandra Road, Tipton DY4 8TA

Step Together: Preventing and Tackling Violence

The West Midlands Police and Crime Commissioner, Simon Foster has expressed his concern government funding has been pulled, for a project designed to keep school children safe on their journey home from school.

Step Together places trained chaperones on some of the routes students most commonly take to get home after school. This is to increase their feelings of safety, while reducing the risk of harm, violence and anti-social behaviour.

Step Together chaperones are youth workers with training and expertise, on how to de-escalate violence and provide guidance and support to children and young people. They also work closely with the relevant local schools and police, to help identify and respond to risks.

Out of the original 24 routes, 14 are now being funded locally by partners, such as councils and schools, but there are concerns that this funding will soon run out. Whilst Step Together was always a pilot initiative, people and communities across the region have told the PCC it was making a difference.

Launched in October 2021, the scheme was initially funded by the Home Office and Youth Endowment Fund and co-ordinated locally by the West Midlands Violence Reduction Partnership (VRP).

The routes were identified using police and VRP data, which highlighted where violence was most likely to occur. Schools, young people and community members also helped to inform where along the route, the chaperones would make the biggest difference.

Ensuring our children and young people are safe and looked after is a top priority for the Violence Reduction Partnership. Research on Step Together indicates that it has boosted feelings of safety in the after-school period and whilst I am pleased some local partners are stepping up to support the programme, we are still going to lose 10 routes, with a possibility that others could follow.

It is essential that we invest in preventing, tackling and reducing violence and keeping our young people safe and secure.

Road Safety

I continue to hold West Midlands Police to account, to take robust action against irresponsible and thoughtless road users, who endanger the lives of other people, as a consequence of their careless or reckless driving.

Action I am taking includes, supporting increased enforcement by average speed cameras; police operations to prevent dangerous, drink and drug driving; investing in mobile speed camera vans; speed guns for community speed watch; and improved third party dash cam reporting.

Keeping people safe on our roads is a top priority.

Street Racing

A three-year injunction is now in place, which bans street racing in Birmingham and the Black Country. West Midlands Police continue to directly target people who are breaching the street racing injunctions.

Through Operation Hercules, 160 individuals have been highlighted and referred onto a diversionary/educational course, which addresses car cruising and street raising. Money raised from the courses will be used by local authorities to help pay for the cost of the injunctions and upkeep of the equipment.

Regional Road Safety Action Plan

Police and Crime Commissioner Simon Foster, is calling on residents to help make the region's roads safer, by taking part in a public consultation into the updated Regional Road Safety Action Plan.

Building on the Refreshed Regional Road Safety Strategy, launched last year, the action plan will set out how the PCC, who is also Chair of the West Midlands Road Safety Strategic Group, can help create a safer environment for all road users.

This action plan, open for public consultation until 10 May, aims to deliver the region's ambitions to halve the number of road deaths and serious injuries by 2030, by adopting the Safe System approach.

It will focus on five key areas:

- Safe speeds: Tackling excessive speed through targeted enforcement and infrastructure changes.
- Safe vehicles: Promoting safer vehicles and aiming to remove dangerous ones from the road.
- Safe roads and roadsides: Designing safer roads and prioritising vulnerable users like motorcyclists, cyclists, and pedestrians.
- Safe road use: Encouraging responsible driving and tackling dangerous behaviours.
- Post-crash care: Ensuring swift emergency response and comprehensive support for victims of road traffic crashes.

Following the consultation, Transport for West Midlands will work with partners to finalise the action plan for adoption later this year. The plan will also line up with the region's Local Transport Plan and Refreshed Regional Road Safety Strategy 2023-2030.

Each year, around 55 people are killed and 950 people suffer from serious, sometimes life-changing injuries because of road collisions in the region. New data suggests males aged 20-29 are at higher risk of death or serious injury, with excessive speed being the biggest factor contributing to these collisions.

Preventing, tackling and reducing crime and anti-social behaviour and the number of people tragically and avoidably killed and seriously injured on our roads is a top priority, because of the catastrophic consequences for victims and families.

The Road Safety Action Plan 2024-2030 needs to reflect the collaborative action that we all need to take, if we are to create a safe and secure road network, that delivers on our collective aim to halve the number of road deaths and serious injuries by 2030. That is why, I am encouraging everyone to contribute to the consultation.

Our commitment to a safe and secure road network must be absolute, unconditional and non-negotiable.

Public Health Approach to Fraud

On 30 January 2024, I launched my public health approach to fraud, because fraud is a crime we need to get a grip on. As per the crime survey for England and Wales, fraud now accounts for 39 per cent of all crime.

Fraud does not receive the priority and the resources needed, to effectively and efficiently prevent, tackle and reduce it.

