

Public Document Pack

Sussex Police and Crime Panel

Members are hereby requested to attend the meeting of the Sussex Police and Crime Panel, to be held at **10.30 am** on **Friday, 22 September 2023** at **County Hall, Lewes**.

Tony Kershaw

Clerk to the Police and Crime Panel

14 September 2023

Webcasting Notice

Please note: This meeting will be filmed for live or subsequent broadcast via East Sussex County Council's website on the internet – at the start of the meeting the Chairman will confirm that the meeting is to be filmed. Generally the public gallery is not filmed. However, by entering the meeting room and using the public seating area you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. The webcast will be available via the link below: <http://www.eastsussex.public-i.tv/core/>.

Agenda

- 10.30 am 1. **Declarations of Interest** (Pages 5 - 6)
- Members and officers must declare any pecuniary or personal interest in any business on the agenda. They should also make declarations at any stage such an interest becomes apparent during the meeting. Consideration should be given to leaving the meeting if the nature of the interest warrants it. If in doubt contact Democratic Services, West Sussex County Council, before the meeting.
2. **Minutes of the Previous Meeting** (Pages 7 - 16)
- The Panel is asked to approve the minutes of the previous meeting on 30 June 2023 (cream paper).
- 10.35 am 3. **Review of Membership and Proportionality** (Pages 17 - 22)
- Report by the Clerk to the Police and Crime Panel.
- Following a decision taken at the previous Panel meeting (30 June) to defer agreeing the recommendations until all representative local authorities' annual meetings had been held - that the Panel:
1. Determines whether to invite an authority with a Liberal Democrat appointee to replace that appointee with a Conservative.
 2. Agrees that both East and West Sussex County Councils should each be invited to appoint an additional local authority member; and

3. Subject to agreeing recommendation 2, agrees to invite appointments of a Conservative second councillor from West Sussex County Council and a Green second councillor from East Sussex County Council.

10.40 am 4. **Panel Questions to the Commissioner**

No written questions have been received from members of the public.

The Panel is asked to raise any strategic issues or queries concerning crime and policing in Sussex with the Commissioner. Questions should fall within the Commissioner's remit and not relate to operational matters.

There will be one question per member only and one supplementary question; further supplementary questions allowable only where time permits. The Chairman will seek to group together questions on the same topic.

11.10 am 5. **The Role of the Commissioner in Ensuring Sussex Police use Stop and Search Powers Effectively and Appropriately** (Pages 23 - 30)

Report by the Police and Crime Commissioner.

This report sets out the role of the Sussex Police and Crime Commissioner (PCC) in ensuring that Sussex Police use stop and search powers effectively, and how the Chief Constable is held to account for ensuring that the use of these powers is both appropriate and proportionate.

That the Panel considers:

- How the powers are applied towards Sussex's different races and groups
- How the Commissioner has worked to address any identified issues
- The adequacy of the oversight and monitoring arrangements used by the Commissioner.

12.00 pm 6. **The Outcomes and Learning Arising from the**

Commissioner's role as the Review Body for Schedule 3 Policing Complaints, and from the Commissioner's Oversight Duties over Sussex Police's Complaints System More Generally (Pages 31 - 36)

Report by the Police and Crime Commissioner.

This report sets out the role of the Sussex Police and Crime Commissioner (PCC) since becoming the review and appeal body for Sussex Police complaints in February 2020, including a focus on the PCC's oversight of the Force's complaints system in general.

That the Panel considers:

- The proportion of appeals which are upheld
- The action taken in respect of those reviews
- The organisational learning captured and reported to Sussex Police
- How the PCC is assured that the learning points have been addressed/implemented by Sussex Police.

12.30 pm 7. **Quarterly Report of Complaints** (Pages 37 - 38)

Report by the Clerk to the Police and Crime Panel.

The report provides details of the correspondence received and the action taken.

The Panel is asked to consider the report and raise any issues or concerns.

8. **Working Group Appointments**

The Panel is asked to appoint the membership for the Budget and Precept Working Group. The Group acts as a critical friend in the development of the budget and proposed precept for 2024/25.

The Working Group will meet twice, informally and virtually - on either of 29 November or 6 December 2023, and 10, 11 or 12 January 2024 – dates to be confirmed.

The Group will appoint its Chair at the outset of its first

meeting.

12.35 pm 9. **Date of Next Meeting and Future Meeting Dates**

The next meeting of the Panel will take place on 26 January 2024 at 10.30 a.m. at County Hall, Lewes.

Future meeting dates are set out below:

- 22 March 2024
- 28 June 2024
- 20 September 2024.

To all members of the Sussex Police and Crime Panel

Table of standing personal interests

22 September 2023

The Panel is asked to agree the table of personal interests below.

Any interests not listed which members of the Panel feel are appropriate for declaration must be declared under agenda Item 1, Declaration of Interests, or at any stage such an interest becomes apparent during the meeting.

Table of standing personal interests

Panel Member	Personal Interest
Mrs Scholefield	Senior Independent Director of Surrey and Borders Partnership NHS Mental Health Foundation Trust
Cllr Bannister	Cabinet Member for Tourism, Leisure, Accessibility and Community Safety at Eastbourne Borough Council
Cllr Baynham	Cabinet Member for Finance and Resources at Horsham District Council
Cllr Rogers	Chair of Safer Hastings Partnership Co-Chair of Hastings and Rother Community Safety Partnership
Cllr Whorlow	Cabinet Member for Community Wellbeing at Worthing Borough Council
Cllr Williams	Cabinet Lead for Public Health and Asset Management

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Sussex Police and Crime Panel

30 June 2023 – At a meeting of the Committee held at 10.30 am at County Hall, Lewes.

Present:

Cllr Judy Rogers (Chair)	Hastings Borough Council	Cllr Andrei Czolak (Vice Chair)	Brighton & Hove City Council
Cllr Christian Mitchell	West Sussex County Council	Cllr Bob Standley	East Sussex County Council
Cllr Paul Keene	Lewes District Council	Cllr Kelvin Williams	Wealden District Council
Cllr Mark Baynham	Horsham District Council	Cllr Margaret Bannister	Eastbourne Borough Council
Cllr Kevin Boram	Adur District Council	Mr Keith Naphthine	Independent member
Mrs Susan Scholefield	Independent member	Cllr Rosey Whorlow	Worthing Borough Council
Cllr Shirley Haywood	Arun District Council	Cllr Christine Bayliss (Substitute)	Rother District Council
Cllr Michael Jones (Substitute)	Crawley Borough Council		

Substitutes:

Cllr Bayliss, Rother District Council (In place of Cllr Brian Drayson)
Cllr Jones, Crawley Borough Council (In place of Cllr Yasmin Khan)

Apologies were received from Cllr Tracie Bangert (Chichester District Council)

Also in attendance:

Part I

1. Appointment of Independent Members

1.1 Resolved – that the Panel:

1. Renewed the appointment of Mrs Susan Scholefield as an Independent Co-opted Member of the Panel, for a one-year term.
2. Renewed the appointment of Mr Keith Naphthine as an Independent Co-Opted Member of the Panel, for a one-year term.

