

North Yorkshire Council

North Yorkshire Police, Fire and Crime Panel

Minutes of the meeting held in the Brierley Room at County Hall, Northallerton on Thursday, 11th January 2024, commencing at 11.45 am.

Councillors Carl Les OBE (North Yorkshire Council) in the Chair; Chris Aldred (North Yorkshire Council), Lindsay Burr MBE (North Yorkshire Council), Tim Grogan (North Yorkshire Council), Emilie Knight (City of York Council), Rich Maw (North Yorkshire Council), Heather Moorhouse (North Yorkshire Council), Danny Myers (City of York Council) and Peter Wilkinson (North Yorkshire Council).

Zoë Metcalfe (Police, Fire and Crime Commissioner for North Yorkshire)

Jonathan Dyson (Chief Fire Officer) (North Yorkshire Fire & Rescue Service),

Elliot Foskett (Acting Chief Constable) (North Yorkshire Police),
Scott Bisset (T/Deputy Chief Constable) (North Yorkshire Police)
Ed Haywood-Noble (Superintendent) (North Yorkshire Police).

Community Co-opted Members: Mags Godderidge and Martin Walker.

Officers from the Office of the Police, Fire and Crime Commissioner: Michael Porter (Chief Financial Officer), Tamara Pattinson (Director, Delivery and Assurance), Jenni Newberry (Head of Commissioning and Partnerships), Amanda Wilkinson (Director of Public Confidence).

Officers present: Diane Parsons (Principal Scrutiny Officer), Barry Khan (Assistant Chief Executive (Legal & Democratic Services)).

In attendance: Councillors Malcolm Taylor, George Jabbour and Kevin Foster (North Yorkshire Council); Suzanne Truman and Laura Tarleton-Hodgson (NYC Finance).

Apologies: Councillor Michael Pavlovic (City of York Council), Fraser Forsyth (co-opted member) and Simon Dennis (Office of the Police, Fire and Crime Commissioner).

Copies of all documents considered are in the Minute Book

715 Welcome and apologies

The Chair welcomed everyone to the meeting and introductions were made from those officers attending from North Yorkshire Police. It was highlighted that Jenni Newberry was attending in the capacity of Acting Deputy Chief Executive. Apologies were noted.

716 Declarations of Interest

Mags Godderidge declared that she is CEO of Survive; a charity which is commissioned by the Commissioner's office to provide services to survivors of domestic abuse and sexual violence.

Martin Walker declared that he is a Trustee of IDAS, which receives funding for its

work from the Commissioner's office.

717 Consideration of the Exclusion of the Press and Public

Resolved –

That the public and press be excluded from the meeting during consideration of Item 14 on the grounds that discussion would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

718 Public Questions or Statements to the Panel

A statement and question had been received and agreed in advance of the meeting from Gwen Swinburn, as follows:

I have looked on at the car crash in both the police and fire services over the recent years, particularly under the leadership of the departing Commissioner and all her statutory officers. Sadly trust, confidence and integrity are all questionable under the current regime.

I recognise as you all know, that this committee is toothless, despite your endeavours.

First Chair, proceeding any further with the outgoing management's organisational restructure seems beyond stupidity at this time. Particularly with such an unstable senior management team, none in permanent positions, a significant leader suspended and the Chief Constable and Commissioner out the door.

Please pause it until the new Mayor is installed and the new Chief Constable arrives. I hope you decide that in your private discussions.

Secondly on the governance paper for the Combined Authority.

Long standing members will know I have made multiple attempts to try and address the democratic deficit of the under radar audit committees of both the police and fire service.

Let's be clear there is zero interface informal or formal between these secretive audit committees and you (and definitely not us pesky citizens). The fact is that in multiple other forces there is that linkage, as is only right.

I often think if there were this linkage (at least with the City of York Council level oversight by audit and governance and scrutiny) - would so many of these failings have happened?

I am saddened to see that in the governance documents for the Mayor and Combined Authority there is absolute silence on audit and any democratic oversight.

As our new Chief Constable is from a more successful force, I looked to South Yorkshire for good practice. Unfortunately I couldn't even find any published agendas or minutes for any of their Joint Audit Committees. Nor do they appear to have produced an annual report since 2020 which, if true, is really grim. Their Panel however has far more detailed performance monitoring than you.