I brought together partners from across the region, including West Midlands Police, to launch the first-ever public health approach to fraud. The new partnership will aim to empower the public, challenge fraudsters and help transform the West Midlands, into one of the most difficult places to commit fraud.

Victims Code

I welcome the launch of a Ministry of Justice campaign, to raise awareness of the rights that all victims of crime are entitled to. In September 2023, West Midlands Police launched a new Victims Strategy, to improve the service it provides to victims of crime and to ensure compliance with the Victims' Code.

Bearing in mind that the Victims Code has been in existence for 18 years - since 2005 – there is no conceivable excuse that West Midlands Police or any other criminal justice agency could have, for not being fully compliant with the Code and being able to evidence compliance with the Victims Code.

The rights and welfare of victims, as set out in the Victims Code, must always be at the forefront of the service provided by West Midlands Police and the wider criminal justice system. It is absolutely essential that West Midlands Police and the wider criminal justice system comply with the Victims Code at all times. There is no excuse for not doing so.

I will continue to hold West Midlands Police to account, to ensure that it complies with the Victims Code and that the rights and welfare of victims, are at the forefront of the entire spectrum of the criminal justice system.

Serious Violence

The VRP Safer Together team co-produced the VRP Regional Response Strategy, which was finalised and published on 31 January 2024. The strategy has been informed by the voices of communities, young people and professionals and reflects priorities and ambition from across the region.

In parallel with this work, colleagues in each of the seven local authority areas, finalised their local Strategic Needs Assessments and are in the process of producing their delivery plans. This has been a mammoth undertaking, but the commitment and collaboration in each of the local areas has put the West Midlands in a good position to respond to the requirements of the Serious Violence Duty. All local needs assessments were published by the Home Office deadline of 31 January 2024.

The VRP Regional Response Strategy includes five strategic priorities:

1. Influence systems to deliver prevention across the life course
2. Development of a sustainable, community and youth led approach to violence reduction
3. Building regional and local partnerships, that enhance collaboration and innovation
4. Development of a West Midlands wide movement, that aims for a violence free region
5. Influence delivery of evidence-based programmes in educational settings

These priorities will inform the development of the VRP delivery plan and local partnership plans. We are also in the process of co-producing a set of regional performance measures, that align with the priorities which will allow us to understand the impact of our work. We have consulted with colleagues across the VRP network to better understand existing metrics and data and have utilised the Crest recommended key performance indicators, to initiate conversations with multi-agency colleagues. This work will continue, throughout the remainder of this financial year.

In terms of the Serious Violence Duty funding, a Serious Violence Duty Manager is now in post and is working across the three Integrated Care Boards. The VRP have also advertised for the Serious Violence Duty funded Communications Officer and interviews will take place in February 2024.

We continue to offer Serious Violence Duty webinars and workshops, with 162 professionals having attended these in quarter 3 and approximately 1,350, since they were first introduced in July 2022.

Serious Violence

In my capacity as Association of Police and Crime Commissioners National Joint Serious Violence Lead, I co-hosted an in-person Parliamentary drop-in event at Westminster, on Tuesday 5 March from 11.30am to 1.30pm.

The purpose of the event was to meet with MPs and peers, to discuss the action PCCs have taken to implement the serious violence duty and to highlight the APCC In Focus Report, setting out the effective and innovative work being done by PCCs across the country.

One year on from the commencement of the serious violence duty on 31 January 2023, we invited MPs and peers to hear about the work being done in their area, to prevent, tackle and reduce serious violence.

Safer Custody

On 16 August 2023, His Majesty's Inspectorate of Constabulary published an inspection report on West Midlands Police Custody facilities.

I took the contents of that report extremely seriously and, in particular, I noted the four causes of concern relating to leadership, detainee risk, meeting legal requirements and guidance and use of force and the areas for improvement.

It is essential that West Midlands Police has custody facilities that provide a secure and safe environment, for people properly detained by the police. That is necessary, to ensure trust and confidence in our policing service and the wider criminal justice system.

I am pleased to see that progress is being made towards addressing the causes of concern and resolving the areas for improvement. However, I will be continuing to hold West Midlands Police to account, to ensure that action is being taken and continues to be taken, to address these causes of concern and resolve the areas for improvement as a matter of urgency.

Policing Governance

The cross-party House of Lords Secondary Legislation Scrutiny Committee, has issued a damning report about the entirely unsatisfactory way the Home Office has approached the proposed transfer of Police and Crime Commissioner powers, to the Mayor in the West Midlands. The Committee believes that elections are potentially undermined by the poor process.

The concerns expressed by the Committee included: the Order had been laid before Parliament less than the minimum 6 months in advance of the next election on 2 May, contrary to good practice; a public consultation, required by law, was not conducted before initial decisions were made; weaknesses in the information provided to the Committee by the Home Office, omitting to refer to the result of the consultation, in which a majority of respondents who expressed a view opposed the transfer; neither did the information provided with the West Midlands Order explain that key affected parties also disagreed with the proposals.

