

DEVON AND CORNWALL POLICE AUTHORITY

MINUTES of a meeting of the **Devon and Cornwall Police Authority** held at Police Headquarters, Middlemoor, Exeter on **Friday 26th June 2009**, commencing at **10:00hrs**.

Present Authority

Mr M Bull, Sir Simon Day, Mrs L Dunn, Mr B Greenslade, Mr M Hodge, Mrs A Malcolm, Mr D Money, Ms J Norton, Mrs J Owen, Mr B Preston, Mrs L Williams, Mrs L Price, Mrs J Zito, Mr B Greenslade (Up until 11:45), Mr M Hicks, Mrs V Pengelly, Mr J Hart and Mr M Clayton.

Officers in Attendance

Mr R Martin (Acting Chief Executive), Mr J Glasby (Treasurer) Miss N Walters (Personal Assistant to the Chief Executive)

Force

Mr S Otter (Chief Constable), Mr T Melville (Deputy Chief Constable), Ms D Simpson (Assistant Chief Constable), Mrs S Goscomb (Interim Director of Finance and Resources), Mr C Haselden (Director of Human Resources), Mr M Stamp (Director of Legal Services) and Mrs S Taylor (Assistant Chief Constable)

P/2337 Appointment of Chairman

RESOLVED that Mr Mike Bull be elected Chairman

The Chairman thanked Members for their support and expressed that it is a great privilege to become Chairman of the Authority at a challenging time and with a developing and improving organisation. He will be committed to involve Members in decisions and would ensure they are fully updated throughout his term as Chairman.

The Chairman welcomed three new Members, Mr J Hart, Mr P Lamshead and Mr M Clayton who have also joined the Authority following the June local elections.

Mr Bull thanked John Smith for his sterling work as Chairman during the past two years, for his service to the Authority over a much longer period, and for leading an Authority which is buoyant and building towards a police service that the people of our region can be confident will protect them. He also thanked Members who have recently left the Authority after local elections, Mr J Rowe and Mr G Hicks, for their contribution to the Authority.

The Chairman also welcomed Becki Brodest who will be joining the Police Authority staff.

The Chief Constable welcomed Mr Bull into his new position. The Chief Constable added that Mr Bull has a vast amount of experience as a member of the Authority and he is sure Mr Bull will continue to build on what is already a strong relationship with the Constabulary.

The Chief Constable informed members that he had been unsuccessful in his recent process for the post of Deputy Commissioner of the Metropolitan Police Service.

P/2338 Appointment of Vice-Chairman

RESOLVED that Mr Bryan Preston be elected Vice-Chairman.

The Vice-Chairman gave a brief speech to Members informing them that he would be committed to his new role.

P/2339 Apologies for Absence

Apologies for absence were received from Mr P Lamshead.

P/2340 Declarations of Interest

No declarations of interest were announced.

P/2341 Items Requiring Urgent Attention

The Chairman informed Members that any items requiring urgent attention would be taken under part 2 of the agenda.

The Chairman announced that the sequence of items on the agenda will need to be changed due to the Chief Constable and a Member of the Authority needing to leave the meeting early.

P/2342 Questions raised under Standing Order No. 6

No questions were raised under Standing Order No.6

P/2343 Minutes

Issues discussed during consideration of this item included:

- Amendment to minute number P/2329, bullet point 1

RESOLVED that the minutes of the meeting held on 24th April 2009 be confirmed as a correct record.

P/2344 Chief Constable's Report

This report provided a general update on policing issues since the last meeting of the Police Authority.

Issues discussed during consideration of this item included:

- Update on 2012 Procurement. The procurements for the replacement command and control system and the systems integrator (SI) including crime and intelligence, duty management and number of other items are underway.
- An overview of Operation Quest was given for the benefit of the new Members followed by an overall update.
- During the month of May the force hosted six senior police officers from the West African Nation of Liberia. The visit was part of a national leadership programme being delivered in conjunction with the National Police Improvement Agency (NPIA).
- Project Kraken has been launched through the provision of a central phone number, providing a way of reporting unusual activity or behaviour within the maritime environment which may be linked to acts of crime or preparatory acts of terrorism.
- An update on Restorative Justice
- Update on prisoners being held in custody with mental health issues – A significant piece of work was undertaken with our NHS partners to widen the availability of places of safety and from April 2009

Devon & Cornwall Constabulary officers have started to take these vulnerable people to more appropriate surroundings.

- In May the '999 Community Cadets' initiative was launched in Torbay. This is the first known joint venture of its kind in the UK, with both the Police and Fire Service working together to set up an emergency services cadet scheme.
- The Force was successful in bidding to the National Police Improvement Agency and has taken delivery of 325 Taser units. The roll out has had positive feedback from the public.
- An update was given on the Bodmin Operational Hub. The project is two months ahead of programme and within budget and practical completion is due in September on both buildings. The facility is now due to be fully operational in December 2009.
- Superintendent Andy Bickley will undertake the role of BCU Commander in Plymouth while Chief Superintendent Jim Webster focuses on a strategic piece of work for the Constabulary examining option for post 2012 service delivery

RESOLVED to note the reports.

