

# North Yorkshire Council

## Corporate and Partnership Overview and Scrutiny Committee

5 June 2023

### Notice of Motion on PFCC to Resign

Report of the Assistant Chief Executive (Legal & Democratic Services)

#### 1.0 Purpose of Report

- 1.1 To present information in response to a Notice of Motion at Full Council in May 2023 that sought the resignation of the Police, Fire & Crime Commissioner. This information has been provided to enable the Committee to consider the proposal made and draft a response for full Council's consideration.

#### 2.0 Background

- 2.1 At Full Council on 17 May 2023, the Chairman decided that a Notice of Motion seeking the resignation of the Police, Fire & Crime Commissioner should be passed to the Corporate and Partnerships OSC for consideration, with the intention of it being considered and recommendations brought back to the July 2023 meeting of the County Council.

- 2.2 The Notice of Motion proposed by Councillor Bryn Griffiths (and seconded by Councillor Mike Schofield) stated:

*'His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) has recently published two reports on the performance on North Yorkshire's Police. The first was published on 17th March regarding the Police Effectiveness, Efficiency, Legitimacy: PEEL 2021/22 – An inspection of North Yorkshire Police (NYP). It graded North Yorkshire Police's performance across eight areas of policing and found the force was 'inadequate' in one area, 'requires improvement' in four areas, 'adequate' in two areas and 'good' in one area. The strapline was "North Yorkshire must make improvements to help keep people safe and reduce crime".*

*The second report was published on 3rd May, entitled "North Yorkshire – National child protection inspection post-inspection review". This inspection reviewed the progress made by North Yorkshire Police since the publication of the last report for North Yorkshire in 2021. HMICFRS had audited 33 child protection cases - 11 cases were found to be good, 8 required improvement and 14 were inadequate. For so many cases to be found inadequate is a damning indictment not only on the Police, but also on the overall management of the force by the Police & Fire Commissioner.*

*The police, fire and crime commissioner (PFCC) is elected to be responsible for generally overseeing both the police force and fire service. Clearly the PFCC has failed in this duty and is continuing to fail to hold the North Yorkshire Police force to account and therefore to keep the public and in particular children safe. Urgent action is therefore needed to remove the existing Commissioner immediately and install a far more effective manager.'*

#### 3.0 PEEL (Police Efficiency, Effectiveness and Legitimacy) Assessment 2021/22

- 3.1 The Assessment was published on 17<sup>th</sup> March 2023 – see Appendix 1. Following changes to the inspection regime, HMICFRS judged NYP in nine areas of policing and made graded judgments in eight of these areas as shown below. Previously, the regime asked a serious

of questions under just three areas (Efficiency, Effectiveness and Legitimacy) and graded against these three, so this is quite a change in approach for all forces.

Outstanding	Good	Adequate	Requires improvement	Inadequate
	Treatment of the public	Preventing crime	Responding to the public	Good use of resources
		Managing offenders	Investigating crime	
			Protecting vulnerable people	
			Developing a positive workplace	

3.2 Further information about the inspection and the full report can be found at the link below:  
[North Yorkshire PEEL Assessments 2020/2021 - His Majesty's Inspectorate of Constabulary and Fire & Rescue Services \(HMICFRS\) – Home | His Majesty's Inspectorate of Constabulary and Fire & Rescue Services \(HMICFRS\) – Home \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/hmicfrs/north-yorkshire-peel-assessments-2020-2021/)

3.3 This outcome against the eight graded areas is concerning because at the previous 'PEEL' inspection for 2018/19 (published September 2019) NYP was rated 'Good' in two areas and 'Requiring Improvement' in just one area. For further details see:  
[North Yorkshire - His Majesty's Inspectorate of Constabulary and Fire & Rescue Services | His Majesty's Inspectorate of Constabulary and Fire & Rescue Services \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/hmicfrs/north-yorkshire/)

3.4 The Commissioner responded to the published report with the following statement –

*"I welcome regular inspections from His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), because the reports are an independent and rigorous assessment which I can use to intensify the level of scrutiny required to ensure North Yorkshire Police are aspiring towards becoming an outstanding service.*

