

AGENDA

Annual General Meeting and Confirmation Hearing for Deputy Police and Crime Commissioner

Monday 22 July 2024 at 14:00 hours

Council Chamber, Birmingham City Council, Victoria Square, Birmingham, B1 1BB

This meeting will be livestreamed at <https://birmingham.public-i.tv/core/portal/home>

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

Contact Officer: Sarah Fradgley, Overview and Scrutiny Manager

Email: wmpcp@birmingham.gov.uk

Tel: 0121 303 1727

| 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 meeting will be filmed except where there are confidential or exempt items. | 14:00 |
| | 2 | APOLOGIES | |
| | 3 | ELECTION OF CHAIR OF THE POLICE AND CRIME PANEL 2024/2025 Members to elect a Chair for the period ending with the West Midlands Police and Crime Panel AGM in 2025. | 14:05 |
| | 4 | ELECTION OF VICE CHAIR OF THE POLICE AND CRIME PANEL 2024/2025 Members to elect a vice chair for the period ending with the West Midlands Police and Crime Panel AGM in 2025. | 14:10 |

5 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 the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>.

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|-----------------|----------|--|-----------------------------|
| Attached | 6 | POLICE AND CRIME PANEL MEMBERSHIP 2024/2025 | 14:15 |
| | | The Panel is asked to note the membership of the Police and Crime Panel for the 2024/2025 Municipal Year. | |
| Attached | 7 | CONFIRMATION HEARING FOR APPOINTMENT OF DEPUTY POLICE AND CRIME COMMISSIONER | 14:20 |
| | | Following notification from the West Midlands Police and Crime Commissioner of his proposed appointment of Deputy Police and Crime Commissioner, the Police and Crime Panel must hold a Confirmation Hearing, in accordance with Schedule 1 of the Police Reform and Social Responsibility Act 2011. | 30 minutes allocated |
| | | The Confirmation Hearing will be undertaken in two parts: | |
| | | Part 1 - To receive the following reports: | |
| | | <ul style="list-style-type: none">• West Midlands Police and Crime Panel Confirmation Hearing Procedure: Report of the Panel Lead Officer• Appendix 1: Notification and required information provided by Police and Crime Commissioner | |
| | | Part 2 – Question and answer session with the preferred candidate relating to the appointment. | |

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| 8 | EXCLUSION OF THE PRESS AND PUBLIC | 14:50 |
| IT IS RECOMMENDED that the press and public be excluded from the meeting during this item of business under Section 100A (4) of the Local Government Act 1972 on the grounds: | | 20 minutes allocated |
| <div><div>(i)</div><div>it is likely to disclose exempt information listed in Paragraphs 1, and 3 of Part 1 Schedule 12A to the Local Government Act 1972, being information relating to any individual or information relating to the financial or business affairs of any particular person; and</div></div> <div><div>(ii)</div><div>the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</div></div> | | |
| 9 | <u>PRIVATE AGENDA</u> – PANEL DELIBERATIONS ON PROPOSED APPOINTMENT OF DEPUTY POLICE AND CRIME COMMISSIONER | |
| This is a closed session where the Panel will discuss the proposed appointment of Deputy PCC and agree its recommendations to the Police and Crime Commissioner. | | |
| 10 | READMITTANCE OF THE PRESS AND PUBLIC | 15:10 |
| Following the conclusion of the item of business for which the press and public were excluded pursuant to Part 1 of Schedule 12A of the Local Government Act 1972 | | |
| IT IS RECOMMENDED that the press and public are readmitted to the meeting. | | |
| Attached | 11 MINUTES | 15:15 |
| To confirm the Minutes of the meeting held on 18 March 2024 | | |
| Attached | 12 ACTION TRACKER | 15:20 |
| To note the latest Action Tracker. | | |
| | 13 PUBLIC QUESTION TIME | 15:25 |
| To receive questions from members of the public notified to the Panel in advance of the meeting. | | 30 minutes allocated |
| 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 | | |

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|-----------------|-----------|---|-----------------------------|
| Attached | 14 | PANEL ARRANGEMENTS AND RULES OF PROCEDURE | 15:55 |
| | | Report of the Panel Lead Officer | |
| | | The Panel is asked to note the Panel Arrangements and Panel Rules of Procedure documents. | |
| Attached | 15 | POLICE AND CRIME COMMISSIONER ACCOUNTABILITY AND GOVERNANCE FRAMEWORK | 16:00 |
| | | Report of the Police and Crime Commissioner | 15 minutes allocated |
| | | The update the Panel on the Commissioner's review of accountability and governance arrangements for the exercise of his strategic direction, holding to account and public engagement functions. | |
| | | Key decisions published by the Police and Crime Commissioner since the last Panel meeting are attached for consideration. Decisions can be viewed on the Commissioners webpage: https://www.westmidlands-pcc.gov.uk/decisions/ | |
| Attached | 16 | POLICE AND CRIME COMMISSIONER PERFORMANCE UPDATE | 16:15 |
| | | Report of the Police and Crime Commissioner | 30 minutes allocated |
| | | To provide an overview of key areas of West Midlands Police performance in 2023/24. | |
| Attached | 17 | DEVELOPING THE POLICE AND CRIME PLAN 2025 | 16:45 |
| | | Report of the Police and Crime Commissioner | 30 minutes allocated |
| | | The provide an outline of preparations for developing and consulting on the West Midlands Police and Crime Plan 2025- 2029. | |
| Attached | 18 | PANEL WORK PROGRAMME | 17:15 |
| | | Report of the Panel Leader Officer | 10 minutes allocated |
| | | To identify issues for the Panel work programme for 2024/2025 and consider the terms of reference for the establishment of a member subgroup. | |
| | 15 | MEETING DATES FOR 2024/2025 | 17:25 |
| | | To agree the schedule of meeting dates - Mondays at 14:00hrs | |
| | | 7 October 2024 – Solihull Metropolitan Borough Council Chamber | |
| | | 9 December 2024 – Room 3 Wolverhampton Civic Centre | |
| | | 3 February 2025 – Room 3&4 Birmingham Council House Council | |
| | | 17 February 2025 (provisional meeting date if precept veto) | |
| | | 24 March 2025 – Walsall Council Chamber | |

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

Report to the West Midlands Police and Crime Panel – Panel Membership 2024/2025

Date: 22 July 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@birmimingham.gov.uk

Phone: 0121 303 1727

1 Purpose

- 1.1 This report sets out the appointment process for Police and Crime Panel members for the 2024/2025 Municipal Year.

2 Recommendation

That the West Midlands Police and Crime Panel membership for the 2024/2025 Municipal Year be noted.

3 Appointment of Councillor Members

- 3.1 The [Police and Social Responsibility Act 2011 Act](#) requires the local authorities in each police force area to make arrangements for the appointment of a Police and Crime Panel,
- 3.2 These ‘Panel Arrangements’ for the West Midlands specify that the Panel should consist of 12 elected members appointed by the Authorities as follows:
- a. One member appointed by each of the seven Councils.
 - b. Two further Members to be nominated by Birmingham City Council
 - c. Two further Members to be jointly nominated by Dudley Metropolitan Borough Council, Sandwell Metropolitan Borough Council, Walsall Metropolitan Borough Council and City of Wolverhampton (via the Association of Black Country Authorities)
 - d. One further Member to be jointly nominated by Coventry City Council or Solihull Metropolitan Borough Council. Coventry City Council holds this place in 2024/2025.
- 3.3 Each Councillor member has a named substitute.

- 3.4 [Schedule 6 of the Act](#) requires the panel's composition to represent all parts of the police area and the political make-up of the local authorities (when taken together). Following the local elections in May 2024, the political composition of the Panel was calculated to be 7 Labour: 4 Conservative: 1 Liberal Democrat.

4 Independent Panel Members

- 4.1 The Panel also has three independent members. Independent members are appointed for a four-year term following a region-wide competitive recruitment process.

5 Finance Implications

- 5.1 The Home Office provides an annual grant to support the administration of the Police and Crime Panel. The grant covers all costs associated with the administration of the Panel.

6 Legal Implications

- 6.1 Schedule 6 of the Police and Social Responsibility Act 2011 requires the panel's composition to represent all parts of the police area and the political make-up of the local authorities (when taken together).

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:
- 7.1.1 eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - 7.1.2 advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - 7.1.3 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 There are no equality implications arising from this recommendation.

8 Background papers

West Midlands Police and Crime Panel Agreement 2012
Police Reform and Social Responsibility Act 2011

9 Appendices

- 9.1 A - West Midlands Police and Crime Panel Membership 2024/2025.

Local Authority appointments 2024/2025 (12 places with named substitutes)

| District | Political Group | Member | Named Substitute |
|--|------------------|-----------------------------------|---------------------------------------|
| Birmingham | Labour | Cllr Rashad Mahmood | Cllr Jamie Scott |
| Birmingham | Conservative | Cllr Gareth Moore | Cllr David Barrie |
| Birmingham | Liberal Democrat | Cllr Izzy Knowles | Cllr Morriam Jan |
| Coventry | Labour | Cllr Abdul S Khan | Cllr Kindy Sandu |
| Coventry | Labour | Cllr Pervez Akhtar | Cllr Pat Seaman |
| Dudley | Labour | Cllr Parmjit Sahota | Cllr Jackie Cowell |
| Dudley – ABCA (Sub Walsall) | Conservative | Cllr Ed Lawrence (Dudley) | Cllr Jade Chapman (Walsall) |
| Sandwell | Labour | Cllr Jackie Taylor | Cllr Maria Crompton |
| Sandwell – ABCA (Sub Wolverhampton) | Labour | Cllr Bill Gavan MBE (Sandwell) | Cllr Tersaim Singh (Wolverhampton) |
| Solihull | Conservative | Cllr Alan Feeney | Cllr Heather Delaney |
| Walsall | Conservative | Cllr Waheed Rasab | Cllr Rose Martin |
| Wolverhampton | Labour | Cllr Jasbir Jaspal | Cllr Zee Russell |

11 Independent Panel Members appointed 4-year term

| | | |
|--------------------------|------------------------|---------------|
| Independent Panel Member | Adele Brown (2027) | No substitute |
| Independent Panel Member | Derek French (2027) | No substitute |
| Independent Panel Member | Kristina Murphy (2025) | No substitute |

**Report to the West Midlands Police and Crime Panel –
Confirmation Hearing of the Deputy Police and Crime Commissioner**

Date: 22 July 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: 01213031727

1 Purpose

- 1.1 Under the Police Reform and Social Responsibility Act 2011 (“the Act”) [Schedule 1](#), the Police and Crime Commissioner has given notification to the West Midlands Police and Crime Panel of the proposed appointment of Wasim Ali as Deputy Police and Crime Commissioner.
- 1.2 This report sets out the information necessary to enable the panel to review the proposed appointment and make a report to the Police and Crime Commissioner upon it, including a recommendation as to whether or not the candidate should be appointed.

2 Recommendations

2.1 That the Panel

- i. Note the confirmation hearing process set out in this report;**
- ii. Undertake a confirmation hearing for the post of Deputy Police and Crime Commissioner;**
- iii. Consider the information provided by the Police and Crime Commissioner regarding the proposed appointment, and the preferred candidate during this confirmation hearing; and**
- iv. Agree that a report incorporating the panel’s recommendation on the appointment be submitted to the Police and Crime Commissioner.**

3 Background

- 3.1 The Police and Reform and Social Responsibility Act 2011 requires the Police and Crime Panel to conduct confirmation hearings for specific senior appointments, including Deputy Police and Crime Commissioner.

- 3.2 The confirmation hearing is a meeting of the panel, held in public, at which the candidate is requested to appear for the purpose of answering questions relating to the appointment.
- 3.3 The Panel must then prepare a report and recommendation to the Police and Crime Commissioner as to whether or not the candidate should be appointed.

4 Notification by the Police and Crime Commissioner

- 4.1 Under the [Schedule 1 \(2\) of the Act](#), the Police and Crime Commissioner must provide the Panel with the following information:
- i. The name of the person they are proposing to appoint;
 - ii. The criteria used to assess the suitability of the candidate for the appointment;
 - iii. Why the candidate satisfied those criteria; and
 - iv. The Terms and Conditions on which the candidate is to be appointed.
- 4.2 Appendix 1 sets out the information provided by the Police and Crime Commissioner in relation to the requirements set out in 4.1

5 The Police and Crime Panel's Role

- 5.1 The panel has powers to review the Commissioner's proposed appointment of senior staff before they are confirmed in post. Under the terms of the Act, the Panel must:
- i. Review the proposed appointment;
 - ii. Make a report to the Commissioner on the proposed appointment; and
 - iii. Include a recommendation within the report which indicates whether the candidate should be appointed
 - iv. The Panel must review the proposed appointment and report back to the Commissioner within three-weeks of receiving the Commissioner's formal notification.
- 5.2 With reference to point 4 above, it should be noted that it was not possible to convene a hearing within the three-week period as receipt of the PCC's decision notice coincided with the Panel's annual appointment period. Having sought guidance from the Monitoring Officer and a constitutional expert, and following discussion with the Office of the Police and Crime Commissioner, it is recommended that a confirmation hearing be held at the earliest opportunity.

6 The Confirmation Hearing

- 6.1 A "confirmation hearing" is a meeting of the panel, held in public, at which the candidate is requested to appear for the purpose of answering questions relating to the appointment.

- 6.2 [The Policing and Fire Governance guidance for Police and Crime Panels](#) document advises that members' questions to the candidate concern primarily the "professional competence" of the candidate and their "personal independence". Personal independence is defined in the Guidance as a candidate's ability to act in a manner that is operationally independent of the Police and Crime Commissioner.
- 6.3 Following the hearing, the panel will hold a closed private session to deliberate on the suitability of the candidate for the role and formulate its recommendation to the Police and Crime Commissioner.

7 Panel recommendation

- 7.1 The panel must prepare a report for the Police and Crime Commissioner and include a recommendation as to whether or not the candidate should be appointed.
- 7.2 The panel has three principal options, as follows:
- i. To recommend the candidate is appointed.
 - ii. To recommend the appointment with recommendations
 - iii. To reject the proposed appointment
- 7.3 The Police and Crime Commissioner may accept or reject the panel's decision and any recommendations.

8 Reporting the Panel's recommendation

- 8.1 The Chairman of the Panel will write to the Commissioner on the next working day following the confirmation hearing with the panel decision and recommendations.
- 8.2 The candidate will also be sent a copy of the letter.
- 8.3 The Panel will wait five working days before it publishes any information about its recommendations unless it is agreed with the Commissioner that this information can be released at an earlier stage.
- 8.4 The report will be published on the [Panel's website](#).

