



Cambridgeshire and Peterborough Community Scrutiny Panel Terms of Reference

Version	Date	Signed Off
V1.0	October 2021	March 2022
V2.0	October 2022	March 2023
V3.0	February 2024	May 2024

1. Purpose of the Community Scrutiny Panel

- 1.1 The Police and Crime Commissioner (the “Commissioner”) has a statutory duty to hold the Chief Constable to account for the operation of Cambridgeshire Constabulary (the “Constabulary”). The Commissioner does that within a broad governance framework that includes feedback from external bodies, including volunteers in schemes such as the Independent Custody Visitor Scheme.
- 1.2 The Commissioner wants the voice and views of the public to inform policing within Cambridgeshire and Peterborough. In the context of building trust and transparency, the Commissioner encourages a teamed and collaborative approach between the Constabulary and the public where feedback and recommendations have been made.
- 1.3 The purpose of the Cambridgeshire and Peterborough Community Scrutiny Panel (the “Panel”) is to provide independent, objective scrutiny of the Constabulary’s Stop and Search and Use of Force functions, reporting back to the Commissioner and Constabulary on findings, actions, and recommendations within the context of the current legislation, statutory guidance, and other associated frameworks.
- 1.4 Throughout 2023, the introduction of Custody Detention Scrutiny has been explored and will be introduced to the Panel in 2024. This is necessary to increase transparency, scrutiny

and performance within police custody. It's development has been cognisant of recent high-profile incidents of public concern, that have had negative consequences for police confidence and trust, as well as various national recommendations made to policing on both racial disproportionality and custody.

1.5 The Panel would run each topic session (Stop and Search, Use of Force and Custody Detention) with a risk-based approach. This means that identified themes and perceived risks will be used to determine the content of each Panel session. The Office of the Police and Crime Commissioner (OPCC) and the Constabulary have the responsibility of raising any such themes with the Panel Co-Chairs (the "Chairs"), to be brought before the Panel for scrutiny.

2. Aims and Objectives of the Panel

2.1 For the Panel to, within the remit of its purpose:

- provide constructive feedback regarding the Constabulary's use of their powers, to identify and share best practice, suggest actions, and make recommendations for improvements to the Constabulary to influence change in learning, policies and practices where necessary;
- provide the Commissioner with a community viewpoint regarding the trust and confidence the public have in the Constabulary's use of these powers; and
- review agreed community complaint triggers.

3. Applicability of Terms of Reference

3.1 All parties subject to these Terms of Reference – Panel members, the Commissioner, the OPCC, officers and staff of the Constabulary – are expected to act within these agreed Terms of Reference.

3.2 Non-compliance with the Terms of Reference could undermine public confidence in the work of the Panel and concerns regarding any person's ability to comply should be raised with the Chair or the Panel Vice Chair (the "Vice Chair") and the OPCC.

3.3 The Terms of Reference will be reviewed on an annual basis in line with the Annual General Meeting (AGM).

4. Accountability and Governance

4.1 The Panel is independent in its scrutiny process regarding Custody Detention, and the Constabulary's use of Stop and Search and Use of Force powers, and community complaint triggers.

4.2 The Panel will deliver its findings and make recommendations to the Constabulary and the Commissioner, via the OPCC. The OPCC shall take responsibility for providing formal Community Scrutiny Panel branded documentation, minuting meetings, and capturing actions and recommendations derived from the Panel's scrutiny and submitting these to the Constabulary for their response. It is not the role of the Commissioner to filter or amend

Panel feedback or recommendations, but to ensure that they form one part of the overall process of holding the Constabulary to account within the broader governance framework.