*I'm pleased to see the latest report recognises the good work that takes place to engage with the public and treat people with fairness and respect. Notably this includes the creative ways in which Neighbourhood Policing Teams engage with communities and how North Yorkshire Police monitors the use of force and stop and search powers well.*

*The ways in which North Yorkshire Police responds to the public has been criticised but I expect to see immediate change in this area after recently approving an investment of 1.8 million into the Force Control Room. This is expected to transform how quickly 999 and 101 calls are answered and re-instate confidence amongst the public, whilst also ensuring the wider Customer Contact Function is fit for the future and continuing to meet the needs of communities in the longer term. I have been assured this will continue and that I'll see a drastic improvement by the end of the year.*

*Unfortunately, I'm more than disappointed with other findings in the report and I'm sure members of the public will be too. It's unacceptable that North Yorkshire Police requires improvement in multiple areas, in particular its strategic planning, organisational management and value for money – clearly more needs to be done and is being done as I*

*continue to hold the Chief Constable to account. Our Police Force needs to do significantly better.*

*I'm confident that the Chief Constable is overseeing significant transformation work within North Yorkshire Police to improve these outcomes, and that since October 2022 has implemented a trusted organisational improvement plan that can be effective at pace. To reinforce this confidence, HMICFRS have acknowledged that North Yorkshire Police has worked closely with inspection staff, responded well to initial findings and acted quickly to address concerns and areas for improvement.*

*As Commissioner my role is clear, to intensify scrutiny activity, challenge the areas that need improving and continue to be the advocate for communities who want their voices heard. I'm bolstering my approach to this in 2023 with a relaunch of my Public Accountability Meetings, during which I will regularly question and request information from North Yorkshire Police in relation to specific areas of the HMICFRS report and hold Chief Officers to account for progress made on behalf of the public. My scrutiny work does not stop at these meetings and will continue in every scrutiny panel, executive board, committee and other frequent interaction I have with police services for assurance the Force is on track with their plans. There is no accepting simply what I am told; I must receive evidence of transformation in all areas for improvement.*

*The Chief Constable has spoken out about the operational concerns and good practice detailed in the report and I will dive deeper into this response during a live broadcast of my Public Accountability on Monday 20 March at 2.30pm. Documents relating to the meeting can be found on my website from today and I invite the public to watch the session if they can and if not, a recording will be made available. Please visit:*

*<https://bit.ly/PAM20March2023>*

*In addition, I encourage any member of the public to send questions or concerns for us to address during the live meeting. Please email [info@northyorkshire-pfcc.gov.uk](mailto:info@northyorkshire-pfcc.gov.uk) or to ask a question during the live broadcast, post your question on Twitter using #NYscrutiny HMICFRS have expressed Cause for Concern about North Yorkshire Police's internal governance. Essentially, they say that the Chief Constable and her team must have a better system in place for running the internal workings of their organisation. The Force needs to make sure that they are clear what their business needs are from their support services and how they can best be met. I agree with HMI about that.*

*Ultimately what I expect to see from North Yorkshire Police is the clear delivery of outcomes in line with the public priorities set out in my Police and Crime Plan, which include enhancing positive culture, working to prevent harm and damage and to deliver the "Right people, Right Support" every time.*