9 Finance Implications

- 9.1 There are no financial implications for the Police and Crime Panel arising from these recommendations. The administration of the Police and Crime Panel is met from a Home Office grant.

10 Legal Implications

- 10.1 The Police and Crime Panel has a statutory responsibility under the [Police Reform and Social Responsibility Act 2011](#) to conduct confirmation hearings for senior appointments made by the Police and Crime Commissioner

11 Equalities Implications

- 11.1 The Panel has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- i. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - ii. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - iii. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 11.2 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.
- 11.3 The Panel should ensure that it has due regard to its duties under the Equality Act while carrying out the confirmation hearing and making its recommendation to the Police and Crime Commissioner.

12 Background Information

- 12.1 [Police Reform and Social Responsibility Act 2011 Schedule 1](#)
- 12.2 [LGA/Centre for Governance and Scrutiny Guidance for Police and Crime Panels on confirmation hearings](#)

13 Appendices

- 13.1 Appendix 1 – Notification and required information from Simon Foster, Police and Crime Commissioner of intention to appoint his preferred candidate, Wasim Ali.

Appendix 1

Please ask for : Andrea Gabbitas
Telephone Number: 0121 626 6060
wmpcc@west-midlands.pnn.police.uk



Sent by email to:
West Midlands Police and Crime Panel
c/o Sarah Fradgely
wmpcp@birmingham.gov.uk

14 May 2024

Dear Chair

I am writing to advise you that in accordance with section 18(1) of the Police Reform and Social Responsibility Act 2011 (the Act), I have decided to appoint a Deputy Police and Crime Commissioner. It is my proposal to appoint Wasim Ali to the post.

I propose to appoint Wasim Ali as Deputy Police and Crime Commissioner from 13 May 2024 until the conclusion of my current term of office, which will be 10 May 2028. I am providing information to support the process of the confirmation hearing, as required by the Act. I also attach a copy of my decision 18-2024 to this letter.

The Police Reform and Social Responsibility Act 2011 requires me to notify you of:

- the name of the person I propose to appoint as Deputy Police and Crime Commissioner
- the criteria used to assess the suitability of the candidate for the appointment
- why the candidate satisfies those criteria
- the terms and conditions on which the candidate is to be appointed

The criteria I used to make this decision was:

- experience and understanding of police governance
- experience of local government and partnership working
- understanding and engagement of national, regional, and local community groups, both statutory and voluntary
- shared values in respect of the role of the police service and its accountability to the public

- a commitment to equality and diversity both in terms of opportunities within the police force but also in the service it provides to all those that live and work in the West Midlands.

Wasim Ali is well qualified for this role and meets the criteria outlined above. He was formerly Chair of the Sandwell Shadow Youth Cabinet and later became Chair of UK Youth Voice. Wasim has been a critical and dependable member of my team throughout my previous term of office, and has a strong understanding of police accountability and policing governance.

He has proved himself to be robust in carrying out the holding to account function and displays a level of energy and attention to detail which strongly supports my approach. He has an excellent knowledge of West Midlands Police, and also of the region, developed through his many years of service as a Councillor in Sandwell, where he was Deputy Leader and a Cabinet member. He had a portfolio which covered Regeneration, Core Services and Finance.

Wasim has represented me on West Midlands Fire and Rescue Authority, and at various other forums and meetings. He has also played a key role in a number of senior appointments within the Force, including the appointment of the Chief Constable, my Chief Finance Officer and other members of the Force Executive Team.

I have attached the role description and the terms and conditions of Wasim's appointment to this letter.

I trust this provides the information you require. I look forward to the meeting at which we will discuss this matter.

Yours sincerely



Simon Foster
Police and Crime Commissioner

Contact Officer: **Jonathan Jardine**
Telephone Number: **626 6060**
Email: **wmpcc@westmidlands.police.uk**

Appointments of Deputy Police and Crime Commissioner

EXECUTIVE SUMMARY

The purpose of this report is to approve the appointment of a Deputy Police and Crime Commissioner.

The background information contained in this report outlines the provisions of the Police Reform and Social Responsibility Act 2011 which allow a police and crime commissioner to appoint a deputy police and crime commissioner ('the decision'). It also includes details of the confirmatory hearing process required to be undertaken by a police and crime panel following the decision.


DECISION

I appoint Wasim Ali to the position of Deputy Police and Crime Commissioner (DPCC), pursuant to the power available to me in accordance with the provisions of the Police Reform and Social Responsibility Act 2011.

Police and Crime Commissioner for the West Midlands

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

Signature.....

Date.....

NON - CONFIDENTIAL FACTS AND ADVICE TO THE POLICE AND CRIME COMMISSIONER

1. The Police Reform and Social Responsibility Act 2011 (the Act) provides, at section 18(1), that the police and crime commissioner for a police area may appointment a person as the deputy police and crime commissioner for that area.

2. Under section 18(10) of the Police Reform and Social Responsibility Act 2011 ("the Act") the deputy police and crime commissioner (DPCC) is a member of the PCC's staff. The Commissioner intends to appoint a deputy police and crime commissioner; and his proposed candidate for the post is Wasim Ali.

3. Mr Ali has declared that he is aware of the provisions of the Police Reform and Social Responsibility Act 2011 as regards eligibility to be appointed. He has declared to the Commissioner that to the best of his knowledge and belief he is eligible for appointment and is not subject to a relevant disqualification. Attached at Annex A are the relevant extracts from the Act which have been provided to Wasim Ali.

4. A DPCC is required by the Act to be a member of the Commissioner's staff. The DPCC for the West Midlands will be subject to a contract of employment which will generally reflect the terms and conditions applying to the PCC's staff.

5. As required by the Police Reform and Social Responsibility Act 2011 the Commissioner will notify the West Midlands Police and Crime Panel of his decision. In accordance with the Act he will provide to them:

- the name of the person he proposes to appoint, who for the purposes of the legislation is known as the 'candidate'
- the criteria used to assess the suitability of the candidate for the appointment
- why the candidate satisfies those criteria; and
- the terms and conditions on which the candidate is to be appointed

6. Wasim Ali will then be subject to the confirmatory hearing process required by schedule 1 of the Act. The date of the confirmatory hearing is to be confirmed.

7. The Police and Crime Panel are required to publish a report to the Commissioner on the proposed appointment in which they must include a recommendation as to whether or not the candidate should be appointed. The Commissioner will consider the report once published and decide whether to accept or reject the Panel's recommendation on Wasim Ali's proposed appointment.

TERMS OF APPOINTMENT

8. The DPCC will be an employed member of the staff of the Office of the Police and Crime Commissioner. DPCC Wasim Ali will be a full-time member of staff with a salary of £71,841 per annum. The contract will be subject to annual break points, and shall come to an end on Wednesday 10 May 2028.

FINANCIAL IMPLICATIONS

9. The budget for the Commissioner includes provision for the payment of a salary to a Deputy Police and Crime Commissioner. The terms and conditions which attach to the role will be provided to West Midlands Police and Crime Panel as required by the Act.

LEGAL IMPLICATIONS

10. The legal provisions which relate to the appointment of a deputy police and crime commissioner are contained in the background section to this report.

EQUALITY IMPLICATIONS

11. The provisions of the Act dis-apply section 7 of the Local Government and Housing Act 1989 to the appointment of a deputy police and crime commissioner.

Schedule of Background Papers

Attached to this report:

Annex a – Qualification criteria

Annex b – Role Specification for the DPCC

Public Access to Information

Information contained in this decision is subject to the Freedom of Information Act 2000 and other legislation. This decision will be made available on the Commissioner's website.

Extract – paragraph 8 of Schedule 1 to the Police Reform and Social Responsibility Act 2011

The deputy police and crime commissioner

(1) This paragraph applies to a person appointed under section 18 by a police and crime commissioner to be the deputy police and crime commissioner.

(2) None of the following may be appointed as the deputy police and crime commissioner—

- (a) a person who has not attained the age of 18 on the day of the appointment;
- (b) a person who is subject to a relevant disqualification;
- (c) a Member of the House of Commons;
- (d) a member of the European Parliament;
- (e) a member of the National Assembly for Wales;
- (f) a member of the Scottish Parliament;
- (g) a member of the Northern Ireland Assembly.

(3) The terms and conditions of a person who is appointed as the deputy police and crime commissioner must provide for the appointment to end not later than the day when the current term of office of the appointing police and crime commissioner ends.

(4) Section 7 of the Local Government and Housing Act 1989 (appointment of staff on merit) does not apply to the deputy police and crime commissioner.

(5) In this paragraph “current term of office”, in relation to the appointment of a deputy police and crime commissioner by a police and crime commissioner, means the commissioner’s term of office which is running at the time the appointment is made.

(6) For the purposes of this paragraph, a person is subject to a relevant disqualification if the person is disqualified from being elected as, or being, a police and crime commissioner under—

- (a) section 65(1) (police officers, police-related employment etc), other than paragraph (e)(ii); or
- (b) section 66(1), (3)(a)(iii) or (iv), (3)(c) or (3)(d) (citizenship, bankruptcy, criminal convictions & corrupt or illegal election practices).

Relevant disqualification

Section 65(1) Police Reform and Social Responsibility Act 2011

Disqualification from election or holding office as police and crime commissioner: police grounds

(1) A person is disqualified from being elected as, or being, a police and crime commissioner if the person—

(a) is disqualified from being a member of the House of Commons under section 1(1)(d) of the House of Commons Disqualification Act 1975 (members of police forces for police areas in the United Kingdom);

(b) is a member of— (i) the British Transport Police Force; (ii) the Civil Nuclear Constabulary;

(c) is a special constable appointed— (i) under section 27 of the Police Act 1996 for a police area or the City of London police area; (ii) under section 25 of the Railways and Transport Safety Act 2003 (British Transport Police Force);

(d) is a member of staff of the chief officer of police of any police force maintained for a police area;

(e) is a member of staff of—

(i) a police and crime commissioner;

(ii) the Mayor's Office for Policing and Crime;

(f) is the Mayor of London;

(g) is a member of the Common Council of the City of London or a member of staff of that Council in its capacity as a police authority;

(h) is a member (including a member who is chairman or chief executive), or member of staff, of—

(i) the British Transport Police Authority;

(ii) the Civil Nuclear Police Authority;

(iii) the Independent Office for Police Conduct;

(iv) the Serious Organised Crime Agency;

(v) the National Policing Improvement Agency;

(i) holds any employment in an entity which is under the control of—

(i) a local policing body;

(ii) any body mentioned in paragraph (h);

(iii) the chief officer of police for any police force maintained for a police area or the City of London police area;

(iv) the chief officer of police for any police force mentioned in paragraph (b).

Section 66 Police Reform and Social Responsibility Act 2011 (relevant parts)

Disqualification from election or holding office as police and crime commissioner: other grounds

(1) A person is disqualified from being elected as, or being, a police and crime commissioner unless the person satisfies the citizenship condition (see section 68).

(3) A person is disqualified from being elected as, or being, a police and crime commissioner if—

(a) the person is the subject of—

(iii) a bankruptcy restrictions order under paragraph 1 of Schedule 4A to that Act;

(iv) a bankruptcy restrictions interim order under paragraph 5 of that Schedule;

(c) the person has been convicted in the United Kingdom, the Channel Islands, or the Isle of Man, of any imprisonable offence (whether or not sentenced to a term of imprisonment in respect of the offence); or

(d) the person is incapable of being elected as a member of the House of Commons, or is required to vacate a seat in the House of Commons, under Part 3 of the Representation of the People Act 1983 (consequences of corrupt or illegal practices).

Citizenship condition (Section 68 Police Reform and Social Responsibility Act 2011) 68 **Citizenship condition**

(1) This section applies for the purposes of section 66.

(2) A person satisfies the citizenship condition if the person is—

(a) a qualifying Commonwealth citizen,

(b) a citizen of the Republic of Ireland, or

(c) a citizen of the Union.

(3) For the purposes of this section, a person is a qualifying Commonwealth citizen if the person is a Commonwealth citizen and—

(a) is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or

(b) is a person who requires such leave but for the time being has (or is, by virtue of any enactment, to be treated as having) indefinite leave to remain within the meaning of that Act.

(4) But a person who does not require leave to enter or remain in the United Kingdom by virtue only of section 8 of the Immigration Act 1971 (exceptions to requirement for leave in special cases) is not a qualifying Commonwealth citizen by virtue of subsection (3)(a).

(5) In this section the expression "citizen of the Union" is to be construed in accordance with Article 20(1) of the Treaty on the Functioning of the European Union

JOB DESCRIPTION

| | |
|----------------------------------|--|
| Job title: | Deputy Police and Crime Commissioner |
| Grade: | £71,841 per annum |
| Directly responsible to: | Police and Crime Commissioner |
| Directly responsible for: | N/A |
| Location: | Lloyd House, Colmore Circus Queensway, Birmingham, B4 6NQ |

Job Purpose:

The Deputy Police and Crime Commissioner will be responsible for supporting and assisting the Police and Crime Commissioner (PCC) in all duties that can legally be delegated to a Deputy Police and Crime Commissioner under the Police Reform and Social Responsibility Act 2011 (exceptions are issuing a police and crime plan; appointing or suspending the Chief Constable, or calling upon the Chief Constable to retire or resign; and calculating a budget requirement).

| Main duties and responsibilities | |
|----------------------------------|---|
| 1. | To assist the West Midlands Police and Crime Commissioner by ensuring that he is able to effectively engage and represent all areas of the West Midlands and to support the PCC in his role of ensuring an efficient and effective police service for the West Midlands through the setting of the strategic direction for the Force and through holding the Chief Constable to account for the exercise of his functions. |
| 2. | Support the PCC to monitor and drive the delivery of the Police and Crime Plan during his term of office, including: <ul style="list-style-type: none"> • maintain an overview of the implementation of the Commissioner's manifesto in order to ensure consistency in approach but having regard to the differing needs in the West Midlands • scrutinise, support and challenge the overall performance of the Force including against the priorities agreed within the Plan • advise the Commissioner in exercising his functions in setting the budget and precept • ensure the effective working of arrangements for consulting with and engaging local residents, communities and victims of crime • ensure effective working with local authorities and other partners and advise the Commissioner on their effectiveness in achieving the outcomes from his award of crime and disorder reduction grants |

- advise and support the Commissioner in his decision-making role and in holding the Chief Constable to account
- support the Commissioner more generally in the fulfilment of his statutory duties, to include equalities and human rights obligations.