Chair, as we can't submit this framework till the City of York Council meeting at the end of March, can this governance paper be tightened, to include more audit oversight and be resubmitted here next month?

The Chair invited Barry Khan to respond, who will be proposed as Interim Monitoring Officer to the Combined Authority after its inaugural meeting on 22nd January. Mr Khan responded by explaining that the report at Item 10 is designed purely to show changes that will need to be made to the Panel's governance arrangements following Mayoral devolution. The Panel is not a quasi audit committee for police and fire matters so this is outside of its remit. These committees will likely become part and parcel of the audit arrangements to be agreed under the new Combined Authority once the Mayor has been elected.

719 Progress on Issues Raised by the Panel

Considered –

The report from the Secretariat updating on progress against issues raised by the Panel.

It was noted that the first item (health surveillance of firefighters) has been outstanding since June 2023. An update will be provided for the next Panel meeting.

Resolved –

That the Panel notes the update report provided on issues raised.

720 Members' Questions

A number of questions were put to the Commissioner around the following topics:

1. Following recent national reporting, the Commissioner was asked how many NYP officers in the last five years have been under investigation for potential sexual abuse offences and for potential domestic abuse offences. Additionally - what processes and training do NYP have in place to ensure officers and PCSOs do not commit these offences and how is this audited? Are any officers or PCSOs currently under such investigations carrying out roles which would require regular face to face contact with the public? The Commissioner agreed to collate the information and provide to Panel.
2. The Commissioner gave her support to a meeting arranged between her office and the two constituent authorities to the Panel to help progress the sharing of low-level crime data with local authorities.
3. In response to a query regarding how officers recruited through the national uplift scheme have been deployed, the Panel was given assurance that they have been deployed to operational roles rather than filling police staff duties.
4. Following concerns raised regarding fire and rescue response times in North Yorkshire, the Chief Fire Officer provided further context to the large geography, capacity, connectivity and budget limitations on the service in comparison with some other services. Following a separate query around appliance availability, it was highlighted that a number of staff are being supported on modified duties as the Chief Fire Officer is making welfare a priority.

5. Information was sought on savings produced under the Enable programme in 2023 and what savings are expected in 2024. The Commissioner agreed to report back.
6. The recent Safety Critical Notice issued by the Fire Brigades Union was raised with the Commissioner and views sought. The Chief Fire Officer advised that he did not agree with the notice and that there was little evidence for the assertions made as there have been significant improvements. He advised that the FBU hasn't advised what has been breached or how.

721 North Yorkshire Fire and Rescue Service - HMI letter on Causes for Concern (published 19 October 2023)

Considered –

The letter from HMICFRS to North Yorkshire Fire and Rescue Service regarding its previously identified 'Causes for Concern'.

The Commissioner highlighted that she was delighted at the response from the inspectorate and that all Causes for Concern had been considered discharged following considerable progress made.

The Chair commended this as a welcome step but noted that the inspectorate had identified further work to be done in respect of the Enable programme.

Resolved –

That the Panel notes the update regarding progress made by the fire and rescue service in relation to the identified Causes for Concern.

722 North Yorkshire Police - HMI letter regarding Causes for Concern (published 6 December 2023)

Considered –

The letter from HMICFRS to North Yorkshire Police regarding its previously identified 'Causes for Concern'.

The Commissioner welcomed the assessment of the inspectorate regarding the significant progress made by NYP and that they will continue to monitor the force through the regular PEEL cycle. The next assessment will be completed by the end of February. The Panel highlighted that the inspectorate identified the need for further monitoring and refining of the structure of shared enabling services and that an update remained outstanding on this for Panel. In response the Commissioner highlighted that much more progress has been made under Enable since the letter was published and that further information will be made available soon.

Resolved –

That the Panel notes the update given regarding NYP's progress against the inspectorate's 'Causes for Concern'.

723 Setting the Precepts for 2024/25: Police and Fire and Rescue

Considered –

The report from the Commissioner's office outlining the provisional funding settlements for both services and future planning assumptions in relation to setting the Council Tax precepts.