2. Appointment of Chairman and Vice Chairman

Agenda Item 2

- 2.1 Cllr Bayliss proposed Cllr Rogers as Chairman of the Panel for the forthcoming year. The proposal was seconded by Cllr Keene.
- 2.2 Cllr Boram proposed Cllr Mitchell as Chairman of the Panel for the forthcoming year. The proposal was seconded by Cllr Standley.
- 2.3 Cllr Jones requested a secret ballot which was agreed by the Panel.
- 2.4 Resolved – that Cllr Rogers is elected as Chairman of Sussex Police and Crime Panel for the ensuing year by four clear votes, with one abstention.
- 2.5 Cllr Rogers assumed control from Cllr Standley for the remainder of the meeting.
- 2.6 Cllr Mitchell proposed Cllr Standley as Vice Chairman of the Panel for the forthcoming year. The proposal was seconded by Cllr Boram.
- 2.7 Cllr Bannister proposed Cllr Baynham as Vice Chairman of the Panel for the forthcoming year. The proposal was seconded by Cllr Williams.
- 2.8 Cllr Keene proposed Cllr Czolak as Vice Chairman of the Panel for the forthcoming year. The proposal was seconded by Cllr Jones.
- 2.9 Cllr Whorlow requested a secret ballot which was agreed by the Panel.
- 2.10 Resolved – that Cllr Czolak is elected as Vice Chairman of Sussex Police and Crime Panel for the ensuing year by one clear vote, with one abstention.
- 2.11 Cllr Rogers and Cllr Czolak requested that they are referred to as Chair and Vice Chair respectively.
- 2.12 The Chair thanked former Panel members for their contributions and welcomed returning and new members to the annual meeting.

3. Declarations of Interest

- 3.1 In accordance with the Code of Conduct, members of the Panel declared the personal interests in the table below.

Panel Member	Personal Interest
Cllr Bayliss	Lead Member for Regeneration and Economic Development at Rother District Council
Cllr Whorlow	Cabinet Member for Community Wellbeing at Worthing Borough Council
Cllr Baynham	Cabinet Member for Finance and Resources at Horsham District Council
Cllr Bannister	Cabinet Member for Tourism,

	Leisure, Accessibility and Community Safety at Eastbourne Borough Council
Cllr Williams	Cabinet Lead for Public Health and Asset Management
Cllr Rogers	Chair of Safer Hastings Partnership. Co-Chair of Hastings and Rother Community Safety Partnership.
Mrs Scholefield	Senior Independent Director of Surrey and Borders Partnership NHS Mental Health Foundation Trust.

4. Minutes of Previous Meeting

- 4.1 Resolved - that the minutes of the previous meeting held on 24 March 2023 be approved as a correct record and that they be signed by the Chairman.

5. Annual Review of Membership and Proportionality

- 5.1 Resolved – that the Panel:
1. Agreed that a decision to invite any/both/neither of East Sussex and West Sussex County Councils to appoint a second representative be deferred to the 22 September meeting of the Panel.
 2. Agreed that Brighton and Hove City Council be invited to appoint a Conservative second representative to the Panel, for a one-year period of office.

6. Public and Panel Questions to the Commissioner

- 6.1 The Panel noted a published version of written public and Panel questions with answers from the Commissioner (copy appended to the signed minutes).
- 6.2 The Chairman invited questions from the Panel to the Commissioner. A summary of the main questions and responses were as follows:
1. Supplementary: In respect of the public written question from Mr Jacklin regarding the Northeye proposals, how is the Commissioner working with the Chief Constable to provide additional resources to Rother District through funding secured from the Home Office by the local MP?
Answer: The Commissioner reported that the Force has become a member of the Northeye Forum following a meeting with the local MP in April, at which the Home Office outlined their plans for the Northeye proposals. The Commissioner stated that her role is to ensure the Force is properly resourced and that she has

received initial reassurances from the Home Office that funding would be made available, but it is not yet known what this will look like. The Commissioner added that the Force has put in a bid to government to secure any additional funding for extra resourcing. She concluded that the Force does have an operational reserve to use if needed, which can be reclaimed through the Home Office.

2. Question: Can the Commissioner urge the Chief Constable to prioritise finding a resolution to the Force's ongoing CCTV contract matter, amid reports that the new provider would be eight times more expensive than the current contract, as well as concerns that cameras are no longer going to be monitored from the Force's central control room?

Answer: The Commissioner explained that the Force chairs a partnership made up of 22 local authorities and that attempts have been made to extend the term of the contract. Inspector Jo Atkinson is the Force's lead for reviewing the options available and presenting them to the partnership. The Commissioner gave re-assurance that the CCTV will not be switched off and that another partner will be able to provide cameras. She concluded that Crawley is one of three partner areas the Force is working with to find a resolution.

Supplementary: It should be fed back that the Force is at fault for procurement. Can the Commissioner look into how the monitoring of CCTV will work on an individual police officer basis?

Answer: The Commissioner commented that the partnership accepts shared responsibility, and that part of the blame lies with the current contract provider, as emphasised by recent 999 emergency phonenumber outages. The Commissioner said that she has written a complaint to the provider's Chief Executive and that it will take a collaborative effort from the partnership to resolve the situation.

3. Question: Is there a contingency plan for district and borough councils who will struggle to meet the costs of the new CCTV system?

Answer: The Commissioner confirmed that the partnership will decide if they offer financial support to struggling partners.

4. Question: In relation to the recent disappearance of unaccounted child asylum seekers from a hotel in Hove, does the Commissioner have concerns about the added pressure placed on Force resources?

Answer: The Commissioner confirmed that a dedicated independent unit made up of six officers has been set up and admitted that this has created an additional budget pressure. She explained that the local Divisional Commander is closely aligned with the Chief Executive of Brighton and Hove City Council and that the unit will be kept running for as long as necessary.

5. Question: CCTV is a key resource to the Force, what is your backstop to ensure the Force retains use of it?
 Answer: The Commissioner clarified that the CCTV in question is not to be confused with the Force's own system. The Commissioner said that she is hopeful of a seamless transition to a better value, upgraded system through the new provider and that partners will witness a reduction in running costs over the long-term.

6. Question: What is the Commissioner's view on the application of Artificial Intelligence technologies to policing in Sussex, especially in terms of privacy?
 Answer: The Commissioner explained that her role is to set the Force's strategic priorities and ensure that codes are adhered to. She added that the College of Policing is responsible for setting strict standards at national level. The Commissioner went on to say that her monthly Performance and Accountability Meetings (PAMs) are held to check and challenge the Force's performance against the Police and Crime Plan's priorities. She gave assurance that all national level matters such as The Casey Review are followed up at her PAMs.
 Action: The Commissioner to consider adding artificial intelligence in policing to the agenda at a future Performance and Accountability Meeting.