3. Attendance at meetings and events which attendance may be required for the effective fulfilment of the DPCC's obligations under this agreement either to support or represent the PCC.
4. To consider papers and reports and proposed decisions of the PCC and apply skill, knowledge and expertise in discussions by providing constructive criticism, analysis, comments and views to the PCC.
5. To undertake responsibility for liaison with the Force in relation to such matters as may be agreed with the PCC.
6. To make timely reports in writing to the PCC as required from time to time on such matters as fall within the area of responsibility of the DPCC.
7. To support the PCC generally in the exercise of the PCC's statutory functions.
8. To have a commitment to delivery of the PCC's manifesto and the political ambitions of the PCC.
9. To help the PCC to uphold the very high standards of public life detailed in the Nolan Principles.
11. To exercise such decision-making powers as may be delegated.
12. To undertake on behalf of the PCC community engagement and consultation activities.
13. To represent the PCC as required.
14. To act as a critical friend and to provide advice and challenge as appropriate.
15. To help promote equality and diversity within the Force and across the West Midlands.

Person Specification:

| FACTORS | ESSENTIAL |
|---------------------------|--|
| Experience | <ul style="list-style-type: none"> • Good understanding and experience of organisational challenges and ensuring the right balance between cost and value in an environment of reducing resources • Substantial experience of working across different agencies at strategic and operational levels • Experience in translating strategic objectives into operational change • A profound understanding of the diverse nature of the communities of the West Midlands • Knowledge of current issues facing the public sector and policing in particular |
| Knowledge and Skills | <ul style="list-style-type: none"> • Understanding of the operation of the police service and the criminal justice system • Knowledge of the process of government in terms of local authorities and UK Government • Experience of contributing to strategic financial planning and management • Good leadership skills including an ability to inspire, motivate and create the right working climate • The ability to work to enhance collaborative working • Oral communication skills with the ability to speak on behalf of the PCC on broadcast and other types of media • Oral communication skills including speech-making and presentations • Ability to construct coherent arguments and articulate ideas clearly to a range of audiences, formally and informally using a variety of techniques • Ability to articulate key issues and priorities through the construction of reports, briefings and other written material • Ability to use information and intelligence to ensure effective decision making and continuous improvement of services • Horizon scanning to keep abreast of emerging agendas and issues |
| Personal qualities | <ul style="list-style-type: none"> • ability to work with a wide range of people at all levels • ability to build and maintain relationships, broker partnerships and establish and maintain networks |
| Special Conditions | <ul style="list-style-type: none"> • The post holder must be available to attend meetings and other events outside of normal business hours and away from the Commissioner's principal place of business. • The post holder will therefore be required to exercise considerable discretion and will be required to maintain confidentiality during and beyond their employment/ placement with the PCC. • This role is not politically restricted under the Police Reform and Social Responsibility Act 2011 |

**MINUTES OF THE MEETING OF THE WEST MIDLANDS POLICE AND CRIME PANEL HELD ON
18 MARCH 2024 AT 14:00 HOURS – COVENTRY COUNCIL COMMITTEE ROOM 3**

PRESENT: -

Members

Cllr Jasbir Jaspal – Chair (City of Wolverhampton)
Cllr Adam Aston (Dudley Metropolitan Borough Council)
Adele Brown (Independent Panel Member)
Cllr Heather Delaney (Solihull Metropolitan Borough Council)
Cllr Alan Feeney (Solihull Metropolitan Borough Council)
Cllr Sam Forsyth (Birmingham City 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)
Cllr Mohammed Jalal Uddin (Sandwell Metropolitan Borough Council -Substitute)

ALSO PRESENT: -

Simon Foster – Police and Crime Commissioner
Wasim Ali – Assistant Police and Crime Commissioner
Alethea Fuller – Deputy Chief Executive, Office of the Police and Crime Commissioner
Jane Heppel – Chief Finance Officer, Office of the Police and Crime Commissioner
Kevin O’Keefe – Panel Lead Officer, Chief Executive Dudley Metropolitan Borough Council
(online)
Sarah Fradgley – Overview & Scrutiny Manager, Birmingham City Council
Johane Gandiwa – Scrutiny Officer, Birmingham City Council

798 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.

799 APOLOGIES

Apologies for non-attendance were received from Cllr Shabina Bano (Birmingham City Council), Cllr Syeda Khatun (Sandwell Metropolitan Borough Council), Cllr Ed Lawrence (Dudley Metropolitan Borough Council), and Derek French (Independent Panel Member).

800 CHANGES TO PANEL MEMBERSHIP

The Panel was advised that the Walsall MBC seat had become vacant, and Walsall had been approached for replacement.

801 DECLARATIONS OF INTEREST

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

802 MINUTES OF LAST MEETING

RESOLVED:

That the minutes of meeting held on 5th February 2024 be confirmed as a correct record and signed by the Chair.

803 POLICE AND CRIME PANEL ACTION TRACKER

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

804 PUBLIC QUESTION TIME

The Chair advised the Panel that no questions had been received from the public prior to the meeting.

805 WEST MIDLANDS POLICE AND CRIME PANEL EXPENDITURE 2023-24 AND BUDGET FORECAST 2024-25

The Overview and Scrutiny Manager for Birmingham City Council presented the Annual Report that detailed Panel expenditure during the municipal year 2023-24. A correction was made in relation to Appendix 2 where the allowances figure should have been captured as £2760 as opposed to £2160.

RESOLVED:

That the West Midlands Police and Crime Panel Expenditure 2023-24 and Budget Forecast 2024-25 be noted.

806 POLICE AND CRIME PANEL ANNUAL COMPLAINTS MONITORING MARCH 2023- FEBRUARY 2024

The Overview and Scrutiny Manager for Birmingham City Council presented the annual complaints monitoring report for the period March 2023 - February 2024. 3 complaints were received, and all fell outside of the Complaints Procedure. The complaints were sign posted to the relevant authorities.

RESOLVED: -

That the Annual Complaints Monitoring report for the period March 2023 to February 2024 be noted.

807 POLICE AND CRIME COMMISSIONER (PCC) – END OF TERM REPORT

The Police and Crime Commissioner (PCC) presented the End of Term Report. The detailed presentation covered the period May 2021 through to March 2024. Several milestones were registered during this period. These included, amongst others, formulating a new Police and Crime Plan, supporting the Commonwealth Games, appointing a new Police Chief Constable, and tackling violent crimes as well as domestic violence against women and girls.

That PCC reported that significant improvements were recorded for 999 and 101 call answering performance within SLA rates, as well as P1 and P2 police response rates. Body worn video compliance rate for 2023-2024 rose to 97% from 89% in 2020-21. Complaints were also dealt with quicker.

The PCC informed the Panel that three service objectives in the Police and Crime Plan were met. An additional 1451 officers were secured leading to a safer environment. The Police was on track to expand its service strength to 8084 by the end of March 2024. The Police had become more visible compared to previous reporting period. Structural change since 2023, had resulted in a 30% increase in the proportion of police officer establishment allocated to local policing areas.

A dedicated website 'No Excuse for Abuse' had been established. The Police had tackled serious crimes as well as violence against women and girls through establishing partnerships with key stakeholders. £2,000,000 was secured to implement Community Initiative to Reduce Violence. The scheme went live in May 2023. The Police also gained White Ribbon Accreditation to stand against abuse and discrimination. A West Midlands Violence Reduction Unit was established. 31 weapons surrender bins were installed across the West Midlands and more than 3124 dangerous weapons had been deposited .

In respect to overall crime trends, the PCC advised overall crime in the West Midlands fell by 9% and since 2017, the number of people in the West Midlands saying they were victims of crimes had been reduced by 50%. Schemes on modern slavery had been implemented. A new Police Museum was opened. The Police supported the largest single policing operation during the Commonwealth Games. £46 million was invested in the West Midlands to fight and combat crime.

During the discussion, the following points were made:

- The Panel gave its appreciation for the work that had been done by the PCC since he assumed office.
- Comments were made that it was difficult to scrutinise the report as the level of detail contained in the paperwork circulated with the agenda was much less than presented by the PCC at the meeting. The Panel requested the PCC to furnish members with the updated report. For future meetings, the Panel appealed for all reports to be circulated to Panel Members on time.

- The Panel generally agreed that there was need for the PCC to bring to future meetings reports that blended adequate textual information with pictures and infographics.
- The Panel highlighted that the report presented by the PCC should have been linked and cross-referenced to the Police and Crime Plan so that Panel members could measure the outcomes and impact of the Police and Crime Plan.
- The Panel reiterated that more needed to be done to ensure that the West Midlands Police represented the diversity of the people it served. The PCC confirmed that work was progressing to increase ethnic minorities in the WMP, and the Cadet Scheme was representative of the communities in the West Midlands.
- The Panel outlined the need for the Police to reduce disparities in community policing and to enhance visibility in some communities. It was noted perceptions of neighbourhood crimes and reports of ASB did not universally reflect the positive crime data statistics.
- The Panel expressed the need for the PCC to ensure sustainability from the pilot programmes through ensuring that learning was embedded in the police processes and procedures. The PCC acknowledged that long term consistent funding was more effective than short term sporadic funding.
- The PCC agreed to provide the Panel with outcomes and evaluations of the range of criminal justice initiatives and programmes (Divert, New Chance, Offending to Recovery, Enterprise to Employment).
- The PCC would also provide the Panel with information detailing the full 2023-24 data on support provided to victims and data on Force disability diversity.
- The PCC would also share the updated End of Term Report with presentation notes with the Panel.

RESOLVED: -

- i. **That the Police and Crime Commissioner's End of Term Report be noted; and**
- ii. **The following information requested at the meeting be supplied by the OPCC:**
 - a. **Outcomes and any academic evaluations of the criminal justice initiatives and programmes (Divert, New Chance, Offending to Recovery, Enterprise to Employment).**
 - b. **Full 2024/25 data on financial support for victim services.**
 - c. **Further data on disability diversity for West Midlands Police**

808 POLICE AND CRIME COMMISSIONER UPDATE AND KEY DECISIONS

The PCC updated the Panel on the claim for judicial review issued in the High Court on the 15th of February 2024. The PCC explained that the judicial review application was brought about by the need to ensure that the Secretary of State complied with the prescripts of the law relating to public consultations. He informed the Panel that the judicial review application had been made in the public interest to defend democracy and the rule of law.

The Panel was informed that the judicial review application had succeeded in the High Court which meant that the decisions by the Secretary of State were of no legal force and effect.

During the discussion, and in response to questions on the cost of the judicial application, the PCC informed the Panel that they were not able to confirm the quantum of the costs as the situation was evolving. The actual costs depended on the course of action to be followed by the Home Office following the judgment. The PCC added that the costs would not be taken from frontline policing but would be funded from the budget of the Office of the Police and Crime Commissioner (OPCC). The costs would also be published on the OPCC website once complete and accurate information was available.

Regarding an update on actions to address the His Majesty's Inspectorate of Constabulary (HMICFRS) decision to place WMP in Engaged Status of enhanced monitoring, the PCC advised the Panel that action had 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 actions that had been taken to improve investigations remained work in progress. There was evidence to show that sustainability had been embedded in police operations. A formal reinspection by HMICFRS would be conducted in May 2024.

RESOLVED: -

That the Police and Crime Commissioner's Update Report and Key Decisions be noted.

809 DATE OF ANNUAL GENERAL MEETING

It was noted that the provisional date for the Panel's Annual General Meeting was 15 July 2024. Each of the Districts would be asked to appoint representatives and their substitutes during the month of May 2024.

810 URGENT BUSINESS

There were no items of urgent business identified.

The meeting ended at 16.10 hours.

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CHAIR

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

1. Outstanding Actions

| Minute/ Action No. | Meeting Date | Action | Update/ Notes |
|-----------------------|-----------------|---|---|
| 794 | 05/02/24 | UPDATE ON ADDRESSING HMICFRS RECOMMENDATIONS AND NOTICE OF CONCERN 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. | To be discharged. Update on Engage Status included under 22 July 2024 Agenda Item 16: Performance Update |
| 807 | 18/03/24 | POLICE AND CRIME COMMISSIONER END OF TERM REPORT That the following information referred to in the presentation be provided to members <ul style="list-style-type: none"> i. Outcomes and academic evaluations of the criminal justice initiatives and programmes (Divert, New Chance, Enterprise to Employment) ii. Full 2024/25-year data on PCC financial support provided for victim services; (only YTD data available at meeting) iii. Data on disability diversity for West Midlands Police | Update provided and available information circulated to Panel Members. Academic evaluations of Divert and Enterprise to Employment programmes to follow. |

Report to the West Midlands Police and Crime Panel – Panel Arrangements and Rules of Procedure

Date: 22 July 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@birmimingham.gov.uk

Phone: 0121 303 1727

1 Purpose

- 1.1 This report sets out the Panel Arrangements and Rules of Procedure for the West Midlands Police and Crime Panel for 2024/2025. The Panel is asked to approve these documents on an annual basis.

2 Recommendations

2.1 That the Panel

- a. Approve the West Midlands Police and Crime Panel Arrangements for 2024/2025.
- b. Approve the West Midlands Police and Crime Panel Rules of Procedures for 2024/2025.

3 Background

- 3.1 Following the introduction of the Police Reform and Social Responsibility Act 2011 and the creation of the West Midlands Police and Crime Panel in 2012, Panel Arrangements and Rules of Procedure were prepared and agreed by the seven Local Authorities comprising the West Midlands.
- 3.2 Both the Panel Arrangements and Rules of Procedure are reviewed annually and approved at the Panel’s AGM. Any changes to either of these two documents must be agreed by the seven Local Authorities. This will be actioned through the Met Leaders meeting. There are no recommended changes to these documents.
- 3.3 The Panel Arrangements outlines the functions and membership of the Panel; arrangements for budget and costs; the secretariat support; members expenses; promotion of the panel, and the validity of the proceedings.

- 3.4 The Rules of Procedures covers the election of the chair and vice chair; panel meetings, quorum and voting arrangements; work programme; panel agenda; sub committees; panel reports; scrutiny and review, and special functions.
- 3.5 Both documents also have regard to the [Policing Protocol Order 2023](#) issued by the Home Secretary, which sets out the ways in which the Home Secretary, the PCC, the Chief Constable and the Panel should exercise, or refrain from exercising, functions to encourage, maintain or improve working relationships (including co-operative working), and limit or prevent the overlapping or conflicting exercise of functions.

4 Finance Implications

- 4.1 The Home Office provides an annual grant to support the administration of Police and Crime Panels. The West Midlands Police and Crime Panel grant is administered by Birmingham City Council as the host authority.

5 Legal Implications

- 5.1 The provision of a Panel Arrangements and Rules of Procedure enables the West Midlands Police and Crime Panel to fulfil its requirements outlined in [Schedule 6 of the Police Reform and Social Responsibility Act 2011](#).

