



**To:** Business Coordination Board

**From:** Chief Executive

**Date:** 30 April 2020

## **OPCC BUSINESSES RESPONSE TO COVID-19**

### **1. Purpose**

1.1 The purpose of this report is to inform the Business Coordination Board (“the Board”) of the Acting Police and Crime Commissioner’s (the “Acting Commissioner”) and the Office of the Police and Crime Commissioner (OPCC) response to the Covid-19 emergency in respect of its statutory roles and responsibilities.

### **2. Recommendation**

2.1 The Board is recommended to note the report.

### **3. Background**

3.1 The Covid-19 situation means that business cannot be as usual. In order to respond to the emergency and fulfil statutory responsibilities, the Acting Commissioner, the OPCC, and Cambridgeshire Constabulary (the “Constabulary”) has to work differently within each of their statutory powers and remit.

3.2 As a result of the outbreak of the COVID-19 pandemic, the Government brought in The Coronavirus Act 2020 which allowed Ministers to make a number of regulations, amongst them those relating to Police and Crime Commissioner elections. Regulation 10 of The Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020 confirms that Police and Crime Commissioner elections will be delayed until 6th May 2021. The Regulations also provide that the term of office of an incumbent Acting Commissioner will continue to the May 2021 elections. An Acting Commissioner can exercise all the powers that elected Police and Crime Commissioners have apart from varying or issuing a Police and Crime Plan (the “Plan”) (as provided for in the Police Reform and Social Responsibility Act 2011).

#### **4. Acting Commissioner's governance arrangements**

- 4.1 When the Acting Commissioner was appointed with less than six months before the scheduled elections in May 2020, he viewed his role as one of 'good stewardship', continuing to be the voice of the public, and progressing the aims of the Plan. Given that the Acting Commissioner will hold the term of office until May 2021, he now sees that as well as providing 'stewardship' he will also be providing 'sustainable' leadership, ensuring the aspirations set in the existing Plan continue to drive positive change for the county during these uncertain times.
- 4.2 This type of sustainable leadership role lends itself to reflect two key issues at this current time. Firstly, that an Acting Commissioner does not have the power to issue or vary a Plan, and secondly the situation created by the Covid-19 crisis. Therefore, whilst the current ethos of the Plan remains, delivery has to be sustainable and proportionate during the foreseeable future to take account of, and respond to, this public health emergency.
- 4.3 The Government expects the Acting Commissioner to play an important role in supporting the Chief Constable to keep the public safe during the coronavirus outbreak. Equally, there is a government and a public expectation that arrangements to hold each police force to account on behalf of its communities will continue. Consequently, in the current unprecedented times of national crisis, the Acting Commissioner has to take a proportionate governance approach, one which focusses on how policing is supporting the needs of those in the county during the current crisis. However, at the same time the Acting Commissioner needs to balance this against the necessity for transparency, the importance of responding to public concerns, and need to provide reassurance when things are progressing as required.
- 4.4 The Board will continue to be a forum where the Chief Constable will be both supported and held to account for the Constabulary's performance. However, there is a clear recognition by the Acting Commissioner that during this current crisis the number of reports that the Chief Constable submits to the Board will not place undue demand on Cambridgeshire Constabulary's resources. Nonetheless, the overall aim is to understand the Chief Constable's priorities during this emergency and ensure transparency, respond to public concerns and provide reassurance.
- 4.5 The Coronavirus Act also brought in a number of police powers relating to the emergency. The Acting Commissioner is clear that he will seek assurance on the Constabulary's approach to exercising these powers. The Board meetings will also bring the opportunity to ascertain how the Constabulary are responding to other consequential effects of the emergency, such as those relating to any rise in domestic abuse cases, the overall impacts on the criminal justice system, as well as other 'business as usual' operational policing demands.
- 4.6 Following the Police and Crime Commissioner elections that were to be held in May 2020, the sensible next step would have been for the new Commissioner to work with the Chief Constable to establish a performance reporting process for which he could be held accountable for. However, the current crisis means that a performance reporting

process for the duration of the emergency now needs to be developed. The OPCC will ensure that such arrangements are in place.

- 4.7 The Acting Commissioner will also have effective arrangements in place to continue to be involved directly or through his office, in key countywide governance forums such as the Countywide Community Safety Strategic Board and the Criminal Justice Board, and link appropriately with the Local Resilience Forum structures (LRF) which ensure effective management of the current crisis locally.
- 4.8 The Strategic Risk Register has been comprehensively reviewed to ensure the impact of COVID-19 on PCC's statutory roles are understood and proportionately mitigated. The Joint Audit Committee meeting on the 29<sup>th</sup> April 2020 will consider the Risk Register along with Acting Commissioner's approach to governance.