7. Question: Where do matters stand on the discussion in respect of the use of police time in response to mental health callouts?
 Answer: The Commissioner commented that there is a lot of ongoing work in this area nationally and that the Force has a dedicated mental health advocate, Andrew Gordon, who works very closely with Sussex Community NHS Foundation Trust and other partners. The Commissioner said that Sussex Police was one of the first forces to successfully pilot sending a mental health nurse out with response teams to mental health callouts.
 Action: The Panel's support officers to circulate the most recent report on mental health, received by the Panel, to members.

7. The Commissioner's Annual Report and Financial Outturn Report 2022/23

- 7.1 The Panel considered a report by the Sussex Police and Crime Commissioner, introduced by Commissioner Bourne.

- 7.2 The Commissioner highlighted some of the progress made against the Police and Crime Plan's (2021/24) policing and crime objectives.

- 7.3 The Chairman invited the Panel to ask questions. A summary of questions and responses were as follows:
 1. Question: In reference to page 31, second para, what does hotspot policing refer to?

Answer: The Commissioner explained that hotspot policing is a new method backed by government funding and involves a targeted

patrol over a short period of time. She added that the majority of the current 15 hotspots are in the Brighton and Hove area. The Commissioner was of the belief that criminality has not been pushed out elsewhere as a consequence and that results have been very successful.

2. Question: Hotspot policing in Hastings is ineffective in its current form, can the Commissioner use her presence to increase the 15-minute surveillance and drive through patrols to improve visibility through the new intake of officers?

Answer: The Commissioner disagreed that there is an issue in Hastings and said she would review the effectiveness and successes of hotspot policing throughout Sussex. She added that 103 new officers were recently attested and will be deployed across the County in the coming weeks.

Action: The Commissioner to check the Hastings data to see how effective the policing is proving.

3. Question: Do you have any concerns about progress made by the Force in respect of crime data integrity following the recent findings in HMICFRS's report.

Answer: The Commissioner explained that the Force has to report initial and then secondary crimes and of the sample taken, 11 crimes were found to be wrongly recorded and one or two were of a serious nature. The Commissioner confirmed that she wrote to HMICFRS's Chief Inspector regarding her concerns about the language used in the report and claims that 20,000 were not properly recorded. She added that the Home Office has since changed the rules on how crime is recorded and only initial crime recording is required. The Force would have been rated as Good/Outstanding under the new rule change.

Action: The Panel's support officers to circulate the most recent report on stop and searches, received by the Panel, to members.

4. Question: What impact has the backlog of court cases had on your policing strategy?

Answer: The Commissioner recognised that there was a backlog prior to the pandemic which has not improved, and placed a strain on policing, with around 23,000 victims still waiting for their case to be heard. She clarified that while her remit does not cover this area, the Force is working with partners such as the Crown Prosecution Service and HMICFRS on a collaborative way forward. The Commissioner paid tribute to third sector organisations who work with victims and acknowledged the issue with victims' motivation to give evidence as long as three years after the crime.

5. Question: The report omits a detailed reflection of the impact made by the Rural Crime Unit (RCU) since its formation, why is this?

Answer: The Commissioner acknowledged that her report offers an overview of the RCU's performance and offered to look to include a couple of case studies going forward in her next annual report. She referred the member to the Rural Crime Team's countywide monthly newsletter which provides an update on their challenges and successes and can be subscribed to by members of the public.

6. Comment: Shoplifting is a significant issue in Bexhill where there is a professional ring having links to County Lines. The Force have only attended one report of shoplifting so far this year, which involved an assault on a staff member. Incidents have been low-value but the impact is high-level.

Answer: The Commissioner gave re-assurance that Project Pegasus is in operation countywide to provide the Force with an overview of serious and organised crime and that it is backed by 10 of the UK's biggest retailers currently. The Commissioner added that she is the national lead for the Association of Police and Crime Commissioners' portfolio group on business crime and road safety and is in regular communication with Safer Sussex Business Partnership.

Supplementary: The presence of neighbourhood policing teams is sporadic, why are they being taken off duty and where are the extra officers promised by Operation Uplift?

Answer: The Commissioner answered that this is due to promotions and re-deployment. She gave assurance that they are not always visible but a lot of work goes on behind the scenes and that while 'they may not be everywhere, they can be anywhere'.

Action: The Commissioner offered to provide Cllr Bayliss, and any member requesting such, with the contact details for her local sergeant/divisional commander.

7. Question: Is the Force paying a high enough salary to attract police officer candidates?

Answer: The Commissioner said that most Police Community Support Officers (PCSOs) aim to progress to become police officers and this is the traditional recruitment pathway. She confirmed that PCSO numbers will not be cut in Sussex and her current focus is to improve their numbers and return them back to the Force's target figure.

Comment: The role of a PCSO should be viewed as a career in itself and not a stepping-stone to becoming a police officer.

Answer: The Commissioner explained that the Force is currently looking into new ways to attract PCSOs and has targeted recruiting an additional 97 by February 2024. She added that the PCSO role is a more attractive career for people with an interest in policing.

8. Comment: It was pointed out that the Commissioner's annual report does not contain a reference to the South-East Regional Organised Crime Unit (SEROUCU) in respect of the Police and Crime Plan's Public Priority 2 - 'Relentless disruption of serious and organised crime'. Concern was also raised in relation to a national report on Regional Organised Crime Units.

Answer: The Commissioner welcomed the feedback and said that the SEROUCU is administered by Thames Valley Police, who she meets with quarterly to monitor performance.

Action: The Commissioner to include a reference to the SEROUCU's performance in her next annual report.

7.4 Resolved – that the Panel:

1. Recommended that the Commissioner considers publicising case studies on the work of the Rural Crime Team, if not in the Annual Report, then via other means.
2. Recommended that the Commissioner considers ways of promoting the role of Police Community Support Officer as a career in itself, rather than as a steppingstone towards becoming a police officer.
3. Noted its annual report and budget outturn for 2022/23.

8. Commissioner's Response to HMICFRS' Police, Effectiveness, Efficiency and Legitimacy (PEEL) Assessment of Sussex Police

- 8.1 The Panel considered a report by the Sussex Police and Crime Commissioner, introduced by Commissioner Bourne.
- 8.2 The Chairman invited the Panel to ask questions. A summary of the main questions and responses were as follows:
 1. Question: Out of 43 police forces, only seven of the 43 forces had received two or more inadequate ratings. Were any of these inadequate areas apparent at an earlier stage or were you surprised by the outcomes?
Answer: The Commissioner explained that Operation Unify will bring forward work around crime data recording. She is confident that internal scrutiny within the Force is aware of arising issues and they do not wait for the inspection reports. The Commissioner added that HMICFRS' Chief Inspector is happy with progress the Force has made in this area. She concluded that the Force did not go into special measures because HMICFRS were aware that preventative work was already in place and she was confident that a reinspection today would result in a rating of "good".
 2. Question: In relation to Outcome 18, are there particular areas of the County prone to this sign-off? Is there a senior officer sign-off?
Answer: The Commissioner understood that it is a technical decision regarding the ethical recording of a named suspect who discontinues engagement. Mr Streater added that domestic abuse victims can name an offender and then retract the name by not pursuing the allegation and this influences the classification.
- 8.3 The Chair said she was disappointed to see the Force receive two inadequate ratings but feels more reassured by the Commissioner.
- 8.4 Resolved – The Panel noted the report. Support officers to identify the underperforming areas and add them to its work programme for future scrutiny.