6 Equalities Implications

- 6.1 The Panel has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.2 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.
- 6.3 There are no equalities implications arising from these recommendations.

7 Background Papers

- 7.1 [Police Reform and Social Responsibility Act 2011](#)
- 7.2 [Policing Protocol Order 2023](#)

8 Appendices

- 8.1 Appendix A - West Midlands Police and Crime Panel Arrangements
- 8.2 Appendix B - West Midlands Police and Crime Panel Rules of Procedure

West Midlands Police and Crime Panel

Panel Arrangements

This Agreement is dated the 20th day of July 2012.

The Agreement is made between the following:

Birmingham City Council

Coventry City Council

Dudley Metropolitan Borough Council

Sandwell Metropolitan Borough Council

Solihull Metropolitan Borough Council

Walsall Metropolitan Borough Council

Wolverhampton City Council

1. Background

- 1.1 The Police Reform and Social Responsibility Act 2011 ('the Act') introduces new structural arrangements for national policing, strategic police decision making, neighbourhood policing and police accountability.
- 1.2 The Act provides for the election of a Police and Crime Commissioner ('PCC') for a police force area, responsible for securing an efficient and effective police force for their area, producing a police and crime plan, recruiting the Chief Constable for an area, and holding him/her to account, publishing certain information including an annual report, setting the force budget and police precept, and requiring the Chief Constable to prepare reports on police matters. The PCC must co-operate with local community safety partners and criminal justice bodies.
- 1.3 The Act requires the local authorities in each police force area ('the Authorities') to establish and maintain a Police and Crime Panel ('the Panel') for its police force area. It is the responsibility of the Authorities for the police force area to make arrangements for the Panel ('Panel Arrangements').
- 1.4 The West Midlands is a multi-authority police force area ('the police force area'). The Authorities, as the relevant local authorities within the area, must agree to the making and modification of the Panel Arrangements.
- 1.5 Each Authority and each Member of the Panel must comply with the Panel Arrangements.
- 1.6 The functions of the Panel must be exercised with a view to supporting the effective exercise of the functions of the PCC for that police force area.
- 1.7 The Panel must have regard to the Policing Protocol issued by the Home Secretary, which sets out the ways in which the Home Secretary, the PCC, the Chief Constable, and the Panel should exercise, or refrain from exercising, functions to encourage, maintain or improve working relationships (including co-operative working), and limit or prevent the overlapping or conflicting exercise of functions.
- 1.8 The Panel is a scrutiny body with responsibility for scrutinising the PCC and promoting openness in the transaction of police business in the police force area.

1.9 The Panel is a joint committee of the Authorities.

2. Functions of the Police and Crime Panel

2.1 The Panel may not exercise any functions other than those conferred by the Act.

2.2 The functions of the Panel set out at paragraphs 2.3 - 2.9 below may not be discharged by a Sub-Committee of the Panel.

2.3 The Panel is a statutory consultee on the development of the PCC's Police and Crime Plan and must:

- a) review the draft Police and Crime Plan (and a variation to it); and
- b) report or make recommendations on the draft Plan which the PCC must take into account.

2.4 The Panel must comment upon the Annual Report of the PCC, and for that purpose must:

- a) arrange for a meeting of the Panel to be held in public as soon as practicable after the Panel is sent an Annual Report under Section 12 of the Act;
- b) ask the PCC at that meeting any such questions about the Annual Report as the Members of the Panel think appropriate;
- c) review the Annual Report; and
- d) make a report or recommendations on the Annual Report to the PCC.

2.5 The Panel must undertake a review of a precept proposed by the PCC in accordance with the requirements set out in Schedule 5 of the Act and has a right of veto in respect of the precept in accordance with the Act and Regulations made thereunder.

2.6 The Panel must hold a confirmation hearing to review, make a report and recommendations to the PCC in relation to the appointment of a Chief Constable in accordance with the requirements set out in Schedule 8 of the Act. It has a right of veto in respect of the appointment in accordance with the Act and Regulations made thereunder.

2.7 The right of veto referred to in paragraphs 2.5 and 2.6 require at least two-thirds of the persons who are Members of the Panel at the time when the decision is made to vote in favour of making that decision.

2.8 The Panel must hold a confirmation hearing to review, make a report to and make recommendations to the PCC in relation to the appointment of the PCC's Chief Executive, Chief Finance Officer and the Deputy Police and Crime Commissioner in accordance with the requirements set out in Schedule 1 of the Act.

2.9 The Panel shall receive notification from the PCC of any suspension of the Chief Constable, or any proposal to call upon a Chief Constable to retire or resign. In the case of the latter, the Panel must make a recommendation to the PCC as to whether or not the PCC should call for the retirement or resignation in accordance with the procedures set out in Schedule 8 of the Act.

2.10 The Panel must review or scrutinise the decisions or actions of the PCC in the discharge of his/her functions and make reports or recommendations to the PCC with respect to the discharge of the PCC's functions. The Panel may carry out investigations into the decisions of the PCC, and into matters of particular interest or public concern.

2.11 The Panel must publish any reports or recommendations made by it to the PCC in a

manner which the Panel will determine and must also send copies to the Authorities.

2.12 The Panel may require the PCC or a member of his/her staff to attend the Panel to answer questions necessary for the Panel to undertake its functions, provided that such questions shall not:

- a) relate to advice provided to the PCC by his/her staff;
- b) in the view of the PCC:
 - i) be against the interests of national safety;
 - ii) jeopardise the safety of any person; or,
 - iii) prejudice the prevention or detection of crime, the apprehension or prosecution of offenders, or the administration of justice; or,
- c) be prohibited by any other enactment.

2.13 If the Panel requires the PCC to attend a meeting, the Panel may (at reasonable notice) request the Chief Constable to attend before the Panel on the same occasion to answer any questions which appear to the Panel to be necessary for it to carry out its functions.

2.14 The Panel may require the PCC to respond in writing to a report or recommendation from the Panel to the PCC.

2.15 The Panel may appoint an Acting PCC if necessary.

2.16 The Panel may suspend the PCC if he/she is charged with an offence carrying a maximum term of imprisonment exceeding two years.

2.17 The Panel is responsible for handling non-criminal complaints against the PCC and Deputy PCC and must refer complaints involving a criminal offence to the Independent Office for Police Conduct. This duty is ordinarily delegated to the Host Authority Monitoring Officer following the Panel's Complaints Procedure.

2.18 The Panel will have any other powers and duties set out in the Act or Regulations made in accordance with the Act.

3. Membership

3.1 Authority Members

3.2 The Panel shall consist of twelve elected Members appointed by the Authorities as follows:

- a) One Member appointed by each of the following Councils, subject to that appointee being the Elected Mayor in the case of those Councils operating such a system of governance:
 - Birmingham City Council
 - Coventry City Council
 - Dudley Metropolitan Borough Council
 - Sandwell Metropolitan Borough Council
 - Solihull Metropolitan Borough Council
 - Walsall Metropolitan Borough Council
 - Wolverhampton City Council
- b) Two further Members to be nominated by Birmingham City Council and appointed by the West Midlands Metropolitan Leaders.
- c) Two further Members to be jointly nominated by Dudley, Sandwell, Walsall

Metropolitan Borough Councils and Wolverhampton City Council and appointed by the West Midlands Metropolitan Leaders. Committee.

- d) One further Member to be jointly nominated by Coventry City Council and Solihull Metropolitan Borough Council and appointed by the West Midlands Metropolitan Leaders Committee. (Solihull MBC to nominate in 2021).

3.3 Appointments of Authority Members shall be made with a view to ensuring that the balanced appointment objective is met so far as is reasonably practicable. The Host Authority shall take steps to coordinate the Authorities with a view to ensuring that the balanced appointment objective is achieved. The balanced appointment objective requires that the Members of the Panel should:

- a) represent all parts of the police force area;
- b) represent the political make-up of the Authorities; and
- c) taken together have the skills, knowledge, and experience necessary for the Panel to discharge its functions effectively.

3.4 If an Authority does not appoint a Member or Members in accordance with these requirements, the Secretary of State must appoint a Member to the Panel from the defaulting authority in accordance with the provisions in the Act.

3.5 Appointments of Members to serve on the Panel shall be made by the Authorities on an annual basis. A Member shall continue to serve on the Panel unless they cease to be an elected Member, resigns from the Panel, or is removed by their Authority at any time.

3.6 Members may be re-appointed to the Panel by the Authorities on an annual basis, without restrictions on the maximum term of office, provided that the balanced appointment objective is met by the re-appointment(s).

3.7 Co-opted Members

3.8 The Panel shall also co-opt three Independent Members.

3.9 In June 2023, the Minister of State for Crime, Policing and Fire approved the Panel's application to increase the number of co-opted Independent Members from two to the maximum of three posts.

3.10 In co-opting Members who are not elected members of any of the Authorities the Panel must secure, so far as is reasonably practicable, that the appointed and co-opted Members of the Panel have the skills, knowledge, and experience necessary for the Panel to discharge its functions effectively.

3.11 Substitute Members

3.12 In making appointments of Members to serve on the Panel, the Authorities shall also appoint nominated substitutes to serve in the absence, or inability to act, of the appointed Members. The appointment of substitutes does not apply to co-opted Members.

3.13 A substitute member shall only be appointed if he/she is otherwise eligible to serve on the Panel. The appointment of a substitute to serve for any meeting should be notified to the Host Authority prior to the commencement of the meeting concerned. A substitute member shall serve only for the duration of the meeting to which they are appointed as a substitute unless a meeting is adjourned, and it is essential the substitute member attends a subsequent meeting to comply with a statutory obligation or the rules of natural justice.

3.14 Removal or Resignation of Members

- 3.15 The Authorities may decide to remove any appointed or substitute Member(s) from the Panel at any time and in doing so shall give notice to the Host Authority.
- 3.16 An appointed Member may resign from the Panel by giving written notice to the Host Authority and to the Chief Executive of the Authority that appointed them to the Panel.
- 3.17 If any appointed or substitute Member resigns from the Panel, or is removed from the Panel, the Authorities shall immediately take steps to nominate and appoint alternative Member(s) to the Panel.
- 3.18 If a Member has been absent from the Panel for more than three months, the Chair shall write to the relevant Authority asking it to consider making a new appointment. Exceptional circumstances will be considered.

3.19 Appointment, Removal or Resignation of Co-opted Members

- 3.20 The following may not be co-opted Members of the Panel:
 - a) the PCC for the Police Area.
 - b) a member of staff of the PCC for the area.
 - c) a member of the civilian staff of the Police Force for the area.
 - d) a Member of Parliament.
 - e) a Member of the National Assembly for Wales.
 - f) a Member of the Scottish Parliament.
 - g) a Member of the European Parliament.
- 3.21 An elected member of any of the Authorities may not be a co-opted Member of the Panel.
- 3.22 The co-opted Members appointed in 2012 shall serve for a term expiring on 30 April 2016. Thereafter, co-opted Members shall be appointed to the Panel for terms of four years.
- 3.23 The Panel shall put in place arrangements to ensure that appointments of co-opted Members are undertaken following public advertisement in accordance with the following principles:
 - a) The appointment will be made on merit of candidates whose skills, experience and qualities are considered best to ensure the effective functioning of the Panel;
 - b) The selection process must be fair, objective, impartial and consistently applied to all candidates who will be assessed against the same predetermined criteria; and,
 - c) The selection process will be conducted transparently with information about the requirements for the appointment and the process being

publicly advertised and made available with a view to attracting a strong and diverse field of suitable candidates.

- 3.24 A co-opted Member of the Panel may resign from the Panel by giving written notice to the Host Authority at any time.
- 3.25 The Panel may decide to terminate the appointment of a co-opted Member of the Panel if at least two-thirds of the persons who are Members of the Panel at the time when the decision is made vote in favour of making that decision for the reasons set out below and in doing so shall give written notice to the co-opted Member:
- a) if the co-opted Member has been absent from the Panel for more than three months without the consent of the Panel;
 - b) if the co-opted Member has been convicted of a criminal offence but not automatically disqualified;
 - c) if the co-opted Member is deemed to be incapacitated by illness or is otherwise unable or unfit to discharge his or her functions as a co-opted Member of the Panel.
- 3.26 If a vacancy arises for a co-opted Member, for any reason, the Panel shall make arrangements to fill the vacancy in accordance with the principles set out in paragraph 3.23.
- 3.27 Co-opted Members appointed to the Panel are eligible for re-appointment for further terms of four years.

4. Budget and Costs of the Panel

- 4.1 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.
- 4.2 All 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.
- 4.3 The Host Authority shall monitor all expenditure incurred and make provision for an annual report.

5. Lead Officer and Host Authority

- 5.1 The Chief Executive of Dudley Metropolitan Borough Council shall act as the Lead Officer to the Panel on behalf of the Authorities.
- 5.2 Birmingham City Council shall be the Host Authority for the Panel and shall provide such administrative, scrutiny and other support as will be necessary to enable the Panel to undertake its functions within the approved budget.

6. Rules of Procedure

- 6.1 The Panel shall determine its Rules of Procedure which shall include arrangements in relation to:
- a) the election and removal of the Chair and Vice-Chair;

- b) the formation of sub-committees;
- c) the making of decisions;
- d) the arrangements for convening meetings; and
- e) the circulation of information.

7. Members' Expenses

- 7.1 Elected Members of the Panel shall be paid expenses only in accordance with the annual rate provided for in the grant allocated by the Home Office.
- 7.2 An annual discretionary allowance of £920 per annum shall be paid for each co-opted independent member provided for in the grant allocated by the Home Office. All expenses including travel and carers expenses will be covered by this payment.
- 7.3 The Host Authority shall administer the payment of expenses and allowances.

8. Promotion of the Panel

- 8.1 The Panel arrangements shall be promoted by:
 - a) the establishment and maintenance of a website including information about the role and work of the Panel, membership, all non- confidential Panel and sub-committee meeting papers, press releases and other publications;
 - c) the Authorities will each include information about the Panel on their websites and will also include a link to the Panel website.
- 8.2 Additional support, advice and guidance shall be provided to executive and non-executive elected members and officers in relation to the functions of the Panel as the Authorities may deem necessary, taking account of the Act and any Regulations made under the Act.

9. Validity of Proceedings

- 9.1 The validity of the proceedings of the Panel shall not be affected by a vacancy in the Membership of the Panel or any defect in appointment.
- 9.2 The conduct of the Panel and the content of these arrangements shall be subject to the legislative provisions in the Police Reform and Social Responsibility Act 2011, and any Regulations made in accordance with that Act. In the event of any conflict between the Act, Regulations and these arrangements, the requirements of the legislation will prevail.