5. Panel Membership

- 5.1 One Panel member will act as the Co-Chair and one as Vice Chair of the Panel for Stop and Search and Use of Force.
- 5.2 For Custody Detention scrutiny sessions, an Independent Custody Advisor (ICV) will act as Co-Chair.
- 5.3 In addition to Panel members, ICVs will also be invited to participate in Custody Detention Scrutiny sessions.
- 5.4 Members of the Panel can serve a term of up to ten consecutive years. Interest from new panel members will be accepted year-round with training and onboarding to the panel at the end of each quarter.
- 5.5 The Co-Chairs and Vice Chair (Vice Co-Chairs as and when applicable) will be elected for a period of two years. Unless there is a requirement to do so sooner, there will be an election for the Co-Chair and Vice Chair every two years.
- 5.6 The OPCC will seek nominations from Panel members for Co-Chair and Vice Chair, with a closing date of at least one week before the election date. Elections will take place over email in advance of the Panel's AGM, unless there is a requirement to do so sooner, such as in the event of a Co-Chair resigning. A voting system will be used to elect the Co-Chair and Vice Chair the outcome of which will be announced and formalised during the AGM.
- 5.7 In addition to chairing meetings, the Co-Chairs and/or Vice Chair will assist the OPCC in planning meetings and agenda items, reviewing Panel feedback and shall act as a single point of contact for the Panel between meetings for the OPCC and the Constabulary.
- 5.8 The Co-Chairs are accountable in terms of the Panel. Panel members may ask the Co-Chairs to act on their behalf at meetings, or in other agreed situations, such as where the Constabulary or OPCC has asked for that representation. The Co-Chairs may also ask the Vice Chair to act on their behalf at meetings.

6. Panel Members – including the Chair and Vice Chair

- 6.1 The Panel will consist of dedicated people who live, work or study within Cambridgeshire, and as far as possible will represent the demographics within the county and people most affected by Stop and Search and Use of Force. This is inclusive of 16–17-year-olds with parental or guardian consent, who will be invited to attend online meetings only.
- 6.2 The minimum number of panel members for a meeting to be quorate will be 5, including the Co-Chair and Vice Chair. In exceptional circumstances, the meeting may continue if less than quorate at the joint agreement of Co-Chair, OPCC and Constabulary. The

maximum number of members to ensure an efficient and constructive meeting in a face-to-face setting will be a total of 15 including Co-Chair and Vice Chair. Online meeting numbers will be at the discretion of the Co-Chair.

6.3 There is no requirement for any panel member to be vetted to Non-Police Personnel Vetting (NPPV) Level 2 as no member has unfettered access to force systems.

6.4 Panel members are expected to partake in relevant training as required and attend meetings regularly, at least once per quarter, to ensure consistency in representation and updated knowledge.

6.5 As the role is voluntary, members can leave the Panel at any time but are asked to inform the Co-Chair/Vice Chair in advance, who will then inform the OPCC.

6.6 Panel members must refrain from any activity that may cause the Panel to compromise the independence of its scrutiny. The scrutiny work by the Panel must not compromise the political independence of the police. This recognises that members may choose to take part in political activity, but the Co-Chairs and OPCC must be notified beforehand to discuss any potential issues.

6.7 Panel members are expected to advise the Co-Chair/Vice Chair and OPCC as soon as possible of any personal issues such as being arrested, charged with a criminal offence, or anything which could have, or be perceived to have, a bearing on their membership of the Panel. Similarly, any matter regarding conduct in carrying out Panel duties must be referred in the same way. The OPCC's Chief Executive Officer will then decide if the Panel member's tenure on the Panel needs to be reassessed.

6.8 Panel members will not have any contact with the media in relation to matters relating to the Panel, the Constabulary, the Commissioner, or the OPCC. Panel members are not to comment to the media in their capacity as a Panel member. Panel members are not to represent the Panel in any capacity outside of meetings unless agreed with the Co-Chairs and OPCC in advance.

7. OPCC Support

7.1 The OPCC will ensure that the Panel is properly supported in their role by:

- providing a contact within the OPCC for the Co-Chairs, Vice Chair and Panel members;
- providing clerical support to the Panel inclusive of, but not limited to, booking and hosting meetings, providing Community Scrutiny Panel branded templates, minute taking, reporting on meeting findings, distributing briefings and paperwork as necessary, organising and processing payment of travel expenses; and
- managing web presence, social media and all external community-facing communications.

8. Cambridgeshire Constabulary Support

8.1 The Constabulary will:

- provide a liaison officer to assist the Panel in all matters relating to the Constabulary as well as meeting preparation;
- commit to attending scrutiny meetings;
- facilitate appropriate data sharing;
- respond to suggested actions and recommendations made by the Panel (whilst recognising that the Constabulary is under no obligation to implement these);
- prepare and present agreed material for scrutiny purposes e.g. data reports and body worn video for scrutiny; and
- work alongside the OPCC to support efficiency of the meetings.