9. Annual Report from the Host Authority

- 9.1 The Panel considered a report by the Clerk to the Sussex Police and Crime Panel.
- 9.2 The Commissioner offered new and returning Panel members the opportunity to attend a training session on the work of the Office of Sussex Police and Crime Commissioner (OSPCC), as part of their induction.
Action: The OSPCC and Panel support officers to coordinate the visit.
- 9.3 Resolved – that the Panel noted its annual report and budget outturn for 2022/23.

10. Quarterly Report of Complaints

- 10.1 The Panel considered a report by the Clerk to the Sussex Police and Crime Panel.
- 10.2 Resolved – that the Panel noted the update.

11. Correspondence Since the Previous Meeting

- 11.1 The Chairman summarised a letter sent on behalf of the Panel to the Chairs of Health Overview Scrutiny Committees at East Sussex County Council and Brighton and Hove City Council respectively, following an agreed action from the Panel meeting on 24 March.
- 11.2 Resolved – that the Panel noted the tabled correspondence.

12. Date of Next Meeting and Future Meeting Dates

- 12.1 The next meeting of the Panel would take place on 22 September 2023 at 10.30am, at County Hall, Lewes.

The meeting ended at 12.55 pm

Chairman

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SUSSEX POLICE & CRIME PANEL

Sussex Police and Crime Panel

22 September 2023

Review of Membership and Proportionality

Report by The Clerk to Sussex Police and Crime Panel

Recommendations

That the Panel:

1. Determines whether to invite an authority with a Liberal Democrat appointee to replace that appointee with a Conservative councillor.
2. Agrees that both East and West Sussex County Councils should each be invited to appoint an additional local authority member; and
3. Subject to agreeing recommendation 2, agrees to invite appointments of a Conservative second councillor from West Sussex County Council and a Green second councillor from East Sussex County Council.

1. Background

- 1.1 Schedule 6, paragraph 31 of the Police Reform and Social Responsibility Act 2011 requires the Panel to consider ("from time to time") whether available seats could be assigned to additional councillor members to enable the balanced appointment objective to be met, or more effectively met. If so, the Act requires the Panel to exercise this option. The balanced appointment objective is that the councillor members of the Panel (when taken together) represent the political make-up of the 15 Sussex local authorities (when taken together). The Constitution of Sussex Police and Crime Panel sets out that the Panel reviews its political make-up and size once a year, at its Annual Meeting.
- 1.2 The 15 Sussex local authorities can appoint any councillor of their choosing (i.e. without regard to that councillor's political affiliation). At its Annual Meeting on 30 June, due to appointments having not as yet been made at some of Sussex's 15 local authorities, the Panel agreed to defer a decision on additional appointments to its September meeting.
- 1.3 The Panel is required to appoint additional councillors from ESCC and/or WSCC if these would improve political proportionality and, as set out below, this is now the case.

Agenda Item 3

- 1.4 Brighton and Hove City Council (BHCC) has an automatic second appointment, which must be made in accordance with the Panel's recommendation as to political affiliation. At its Annual Meeting, the Panel agreed that BHCC's second representative should be a Conservative councillor.

In summary, including the second BHCC Conservative councillor appointment, the resulting Panel make-up is below:

Table 1:

Number of Councillor Seats	Conservative	Liberal Democrat	Labour	Green	Association of Independents
16	4	6	4	1	1

2. Discussion

The theoretical politically proportionate make-up of a 16/17/18-member Panel is per below. The statutory maximum number of councillor Panel members is 18. For the purposes of this discussion, the two Independent Co-opted Panel Members are not considered.

Table 2:

Number of Councillor Seats	Conservative	Liberal Democrat	Labour	Green	Other Parties
16	5.26	4.09	3.67	1.79	1.19
17	5.59	4.35	3.90	1.90	1.27
18	5.92	4.60	4.13	2.01	1.34

This gives rise to two options and three recommendations to achieve proportionality.

Option 1:

That one of the 6 local authorities having appointed a Liberal Democrat councillor agrees to replace that councillor with a Conservative councillor. The resulting 16-member Panel would then look per Table 3 below:

Table 3:

Number of Councillor Seats	Conservative	Liberal Democrat	Labour	Green	Association of Independents
16	5	5	4	1	1

This would remove the current impediment to achieving the most politically proportionate Panel.

Option 2:

That the 16-member Panel make-up remains as currently appointed, per Table 1 above. Even when applying recommendations 2 and 3 below, the Panel would have a political imbalance in favour of the Lib Dems, at the expense of the Conservatives but it is closer to the optimum proportionality than the current Panel composition.

Recommendations:

Regardless of which option is chosen the Panel's statutory duty around proportionality would be best met by ESCC and WSCC each appointing an additional member, these being a Conservative councillor and a Green councillor.

Applying the convention adopted previously, WSCC (having proportionately more Conservative councillors of the two) should appoint the Conservative councillor, and ESCC (having proportionately more Green councillors of the two) should appoint the Green councillor.

That the Panel:

1. Determines whether to invite an authority with a Liberal Democrat appointee to replace that appointee with a Conservative.
2. Agrees that both East and West Sussex County Councils should each be invited to appoint an additional local authority member; and
3. Subject to agreeing recommendation 2, agrees to invite appointments of a Conservative second councillor from West Sussex County Council and a Green second councillor from East Sussex County Council.

For clarity, the resulting Panel under options 1 and 2 would be as below:

Table 4 – Option 1:

Number of Councillor Seats	Conservative	Liberal Democrat	Labour	Green	Association of Independents
18	6	5	4	2	1

Table 5 – Option 2:

Number of Councillor Seats	Conservative	Liberal Democrat	Labour	Green	Association of Independents
18	5	6	4	2	1

Agenda Item 3

For clarity, (from table 2) the theoretically most proportionate 18-member Panel make-up is:

Table 6:

Number of Councillor Seats	Conservative	Liberal Democrat	Labour	Green	Other Parties
18	5.92	4.60	4.13	2.01	1.34

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

3.1 For 2023/24, the Home Office grant allows for up to £920 per Panel Member for travelling expenses.

4. **Risk Management Implications**

4.1 The Panel must strive to be politically and geographically proportionate. Failure to adequately do so risks breaching the relevant terms of the Act.