Agreement agreed by Authorities: 2012

Last updated and endorsed: September 2023

West Midlands Police and Crime Panel Rules of Procedure

1. General

- 1.1. These Rules of Procedure are made by the Police and Crime Panel ('the Panel') pursuant to Schedule 6 paragraph 25 of the [Police Reform and Social Responsibility Act 2011](#) (the 'Act').
- 1.2. The Panel will be conducted in accordance with the Rules. The Rules should be read in conjunction with the [West Midlands Police and Crime Panel - Panel Arrangements](#).
- 1.3. The Rules shall not be amended unless notification of a proposed amendment is received by the Chairman and the Host Authority not less than fifteen working days prior to a Panel meeting. A report on the implications of the amendment shall be considered by the Panel and the amendment shall require agreement of three quarters of the current Membership of the Panel. No amendment may be considered by the Panel if it does not comply with the Act, relevant Regulations, or statutory guidance.
- 1.4. If there is any conflict in interpretation between these Rules and the Act or Regulations made under the Act, the Act and Regulations will prevail.

2. Election of the Chairman and Vice-Chairman of the Panel

- 2.1 The Chairman of the Panel will be elected at the first meeting of the Panel in each municipal year from amongst the appointed Members of the Panel.
- 2.2 The Vice-Chairman will be elected at the first meeting of the Panel in each municipal year from amongst the appointed Members of the Panel.
- 2.3 The Vice- Chairman will preside in the absence of the Chairman and if neither are present the Panel will appoint a chairman from amongst the remaining appointed Members for the purposes of that meeting only.
- 2.4 The election of the Chairman and Vice-Chairman shall be on the basis of a simple majority of the appointed members present and voting at the meeting.
- 2.5 In the event of the resignation or removal of the Chairman or Vice-Chairman a new Chairman or Vice-Chairman will be appointed by the Panel at its next meeting from amongst the appointed Members.
- 2.6 The Chairman or Vice-Chairman may be removed by the agreement of a majority of the whole membership of the Panel and in that event the Panel will appoint a replacement Chairman or Vice-Chairman from amongst the appointed Members.

3. Panel Meetings

- 3.1 The Panel will meet in public at least four times per year to carry out its functions.
- 3.2 Extraordinary meetings may be also called from time to time as the Panel considers necessary.
- 3.3 An extraordinary meeting may be called by:
 - a) the Chairman, or
 - b) any four Members of the Panel giving notice in writing to the Chairman and the Host Authority.
- 3.4 The Panel shall have power to determine the location of its meetings, however, these shall normally be held at the Council House, Birmingham.
- 3.5 Members of the public shall be able to ask questions or make a statement to the Panel at each meeting, provided that the total time allowed for public questions shall not exceed 30 minutes, and no question or statement shall be allowed more than three minutes. Anyone wishing to submit a question must meet the [West Midlands Police and Crime Panel Question Criteria](#).

4. Quorum

- 4.1 A meeting of the Panel cannot take place unless one half of the whole number of its Members are present.

5. Voting

- 5.1 Voting will be by show of hands and by simple majority unless the Act, Regulations made thereunder, or these Rules require otherwise.
- 5.2 The Chairman (or person presiding) will have a second or casting vote in the event of a tied vote.
- 5.3 All Panel Members may vote in proceedings of the Panel.

6. Work Programme

- 6.1 The Panel will be responsible for setting a programme for its work and in doing so shall have regard to:
- a) the requirement to properly undertake the functions and responsibilities of the Panel as set out in the Act;
 - b) the priorities defined by the Police and Crime Commissioner ('PCC'); and
 - c) the views of Panel Members and advisers as to the appropriate work to be undertaken.

7. Panel Agenda

- 7.1 The Panel agenda will be issued to Panel Members at least 5 clear days before the meeting. It will also be published on the Panel's website and by sending copies to each of the Authorities, and by any other means the Panel or Host Authority considers appropriate.
- 7.2 Any Member of the Panel shall be entitled to give notice to the Host Authority that he or she wishes an item relevant to the functions of the Panel to be included on the agenda for the next available meeting.

8. Sub-Committees

- 8.1 The Panel has the option to establish Sub-Committees from its membership to undertake specified functions of the Panel.
- 8.2 Sub-Committees may not undertake the Special Functions referred to at paragraph 11 below.
- 8.3 The work to be undertaken by a Sub-Committee will be defined beforehand, together with the timeframe within which the work is to be completed and the outcome reported to the Panel.
- 8.4 A Sub-Committee of the Panel may not appoint co-opted Members.

9. Panel Reports - General

- 9.1 Reports and recommendations made by the Panel in relation to its functions will be carried out in accordance with the procedure outlined in this paragraph.
- 9.2 Where the Panel makes a report to the PCC it will publish the report or recommendations on its website and send copies to each of the Authorities, and by any other means the Panel or Host Authority considers appropriate.
- 9.3 The Panel may require the PCC within 20 working days (or within such other period as is indicated in these Rules) of the date on which s/he receives the Panel's report or recommendations to:

- a) consider the report or recommendations;
 - b) respond to the Panel indicating what (if any) action the PCC proposes to take;
 - c) where the Panel has published the report or recommendations, publish the response from the PCC in the same manner; and
 - d) where the Panel has provided a copy of the report or recommendations to a Panel Member, provide a copy of the response to the Panel Member.
- 9.4 The publication of reports or recommendations is subject to the exclusion of any exempt or confidential information as defined in the rules on access to information in the [Local Government Act 1972 \(as amended\)](#).

10. Scrutiny and Review

- 10.1 The Panel must scrutinise and review decisions made and actions taken by the PCC in the discharge of his/her duties, and make reports or recommendations to the PCC with respect to the discharge of those duties.
- 10.2 The Panel will publish all reports or recommendations made in relation to the discharge of the PCC's duties on its website and by sending copies to each of the Authorities, and by any other means the Panel or Host Authority considers appropriate.
- 10.3 The Panel may in discharging this function review documentation and require the PCC, and members of the PCC's staff, to attend before the Panel (at reasonable notice) to answer questions that appear to the Panel to be necessary in order to carry out its functions.
- 10.4 Where the PCC, or a member of the PCC's staff, is required to attend the Panel in accordance with this provision, the PCC will normally be given at least 15 working days written notice of the requirement to attend (subject to the urgency provisions in paragraph 10.5 below). The notice shall:
- a) state the nature of the item in respect of which s/he is required to attend;
 - b) state whether any papers are required to be provided to the Panel; and
 - c) where it is necessary to produce a report, give sufficient time to allow for the preparation of that report.
- 10.5 In urgent circumstances the Panel may request the PCC, or a member of the PCC's staff, to attend at shorter notice if the Chairman of the Panel considers to be appropriate or reasonable in the circumstances. Where, in exceptional circumstances, the PCC is unable to attend on the required date, then an alternative date for attendance shall be arranged following consultation with the Chairman.
- 10.6 A member of the PCC's staff attending a meeting of the Panel shall not be required to disclose any advice given to the PCC by that person.
- 10.7 The Panel may require the PCC to respond in writing to any report or recommendation of the Panel as set out in paragraph 9.3 above.
- 10.8 If the Panel requires the PCC to attend a meeting, the Panel may also (at reasonable notice) request the Chief Constable to attend before the Panel on the same occasion to answer any questions which appear to the Panel to be necessary in order for it to carry out its functions.
- 10.9 In undertaking its functions, the Panel may invite persons other than those referred to above to attend Panel meetings, to address the meeting, discuss issues of local concern and/or answer questions. This may, for example and not exclusively, include residents, stakeholders, councillors who are not members of the Panel and officers from other parts of the public sector.

11. Special Functions

11.1 The Special Functions of the Panel, are those functions referred to at paragraphs 12-16 below, and which are conferred on the Panel by the Act in relation to:

- a) the review of the draft Police and Crime Plan and any draft variation (Section 28(3));
- b) the review of the Annual Report (Section 28 (4)).
- c) the review of proposed senior appointments (Paragraphs 10 and 11 of Schedule 1);
- d) the review and potential veto of the proposed precept (Schedule 5); and
- e) the review and potential veto of the appointment of the Chief Constable (Part 1 of Schedule 8).

11.2 The Special Functions shall be undertaken having regard to the requirements of the Act and Regulations in each case.

11.3 The issuing of reports and recommendations by the Panel in relation to the Special Functions outlined above will be carried out in accordance with paragraph 9 above.

12. Police and Crime Plan

12.1 The Panel is a statutory consultee on the development of the PCC's Police and Crime Plan and any variation to the PCC's Police and Crime Plan and will receive a copy of the draft Police and Crime Plan, or a draft of any variation to it, from the PCC.

12.2 The Panel must:

- a) hold a meeting in public to review the draft Police and Crime Plan (or a variation to it), and
- b) report or make recommendations on the draft Plan which the PCC must take into account.

13. Annual Report

13.1 The PCC must produce an Annual Report about the exercise of his/her functions in the financial year and progress in meeting police and crime objectives in the year. The report must be sent to the Panel for consideration.

13.2 The Panel must comment upon the Annual Report of the PCC and for that purpose must:

- a) arrange for a meeting of the Panel in public to be held as soon as practicable after the Panel receives the Annual Report;
- b) require the PCC to attend the meeting to present the Annual Report and answer such questions about the Annual Report as the Members of the Panel think appropriate; and make a report or recommendations on the Annual Report to the PCC.

14. Proposed Precept

14.1 The Panel will receive notification from the PCC of the precept which the PCC is proposing to issue for the coming financial year. The Panel must arrange for a meeting to be held in public as soon as practicable after the Panel receives the proposed precept and make a report including recommendations.

14.2 Having considered the precept, the Panel must:

- a) support the precept without qualification or comment; or
- b) support the precept and make recommendations; or

- c) veto the proposed precept (by the required majority of at least two thirds of the persons who are members of the Panel at the time when the decision is made).
- 14.3 If the Panel vetoes the proposed precept, the report to the PCC must include a statement that the Panel has vetoed the proposed precept and give reasons for that decision. The Panel will require a response to the report and any such recommendations.
- 14.4 [The Police and Crime Panels \(Precepts and Chief Constable Appointments\) Regulations 2012](#) set out the procedures in the case of a veto and timescales that must be adhered to for considering a revised precept.

15. Appointment of the Chief Constable

- 15.1 The Panel must review the proposed appointment by the PCC of the Chief Constable.
- 15.2 The Panel will receive notification of the proposed appointment from the PCC, which will include:
 - a) the name of the candidate;
 - b) the criteria used to assess suitability of the candidate;
 - c) why the candidate satisfies the criteria; and
 - d) the terms and conditions proposed for the appointment.
- 15.3 Within three weeks of the receipt of notification, the Panel must consider and review the proposed appointment, and report to the PCC with a recommendation as to whether the candidate should be appointed.
- 15.4 Before reporting and recommending under paragraph 15.3 above, the Panel must convene a meeting in public ('confirmation hearing') of the Panel where the candidate must attend and answer questions relating to the appointment.
- 15.5 The Panel must publish the report on its website and by sending copies to each of the Authorities, and by any other means the Panel or Host Authority considers appropriate.
- 15.6 The PCC may accept or reject the Panel's recommendation and must notify the Panel accordingly.
- 15.7 In relation to the appointment of a candidate for the position of Chief Constable, the Panel also has the power to veto the appointment by the required majority of at least two thirds of the persons who are members of the Panel at the time when the decision is made.
- 15.8 A confirmation hearing as in paragraph 15.4 above must be held before an appointment is vetoed.
- 15.9 If the Panel vetoes the appointment under paragraph 15.7, the report referred to at paragraph 15.3 above must include a statement to that effect.
- 15.10 If the Panel vetoes an appointment the PCC must not appoint that candidate as Chief Constable.
- 15.11 [The Police and Crime Panels \(Precepts and Chief Constable Appointments\) Regulations 2012](#) set out the procedures in the case of a veto.

16. Senior Appointments

- 16.1 The Panel must review the proposed appointments by the PCC of the PCC's Chief Executive, Chief Finance Officer and Deputy PCC.
- 16.2 The Panel shall receive notification of the proposed appointments from the PCC including:
 - a) the name of the candidate;

- b) the criteria used to assess suitability of the candidate;
 - c) why the candidate satisfies the criteria; and
 - d) the terms and conditions proposed for the appointment.
- 16.3 Within three weeks of the receipt of notification, the Panel must consider and review the proposed appointment(s), and report to the PCC with a recommendation as to whether the candidate(s) should be appointed.
- 16.4 Before reporting and recommending under 16.3 above, the Panel must convene a public confirmation hearing of the Panel where the candidate(s) must attend and answer questions relating to the appointment(s).
- 16.5 The Panel must publish the report on its website and by sending copies to each of the Authorities, and by any other means the Panel or Host Authority considers appropriate.
- 16.6 The PCC may accept or reject the Panel's recommendation and must notify the Panel accordingly.

17. Appointment of an Acting Police and Crime Commissioner

- 17.1 The Panel must appoint a person to be Acting Police and Crime Commissioner if:
- a) no person holds the office of PCC;
 - b) the PCC is incapacitated (i.e. unable to fulfil the functions of the PCC) which is a matter for the Panel to determine; or
 - c) the PCC is suspended.
- 17.2 In the event that the Panel has to appoint an Acting Commissioner, it will meet to determine the process for appointment which will comply with these Rules of Procedure and any legal requirements.
- 17.3 The Panel may appoint a person as Acting Commissioner only if the person is a member of the PCC's staff at the time of the appointment.
- 17.4 In appointing a person as Acting Commissioner in a case where the PCC is incapacitated, the Panel must have regard to any representations made by the PCC in relation to the appointment.
- 17.5 The appointment of an Acting Commissioner will cease to have effect upon the earliest of the following:
- a) the election of a person as the PCC;
 - b) the termination of the appointment of the Acting Commissioner;
 - c) in a case where the Acting Commissioner is appointed because the PCC is incapacitated, the PCC ceases to be incapacitated; or
 - d) in a case where the Acting Commissioner is appointed because the PCC is suspended, the PCC ceases to be suspended.
- 17.6 Where the Acting Commissioner is appointed because the PCC is incapacitated or suspended, the Acting Commissioner's appointment does not terminate because a vacancy occurs in the office of PCC.
- 17.7 There is a six-month time limit on how long a PCC can be incapacitated before the role of the PCC becomes vacant.

18. Complaints

- 18.1 The Panel has a number of functions in relation to complaints made about a PCC's or Deputy PCC's conduct. In accordance with [The Elected Local Policing Bodies \(Complaints and Misconduct\) Regulations 2012](#), the Panel has delegated all its complaint functions to the Monitoring Officer of the Host Authority.