9. Scrutiny Meetings

9.1 The Panel will meet a minimum of twelve times per year, and meetings will rotate topics between Custody Detention, Stop and Search and Use of Force.

9.2 Within all scrutiny sessions, it is appropriate to hold thematic sessions in which certain areas of policing can be scrutinised. The Co-Chairs and Vice Chair have the authority to set the theme in these instances, but the Constabulary and Commissioner can also request themes where issues have been identified for the Panel to explore on their behalf.

9.3 Additional scrutiny requests that come from external sources, such as other Boards, members of the Constabulary, or panel members, should be submitted in writing to the OPCC who can then discuss the associated risk with the relevant Panel Co-Chair and come to a decision.

9.4 The frequency of the scrutiny meetings may increase or decrease over time in response to community complaint triggers or any urgent or exceptional concerns, and in such circumstances, this will be agreed between the OPCC, the Constabulary, and the Co-Chair and Vice Chair.

9.5 In addition, there will be an Annual General Meeting. During each AGM, the date of the next one will be set.

9.6 When meetings are held in person, if the number of members wanting to attend a session exceeds the limits of a room, those selected for attendance will be identified by the relevant Co-Chair and Vice Chair on a rotational basis.

9.7 All scrutiny meetings are expected to last around two hours, unless agreed by the Co-Chairs, the OPCC and the Constabulary in advance.

9.8 In addition to Panel members, meetings will also be attended by a member of the OPCC and a member of the Constabulary, as a minimum. Other representatives may attend as agreed by the Constabulary, the OPCC, and the Co-Chair in advance.

9.9 Dates on which meetings take place are to be decided and agreed between the Panel Co-Chair, OPCC and Constabulary. Changes to meeting dates are to be made with a minimum of four weeks' notice to all parties, with the understanding that there may need to be changes at a shorter notice in exceptional circumstances.

9.10 The OPCC will send out a calling notice to Panel members a minimum of two weeks prior to a meeting, with the minutes of the previous meeting attached. Joining instructions will then be sent out to attending Panel members one week prior to the meeting.

10. Reporting and Monitoring of Recommendations and Actions

10.1 The OPCC will capture the Panel's discussions and feedback on the cases that have been scrutinised, including any resulting recommendations and actions. The Constabulary shall also capture any actions or recommendations for the Constabulary to prevent any delay in them being progressed.

11. Annual General Meeting

11.1 An Annual General Meeting will be held at the end of every financial year, the purpose of which will, at a minimum, be:

- to review the work conducted and achieved by the Panel over the previous calendar year;
- to agree any potential changes to the working of the Panel for the forthcoming year;
- to sign an annual Confidentiality Agreement;
- to agree the Terms of Reference; and
- to elect Co-Chairs and Vice Chair every two years.

12. Confidentiality and Impartiality

12.1 The proceedings of all Panel meetings are sensitive. To operate effectively, Panel members may on occasion have sight of restricted material that must be treated as strictly private and confidential. Information submitted in support of the meetings, or other information provided within the remit of the Panel, may also be sensitive or confidential.

12.2 Panel members must:

- maintain confidentiality and impartiality in relation to all parties involved in the scrutiny data and must not reveal any information about police records or personal data of police officers, staff, and members of the public, that could identify any individual;
- advise the Co-Chair / Vice Chair if, during the course of scrutiny, they recognise an individual from a case and/or have a conflict of interest;
- not involve themselves in any of the individual cases reviewed; and
- not disclose any aspect of discussions which the Panel undertakes during the course of scrutiny, apart from the points recorded in the published notes from Panel meetings.

- 12.3 Should a Panel member recognise an individual from a case being scrutinised, and/or have a conflict of interest, the Panel member may still take part in any resulting discussion, feedback, or RAG rating for that case but are requested to make the Co-Chair aware as soon as possible. Co-Chair may ask the member to leave the room temporarily for Co-Chair and Constabulary to discuss if continued attendance is appropriate.
- 12.4 Any breaches of confidentiality and confidentiality arrangements will lead to an investigation by the OPCC (and the Constabulary if required), and the possible exclusion of a member from the Panel.
- 12.5 The requirements of the General Data Protection Regulation (GDPR) will apply to all work undertaken by Panel members. Reference should be made to the Commissioner's website for information about the GDPR.