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

5.1 Not applicable.

Tony Kershaw

Clerk to Sussex Police and Crime Panel

Contact:

Ninesh Edwards
(T) 0330 222 2542
(E) ninesh.edwards@westsussex.gov.uk

Appendices

Appendix 1 - Political Make-up of Sussex Local Authorities (23/24)

Political Make-Up of Sussex Local Authorities (Aug 2023)

Authority	Principal Member's Party	Con	LD	Lab	Green	AOI ₂	Arun Ind Group	Ind Dem	CDC Local Alliance	Mid Sussex Independents	Ind ₁	Shoreham Beach Residents' Assoc	Vacancy	Total
Adur	Conservative	16		9	2							2		29
Arun	Lib Dem	20	14	8	6		4				2			54
Brighton & Hove	Labour	6		38	7						3			54
Chichester	Lib Dem	5	25		2				4					36
Crawley	Labour	16		20										36
East Sussex	Conservative	25	12	5	5			2			1			50
Eastbourne	Lib Dem	8	19											27
Hastings	Labour	11		15	5						1			32
Horsham	Lib Dem	11	28		8						1			48
Lewes	Green		15	9	17									41
Mid Sussex	Lib Dem	18	20	1	4					1	4			48
Rother	Association of Independents	10	7	8	3	8					2			38
Wealden	Lib Dem	9	13	2	11			4			6			45
West Sussex	Conservative	46	11	9	1						3			70
Worthing	Labour	11	1	24	1									37
Total		212	165	148	72	8	4	6	4	1	23	2	0	645
Proportionality		32.87%	25.58%	22.95%	11.16%	1.24%	0.62%	0.93%	0.62%	0.16%	3.57%	0.31%	0.00%	
Seats	16	5.26	4.09	3.67	1.79	0.20	0.10	0.15	0.10	0.02	0.57	0.05	0.00	
Seats	17	5.59	4.35	3.90	1.90	0.21	0.11	0.16	0.11	0.03	0.61	0.05	0.00	
Seats	18	5.92	4.60	4.13	2.01	0.22	0.11	0.17	0.11	0.03	0.64	0.06	0.00	

Summary of 16 Principal Members:	Conservative	4
(including the additional Conservative seat agreed for BHCC)	Liberal Democrat	6
	Labour	4
	Green	1
	Assoc of Independents	1

Notes:

Ind₁ Proportionality calculated for a group. However, since this category comprises several separate independent members, the actual proportionality is lower

AOI₂ Association of Independents

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Sussex Police and Crime Panel

22 September 2023

The Role of the Sussex Police & Crime Commissioner in Ensuring Sussex Police use Stop and Search Powers Effectively and Appropriately.

Report by The Clerk to Sussex Police and Crime Panel

Focus for Scrutiny

The Panel is invited to consider:

1. How the powers are applied towards Sussex's different races and groups
2. How the Commissioner has worked to address any identified issues
3. The adequacy of the oversight and monitoring arrangements used by the Commissioner

1. Background

- 1.1 The Panel recognises that Sussex Police's use of Stop and Search powers is an area of significant public interest and accordingly decided to scrutinise the Commissioner's work in holding the Chief Constable to account for the exercise of these powers in Sussex. The matter was previously scrutinised by the Panel at its meeting in September 2021.

2. Discussion

- 2.1 Members may wish to consider any disproportionality in the way powers are applied towards the different races and groups making up Sussex's population, the Commissioner's view on this, and how the Commissioner has addressed any unreasonable imbalance in the application of powers.
- 2.2 The Panel may also wish to consider the adequacy of oversight arrangements in place for monitoring use of the powers.

Tony Kershaw

Clerk to Sussex Police and Crime Panel

Contact:

Ninesh Edwards - Senior Advisor

(T) 0330 222 2542

(E) ninesh.edwards@westsussex.gov.uk

Appendices:

Appendix A - The role of the Sussex Police & Crime Commissioner in ensuring Sussex Police use stop and search powers effectively and appropriately.

Mark Streater (Chief Executive & Monitoring Officer, OSPCC).



To:	The Sussex Police & Crime Panel.
From:	The Sussex Police & Crime Commissioner.
Subject:	The role of the Sussex Police & Crime Commissioner in ensuring Sussex Police use stop and search powers effectively and appropriately.
Date:	22 September 2023.
Recommendation:	That the Police & Crime Panel note the report.

1.0 Introduction

1.1 This report sets out the role of the Sussex Police & Crime Commissioner (PCC) in ensuring that Sussex Police use stop and search powers effectively, and how the Chief Constable is held to account for ensuring that the use of these powers is both appropriate and proportionate.

2.0 Use of Stop and Search in Sussex

2.1 Stop and search is one of several powers used by police forces to prevent and detect crime and to keep people safe. Police officers have the power to stop and search any individual if they have 'reasonable grounds' to suspect that they are carrying illegal drugs, a weapon, stolen property or something that could be used to commit a crime.

2.2 The significance of using these powers responsibly – to build and maintain public trust and confidence in the police – is recognised by both the PCC and Sussex Police, including an ongoing commitment to review the Force's approach to this.

2.3 Between 1 August 2022 and 31 July 2023, Sussex Police conducted 5,679 stop and searches. This represented a reduction of 93 searches [and -2%] in comparison to the 5,772 searches recorded in the same period a year earlier. Of the stop and searches conducted during the rolling year period, 2,039 of these searches [36%] had a police outcome, with no further action taken against the remaining 3,640 searches [64%].

2.4 The item found during the stop and searches was recognised to be linked to the outcome on 29% of these occasions [1,635 searches], with 3,566 searches not linked [63%] because no item was found. A further 8% of searches [478] resulted in another item being found, bringing the total percentage of items found during searches to 37%. This performance remained consistent with the 38% recorded for the previous 12-month period, despite a reduction in the number of searches undertaken.

2.5 Of all the individuals searched, those who identified themselves as Black, Asian and minority ethnic were 2.36 times more likely to be stopped in Sussex than those who identified their ethnicity as white during the rolling year. When these numbers are separated further still, those who identified themselves as Black were 8.8 times more likely to be stopped and searched than those identifying themselves as white across the same period [1 August 2022 to 31 July 2023].

