

Birmingham City Council

Report to City Council

5th November 2024



Title:	Lead Member Report – West Midlands Police and Crime Panel
Lead Member:	Councillor Rashad Mahmood – Birmingham City Council Lead Panel Member
Relevant Overview and Scrutiny Committee:	Not applicable
Has this report been shared with the relevant Overview and Scrutiny Committee Chair?	No
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Authorised by:	Christian Scade Head of Scrutiny and Committee Services Legal and Governance
Is this a Key Decision?	No Forward Plan Reference: Not applicable
Reason(s) why not included on the Forward Plan and confirm who has authorised it to be considered:	Not applicable
Is this a Late Report?	No
Reason(s) why Late and confirm who has authorised it to be considered:	Not applicable
Is this decision eligible for ‘call in?’	No
If ‘call-in’ has been dis-applied, please provide reason(s) and confirm who has authorised:	No applicable
Wards:	Not applicable

Does this report contain exempt or confidential information?

No

Has this decision been included on the Notification of Intention to consider Matters in Private?

Not applicable

Reasons why not included on the Notification and confirm who has authorised it to be considered:

Not applicable

1 EXECUTIVE SUMMARY

- 1.1 This report provides a summary of the key activities of the West Midlands Police and Crime Panel (“the Panel”) since November 2023 in its scrutiny of the Police and Crime Commissioner (“the PCC”).
- 1.2 The Panel is a joint committee of the seven West Midlands districts established in 2012 under the Police Reform and Social Responsibility Act to scrutinise the activities and decisions of the PCC.
- 1.3 Birmingham has three members on the Panel, Councillor Rashad Mahmood, Councillor Gareth Moore and Councillor Izzy Knowles (Councillor Scott, Councillor Barrie and Councillor Jan act as named substitutes).

2 COMMISSIONERS’ REVIEW

- 2.1 Commissioners approve recommendations.

3 RECOMMENDATIONS

That City Council:

- 3.1 **Notes the content of the report and the update provided on the activities of the West Midlands Police and Crime Panel between November 2023 and November 2024.**

4 KEY INFORMATION

4.1 Role of the Police and Crime Panel

- 4.2 The Panel is a joint scrutiny committee of the West Midland district councils with a dual role to ‘support and challenge’ the work of the Police and Crime Commissioner (PCC).
- 4.3 The Panel acts as a critical friend on behalf of West Midlands residents and must perform the following statutory functions:
- Review and comment on the PCC’s draft Police and Crime Plan.
 - Review the PCC's Annual Reports.
 - Scrutinise decisions and actions of the PCC.
 - Review (with the power to veto) the PCC's proposed Council Tax precept.
 - Hold confirmation hearings before the PCC makes certain senior appointments (Chief Constable, Deputy PCC, Chief Executive and Chief Finance Officer), with the power to veto the Chief Constable appointment.
 - Handle non-criminal complaints about the conduct of the PCC and Deputy PCC, referring serious complaints to the Independent Office for Police Conduct (This task delegated to the Birmingham Monitoring Officer).
 - Appoint an acting PCC if required.
 - Suspend the PCC if charged.

- 4.4 The Panel's work programme consists of statutory tasks (listed above) and wider exploratory work to build knowledge and insight into the strategic policing, community safety and criminal justice landscape to fulfil its role to hold the PCC to account.
- 4.5 The Panel must maintain a strategic focus when scrutinising the work of the PCC, rather than scrutinising operational detail.
- 4.6 Panel Membership**
- 4.7 The Panel consists of 12 councillors appointed annually representing the 7 West Midland districts. Membership must reflect the political balance of the region. Named substitutes are appointed for each councillor member. Three independent members also serve on the Panel. Birmingham City Council has three members on the Panel.
- 4.8 The Panel elected Councillor Jasbir Jaspal (City of Wolverhampton) as Chair and Kristina Murphy (Independent Co-opted Member) as Vice Chair for the 2024/2025 Municipal Year.
- 4.9 Meetings and agenda papers**
- 4.10 The Panel meets approximately six times a year at venues across the region. Meeting papers, meeting dates, published reports, together with more information about the Panel can be found on the Panel's website: www.westmidlandspcp.org.uk Meetings are livestreamed for the public. Links to web streams are published on the Panel website alongside the meeting papers.
- 4.11 Panel Resources and Officer Support**
- 4.12 The Panel operates within the limits of a ringfenced Home Office Grant. The Panel agreed in 2012 that councillor members would not use this to draw special responsibility allowances, but travel and carer expenses can be claimed.
- 4.13 Dudley Metropolitan Borough Council's Chief Executive provides lead officer support. Birmingham City Council acts as secretariat and provides administrative, scrutiny and legal support.
- 4.14 Key activities by the Police and Crime Panel (November 2023 – November 2024)**
- 4.15 **November 2023:** The Panel reviewed the Commissioner's 2022/23 Annual Report and the progress against the Police and Crime Plan objectives. The Panel published a report with recommendations for the PCC to consider for improving the content of the report and provide greater clarity to the public on progress and the trajectory of performance and trends.
- 4.16 **December 2023:** The Panel reacted to the publication of the His Majesty's Inspector for Constabulary and Fire and Rescue Services (HMICFRS) 'notice of concern' that placed West Midlands Police in Engage Status of enhanced monitoring. An extraordinary panel meeting was called to seek assurance from

the PCC on actions planned to address the HMICFRS findings and his oversight of improvements made by the Force. To inform this work and understand the context of the inspection findings, members received an information briefing from the HMICFRS on its inspection regime.