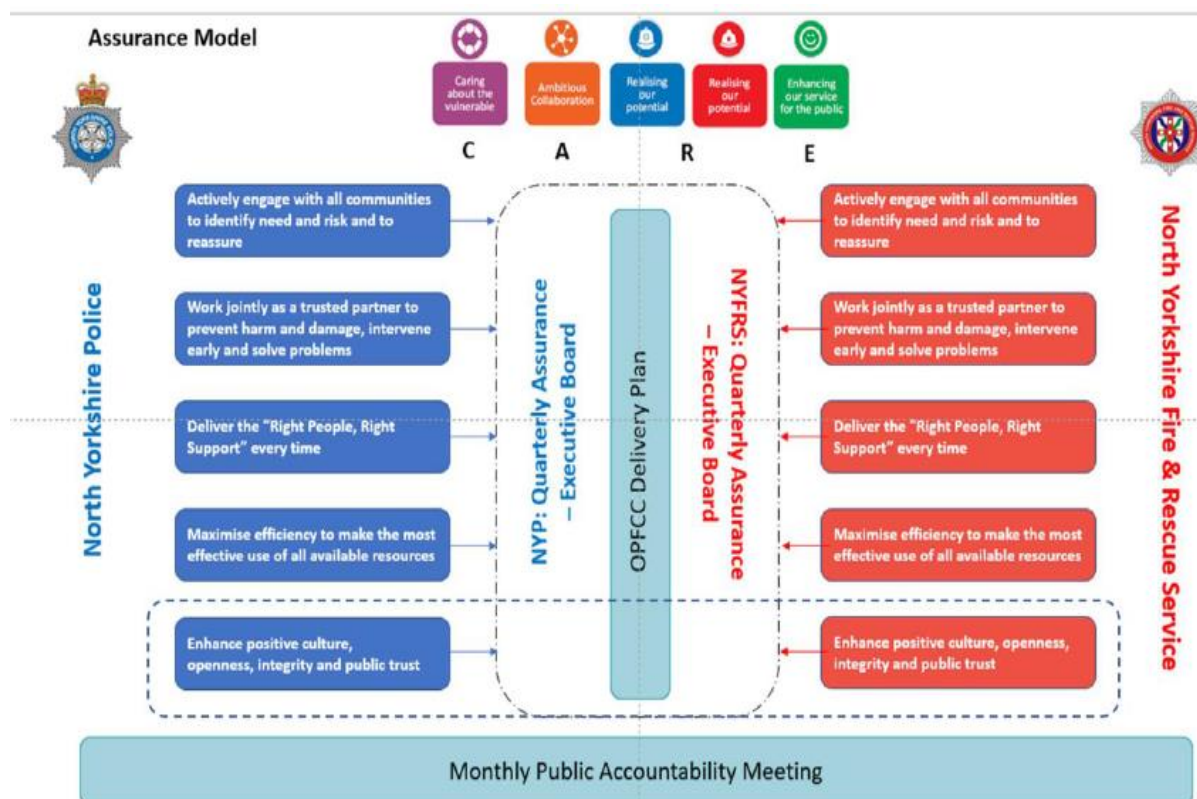
*The inspection team identified that North Yorkshire Police staff are proud to serve their communities and I proudly believe that North Yorkshire Police continues to be a dedicated and hard-working public service, however, there needs to be significant progress to address the issues raised in this report and I have set the expectation with the Chief Constable that upon re-inspection in October 2023, I need to see overall gradings moved into the 'good' category."*

- 3.5 The Commissioner also held an urgent Public Accountability Meeting, on 20 March 2023 during which the Chief Constable went through the gradings and what was being done and took challenge/questions from the Commissioner and team – a recording of the meeting can be viewed at: [Public accountability meeting – 20 March 2023 - NYP - Police, Fire and Crime Commissioner North Yorkshire \(northyorkshire-pfcc.gov.uk\)](#)
- 3.6 The force will likely be re-inspected later this year to check in on progress, but as yet the exact date is unknown.

## Response of the Police, Fire & Crime Commissioner

3.7 The Commissioner has already made a number of changes in the last six to nine months around monitoring and assurance structures and processes, as follows:

- An Assurance Model has been adopted underlining those areas where the Commissioner expects both the police and fire services to deliver through their own operational delivery plans and those aspects of the statutory Plans in which the OPFCC will work closely with them.