3.0 Transparency of Sussex Police

- 3.1 There is a comprehensive quality assurance system in place within Sussex Police to ensure that every stop and search undertaken in the county is appropriate, proportionate and justified. The Force works towards the national 'Best Use of Stop and Search Scheme' to ensure greater transparency, accountability and community involvement, through an intelligence-led approach. All stop and search records in Sussex are assessed by supervisors to ensure they are necessary and likely to have a positive outcome in reducing crime, with additional 'dip checks' conducted by a central team at headquarters.
- 3.2 The overall governance in this area is provided through a quarterly 'Legitimacy Board', chaired by an Assistant Chief Constable, and attended by officers, staff and independent advisors. The Board provides an internal audit of the stop and search encounters looking at the proportionality of the searches conducted, compliance with the legislation and the supervisory measures in place around its use.
- 3.3 Sussex Police also has an external Stop and Search Independent Scrutiny Panel which aims to improve the trust and confidence of communities by providing members of the public [and a representative from the OSPCC] with the opportunity to quality assure the use of these powers in Sussex. The Terms of Reference for the Scrutiny Panel can be viewed through the following link:
www.sussex.police.uk/SysSiteAssets/media/downloads/sussex/about-us/stop--search/stop-search-scrutiny-panel-terms-of-reference.pdf
- 3.4 The key functions of the Panel are to consider whether any disproportionality exists in terms of the individuals stopped and searched, assess the lawfulness of the grounds for the searches, outcomes of the stop and search encounters, any complaints received by the Force and training needs identified, with retrospective feedback provided to individual officers and supervisors as required. To maintain transparency, Sussex Police publish the minutes of the Panel meetings on their website, detailing the purpose and outcomes of this assessment. The Force also has a separate 'REWIND' campaign to inform young people about their rights when stopped by the police. Further information can be viewed through the following link:
www.sussex.police.uk/police-forces/sussex-police/areas/au/about-us/stop-and-search/
- 3.5 The use of stop and search is also scrutinised at the Divisional Accountability Meetings (DAMs) on each of the three policing divisions [Brighton & Hove, East Sussex and West Sussex] and at monthly supervisor meetings to look at the quality of the grounds for each search, whether a 'receipt' is provided for any search carried out, the conduct of the searching officer and the use of Body Worn Video (BWV) during the interaction.
- 3.6 A Force Internal Scrutiny Board sits above the DAMs and is chaired by a Detective Superintendent who is the strategic lead for stop and search in Sussex Police. Thematic issues and causes of concern relating to stop and search and any disproportionality identified are explored at these meetings to ensure that any guidance, training, processes and best practice developed are shared throughout the Force for wider implementation.

- 3.7 Sussex Police understand the significance that any negative perceptions around the disproportionate use of stop and search can have on members of the public, something recognised as an issue for policing locally and nationally. The Force is determined to ensure that each stop and search interaction is conducted fairly, lawfully and ethically. Sussex Police remains resolute in its commitment to build on the established engagement it has with diverse communities and is examining its stop and search processes, alongside the use of other policing powers, to better understand the outcomes.
- 3.8 Sussex Police is continuously looking to improve its approach to stop and search. The use of these powers is reviewed regularly to ensure that they remain proportionate and fit-for-purpose. It is recognised that whilst more work still needs to be done in this area, the Force is well positioned to build on the positive scrutiny and accountability arrangements that are in place locally around the use of stop and search powers in Sussex.
- 3.9 The Sussex Police policy for stop and search sets out a requirement that each interaction should be routinely recorded whenever police officers or PCSOs are equipped with BWV technology. As part of the quality assurance processes, supervisors are required to review, sample and sign off BWV footage of stop and search encounters and to ensure that each of these interactions has been recorded accurately. Sussex Police also adheres to the Authorised Professional Practice (APP) developed by the College of Policing around the use of stop and search powers. Further information about the stop and search policy for the Force and the APP can be viewed through the following links:
www.sussex.police.uk/advice/advice-and-information/st-s/stop-and-search/stop-and-search-process/
www.app.college.police.uk/app-content/stop-and-search/?s=
- 3.10 A range of different training is provided to police officers in the powers of stop and search. For existing police officers, refreshed training is provided to them in the legitimate and fair use of stop and search powers, as well as practical guidance around its application through a dedicated input during annual staff safety training. New officers are taught all about the powers through a combination of classroom and online-based training, including a series of role play examples. These recruits are also required to successfully conduct several stop and searches before their Independent Patrol status is awarded.
- 3.11 Further training around equality and diversity and recognising 'unconscious bias' and 'reflective practice' is provided to officers and staff through a combination of classroom and online e-learning courses delivered through the National Centre for Applied Learning Technologies (NCALT). Any new and additional updates and learning are routinely shared with the workforce through the Force's intranet. Sussex Police use the Organisational Learning Board to monitor and capture any trends or themes identified across the Force, including stop and search encounters. This learning is then shared with the other police force areas in England and Wales.
- 3.12 The Force has produced an annual report which provides a transparent view of the use of stop and search powers in Sussex during 2021/22. The report also explains what Sussex Police is doing to improve the service it provides and to ensure that police powers are used effectively, legally and proportionately. A revised Annual Report for 2022/23 will be made available in autumn 2023.
www.sussex.police.uk/SysSiteAssets/media/downloads/sussex/about-us/stop--search/stop-and-search-annual-report-2021.pdf

Agenda Item 5

Appendix A

- 3.13 Sussex was also the first police force in England and Wales to routinely capture ethnicity data about the drivers in respect of any vehicles that are stopped. Following the publication of the Macpherson report in 1999 [after the Stephen Lawrence inquiry], the police service has been told that members of the public conflate the use of stop and search powers and vehicle stops as the same thing, with both actions considered as being stopped by the police. However, until recently police forces were unable to have informed conversations about whether any legitimacy and/or disproportionality may have existed in terms of the use of these vehicle stops.
- 3.14 Sussex Police is now leading on the national rollout of this work to capture this ethnicity data as part of the wider Police Race Action Plan which sets out changes across policing to improve outcomes for Black individuals who work within or interact with policing. At present, only half of the 43 police forces in England and Wales are recording this data, with the remainder of forces having been requested to start capturing this information before the end of 2023/24. Once received, this data will be made available for public scrutiny and accountability, both nationally and by each police force area.

4.0 Accountability

- 4.1 The PCC continues to hold the Chief Constable to account for the use of stop and search powers by Sussex Police. This is demonstrated through weekly, monthly and quarterly meetings, together with judgements from His Majesty's Inspectorate of Constabulary and Fire & Rescue Service (HMICFRS).
- 4.2 The PCC has challenged the Chief Constable regarding the performance of Sussex Police in this area at informal weekly meetings and formal monthly webcast Performance & Accountability Meetings (PAMs). Stop and search powers were raised most recently as a theme at the PAM on 15 September 2023. This area of policing was also raised at the PAMs on 21 May 2021; 19 June 2020; 13 September 2019; 18 May 2018 and 19 May 2017. Each of these PAM sessions is archived and, together with the minutes from the meetings, can be viewed on the PCC's website through the following link: www.sussex-pcc.gov.uk/get-involved/watch-live/
- 4.3 The PCC also holds quarterly Governance & Integrity meetings with Sussex Police to review and scrutinise the complaints received by the Force. These meetings provide the PCC with the opportunity to seek assurances that the systems and processes in place to manage the integrity of Sussex Police are both robust and effective. Part of this process includes a 'dip check' of complaints – undertaken by staff within the OSPCC – looking at those complaints relating to stop and search; discrimination; use of force and abuse of position. Further information can be viewed on the PCC's website through the following link: www.sussex-pcc.gov.uk/about/transparency/what-we-spend-how-we-spend-it/accountabilityexpenditure/
- 4.4 The Joint Audit Committee (JAC) provides the PCC with a further strand of scrutiny and challenge in this area. The JAC receives an annual summary report from the Equality, Diversity & Inclusion Manager for Sussex Police at the end of each calendar year which sets out the activity undertaken by the Force to meet its equality and diversity responsibilities and to provide updates around key risks or opportunities, including the proportionate use of stop and search powers.