## **5 Governance arrangements for support and scrutiny of the Acting Commissioner**

- 5.1 The Coronavirus Act also brought in regulations in respect of how Police and Crime Panels can continue to hold meetings remotely in order to carry out their statutory role of support and scrutiny of the Acting Commissioner.
- 5.2 The Acting Commissioner has discussed these scrutiny arrangements with the Chair of the Panel and due to technological solutions not yet being suitably available, they agreed on a proportionate and transparent approach in which the Panel could still carry out their statutory function. As such, the Panel will continue to be sent the link to reports that are submitted to the Acting Commissioner's Board. The Chair will then seek questions from Panel members on these reports which the Acting Commissioner will then provide a written response to, which the Panel will publish on its website. The Chair and Vice-chair of the Panel will also hold regular teleconference calls with the Acting Commissioner and his staff.

## **6. Police and Crime Plan Delivery**

- 6.1 The Acting Commissioner had already determined that the priorities of the Plan should remain for the coming period and now that his term has been extended to 2021 he reaffirms them. The delivery of the Plan remains steady but the Covid-19 crisis magnifies the need to drive forward the objectives and activities relevant to the needs in response to the crisis in Cambridgeshire. He will take the decisions required to keep communities across Cambridgeshire and Peterborough safe, focussing on victims, offenders, communities and transformation. He will continue to put support for victims centre stage ensure offenders are brought to justice and deterred from reoffending. He will also continue to issue crime and disorder grants under the context of the current Plan.

## **7. OPCC response**

- 7.1 The Acting Commissioner is in regular contact with Chief Constable and the OPCC receive information from daily operational calls and countywide partnership calls. The Acting Commissioner, along with other Police and Crime Commissioners, has weekly conference calls, arranged by the Association of Police and Crime Commissioners, with appropriate government Ministers.

7.2 The OPCC has demonstrated that it has moulded and flexed itself with its input and actions at the right pace and right time within the framework of the Plan in response to the Covid-19 crisis, as follows:

- Redeployment of staff to the Constabulary, specifically to their Critical Incident Hub, Victim and Witness Hub, and the Special Constabulary.
- The Communications Manager engaged early and inputted heavily with countywide and partnership work i.e. the 'warning and informing' cell of the LRF
- Policy lead provided support and leadership into an interagency group locally and engaged regionally with probation services regarding plan for any early release of offenders and other partners on offender work.
- Victims Lead worked flexibly and pro-actively supporting victim service providers to redesign their services to comply with social distancing guidance.
- Criminal justice (CJ) system – extra-ordinary CJ meetings have been called to identify the risks the crisis has created within the system, mitigate these locally where possible and escalate those where a national solution is needed.
- Chief Executive with the deputy Director of Public Health is leading a group which is mapping out the response to groups which can potentially experience exclusion and stimulating action through LRF structures if there are gaps in the response.

## **8 Victims Support Services**

8.1 The OPCC directly commissions a range of victim support services and supports the partnership working arrangements for domestic abuse services with the local authority. Since the start of the pandemic, services have been supported to move from face-to-face to telephone-based, online or virtual services. Contingency plans have been developed for each service to ensure victims continue to be able to access support. Local services are supporting national communications campaigns to ensure victims are aware they can still get help and advice during the pandemic.

8.2 A number of new pathways of support have been created as services embrace different ways of working. For example, the Bobby Scheme which provides target hardening for elderly victims of burglary, has had to pause all home visits. Staff in the Victim and Witness Hub have been contacting all these victims and offering emotional support in the intervening period.

8.3 The existing strong partnership working arrangements have ensured a seamless provision throughout the pandemic to date. The OPCC has been liaising with all providers on a weekly basis to pick up on any emerging issues or risks. This information is collected and fed into the Multi Agency Incident Cell. In particular providers have incurred unplanned for costs as a result of quickly moving to a virtual support model. The OPCC has been part of national discussions with the Ministry of Justice and Home Office to seek to recoup some of these costs for local providers.

8.4 Referrals into services remain steady and reflective of local crime trends. However providers are reporting an increasing complexity of cases and planning for a surge when the lockdown ends.

## **9. Criminal Justice System (CJS) governance**

9.1 Through the Commissioner's role to ensure an efficient and effective criminal justice system, staff from within the OPCC have leant into this agenda supporting the Senior Policy Manager for CJS who is seconded from the Constabulary to the OPCC.

9.2 The existing Criminal Justice Board governance structure has been developed into an operational Gold/Silver command meeting structure in order to understand the emerging risks within the criminal justice system. Partners are meeting on a weekly basis to ensure that they remain abreast of each respective agencies position and challenges. A collaborative approach has been taken to ensure justice continues to be delivered during these challenging times, albeit on a reduced basis.