- This has been backed by a detailed Assurance Framework, which sets out how the Commissioner will hold NYP and NYFRS to account through a variety of regular meetings and structures. This is available as part of a section on the PFCC's website on "Holding the Chief Constable to account" – see [What Commissioner Zoë is doing to hold the Chief Constable of North Yorkshire Police to account - Police, Fire and Crime Commissioner North Yorkshire \(northyorkshire-pfcc.gov.uk\)](https://www.northyorkshire-pfcc.gov.uk/what-commissioner-zoe-is-doing-to-hold-the-chief-constable-of-northyorkshire-police-to-account)
- One element of this Framework – the online Public Accountability Meetings (PAM) was re-launched in April 2023 to ensure tighter focus in holding the service leads to account for improvements and a rolling agenda item in particular on progress against HMI inspections outcomes. The high-level improvement plan for NYP following the recent HMI inspections outcomes is now available on the OPFCC website and will be reviewed at PAM meetings – as an example, see the copy taken to the PAM on 25 May 2023 - [Improvement Plan \(northyorkshire-pfcc.gov.uk\)](https://www.northyorkshire-pfcc.gov.uk/improvement-plan). The PAMs also provide a means of ensuring the public can ask questions on issues of concern. An improvement plan for NYFRS will be made available shortly.
- Additional measures put in place include the PFCC seeking evidence relating to any assurances given from the Chief Constable following the HMI revisit on child protection arrangements and seeking a detailed action plan with timescales for progress against all recent NYP inspections and which sits behind the high-level improvement plan.
- The organisational structure at the OPFCC has also been re-configured in the last six months to introduce leadership roles around Delivery and Assurance and Public Confidence – to help drive forward progress against the priorities of the statutory Plans



for both services and to ensure effective engagement with and capturing of public concerns.

#### 4.0 **National Child Protection Inspection – Post-Inspection Review**

4.1 In November 2021, HMICFRS visited North Yorkshire Police as part of a national thematic inspection on child protection where every force in England and Wales was to be assessed. As part of the assessment, 73 child protection cases were selected – of these 13 were determined as ‘good’, 34 ‘require improvement’ and 26 ‘inadequate’.

4.2 The findings were published in a report in March 2022 (note the delay), and a number of positives and negatives were identified, including:

##### Positives:

- The force control room uses flags well to highlight risks to children
- The force has developed an efficient system of sharing information with safeguarding partners
- The force holds strategy discussions promptly when the risk is clear

##### Negatives:

- Officers often don’t speak to children, listen to them or record their behaviour and demeanour
- The force’s initial response to missing children is inconsistent and leaves some children at high risk
- The force allocates some investigations to officers without the right skills and experience.

4.3 The HMICFRS report set out ten recommendations for North Yorkshire Police, five of which were for immediate action and five identified by the Inspectorate for action within three months. In response, a Public Accountability Meeting was held and plans/progress were set out by the Chief Constable as to how they were going to improve.

4.5 The Police Fire & Crime Panel met in July 2022 and scrutinised this – an extract from the Minutes of that meeting is attached at Appendix 2.

4.6 NYP were then re-inspected by HMICFRS in 2022 and the re-inspection report was published on 3<sup>rd</sup> May 2023. The inspectorate confirmed it would continue to evaluate NYP’s performance as part of its routine monitoring, which suggests there will not be a re-inspection in the near future.

4.7 The re-inspection report highlighted that only some of the actions from NYP’s plan had been completed – see Appendix 3.

4.8 Responding to the re-inspection, the Commissioner issued the following statement:

*“First and foremost, I am here for the public, victims and survivors impacted by the issues covered by this latest report. My Supporting Victims service which sits separately from North Yorkshire Police is available to anyone impacted by crime to help them to cope and recover. So, if you or someone you know needs support, please visit the website at [www.supportingvictims.org](http://www.supportingvictims.org) or call 01609 643 100 to speak to a trained professional who can offer help and advice.*

*I acknowledge the areas where improvement has been made, specifically changes to training of staff about understanding vulnerability, the notable increase in the quality and number of referrals for children to the local authorities, and the force control room response to calls where children may be at risk. However, my focus must be on the areas which do*

*not deliver for our most vulnerable and to understand why the highest standards are not currently being met.*

*North Yorkshire Police have had a year to progress their action plan following the first HMICFRS report on child protection. My team and I were regularly assured that all concerns would be tackled head on, and improvements made at a significant pace but instead, 12 months later, the force is not in the position I expected them to be in. Not enough has been done and there is simply no excuse – North Yorkshire Police have let the public and the most vulnerable in our society down.*