18.2 Complaints and conduct matters are divided into:

- a) complaints - about the conduct of a PCC (or Deputy PCC)
- b) serious complaints - allegations that the PCC (or Deputy PCC) has committed a criminal offence
- c) conduct matter - an indication that the PCC (or Deputy PCC) has committed a criminal offence which has come to light other than through a complaint.

18.3 All duties are undertaken in accordance with the Regulations and the [West Midlands Police and Crime Panel Complaints Procedure](#). Serious complaints and conduct matters must be referred to the Independent Office for Police Conduct. Complaints which are not being handled by the Independent Office for Police Conduct, are subjected to informal resolution under the Regulations. Procedures for informal resolution must not include investigation of the complaint.

19. Suspension of the Police and Crime Commissioner

19.1 The Panel may suspend the PCC if it appears to the Panel that:

- a) the PCC is charged in the United Kingdom, the Channel Islands or the Isle of Man with an offence; and
- b) the offence is one which carries a maximum term of imprisonment exceeding two years.

19.2 The suspension of the PCC ceases to have effect upon the occurrence of the earliest of these events:

- a) the charge being dropped;
- b) the PCC being acquitted of the offence;
- c) the PCC being convicted of the offence but not being disqualified under Section 66 of the Police Reform and Social Responsibility Act by virtue of the conviction, or
- d) the termination of the suspension by the Panel.

19.3 In this Section references to an offence which carries a maximum term of imprisonment exceeding two years are references to:

- a) an offence which carries such a maximum term in the case of a person who has attained the age of 18 years, or
- b) an offence for which, in the case of such a person, the sentence is fixed by law as life imprisonment.

20. Suspension and Removal of the Chief Constable

20.1 The Panel will receive notification if the PCC suspends the Chief Constable.

20.2 The PCC must also notify the Panel in writing of his/her proposal to call upon the Chief Constable to retire or resign, together with a copy of the reasons given to the Chief Constable in relation to that proposal.

20.3 The PCC must provide the Panel with a copy of any representations from the Chief Constable about the proposal to call for his/her resignation or retirement.

20.4 If the PCC is still proposing to call upon the Chief Constable to resign, she/he must notify the Panel accordingly (the 'further notification').

20.5 Within six weeks from the date of receiving the further notification, the Panel must make a recommendation in writing to the PCC as to whether or not s/he should call for the retirement or resignation. Before making any recommendation, the Panel may consult the chief inspector of constabulary, and must hold a scrutiny hearing.

- 20.6 The scrutiny hearing, which must be held by the Panel, is a Panel meeting in private session to which the PCC and the Chief Constable are entitled to attend to make representations in relation to the proposal to call upon the Chief Constable to retire or resign.
- 20.7 The Panel must publish the recommendation it makes on its website and by sending copies to each of the Authorities, and by any other means the Panel or Host Authority considers appropriate.
- 20.8 The PCC may not call upon the Chief Constable to retire or resign until the end of the scrutiny process which will occur:
- a) at the end of six weeks from the Panel having received notification if the Panel has not by then given the PCC a recommendation as to whether or not she/he should call for the retirement or resignation; or
 - b) the PCC notifies the Panel of a decision about whether she/he accepts the Panel's recommendations in relation to resignation or retirement.
- 20.9 The PCC must consider the Panel's recommendation and may accept or reject it, notifying the Panel accordingly.

Approved by West Midlands Police and Crime Panel – 20 July 2012
Last updated and endorsed: 17 July 2023

Report to the West Midlands Police and Crime Panel

West Midlands Police and Crime Commissioner ("PCC"): Accountability and Governance Framework

Date: 22 July 2024

Report of: West Midlands Police and Crime Commissioner

Report author: Jonathan Jardine, Chief Executive, Office of the Police and Crime Commissioner

1 Purpose and Background

Following the election on Thursday 2 May 2024, the PCC undertook a review of his accountability and governance arrangements for the exercise of his strategic direction, holding to account and public engagement functions.

The PCC set the following overarching objectives:

1. A Police and Crime Plan that is focused, with overarching priorities
2. Ensure clarity, the holding to account function is exercised by the PCC
3. A holding to account that remains public facing where possible, and fully utilises available processes and structures
4. A renewed commitment, to supporting the rights and welfare of victims and witnesses
5. Diverse and representative views, engaged in the support of the exercise of the PCC's functions
6. A fully independent and expert approach to Joint Audit Committee
7. Fully embedding a joint approach to advice, on the ethical use of data and new technology in policing
8. A continuing approach, to deeper and wider engagement with young people
9. Effective and proportionate oversight of the use of police powers

Police and Crime Plan

It is a statutory duty, to issue a new Police and Crime Plan before 31 March 2025, covering the period to 31 March 2029.

The new Police and Crime Plan will be shorter, with clearer priorities and reference to existing plans, that support delivery of the PCC's objectives. A consultation is underway.

The Police and Crime Plan, represents the exercise of the PCC's strategic direction function, to which the Chief Constable must "have regard".

Accountability and Governance Board ("AGB")

The AGB will comprise the following members: the PCC (who chairs the meetings), the Deputy PCC and the Victims Advocate (see below). They will be supported by members of staff from the Office of the Police and Crime Commissioner ("OPCC") and attended by the Chief Constable and Deputy Chief Constable. It will meet 10-11 times per year, in public and be livestreamed, running from 10.00 to 13.00. The agenda will comprise:

- Updates from the PCC and Chief Constable, to include questions on urgent matters
- Minutes and actions from previous meetings
- A core agenda of three reports on aspects of the Police and Crime Plan
- Additional items as required

There will be two "performance seminars" per year, with the majority of the agenda, given over to consideration of performance data.

The operation of the AGB will be informed by the activities of the Commissioner's Advisory Panel, Joint Audit Committee, the advisory panel for police use of data and emerging technology and other oversight and assurance mechanisms.

AGB is the primary mechanism, via which the PCC publicly holds the Chief Constable and West Midlands Police to account.

Weekly Meetings

The PCC meets the Chief Constable weekly, with the Deputy Chief Constable, Chief Executive, Deputy Chief Executive, Chief Finance Officer and Director of Commercial Services also in attendance as required. These private meetings have a flexible agenda, but are minuted. They cover a variety of operational, organisational, policy, performance, inspection, finance and casework matters. A review is underway, to ensure best use is made of these meetings.

The weekly meetings support the exercise of the PCC's strategic direction, holding to account and other decision-making functions.

Appointment of a Deputy Police and Crime Commissioner

Section 18 of the Police Reform and Social Responsibility Act 2011, permits the appointment of a Deputy Police and Crime Commissioner, to support the Police and Crime Commissioner in the exercise of their functions.

The Deputy PCC is a member of OPCC staff, albeit exempt from the requirements for political restriction and recruitment on merit. The Deputy PCC works to the day-to-day direction of the PCC.

The Deputy PCC, subject to the PCC's consideration of any recommendations from the Police and Crime Panel, will assist the PCC in the exercise of their strategic direction, holding to account, public engagement and other statutory and non-statutory functions.

Appointment of a Victims Advocate

The PCC is statutorily required, by Section 96 of the Police Act 1996, to obtain the views of victims of crime. Recruitment for a Victims Advocate is currently underway. This part-time role will be a member of OPCC staff, subject to the requirements for recruitment on merit and political restriction. While therefore responsible to the Head of Paid Service, day-to-day management, setting of objectives and performance review will be with the PCC. The Victims Advocate will be a member of the AGB.

Joint Audit Committee

The Joint Audit Committee ("JAC"), supports both the PCC and the Chief Constable. It seeks assurance regarding business and financial process compliance and reviews recommendations arising from inspections by His Majesty's Inspectorate of Constabulary, Fire and Rescue Services ("HMICFRS") and the Joint Internal Audit team located in the OPCC.

JAC will have up to seven members. Recruitment is currently underway for new, independent members. JAC members are paid an allowance.

Commissioner's Advisory Panel

Section 96 of the Police Act 1996, also requires the Commissioner to obtain the views of people in their area, about matters concerning the policing of the area. Recruitment to a Commissioner's Advisory Panel ("CAP") is currently underway.

The CAP will have approximately 20-25 members, who are broadly representative of the diversity of the West Midlands and have relevant knowledge, expertise, experience and legitimacy. The CAP will hold half day seminars approximately 4-6 times a year. Each seminar will consider a single thematic area relevant to the Police and Crime Plan and the PCC's wider statutory responsibilities. CAP members will be paid a daily allowance for their attendance at the seminars.

CAP seminars will be expected to generate findings and recommendations, that will inform the exercise of the PCC's strategic direction, holding to account, public engagement and other statutory functions.

Refreshed approaches to public engagement

The PCC has an active programme of public engagement and has participated in literally hundreds of public events over the last three years. Building on this activity, the OPCC will be supporting the PCC, the DPCC and OPCC staff, to undertake targeted engagement with communities, groups and organisations relevant to the Police and Crime Plan and the PCC's wider functions. Statutory public engagement, such as that required for the Police and Crime Plan and the setting of the West Midlands Police budget, will of course continue.

Quantitative analysis of public sentiment and satisfaction with service

The Crime Survey for England and Wales ("CSEW"), provides statistically significant evidence of public attitudes towards and experiences of policing, via a quarterly face-to-

face survey. However, the CSEW is only statistically significant at the West Midlands wide level and therefore cannot be relied upon for analysis at local authority levels, or for smaller demographic groups, such as for particular ethnicities. It also asks respondents for the views on policing in general, rather than West Midlands Police specifically.

Development is underway for a joint West Midlands Police/OPCC survey, that would provide statistically significant data at more local levels and for sub-populations and a broader question set, tailored to the West Midlands.

Advice relating to police use of data and other emerging technologies

There is currently a committee, that considers operational use cases, for police data science proposals. It is made up of an independent membership consisting of individuals with expertise in law, ethics, data science, technology, public policy, economics, sociology, criminology, and philosophy.

The committee is unique in UK policing and has received national recognition. Members are unpaid and the committee meets quarterly. While private, its minutes and reports are published. It is a scalable approach to local and national adoption of new technology and the use of data by policing.

The Terms of Reference are under review and it is likely that the committee will become a joint advisory panel, concerned with the wider aspects of police use of data and emerging technologies, considering operational use cases and making recommendations to the Chief Constable and the PCC.

Engagement with young people

The PCC must hold the Chief Constable to account, for the exercise of duties in relation to the safeguarding of children and the promotion of child welfare, that are imposed on the chief constable by sections 10 and 11 of the Children Act 2004.

The Youth Commission will continue, consisting of a membership from across the West Midlands, elected by young people.

The OPCC also supports a Youth Assembly, established via the West Midlands Violence Reduction Partnership, which brings together young people with relevant lived experience.

Scrutiny and oversight of use of police powers

The OPCC and West Midlands Police, will continue to develop the work of the Stop and Search and Use of Force Advisory Panels, as well as continuing to develop additional scrutiny and oversight, for example, via the Custody Centres and Young People's Panels.

END

The following key decisions have been published by the Police and Crime Commissioner since the last Panel meeting on 18 March 2024.

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

23 May 2024 Decision 025-24 – Provision of Fuel Cards

A confidential decision on the Provision of Fuel Cards.

21 May 2024 Decision – 024-2024 – Award for Bunkered fuel

A confidential decision relating to Award for Bunkered fuel so no additional documents are to be added.

21 May 2024 Decision – 023-2024 – Aldridge, Balsall Heath, Canley and Windmill House police buildings

A confidential decision relating to Aldridge, Balsall Heath, Canley and Windmill House police buildings so no additional documents are added.

21 May 2024 Decision – 022-2024 – Part disposal of Smethwick Police Site

A confidential decision relating to the part disposal of Smethwick Police site so no additional documents are added.

21 May 2024 Decision – 021-2024 – Sale of Willenhall Police Station (Walsall), John Street

A confidential decision relating to the sale of Willenhall Police Station so no additional documents are added.

15 May 2024 Decision – 018-2024 – Appointment of Deputy PCC

Decision to appoint a Deputy Police and Crime Commissioner – this decision record can be downloaded

17 April 2024 Decision – 017-2024 – Design and Refurbishment of Wolverhampton Police Station

A confidential decision relating to the design and refurbishment of Wolverhampton police station so no additional are to be added.

13 March 2024 PCC Decision – 016-2024 – Decision to dispose of four properties by private treaty

A confidential decision relating to the disposal of four properties by private treaty.

Report to the West Midlands Police and Crime Panel – Performance Update

Report of West Midlands Police and Crime Commissioner

Date: Monday 22 July 2024

Report authors: Jane Heppel and Arron Cullen, Office of the Police and Crime Commissioner

1 Purpose

1. The purpose is to provide the West Midlands Police and Crime Panel with an overview of West Midlands Police performance across key areas for the fiscal year April 2023 to March 2024 (2023/24).

2 Force Contact

2. In 2023/24, West Midlands Police received 809,322 emergency 999 calls via Force Contact. Of these, 808,217 calls were answered, resulting in a 0.1% abandonment rate. The accompanying graph illustrates the trend throughout the year.

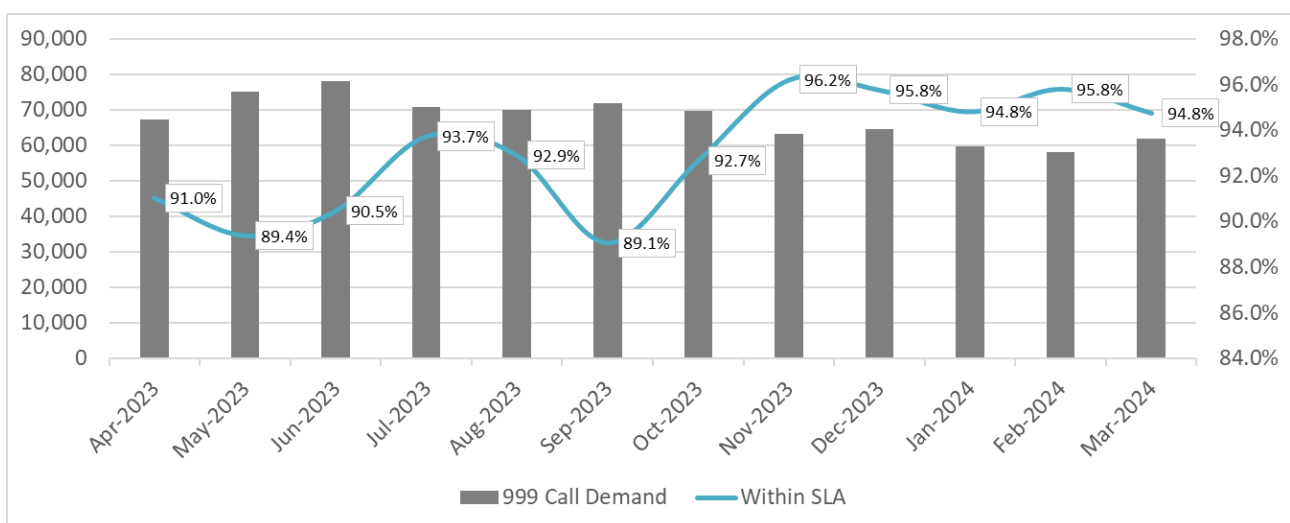


Figure 1 999 Call Demand and Service Level Agreement

3. Calls made to the 999-emergency number have a Service Level Agreement requiring 90% of calls to be answered within 10-seconds. In 2023/34, West Midlands Police achieved a compliance rate of 93% with this agreement.
4. In addition, West Midlands Police received 629,245 non-emergency 101 calls via Force Contact. 561,027 calls were answered, resulting in a 11% abandonment rate. The chart below details the trend throughout the year.