13. Training

- 13.1 The Constabulary, the Co-Chairs and Vice Chair will be responsible for providing induction training and any ongoing learning for Panel members. This is to be arranged and agreed between the Constabulary, the Co-Chairs and Vice Chair. The need for any additional training to enable the Panel to fulfil its role will be agreed between the Co-Chairs, Vice Chair and Constabulary.

14. Expenses

- 14.1 Being a Panel member is entirely voluntary, but reasonably incurred travel expenses may be claimed. Travel expenses can be claimed for attendance at meetings and training events, to cover only the distance between the Panel member's normal residence and the meeting location as a maximum. Any other expenses incurred need the prior authorisation of the OPCC and will not be paid without this.
- 14.2 Expense claims made on the appropriate form should wherever possible be submitted within one month after the time of the journey with supporting receipts where appropriate. The OPCC will process expense claims within 10 working days of receipt. Any travel expense remuneration will be made public, as required.

15. Publishing of Information

- 15.1 Information regarding the Panel, such as scrutiny report findings, minutes of meetings and actions taken by the Constabulary, will be published on the Commissioner's website with links across to the Constabulary's website.
- 15.2 The Panel's social media presence will only be promoted through the corporate accounts of the OPCC and Constabulary.
- 15.3 Consent will be sought from all Panel members for their names and photos to be used on the website, as necessary. This is not compulsory, and members can therefore decline.

16. Data Protection

- 16.1 Information used for the purposes of scrutiny is generally anonymised of personal (or other identifiable) information, unless there is a justified, proportionate, and legal reason for sharing more detailed information (and on such occasions this must be clearly recorded).

Appendices

1. How we will work

- a. Prior to the meeting for Stop and Search and Use of Force the Co-Chair and Vice Chair will receive a monthly data report from the Constabulary for the month prior to the scrutiny meeting, from which the Co-Chair and Vice Chair will identify up to eight records. The Constabulary will then assess and confirm the availability of the body worn videos and from these, the Co-Chair and Vice Chair will prioritise five cases for the scrutiny meeting.
- b. For Custody Detention, the theme for each meeting will be decided between the Constabulary, the OPCC and panel members, using a risk-based approach and the Co-Chair will then make the selection from cases and footage where available.
- c. For the Panel to fulfil their purpose, at each scrutiny meeting they will be presented with anonymised forms and body worn video footage, where available and appropriate
- d. At the scrutiny meetings the Panel will review and assess the documentation and the body worn video footage, based on the assessment sheets provided. Panel members' views and comments are to be captured on the assessment form. Where meetings are held online, the OPCC will capture all comments made and written in the chat function and members will not be required to complete paperwork.
- e. Panel members will provide each case viewed with a red, amber, green (RAG) rating. The ratings will be recorded and published in the minutes.
- f. The OPCC team will complete a summary document of all panel members findings.
- g. Understanding that the timeframe for completing minutes is subject to change when required, all parties should look to complete minutes within the timeframes below when possible:
 - i. Minutes from the meeting shall be written up by the OPCC and shared with the Co-Chair and Constabulary within 5 working days post meeting where possible. It is recognised that there may be additional demands on the OPCC in which case flexibility on this will be agreed with the Co-Chair.

- ii. The Constabulary shall provide their comments and return the minutes to the OPCC within 5 working days of receiving them.
 - iii. The OPCC shall finalise the minutes and share these with the panel members via email ahead of the next scrutiny meeting of the same function (Stop and Search, Use of Force or Custody Detention) and publish them on the Commissioner's website.
- h. Cases that are reviewed as red within the RAG review summary will be submitted to the PSD by OPCC without exception in accordance with the process maps agreed with PSD, the Constabulary and the OPCC.
- i. The Commissioner shall use the actions and recommendations made by the Panel as part of his holding the Chief Constable to account, by tracking the Constabulary's response to the Panel's feedback via meetings such as the Business Coordination Board.
- j. Positive actions taken by the Constabulary in relation to the feedback provided by the Panel shall be published on the Commissioner's website, (excluding any personal or sensitive information).