- 4.17 **January 2024:** Scrutiny of the PCC's oversight of the performance of West Midlands Police continued and the Panel discussed the 2022/2023 full HMICFRS PEEL Inspection report of West Midlands Police. The Panel also scrutinised the PCC's police and crime plan commitments to tackle drugs and learnt about the diversionary and prevention work to address the underlying causes of substance misuse.
- 4.18 **February 2024:** The Panel invited the Chief Constable to provide ongoing reassurances on actions to address the four areas of concern raised by HMICFRS and the wider recommendations in the PEEL Inspection Report. The Panel also conducted its formal review of the PCC proposed 2024 policing precept. To understand the context of the proposals, all members were invited to a training session on police finance and examined the PCC's proposed budget, capital programme and reserve's policy. Following the meeting, the Panel published its report and recommendation to support the proposed precept.
- 4.19 **March 2024:** The Panel considered the PCC's 'End of Term Report' that highlighted several key milestones that had been achieved during his 2021-24 term of office. The Panel obtained reassurances that criminal justice initiatives commissioned by the PCC had received positive academic evaluations. Annual updates from the panel lead officer monitoring the panel budget and expenditure, and the administration of PCC complaints were also considered.
- 4.20 **May 2024:** Simon Foster was re-elected as PCC for a four-year term. The new Municipal Year saw new members appointed to the Panel. All members and named substitute members were invited to participate in induction training covering the role and responsibilities of the Panel and work programming.
- 4.21 **July 2024:** the Panel held its AGM. Members considered reports by the PCC on recent activities and performance monitoring and the development of the new Police and Crime Plan. Members provided constructive challenge on the proposed public consultation campaign.
- 4.22 The Panel also held a confirmation hearing for the Deputy Police and Crime Commissioner post. Members put questions to the Commissioner's proposed candidate, Mr Wasim Ali, to assess his suitability and experience for the position. The Panel recommended the PCC proceed with the appointment.
- 4.23 **October 2024:**The Panel considered a second update report on the development of the PCC Police and Crime Plan. Members sought reassurances on the work of the commissioner's office to evaluate the responses to the call for evidence from partnership organisations and experts, as well as comments gathered from public consultation events. The Panel will formally review the draft plan in January.

- 4.24 The Chief Constable also addressed the meeting reporting back on the work to respond to HMICFRS 'Notice of Concern' that led to it place West Midlands Police into Engage Status of enhanced monitoring in December 2023. The Panel commended the PCC and Chief Constable for the rapid improvement that had led to the Inspectorate removing the force from Engage Status in September.
- 4.25 The Panel also examined the PCC's Statement of Accounts to build knowledge and insight of the financial position ahead of the Panel's review of the PCC's budget and proposed precept in February.
- 4.26 **Use of Information Subgroup:** The Panel has formed a subgroup to undertake a focussed piece of work to draw conclusions on the type of information it needs to assess the performance of the PCC. The subgroup will meet in October to examine the performance metrics the PCC intends to use in his new Police and Crime Plan and provide comment.
- 4.27 Forward Plan**
- 4.28 The Panel has scheduled meetings in December, January, February and March. Members will continue to shape its work programme to enable it to assess the impact, actions and decisions of the PCC.
- 4.29 All Panel members are encouraged to develop dialogue with their local scrutiny committees on policing, community safety and criminal justice to feed into the panel work programming process.

MEMBER ENGAGEMENT

Ward Councillor(s)

- 4.30 Not applicable

Overview and Scrutiny

- 4.31 Not applicable

Other

- 4.32 Not applicable

5 IMPACT AND IMPLICATIONS

Finance and Best Value

- 5.1 There are no financial implications as a result of the recommendation in this report. The Home Office provides an annual grant to support the administration of Police and Crime Panels. The West Midlands Police and Crime Panel grant is administered by Birmingham City Council as the host authority.

Legal

- 5.2 A Police and Crime Panel for the West Midlands must be maintained to carry out the scrutiny functions and responsibilities set out in the Police Reform and Social Responsibility Act 2011. The Panel membership must represent all the districts and reflect the political composition of the region.

Equalities

- 5.3 This Police and Crime Panel is a joint committee of West Midlands Local Authorities. Therefore, it has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Act.
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 5.4 The Panel considers these duties during work programme development, the scoping of work, evidence gathering and making recommendations. Including how policy issues impact on different groups within the community, particularly those that share a relevant protected characteristic; whether impact on particular groups is fair and proportionate; whether there is equality of access to services and fair representation of all groups within the West Midlands; and whether any positive opportunities to advance equality of opportunity and/or good relations between people are being realised.

Procurement

- 5.5 There are no procurement implications arising from this report.

People Services

- 5.6 There are no staffing implications arising from the recommendations in this report.

Climate Change, Nature and Net Zero

- 5.7 There are no climate change, nature and net zero carbon implications arising from the recommendations in this report.

Corporate Parenting

- 5.8 There are no implications or opportunities in relation to the Corporate Parenting responsibility arising from the recommendations in this report.

Other

5.9 There are no other implications arising from the recommendations in this report.

6 APPENDICES

6.1 None

7 BACKGROUND PAPERS

7.1 [WMPCP agenda and minutes November 2023 – October 2024](#)

7.2 [Police Reform and Social Responsibility Act 2011](#)