The Committee concluded: “The way the Home Office has approached this change has been entirely unsatisfactory and we have written to the Department to seek an explanation for the flaws in the process of developing this legislation, including overlooking the need for a consultation.”

The Committee Report is a damning indictment, of the entirely unsatisfactory way the Home Office has handled the attempted hostile takeover of PCC powers by the Mayor.

The Mayor failed to secure a democratic mandate for the transfer of PCC powers in 2019. He failed to secure a democratic mandate in 2021. His government changed the law, to remove the need for a democratic mandate in 2023.

The Home Secretary and the Mayor adopted an unlawful procedure in December 2023. I had to take legal action, to compel them to launch a last minute, panic driven, 11th hour public consultation. The Mayor then refused to engage in public debate with me.

I was refused the opportunity to make my case before the Combined Authority Overview and Scrutiny Committee. The Home Secretary and Mayor then failed to secure a mandate via the public consultation, because a majority of people disagreed with the transfer of PCC powers to the Mayor.

The Mayor has repeatedly failed to make to make out his case. Yet, he is persisting with his hostile takeover, in defiance of local democracy, contrary to the principles of devolution and against the will of the people.

Now the House of Lords has issued this damning indictment. This hostile takeover by the Mayor will mean more cuts, more chaos and more crime. The Mayor is in denial of the damage his government has inflicted on policing. Enough is enough. In the interests of democracy, the rule of law, due process and the rights of the people I represent, I call on the Mayor and the Home Secretary to abandon this cynical, divisive and undemocratic power grab.

School Exclusions

In December 2023, we published our consultation on preventing and reducing school exclusions, which closed in mid-February. This consultation laid out the existing evidence that links vulnerabilities such as childhood trauma, domestic abuse and substance misuse, to an increased chance of exclusion. It also laid out key links, between school exclusions and increased vulnerability to crime.

The consultation laid out a number of recommendations, including those for the short, medium and long term. It also laid out some key barriers to preventing and reducing school exclusions. It asked respondents to comment on the recommendations and barriers, stating to what extent they agreed, what they would add or change and whether they had any further opinions.

We have received over 50 responses and would like to say a huge thank you to Wolverhampton Council for their incredibly detailed response. Your insight is incredibly beneficial. The vast majority of responses have agreed with preventing and reducing exclusions and with the recommendations and barriers we suggested.

We will be producing a document that summarises the responses, including key themes, key additions to the recommendations and any offers or new recommendations.

Gambling Roundtable

On 31 January 2024, we hosted a roundtable, to highlight the harms associated with gambling and provide an arena in which partners could openly discuss their concerns, current provisions, their requests and their offers. The aim of the roundtable was to facilitate multi-agency working, to tackle this issue and highlight the gaps in the current provisions and discuss actions for resolution.

Attendance included: gambling addiction treatment, support and education providers Aquarius, GamLearn, NHS West Midlands Gambling Harms Clinic and Red Card Gambling Consultancy; as well as West Midlands Police (WMP) colleagues, and Family Drug and Alcohol Courts (FDACs) and public health representatives from local government and national government, through the Office for Health Improvements and Disparities (OHID). This was alongside industry professionals from the Gambling Commission and Rainbow Casino.

The agenda consisted of a presentation from the NHS West Midlands Gambling Clinic and a graduate from the clinic sharing their personal experience of gambling addiction. This was followed by table discussions, where partners centred on: the current provisions in place; their 'asks' for improvements and, what each could 'offer'.

The asks and offers noted, have been collated and recommendations and actions have been suggested. We will be sharing this report with attendees, ensuring that we monitor progress regularly, against the actions and that key partners also suggest new actions.

Ethics Committee: Independent Evaluation

The utilisation of AI and emerging technologies by law enforcement, holds the potential for enhanced data utilisation in crime prevention and detection. Yet, it also raises significant concerns regarding disproportionate outcomes and potential infringements on fundamental rights.

That is why Northumbria University has received £286,000 from the government-funded Arts and Humanities Research Council (AHRC), to examine the responsible use of AI in policing. It involves working with the West Midlands OPCC and West Midlands Police, specifically in relation to our Data Ethics Committee. The research's full title is, the *Ethical review to support responsible AI in policing: a preliminary study of West Midlands Police's specialist data ethics review committee*.

The research will shed light, on how police can improve the legitimacy and responsibility of using AI, through an evaluation of the OPCC's Data Ethics Committee, that was set up to critically assess data tools and AI projects, being developed through the West Midlands Police Data Analytic Lab. The funding is part of a wider UK-wide £100 million investment into AI research across sectors such as education, policing and the creative industries.