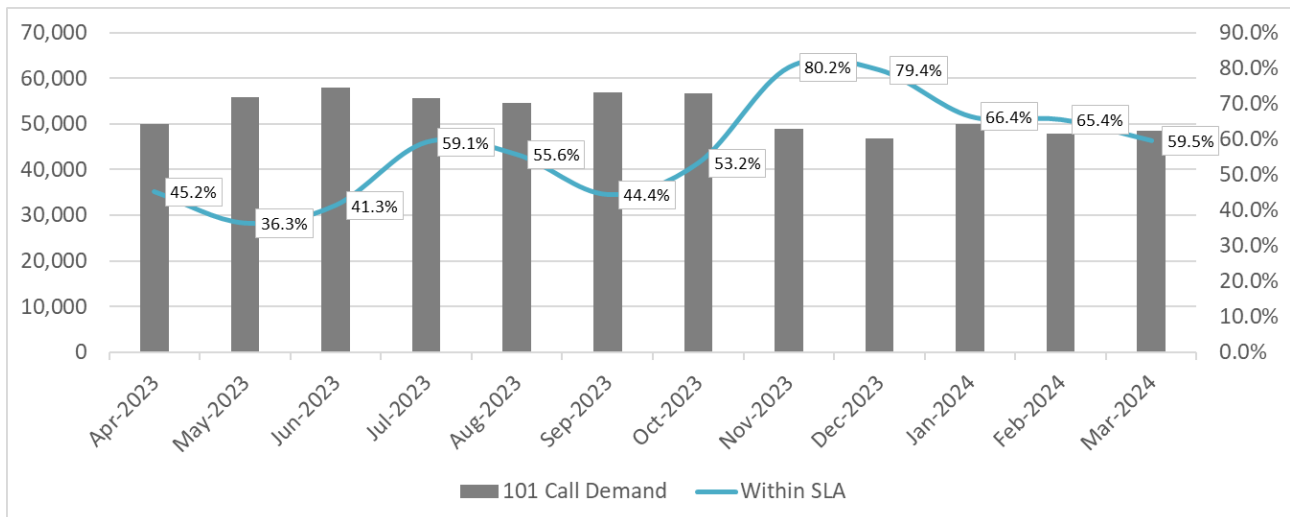


Figure 2 101 Call Demand and Service Level Agreement

5. Calls made to the 101-telephone number have a Service Level Agreement stating that 80% of calls should be answered within 3-minutes. West Midlands Police achieved a compliance rate of 74% with this agreement in 2023/24.

3 Incident Response

6. In 2023/24 West Midlands Police had a total of 178,340 emergency incidents to attend. For emergency incidents, the Service Level Agreement is to respond within 15-minutes.
7. The median emergency response time in the West Midlands was 12 minutes and 29 seconds, with a Service Level Agreement compliance rate of 59%.
8. In relation to the priority incidents, West Midlands had a total of 88,375 to attend. For priority incidents, the Service Level Agreement is to response within 1-hour.
9. The median priority response time in the West Midlands was 1 hour, 9 minutes and 17 seconds, with a Service Level Agreement compliance rate of 41%.

10. The following table outlines the median response times and compliance with the Service Level agreements for emergency and priority incidents across local authority areas.

| Local Authority | Emergency | | Priority | |
|----------------------|-----------------|----------------|-----------------|----------------|
| | Response Time | 15m Compliance | Response Time | 1hr Compliance |
| Sandwell | 00:13:19 | 56% | 01:02:16 | 44% |
| Birmingham | 00:13:13 | 56% | 01:25:08 | 36% |
| Dudley | 00:12:10 | 64% | 00:53:12 | 50% |
| Solihull | 00:12:06 | 61% | 00:52:42 | 49% |
| Coventry | 00:11:34 | 65% | 01:07:11 | 43% |
| Walsall | 00:11:33 | 64% | 01:05:31 | 44% |
| Wolverhampton | 00:11:14 | 67% | 01:01:50 | 46% |
| West Midlands | 00:12:29 | 59% | 01:09:17 | 41% |

Table 1 Local Authority Emergency and Priority Median Response Time and Service Level Agreement Compliance

4 Recorded Crime

11. In the fiscal year 2023/24, West Midlands Police recorded a total of 328,199 crimes, marking a 10% reduction from the previous year. The table below illustrates the recorded crime trend over the past two fiscal years.

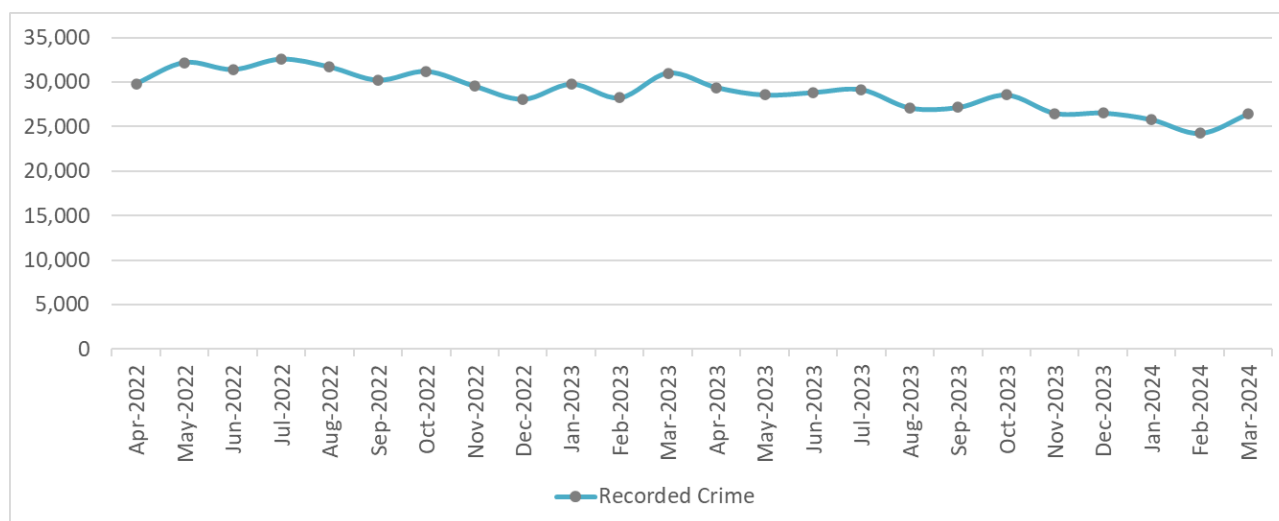


Figure 3 West Midlands Recorded Crime Trend

12. Notable reductions in violent offences were observed. In 2023/24, there were 132,294 recorded Violence Against the Person offences, a 13% decrease from 2022/23. Additionally, Possession of Weapon offences reduced by 14%.

13. The most significant reduction was seen in Arson and Criminal Damage offences, which decreased by 22% compared to the previous fiscal year.

14. Theft offences increased in the past fiscal year. There were 53,877 recorded Theft offences, representing a 5% rise from 2022/23. This increase was primarily driven by a 35% surge in Shoplifting offences.

15. Walsall experienced a 13% reduction in recorded crime in 2023/24, the largest decrease among all West Midlands local authority areas.

5 Outcomes

16. In 2023/24, there were 329,039 crime outcomes, with 8% (26,741) coded as positive outcomes. The positive outcome rate has improved by 3% since the previous fiscal year.

17. The chart below shows the positive outcome trend over the past two fiscal years.

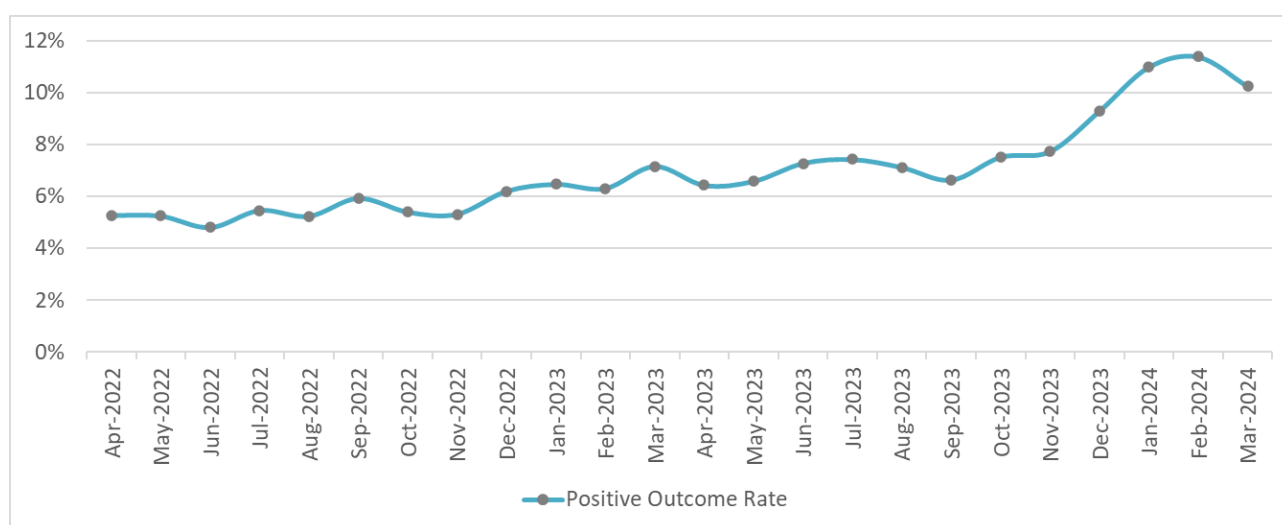


Figure 4 West Midlands Positive Outcome Trend

18. The proportion of positive outcomes for Drugs Offences has increased by 8 percentage points, rising from 45% in 2022/23 to 54% in 2023/24.

19. The proportion of positive outcomes for Possession of Weapons offences has increased by 5 percentage points, from 17% in 2022/23 to 22% in 2023/24.

20. Walsall and Dudley local authority areas both saw the highest increase in positive outcomes, with a 33% upsurge in 2023/24 compared to the previous fiscal year.

6 Engage Monitoring

21. There are four causes of concern related to Engage monitoring. These are conducting effective investigations; ensuring that multi-agency risk assessment conferences (MARACs) operate efficiently; managing the risk posed by registered sex offenders effectively; and effectively managing the risk posed by online child abuse offenders.

22. Operation Vanguard is currently ongoing in the West Midlands Police to enhance investigations. The Force is making progress towards more effective investigations, as evidenced by the increase in positive outcomes.
23. MARAC demand varies by local authority area; however, recent performance updates indicate that the demand is being well managed. The time from new referral to a hearing remains within the safe parameter of 28 days or less.
24. The management of risk posed by registered sex offenders and online child abuse offenders is also improving, with performance information showing that demand is being well managed across these risk areas.
25. Police and Crime Commissioner Simon Foster monitors the key Engage areas weekly with the Chief Constable Craig Guildford to ensure sustained progress.

7 Recommendations

26. **It is recommended that the Panel notes the contents of this report.**



Report to the West Midlands Police and Crime Panel – Police and Crime Plan 2025-2029 Development

Date: Monday July 22nd 2024

Report of West Midlands Police and Crime Commissioner

Report author: Simon Down – Head of Policy, Office of the Police and Crime Commissioner

Purpose

1. This report updates panel on progress made so far and further plans for the development of the Police and Crime Plan 2025-2029

Background

2. The Police Reform and Social Responsibility Act 2011 requires Police and Crime Commissioners to publish a Police and Crime Plan within the financial year during which they were elected.
3. The PCC has set up a project board in his office to oversee the development of the plan and associated needs assessment and consultation.
4. The attached presentation sets out the detail of the approach being taken.

Equalities

5. The Police and Crime Plan will have significant equality implications and an Equality Impact Assessment has been commenced and will be published alongside the Police and Crime Plan itself.

Financial

6. The Police and Crime Plan project board is still considering the initial budget proposal to support development of the plan. Spend will predominantly be related to the consultation exercise and ensuring a wide range of people are able to input into the development of the plan.

Legal

7. The PCC is required by the Police Reform and Social Responsibility Act 2011 to formally consult both the Chief Constable and the panel. The former will take place in November with the latter intended to occur in line with the December panel meeting.
8. As above, the plan must be published by 31st March 2025. The PCC intends to publish the plan in February 2025.

Contact

9. For further information please contact: simon.down@westmidlands.police.uk



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Police and Crime Plan



What is it?