- 4.5 The JAC was presented with a summary report at the meeting on 15 December 2022 which provided updates in respect of stop and search, workforce diversity and the equality and diversity framework used by the Force. A further report on the activity undertaken by Sussex Police to meet its equality and diversity obligations will be tabled at the JAC meeting on 13 December 2023. Further information about the previous reports provided to these meetings can be viewed through the following link:
www.sussex-pcc.gov.uk/about/transparency/joint-audit-committee/
- 4.6 The PCC has continued to hold Sussex Police and the Chief Constable to account for police effectiveness, efficiency and legitimacy (PEEL) to improve the service provided to people in Sussex. In 2021/22, HMICFRS judged Sussex Police to be 'good' at treating people fairly and with respect, with good systems in place to monitor and scrutinise the use of force and stop and search powers. It was also recognised that officers have a good knowledge of what constitutes reasonable grounds for using these powers and the Force has put in place an effective system of external scrutiny of their use.

Mark Streater
Chief Executive & Monitoring Officer
Office of the Sussex Police & Crime Commissioner

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SUSSEX POLICE & CRIME PANEL

The Outcomes and Learning Arising from the Commissioner's role as the Review Body for Schedule 3 Policing Complaints, and from the Commissioner's Oversight Duties over Sussex Police's Complaints System More Generally.

22 September 2023

Report by The Clerk to Sussex Police and Crime Panel

Focus for Scrutiny

The Panel may wish to consider:

- The proportion of appeals which are upheld
- The action taken in respect of those reviews
- The organisational learning captured and reported to Sussex Police
- How the PCC is assured that the learning points have been addressed/implemented by Sussex Police

1. Background

- 1.1 Legislation implemented in February 2020 introduced significant changes to the arrangements around police complaints, giving Police and Crime Commissioner's (PCCs) enhanced roles in the complaints and conduct systems.
- 1.2 In particular, Sussex PCC became the review and appeal body for Sussex Police complaints.
- 1.3 The Panel last scrutinised this matter in June 2021.

2. Focus for Scrutiny

2.1 The Panel may wish to consider:

- The proportion of appeals which are upheld
- The action taken in respect of those reviews
- The organisational learning captured and reported to Sussex Police
- How the PCC is assured that the learning points have been addressed/implemented by Sussex Police

Tony Kershaw

Clerk to Sussex Police and Crime Panel

Contact:

Ninesh Edwards – Senior Advisor

Telephone: 0330 222 2542

Email: ninesh.edwards@westsussex.gov.uk

Appendices:

Appendix B - The outcomes and organisational learning arising from the Sussex Police & Crime Commissioner's role as the review body for Schedule 3 complaints. Mark Streater (Chief Executive & Monitoring Officer, OSPCC).

To:	The Sussex Police & Crime Panel.
From:	The Sussex Police & Crime Commissioner.
Subject:	The outcomes and organisational learning arising from the Sussex Police & Crime Commissioner's role as the review body for Schedule 3 complaints.
Date:	22 September 2023.
Recommendation:	That the Police & Crime Panel note the report.

1.0 Introduction

- 1.1 This report provides the Panel with a further update about the outcomes, recommendations and organisational learning arising from the police complaint reforms and the oversight and monitoring arrangements in place for reviewing police complaints.
- 1.2 This report seeks to build on the two previous reports provided to the Sussex Police & Crime Panel about the planned reforms to police complaints [5 October 2018] and an update on the police complaint reforms [21 March 2021]. Both reports are available to view on the Panel website through the following link: <https://sussexpcp.gov.uk/meetings/previous-meetings/>

2.0 Policing and Crime Act 2017

- 2.1 The Policing and Crime Act 2017 was introduced to build capability, improve efficiency, increase public confidence in policing and further enhance local accountability.
- 2.2 The Act introduced a notable change to the police complaints system, building on the previous reforms to both the complaint and conduct systems, and expanding the role of Police & Crime Commissioners (PCCs) in this process to become the review body.
- 2.3 The police complaint reforms only provide the PCC with a responsibility to review complaint outcomes that are assessed and categorised as Schedule 3 complaints by Sussex Police under the Police Reform Act 2002.
- 2.4 These complaints are assessed as 'low-level' because the police officer and/or member of staff involved would not be subject to criminal and/or misconduct proceedings if proven. However, there is a need to determine whether the service provided by Sussex Police was acceptable or not and, as such, a formal response is required. At the conclusion of the complaint, members of the public have a right to review the outcome via the PCC.
- 2.5 The Office of the Sussex Police & Crime Commissioner (OSPCC) undertake these complaint reviews – on behalf of the PCC – in accordance with the Statutory Guidance issued by the Independent Office for Police Conduct. The complaint reviews consider whether the outcome of the handling of the initial complaint by Sussex Police was reasonable and proportionate.

3.0 Summary Statistics

3.1 Between 1 September 2022 and 31 August 2023, the OSPCC received 220 reviews following complaints made about Sussex Police, with 209 of these reviews assessed as valid [95%].

Total Reviews Received	Valid Reviews	Invalid Reviews	Reviews Not Upheld	Reviews Upheld	Reviews yet to be completed
220	209	11	152	25	43

3.2 Each of the reviews received by the OSPCC during the reporting period was acknowledged and progressed with 177 of these reviews completed and the remaining 43 reviews underway. Of the reviews completed, 152 reviews were not upheld by the OSPCC [86%] and 25 reviews were upheld [14%].

4.0 Upheld Reviews – Outcomes and Recommendations

4.1 The legislation permits the PCC to make recommendations to Sussex Police to remedy any dissatisfaction experienced through the complaints review process. This can include one or more of the following examples:

- ✓ a written or oral apology.
- ✓ an explanation about the circumstances and/or operational policing decisions taken/not taken.
- ✓ returning of seized and/or confiscated property.
- ✓ reviewing and removing information held on police records/databases.
- ✓ providing mediation to the complainant.
- ✓ sharing evidence of learning and/or service improvement.
- ✓ holding service improvement meetings between Sussex Police, the complainant, and any other interested parties.
- ✓ reviewing Force policies and procedures to ensure that these remain current, up to date and fit for purpose.

4.2 The PCC has upheld 25 reviews in the rolling year period to 31 August 2023, with the following actions taken in respect of those reviews:

- 10 apologies were offered to complainants on behalf of Sussex Police.
- 8 complaints were returned to Sussex Police because they had not been addressed in their entirety and/or required further explanation.
- 7 complaints were returned to the Professional Standards Department (PSD) for reconsideration and/or reinvestigation.

4.3 Each of the recommendations made by the PCC to Sussex Police to date has been accepted in full by PSD and implemented by the Force.