*As Commissioner and a mother of two children, one of whom is vulnerable and has complex needs I share the frustration, deep disappointment and upset many people will be feeling. I know that it is my responsibility to increase the accountability of and pressure on the Chief Constable, to demand answers and not accept anything other than immediate and significant improvement.*

*Whilst a debrief provided by the inspectorate in preparation for this report revealed North Yorkshire Police still had areas to progress, this progress has been much slower than anticipated – as a result, I am making arrangements for an additional layer of scrutiny – I expect evidence in relation to any assurances I am given.*

*It is my duty to ask questions the public expect and deserve answers to, and I have transparently and consistently done so in my regular online public meetings. I will publicly hold the Chief Constable to account for this slow progress in a specially arranged online public meeting today, Wednesday 3 May at 1pm, where I expect to hear clear and focused answers from the senior leadership of North Yorkshire Police. Documents relating to the meeting can be found on my website from today and I invite the public to watch the session if they can and if not, a recording will be made available. Please visit: <https://bit.ly/OPM-3May2023>*

*During the meeting I will also request a detailed plan from the Chief Constable on how the force will complete their original schedule of improvements, with associated timescales for achieving all outstanding recommendations. In addition, I encourage any member of the public to send questions or concerns for us to address during the live meeting. Please email [info@northyorkshire-pfcc.gov.uk](mailto:info@northyorkshire-pfcc.gov.uk) or to ask a question during the live broadcast, post your question on Twitter using #NYscrutiny*

*Subsequent regular online public meetings will follow a new structure to incorporate updates on all HMICFRS independent inspections and will require extensive evidence of progress in all areas of improvement.*

*“The reinspection report recognises that North Yorkshire Police work well with safeguarding partners and are sharing good quality information. I want to thank our local authorities; external agencies and the victim support services I commission for the work they do in partnership with the Force to support and protect vulnerable children.*

*If anyone living in North Yorkshire doesn't feel confident or comfortable with the services offered by North Yorkshire Police, I want to know about it.”*

- 4.9 A further Public Accountability Meeting was held on 3 May 2023, at which the Commissioner requested a detailed plan on how NYP would complete the original schedule of improvements with associated timescales for achieving all outstanding recommendations. A recording of the meeting can be viewed at: [Online Public Meeting - 3 May - National Child Protection Inspection - Post Inspection Review - Police, Fire and Crime Commissioner North Yorkshire \(northyorkshire-pfcc.gov.uk\)](https://www.northyorkshire-pfcc.gov.uk/online-public-meeting-3-may-national-child-protection-inspection-post-inspection-review-police-fire-and-crime-commissioner-northyorkshire-pfcc.gov.uk)

## **5.0 Police, Fire and Crime Panel**

- 5.1 The HMI reports are an assessment of the performance of NYP and the Chief Constable, **not** of the Commissioner herself. However, the Panel has a role in reviewing the performance of the Commissioner in respect of her oversight of performance at NYP and whether what she is doing is adequate.
- 5.2 The Panel last met on 9 March 2023 (due to needing to avoid the pre-election period for York). This came before publication of these two reports above. There will be a Special Meeting of the Panel on 21 June 2023 at 2:30pm to focus on the PFCC's performance in relation to recent HMI inspection outcomes, and the progress being made etc. The Panel will also revisit progress against the Commissioner's improvement plans periodically and after the inspectorate has re-visited (where applicable).

## **6.0 Way Forward**

- 6.1 In considering the Notice of Motion put to full Council in May 2023 and the information provided in this report, Members have a number of options:
- i. Consider the issue today and make a recommendation to the meeting of the full Council on 19 July 2023;
  - ii. Agree to hold an additional meeting on this Committee between 22 June – 7 July 2023 to consider the outcome of the North Yorkshire Police, Fire & Crime Panel on 21 June 2023 and use that to inform this Committee's feedback Report to Full Council on 19 July 2023. To support your considerations at that additional meeting you could also choose to invite the Commissioner to attend;
  - iii. Agree an alternative way forward and identify what additional information is required to support your considerations;

## **7.0 Recommendation**

- 7.1 Members are asked to consider the information contained within this report and agree a way forward

Melanie Carr  
Principal Democratic Services & Scrutiny Officer

25 May 2023