Police Reform and Social Responsibility Act 2011

It must contain:

- Reference to the SPR
- Police and crime objectives
- Financial and other resources for the CC
- How the CC should report to the PCC
- How CC/Force performance measured
- Crime and disorder reduction grants

Police Reform and Social Responsibility Act 2011

The PCC must:

- consult the relevant chief constable in preparing the draft plan
- send the draft plan to the police and crime panel and have regard to recommendations they may make
- Issue the plan within the financial year

Overall approach



Plan structure

Police and Crime Plan

Pre-
existing
strategies

Partly
formed
strategies

Brand
new
strategies

- Public facing/accessible
 - Sets high level priorities
 - Sets overall performance metrics
 - Launched February 2025
-
- Professional facing
 - Sets detailed strategic direction
 - Contains action plans
 - Mixture of police only and partnership based
 - Launched throughout term



Timeline



PCP Strategic Needs Assessment

Following data considered:

- Custody
- Investigations
- Force contact
- Workforce and specialist skills
- Victim and suspect profiles
- Crime/harm data
- Seasonality profiles
- Engage performance
- Policing powers

From:

- Police systems
- Office of National Statistics
- NOMIS (Census and labour market statistics)
- Action Fraud

Used to inform:

- Priorities and Principles
- Consultees
- Content of the plan (yet to be written)

Local Priorities



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West Midlands



Serious Violence

Vehicle Crime



Personal Robbery

Business Crime



Anti-Social Behaviour

Fraud / Cybercrime



Birmingham



Vehicle Theft

Shoplifting



Youth Violence

Personal Robbery



Drug Crimes

Violence Against
Women and Girls



Consultation Principles



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- Sharing some of our analysis of need but looking for a reality check
- A positive experience for those engaging with us
- Insight for both the main PCP but also the strategies which will sit beneath it
- Utilising/aligning with existing opportunities
- Reaching as wide a group of people as possible
- Support the Equality Impact Assessment
- Collecting metrics of the consultation
- Feedback to those consulted (beyond publication of plan)
- Consultation will genuinely shape the plan
- Get consent for future contact

Consultation Matrix



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| Who - Needs to be representative across them all | Online Survey /f2f | Local meetings / boards | Big events attendance | Youth Commission / Cadets | Call for evidence | Victim's survey | Youth Assembly | Lived Experience inc offenders | Victims engagement | Special interest events |
|--|--------------------|-------------------------|-----------------------|---------------------------|-------------------|-----------------|----------------|--------------------------------|--------------------|-------------------------|
| Residents (need to break this one down) | | | | | | | | | | |
| Visitors | | | | | | | | | | |
| WMP/specials | | | | | | | | | | |
| Statutory bodies | | | | | | | | | | |
| Providers (thematics is key here i.e. RSLs) | | | | | | | | | | |
| Community orgs | | | | | | | | | | |
| Businesses | | | | | | | | | | |
| MPs in WM | | | | | | | | | | |
| Policy experts | | | | | | | | | | |

Accessing seldom heard voices



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- Piggy backing on existing engagement events
- Attending large scale community events
- Tablets to engage those without phones
- Paper questionnaires
- Use of existing community researchers to reach people
- Ongoing assessment of reach to allow targeted activity
- Lived experience groups accessed through our networks
- Use of influencers to access their followers

Specialist events

- Young people
- Faith Alliance
- Fairness and Belonging
- Victims
- Academic institutions
- Businesses

Performance Measures

- 30-40 Key performance indicators
- Each with existing measures
- Considering the use of targets and/or directions of travel
- To be developed alongside creation of the plan content
- Up to date performance viewable by the public through the on-line Police and Crime Plan
- Considering a public performance dashboard

Accessibility of plan

- Predominantly an on-line plan with links
- Links updated as sub-strategies are published and performance data released
- Ability to request in alternative languages and formats
- Paper copies also created
- Plan on a page to increase reach

Report to the West Midlands Police and Crime Panel – Work Programming for 2024/2025

Date: 22 July 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: wmpcp@birmingham.gov.uk

Tel: 0121 303 1727

1 Purpose

- 1.1 This report sets out the proposed work programme of key issues to be considered by the West Midlands Police and Crime Panel ('the Panel') during 2024/25 and provides an opportunity for Members to identify further topics to be added.
- 1.2 The work programme is structured around the statutory duties the Panel must undertake and focussed items that enable the Panel to scrutinise and support the Police and Crime Commissioner (PCC) decisions and actions.
- 1.3 The work programme will be updated throughout the year to enable the Panel to respond to emerging issues in a flexible and timely way.
- 1.4 This report also sets out the proposed terms of reference for the establishment of a member sub-group to consider the Panel's use of information to inform its work.

2 Recommendations

2.1 That the Panel

- i. **Agrees the outline work programme at Appendix A.**
- ii. **Identifies any further topics to add to the work programme.**
- iii. **Agrees, subject to further input from the Chair and Vice-Chair, the issues that the Panel will consider in October 2024 and the proposed aims and objectives.**
- iv. **Agrees the terms of reference for the Use of Information sub-group attached at Appendix B.**
- v. **Appoints a minimum of three panel members to form the Use of Information sub-group.**

3 Context

- 3.1 Police and Crime Panel was established under the Police Reform and Social Responsibility Act 2011. The Panel acts as a joint scrutiny body of the West Midlands Local Authorities with a dual role to 'support' and 'challenge' the work of the Police and Crime Commissioner.
- 3.2 The Panel must perform the following statutory functions:
- Scrutinise the decisions and actions of the PCC
 - Review and comment on the PCC's draft Police and Crime Plan and any draft variations to the Plan
 - Review the PCC's Annual Report
 - Review (with the power to veto) the PCC's proposed policing precept.
 - Hold confirmation hearings for senior appointments (Chief Constable, Deputy PCC, Chief Executive and Chief Finance Officer), with the power to veto for the Chief Constable appointment.
 - Handle non-criminal complaints about the conduct of the PCC and Deputy PCC, referring serious complaints to the Independent Office for Police Conduct (This function is delegated to the Monitoring Officer).
 - suspend the PCC if they are charged with an imprisonable offence which carries a maximum term of two years or more.
 - appoint an acting PCC if the elected one cannot carry out their role due to incapacitation, suspension, resignation or disqualification.
 - play a role in any call made by a PCC for a Chief Constable to resign or retire.
- 3.3 The Panel's work programme consists of statutory tasks (from the above list) and wider exploratory work to fulfil its role to hold the PCC to account on the strategic policing and the wider community safety and criminal justice landscape.
- 3.4 The Panel must maintain a strategic focus in scrutinising the work of the PCC, rather than operational detail. The Panel does not provide oversight of the Chief Constable - this is the role of the Police and Crime Commissioner.

4 Panel Work Programme 2024/25

- 4.1 A well planned and timely work programme enables the Panel to consider the right issues in an informed way.
- 4.2 An initial outline work programme is attached as Appendix A.
- 4.3 It may be necessary for the Panel to also prioritise issues and consider factors such as public interest and performance when further shaping its work programme.

- 1.2 The Panel will liaise with the PCC and the Office of the Police and Crime Commissioner to communicate the issues the Panel would like to explore, and specific areas of focus.

5 Establishment of Member Sub-Group – Use of Information

- 5.1 Action arising from the extraordinary Police and Crime Panel meeting on 18 December 2023 included improving the processes for sharing information between the Panel and the PCC. In addition, the start of this Municipal Year coincides with the PCC's development of the new Police and Crime Plan thus providing an opportune time to identify the performance information requirements of the Panel to inform its scrutiny function and prepare for the Panel's review of the draft Plan later this year.
- 5.2 It is suggested that an informal Member sub-group is established to undertake a focussed piece of work to draw conclusions on the following and report back to the full Panel to consider:
- a. What information does the Panel need and how can it make best use of this information to fulfil its statutory duty to scrutinise the Commissioner's performance in delivering the ambitions of the Police and Crime Plan.
 - b. How can the Panel use performance data to inform the development of its work programme.
- 5.3 The draft **Terms of Reference** is attached at Appendix B for comment. It is suggested a minimum of three members are appointed to the sub-group and a cross-party membership is encouraged.
- 5.4 The time frame for conducting this piece of work will be agreed with sub-group members with a view to conducting this work in September and October.

6 Finance Implications

- 6.1 The Home Office provides an annual grant to support the administration of the Police and Crime Panel. The Home Office grant covers all costs relating to the secretariat and administration to support this work programme.

7 Legal Implications

- 7.1 The Panel work programme should reflect the duties required by the Police Reform and Social Responsibility Act 2011 and relevant Regulations.

8 Equalities Implications

- 8.1 The Panel has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;

- b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.2 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.

8.3 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.

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

9 Background Papers

- 9.1 [Police Reform and Social Responsibility Act 2011](#)
- 9.2 [Policing and fire governance: guidance for police and crime panels](#)
- 9.3 [Home Office Guidance - Police, fire and crime panels](#)
- 9.4 [West Midlands Police and Crime Panel – Panel Agreement \(2012\)](#)

10 Appendices

- 10.1 Appendix A: West Midlands Police and Crime Panel Work Programme July 2024
- 10.2 Appendix B: Terms of Reference Use of Information Sub-Group

West Midlands Police and Crime Panel Work Programme 2024/25 – July 2024

| Meeting Date | Item/Topic | Aims and Objectives | Additional Information and Outcome* |
|--------------|--|--|--|
| 22 July 2024 | Deputy PCC Confirmation Hearing (Statutory Task) | The Panel must hold a public confirmation hearing, requesting the candidate to appear for the purpose of answering questions relating to the appointment. | The scrutiny of senior appointments is a statutory task of the Panel . The Panel must prepare a report and recommendations for the PCC to consider. |
| 22 July 2024 | PCC Performance Update | To provide an overview of West Midlands Police performance across key areas between April 2023 to March 2024. | The report includes an update on the Engage Status of WMP requested by the Panel in February 2024. |
| 22 July 2024 | PCC Accountability and Governance Arrangements | To inform the Panel of the PCC's revised accountability and governance arrangements for the exercise of his strategic direction, holding to account and public engagement functions. | |
| 22 July 2024 | Development of the Police and Crime Plan | To inform the Panel on progress and further plans for the development of the Police and Crime Plan 2025-2029 | The Panel's must schedule its review based on the development timetable. The review of the draft Police and Crime Plan is a statutory task of the Panel . The Panel must prepare a report and recommendations to the PCC to consider before finalising the Plan. |
| 22 July 2024 | Establishment of Use of Information Subgroup | To undertake a focussed piece of work to draw conclusions and report back to the full Panel on: a. What information does the Panel need and how can it make best use of this information to fulfil its statutory duty to scrutinise the Commissioner's performance in delivering the ambitions of the Police and Crime Plan. b. How can the Panel use performance data to inform the development of its work programme | |
| 22 July 2024 | AGM Items | Panel Membership Election of Chair and Vice Chair Annual approval of Panel Arrangements and Rules of Procedure | |

| Meeting Date | Item/Topic | Aims and Objectives | Additional Information and Outcome* |
|----------------------------|--|---|--|
| September (Dates TBC) | Use of Information Sub-group | See proposed terms of reference included with July agenda papers. | This is subject to approval of the sub-group terms of reference on 22 July |
| September (Date TBC) | OPCC induction session | The OPCC has offered to host a Panel Member briefing session to provide an opportunity for members to learn more about the work of the PCC and OPCC. The date, format and scope of the session is to be agreed. | |
| 7 October 2024 | PCC Statement of Accounts | | |
| 7 October 2024 | Report of the Use of Information Sub-Group | Report back by the sub-group members of findings and recommendations | |
| 7 October 2024 | Item - TBC | | |
| 7 October 2024 | Item - TBC | | |
| 9 December 2024 | Review of draft Police and Crime Plan (Statutory Task) | *Proposed date* the PCC to present the draft police and crime plan. The Panel will scrutinise how the draft plan takes into account the local priorities, resourcing and how delivery of priorities will be measured. | This is a statutory duty of the Panel. The panel must publish and report and recommendations for the PCC to consider |
| 9 December 2024 | PCC Performance update | | |
| 9 December 2024 | PCC MTFP and forecast outturn position 2024/25 | | |
| January 2025 (Date TBC) | Member briefing on police finance and budget | To provide Panel members with briefing information about police finance and the funding settlement to prepare for the statutory duty to review the proposed precept in February. | |

| Meeting Date | Item/Topic | Aims and Objectives | Additional Information and Outcome* |
|------------------|--|---|--|
| 3 February 2025 | PCC Proposed Policing Precept for 2025/26 and PCC budget. (Statutory Task) | Formally review the proposed policing precept 2025 and make a recommendation to the PCC. | This is a statutory duty of the Panel. The Panel has the power to veto the proposed policing precept. If this happens, the PCC will present a revised precept to Panel on 19 February 2024. |
| 3 February 2025 | Item – TBC | | |
| 17 February 2025 | <i>PCC Proposed Policing Precept for 2025/26</i> | <i>Formally review the proposed and revised precept</i> | <i>Provisional meeting date – if the proposed precept was vetoed on 3 February 2025. The Panel does not have a second veto.</i> |
| 24 March 2025 | Annual report on Complaints received by the Panel | The Monitoring Officer presents an annual report on the Panel's delegated complaints handling duties. | Annual Report of the Lead Panel Officer |
| 24 March 2025 | Panel Budget and Expenditure | To consider and approve the total budget and expenditure of the West Midlands Police and Crime Panel | Annual Report of the Lead Panel Officer. |
| 24 March 2025 | Item – TBC | | |

Menu of Options for Future Consideration

The Panel is invited to identify potential topics for future consideration. This approach enables the West Midlands Police and Crime Panel to remain flexible and respond in a timely manner to emerging issues. This is a live work programme work programme. New items may be added, or items removed during the course of the year. Proposed aims and objectives may also be subject to change.

| Meeting Date | Item/Topic | Aims and Objectives | Additional Information and Outcome* |
|------------------|---|---|--|
| To be programmed | Scrutiny of the PCC's Annual report 2023/24 | The panel must ask the PCC to attend a public meeting to scrutinise the annual report setting out progress on meeting the priorities of the Police and Crime Plan during the financial year and consider how it can be developed or improved. | This is a statutory duty of the Panel. The Panel must publish and report and recommendations for the PCC to consider |

West Midlands Police and Crime Panel – 22 July 2024

Use of Information – Panel Sub-Group

Purpose:

To draw conclusions on the following and report back to the full panel to consider:

- a. What information does the Panel need and how can it make best use of this information to fulfil its statutory duty to scrutinise the Commissioner's performance in delivering the ambitions of the Police and Crime Plan.
- b. How can the Panel use performance information to inform the development of its work programme.

What needs to be done:

- a. Understand what local and national performance data is available.
- c. Understand the performance framework used to measure the delivery of the Police and Crime Plan objectives and outcomes.
- c. Consider how the Panel can use performance information to add value to the scrutiny process and identify and prioritise issues to include on its work programme.
- d. Form a view as to how performance information is presented to the Panel so that it is meaningful to members.
- e. Explore the use of performance information by other police and crime panels

What outcomes are we hoping to achieve:

- a. Identify what information the Panel needs to support effective scrutiny of the delivery of the Police and Crime Plan objectives and outcomes.
- b. Improve the Panel's use of performance information to prioritise issues to include on the panel work programme.
- c. Clarify the Panel's expectations on the scope and format of information to be provided by the Commissioner.
- d. Formulate recommendations to present to the police and crime panel to consider.

Membership:

The suggested membership of the sub-group is a minimum of 3 Members of the West Midlands Police and Crime Panel. A cross party membership is encouraged.

Timeframe:

The time frame for conducting this piece of work will be agreed with sub-group members with a view to conducting this work in September and October.