5.0 Oversight, Monitoring and Organisational Learning

5.1 The OSPCC has overall responsibility for overseeing and monitoring the complaint review process. This includes recording any organisational learning and/or development identified throughout the complaint handling process and reporting this back to PSD on a regular basis.

5.2 The following themes and trends of organisational learning and development were identified in Sussex across 2022/23:

5.2.1 General Administration

- additional information could be provided to complainants within the outcome letters, including 'quality of service' decisions for each of the allegations.
- Sussex Police to provide a formal letter of response to all complaints, rather than sending a response by e-mail.

5.2.2 Investigating Officers

- to contact complainants at start of the process to ensure that they are clear about the allegations being made and the outcomes sought.
- to answer all the complaint points.
- to provide a thorough review of the accounts received from all police officers, staff and Police Community Support Officers (PCSOs) and to ensure that any ambiguity is addressed before the outcome letter is finalised.
- to ensure that an appropriate level of detail and accuracy exists in respect of the outcome letters.
- to ensure that an appropriate level of empathy is demonstrated throughout the process and communicated within the outcome letter.

5.2.3 Operational Policing

- police officers to deploy body worn video (BWV) technology during all relevant incidents and interactions with members of the public.
- call handlers to consider asking about any care plans in place whilst conducting the initial risk assessments and to share these with attending officers.
- any organisational learning and/or development identified as part of the complaint review process to be shared with the wider policing team.

5.3 The themes and trends from the complaint reviews are considered at the quarterly Governance and Integrity meetings attended by the PCC, Chief Executive & Monitoring Officer, Head of Professional Standards Department and People Services Lead.

5.4 The OSPCC also holds regular liaison and oversight meetings with representatives from both PSD and the Independent Office for Police Conduct (IOPC) where these themes and trends are considered further, and additional monitoring activity is undertaken.

5.5 An internal audit into the complaints and review system used in Sussex was undertaken by the Southern Internal Audit Partnership in March 2021. The scope of the audit was to consider whether the handling of complaints by Sussex Police and the reviews of the complaint outcomes by the OSPCC, where requested, were dealt with in line with the statutory guidance issued by the IOPC.

5.6 The independent auditor issued a substantial assurance opinion and found all areas of the complaint review process – within both the Force and the OSPCC – to be working well with effective control measures in place.

6.0 Accountability

- 6.1 It is a statutory responsibility for the PCC to hold the Chief Constable to account for delivering efficient and effective policing in Sussex that is responsive to the needs of the public. The PCC has continued to use her monthly webcast Performance & Accountability Meetings (PAMs) to provide oversight and to challenge the Chief Constable about the Sussex Police response to police complaints on behalf of members of the public.
- 6.2 As highlighted in 5.3, the PCC uses the Governance & Integrity meetings to consider the complaint types, outcomes and recommendations, timeliness of complaint handling processes and the emergence of any themes and trends to identify whether any further remedial action is required.
- 6.3 Any complaint and/or conduct matter that remains ongoing for more than 12 months is reported to the PCC and IOPC by PSD for information. This includes a detailed explanation about the reason(s) for the delayed response and the plans in place to monitor and address the matter as appropriate. This process is also monitored through the Governance & Integrity meetings.
- 6.4 There is no direct measure of complainant satisfaction, other than the right to submit a review. The number of review requests received by the OSPCC provides the PCC with an indication as to how many complainants are not satisfied with the outcome of their complaints.
- 6.5 According to IOPC data, Sussex Police finalised 1,038 complaint cases under Schedule 3 between 1 April 2022 – 31 March 2023, with the OSPCC having received 207 reviews across the same period – this means that 20% of all complainants to Sussex Police requested a review. Further information can be viewed through the following link:
www.sussex-pcc.gov.uk/media/7602/202223-sussex-police-complaints-information-bulletin-final.pdf
- 6.6 Alongside the complaint review process, the OSPCC undertakes quarterly 'dip checks' of complaint outcomes, focusing on thematic complaints around the use of force, discrimination and violence against women and girls. Further work is also planned by the OSPCC to dip check police complaints handled outside of Schedule 3 because these complaints do not receive a right of review. This proactive approach will ensure that a robust 'check and balance' is undertaken across all categories of police complaints.

Mark Streater
Chief Executive & Monitoring Officer
Office of the Sussex Police & Crime Commissioner



Quarterly Report of Complaints

22 September 2023

Report by The Clerk to Sussex Police and Crime Panel

Focus for Scrutiny

That the Panel considers any complaints against the Commissioner, and any action that the Panel might take in respect of these.

1. Background

- 1.1 In accordance with the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2011, Sussex Police & Crime Panel (PCP) is responsible for the initial handling of complaints against the Sussex Police and Crime Commissioner (PCC).
- 1.2 At its meeting of 26 November 2012, the Panel decided to delegate its initial handling duties to the Clerk to Sussex Police and Crime Panel, and to consider a report of the complaints received, quarterly.
- 1.3 Complaints deemed to be serious (those alleging criminal conduct) are referred to the Independent Office for Police Conduct (IOPC). However, IOPC guidance recommends that a Panel makes an initial assessment of the complaint (before making a referral to the IOPC) to decide whether or not it meets the definition of a "serious complaint".
- 1.4 Regarding non-serious complaints, a sub-committee can meet to consider any of these which in the Panel's view require informal resolution.

2 Correspondence Received from 8 June to 8 September 2023

- 2.1 The Panel takes the view that all correspondence raising issues with policing in Sussex should be recorded, whether or not the issues fall within the Panel's statutory remit.
- 2.2 During the subject period, one person contacted the Panel to raise matters (either directly, referred via the IOPC, or referred by the Office of the Sussex Police and Crime Commissioner (OSPCC)).

3 Complaints

- 3.1 During the subject period one person contacted the Panel around operational policing matters and the associated complaints process (see 3.1.1 below).

Correspondence Recorded, but not Considered by the Clerk to be a Complaint within the Panel's Remit:

- 3.1.1 One person contacted the Panel directly regarding an operational policing complaint, a matter outside the Commissioner's remit. The complainant was advised of the process for raising complaints against Sussex Police officers, and the provision for appealing against the findings of such complaints.

Correspondence Recorded, and Considered by the Clerk to be a Non-Serious Complaint within the Panel's Remit:

- 3.1.2 None received

Serious Complaints (allegations of criminal conduct)

- 3.1.3 No new matters

Updates from Matters Previously Reported.

- 3.1.4 None

4 Resource Implications and Value for Money

- 4.1 The cost of handling complaints is met from the funds provided by the Home Office for the operation and administration of Sussex Police and Crime Panel.

5 Risk Management Implications

- 5.1 It is important that residents can have confidence in the integrity of the system for handling complaints against the Sussex Police and Crime Commissioner and their Deputy (where one has been appointed).

6 Other Considerations – Equality – Crime Reduction – Human Rights

- 6.1 Not applicable

Tony Kershaw

Clerk to Sussex Police and Crime Panel

Contact: Ninesh Edwards

Telephone: 0330 222 2542

Email: ninesh.edwards@westsussex.gov.uk