



## 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

#### 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.

#### 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;
- to provide the Commissioner with a community viewpoint regarding the trust and confidence the public have in the Constabulary's use of these powers; and
- to 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 Office of the Police and Crime Commissioner (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 Panel Chair (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.

### **4. Accountability and Governance**

4.1 The Panel is independent in its scrutiny process regarding the Constabulary's use of Stop and Search, Use of Force, 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 the 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 Chair and one as Vice Chair of the Panel.

5.2 Members of the Panel can serve a term of up ten consecutive years. Recruitment of new Panel members can take place at any time to ensure diverse representation, with the prior agreement of the Commissioner, the Constabulary, and the Chair.

5.3 The Chair and Vice Chair 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 Chair and Vice Chair every two years

- 5.4 The OPCC will seek nominations for Chair and Vice Chair which will be requested from Panel members with a closing date of at least one week before the election date. This will be scheduled to fit with the timing of the Panel's Annual General Meeting (AGM). A voting system will be used to elect the Chair and Vice Chair during the AGM.
- 5.5 In addition to chairing meetings, the Chair and/or Vice Chair will assist the OPCC's representative to plan meetings and agenda items, review Panel feedback reports, and act as a single point of contact between meetings for the OPCC and the Constabulary.
- 5.6 The Chair is accountable in terms of the Panel. Panel members may ask the Chair 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 Chair may also ask the Vice Chair to act on the Chair's 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 within the county. This is inclusive of 16-year-olds with parental or guardian consent.
- 6.2 The minimum number of panel members for a meeting to be quorate will be 5, including the Chair and Vice Chair. In exceptional circumstances, the meeting may continue if less than quorate at the joint agreement of Chair 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 Chair and Vice Chair. Online meeting numbers will be at the discretion of the 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. An exception to this is where members are reviewing and have access to TuServ data provided by constabulary for which a minimum of NPPV level 2 is required.
- 6.4 Panel members are expected to 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 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 its independence. 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 Chair and OPCC must be notified beforehand to discuss any potential issues.

6.7 Panel members are expected to advise the 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 Chief Executive of the OPCC 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 Chair 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 Chair, 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.
- In agreement with the Chair and Constabulary, 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 eight times per year, which will consist of four scrutiny sessions on Stop and Search and four scrutiny sessions on 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 Chair and Vice Chair have the authority to set the theme in these instances. The Constabulary and Commissioner can request themes where issues have been identified for the Panel to explore on their behalf.
- 9.3 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 Chair and Vice Chair.
- 9.4 In addition, there will be an Annual General Meeting. During each AGM, the date of the next one will be set.
- 9.5 When meetings are held in person, if the number of members wanting to attend a Stop and Search or Use of Force scrutiny session exceeds the limits of a room, those selected for attendance will be identified by the Chair and Vice Chair on a rotational basis.
- 9.6 All scrutiny meetings are expected to last around two hours, unless agreed by the Chair, the OPCC and the Constabulary in advance.
- 9.7 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 Chair in advance.
- 9.8 Dates on which meetings take place are to be decided and agreed between the Panel 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.
- 9.9 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 every March, 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 a Chair 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 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 Chair aware as soon as possible. Chair may ask the member to leave the room temporarily for 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 Chair 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 Chair and Vice Chair. The need for any additional training to enable the Panel to fulfil its role will be agreed between the Chair, 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 the Chair and Vice Chair will receive a monthly data report from the Constabulary for the month prior to the scrutiny meeting, from which the 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 Chair and Vice Chair will prioritise three cases for the scrutiny meeting.
- b. For the Panel to fulfil their purpose, at each scrutiny meeting they will be presented with anonymised Stop and Search/Use of Force forms and body worn video footage.
- c. At the scrutiny meetings the Panel will review and assess the grounds 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.

- d. Panel members will provide each case viewed with a red, amber, green (RAG) rating. The overall rating will then be decided based on the average rating of the group as a collective. The Chair will be asked to provide a summary narrative on each case reviewed.
- e. The OPCC team will complete a summary document of all panel members findings.
- f. 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 Chair 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 Chair.
  - ii. The Chair shall provide their comments and return the minutes to the OPCC within 5 working days of receiving them.
  - iii. The OPCC shall then share the minutes with the Constabulary.
  - iv. The Constabulary shall provide their comments and return the minutes to the OPCC within 5 working days of receiving them.
  - v. The OPCC shall finalise the minutes and share these with the Chair for a final check before sharing with the Commissioner.
  - vi. The OPCC shall then share the finalised minutes with Panel members via email ahead of the next scrutiny meeting of the same function (Stop and Search or Use of Force) and publish them on the Commissioner's website.
- g. 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.
- h. 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.
- i. 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).