9.3 One of the biggest challenges is the significant reduction in court hearings. The court is currently only dealing with urgent matters such as remands and bail applications and all other work has been 'stood down'. Despite the best intentions of local HM Courts & Tribunals Service staff to get other court matters going it is being managed on a national level. Unfortunately Cambridgeshire Courts already had a backlog of trials cases and this position is only adding to the existing cases waiting to be heard. It is expected however that trials in the Magistrates Courts will recommence, albeit through a virtual solution, in the coming weeks.

9.4 The Senior Policy Manager is also linked in with the Tactical Coordinating Group in terms of recovery planning with the CJ 'Gold' group reporting into that group going forward.

## **10 Offenders**

10.1 Through a range of partnership governance mechanisms across the county, and some grants, the OPCC facilitates and supports collaborative working relating to crime prevention and reducing reoffending. The OPCC has liaised with key partners on a regular basis to ensure emerging partnership issues or risks are addressed, and that opportunities for collaborative working are identified.

10.2 The Government announced the need, following appropriate risk assessment, for the early release of some prisoners in order to help manage the current health crisis. Alongside these exceptional releases, of course, those due to be released during this period as 'business as usual' will continue to be released. This is in the context of challenges for those services providing support to these individuals given the need for social distancing and pressures on services such as temporary accommodation.

10.3 Supporting the prison and probation lead on these releases, the OPCC has facilitated a broad-based partnership group. This is enabling partners to undertake joint planning for the safe release and resettlement of prisoners to help manage Covid-19, with appropriate escalation mechanisms through Local Resilience Forum Structures. This workstream is also linking with the wider work to map the response for those groups that can experience exclusion.

## **11. Communities**

- 11.1 The Acting Commissioner has continued to support the joining up of service provision to listen and respond to day to day community safety issues during the Covid-19 crisis. He remains in regular contact with the Chief Constable as to the Constabulary's response to policing the lockdown restrictions.
- 11.2 Members of the community are being directed to the Government website for information on guidance on the current lockdown restrictions and are able to report breaches on the force website, where there is additional information.
- 11.3 The Commissioner's Communications Manager continues to support countywide communications colleagues on the 'warning and informing' communications cell of the LRF to ensure communities have access to appropriate and timely messaging during the pandemic.
- 11.4 Campaign messages delivered and shared through the cell include regular updates on community safety messages such as advice about current scams, further support of NHS and Public Health England messaging on the regular washing of hands and the 'stay at home' measures and support offered through the countywide and district Community Hubs. The OPCC also led a public campaign, 'Cambridgeshire and Peterborough Against Coronavirus' advising communities how they can volunteer locally support vulnerable neighbours during the lockdown.
- 11.5 A social media campaign reminding victims of crime that support services continue to run throughout the health emergency has also been launched with updates on specialist support services, e.g. for victims of rape and sexual violence and migrant victims of exploitation.
- 11.6 This information is shared through each of the Communications cell members' networks for example, Neighbourhood Watch and through the Acting Commissioner's Ecops distribution list.
- 11.6 MPs and leaders are regularly updated with current communications priorities through a regular weekly call with the LRF Chairs.

## **12. Transformation**

- 12.1 Although it is too early to give any real indication, it is possible that there may be some attrition on the Constabulary's budgetary revenue position as a result of the responding to the Covid-19 crisis. However, future finance reports to the Board meeting, along with the Outturn report, will incorporate any additional costs that may be incurred as a result of dealing with the crisis.
- 12.2 The Annual Statement of Accounts deadlines have been delayed nationally. However, year-end procedures are ongoing and the OPCC is working with both internal and external auditors, both to complete 2019/20 financial year requirements as thoroughly as can in the circumstances.
- 12.3 The joint Constabulary and OPCC Resource Group continues to operate looking at strategic issues, risks and business planning.

### 13.0 Recommendation

13.1 The Board is recommended to note the report.

### BIBLIOGRAPHY

<b>Source Document(s)</b>	<p>Police and Crime Plan 2017-20 Community Safety and Criminal Justice Cambridgeshire and Peterborough <a href="https://cambridgeshire-pcc.gov.uk/Police-and-Crime-Plan-Aug-2019">https://cambridgeshire-pcc.gov.uk/Police-and-Crime-Plan-Aug-2019</a></p> <p>Coronavirus Act 2020 <a href="http://www.legislation.gov.uk/ukpga/2020/7/contents/enacted/data.htm">http://www.legislation.gov.uk/ukpga/2020/7/contents/enacted/data.htm</a></p> <p>The Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020 <a href="http://www.legislation.gov.uk/uksi/2020/395/contents/made">http://www.legislation.gov.uk/uksi/2020/395/contents/made</a></p> <p>The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 <a href="https://www.legislation.gov.uk/uksi/2020/392/contents/made">https://www.legislation.gov.uk/uksi/2020/392/contents/made</a></p>
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