Policing

Michael Porter highlighted that the flexibility afforded to Commissioners for the policing precept is up to £13. Mr Porter referred to the various pay and non-pay inflationary pressures on the budget. The current planning around an £8.83 (2.99%) increase would ensure the budget is balanced across the MTFP with a small efficiency target of £250,000 in 2024/25, increasing to £1m per year thereafter. The Panel challenged the Commissioner around the earmarked efficiency savings target on the basis that both services have struggled to deliver savings over recent years. Mr Porter highlighted that the new Chief Constable is keen to look at efficiencies to reinvest in growth areas but that it was a difficult decision as to whether to save to invest in the future or save to balance the books. The Commissioner acknowledged the challenging position but felt confident that NYP would be well placed to deliver efficiencies.

Fire and Rescue

A final settlement is awaited but flexibility remains at 3% for the precept in 2024/25. Michael Porter spoke to the significant challenges for the service if this were to be the maximum levied (equivalent to £2.41 for Band D property), such as expecting to see a significant increase needed in employer contributions to the pension scheme. It is hoped that the Risk and Resource Model will enable efficiencies which will provide for further investment. Mr Porter described the level of reserves as uncomfortably low and felt that 3% would represent a stable position.

The Panel agreed to write a letter seeking increased precept flexibility for the service, in support of that written recently by the Commissioner to the Department for Levelling Up, Housing and Communities and the Treasury.

Members acknowledged the challenges facing the service's budget and highlighted the low reserve position and unsustainable nature of the pension fund. It was also acknowledged that the service does a lot of work around flood response but that because this isn't a statutory function for the service it does not receive funding to do it.

The Commissioner highlighted that again the public appeared to be largely supportive of paying above the current 2.99% threshold, although the public consultation closes on 21st January.

Resolved –

That the Panel notes the 'pre-precept' background reports provided by the Commissioner.

724

Organisational Review of North Yorkshire Police

Considered –

The report from the Commissioner regarding the organisational re-design of North Yorkshire Police.

The Commissioner highlighted that the re-design is an operational project led through the Chief Constable, with the aim of delivering a refreshed organisational design focussing on stabilising and enhancing core areas of business in:

- Safeguarding
- Digital Forensics Unit
- Force Control Room
- Investigations
- Neighbourhood Policing processes

Process Evolution were commissioned to carry out the work. As a result, a number of recommendations have been made for the realignment of resources to ensure most efficient and effective use of resources in response to demand for policing services. Implementation of recommended options will commence early in 2024, following the completion of the appropriate engagement and consultation processes with staff.

Resolved –

That the Panel notes the update report provided on progress in relation to the organisational re-design of North Yorkshire Police.

724a Devolution Implications and Governance Changes

Considered –

The report from the Secretariat summarising implications for the Panel of Mayoral devolution and outlining a schedule of changes required to governance documentation.

Resolved –

That the Panel:

- (a) notes the report provided; and
- (b) agrees the outline schedule of changes proposed to its governance documentation.

725 Panel Arrangements

Considered –

The proposed changes to the Panel's Arrangements, reflecting the changes in accountabilities following the transfer of the police, fire and crime commissioner functions to the Mayoral Authority in May 2024.

Diane Parsons highlighted the key changes to the Arrangements. Members will need to provisionally agree these and then submit them to full council meetings at both constituent councils to be formally agreed and adopted in May.

Resolved –

That the Panel:

- (a) agrees the proposed revisions to its Arrangements following transfer of the

police, fire and crime commissioner functions to the Mayoral Authority;
(b) agrees to submit the revised Arrangements to full council at North Yorkshire Council and City of York Council for formal agreement.

726 Work Programme

Resolved –

That the Panel notes the outline work programme for 2024/25.

727 Any other items

The Panel were advised that no urgent business had been notified to the Chair.

728 Date of Next Meeting

Monday, 5th February 2024 at 10:30am – County Hall, Northallerton.

729 Closed Session - Organisational Review of North Yorkshire Police

At this point in proceedings the Chair formally closed the meeting and invited all those except the Panel, Commissioner and colleagues to remain as the Panel moved into private session.

The meeting concluded at 1.38 pm.
DP.