P/2345 Performance Management Committee

The Chairman of the Performance Management Committee gave Members an update on the meeting held on 3rd June 2009.

Issues discussed during consideration of this item included:

- That there has been a rise in serious violent crime, however, violent crime has fallen overall
- User satisfaction over racist incidents was an area of concern. The trend had been consistently downwards over the last few months. A 12 point Action Plan had been produced which would be brought to the Performance Management Committee in September.
- The regional tender for forensic science analysis work has been completed. The target for 2008-2009 had been to save £200k by the new procurement arrangements. In fact a saving of £278k had been achieved. Of this sum, £70K was being reinvested in the service.
- That a paper was taken to the Committee showing ways in which the Police Authority could monitor the force against the Policing Pledge

RESOLVED that the update be noted.

P/2346 Performance Reports

This report presented by the Deputy Chief Constable summarised the performance activity of the Devon & Cornwall Constabulary to meet targets set by the Authority in its Annual Plan and used iQuanta to benchmark with most similar forces.

Issues discussed during consideration of this item included:

- Devon and Cornwall had the 3rd lowest level of crime in England and Wales last year
- User satisfaction (whole experience) has stabilised after 5 months of improvements. A percentage of +1.45% is needed to be in the top 10 forces in the country.
- The Constabulary are 25th nationally for the User satisfaction (racist incidents) target. An uplift of +2.4% would bring the Constabulary into the top 10 nationally. A group led by ACC Netherton has been set up to look at this area. An action plan has been created and will be shared at the next Performance Management Committee.
- Continued upturn in levels of satisfaction regarding anti social behaviour.
- That the user satisfaction (ease of contact) has had 5 successive months of above target performance. This topic will be discussed at the next Police Authority Seminar at the end of July.

- Explanation around the British Crime Survey (BCS) sweeps and the difference in percentage of user satisfaction when the same questions are asked by the Constabulary's survey unit. It was highlighted that this target is not only about confidence in the police but in the local council as well. The importance was urged for all partners to have the same level of understanding in the target and the need for partnership working to improve it.
- Serious acquisitive crime has continued to fall. It was explained that this target had been set in context and would be looked at again when target setting is revisited.
- An update on the serious violent crime target was given. It was explained that this was a complex area and that a change to the recording of data took place last April.
- Members noted that it was pleasing to see a continued decrease in road traffic collisions.

RESOLVED that the report be noted.

P/2347 Standards Board Return

The Standards Board for England has changed its ways of collecting information and for the first time has required Authorities to compile an electronic annual return. Before submission of the return the Members of the Standards Committee had the opportunity to comment upon the draft answers. A copy of the return submitted on behalf of Devon & Cornwall Police Authority was presented to Members.

RESOLVED that the content of the annual return to the Standards Board for England be noted.

P/2348 Membership of Committees, Working Groups, Task and Finish Groups and Lead Member Roles

The Chairman highlighted that an email had been sent to Members prior to the meeting outlining the way in which he would like to take this item forward. The Chairman added that Committee memberships would ideally need to remain the same until the new memberships had been agreed. A final list of memberships will be shown to all members.

RESOLVED that the Acting Chief Executive, in consultation with the Chairman, be granted delegated powers to agree the memberships of the Authority's Committees, Working Groups, Task and Finish Groups and Lead Member roles.

P/2349 Committee Minute Pack

The Chairman of the Resources Committee gave members a brief update on the meeting which took place on the 11th June highlighting any relevant points.

RESOLVED that the minutes from the Resources Committee be noted.

P/2350 Statement of Accounts for Year ending 31st March 2009

The Treasurer presented the financial results for the year ending in March 2009.

The Outturn Report showed a continuation of Devon and Cornwall's long record of excellent financial management with final spending for the year within 0.05% of the target. This report had been considered in detail by the Resources Committee who had approved the figures and thanked all those concerned.

It was also necessary for the Police Authority to consider the Statement of Accounts which is a formal document setting out spending figures in such a way as to comply with statutory requirements and accounting practice. The presentation differs from the Outturn Report largely in its treatment of capital and pensions. A sub group of the Corporate Governance Committee had met to consider the figures and the accounting treatment in some detail. Many questions had been posed and answered.

Issues discussed during consideration of this item included:

- police pensions and the growing national problem of public sector pensions
- savings arising from collaboration on forensics
- council tax
- the closeness of the financial result in what had been a challenging year
- the need to amend certain gross figures but not the net figures because of the treatment of an element income.

RESOLVED

- i. that the Statement of Accounts, including the Annual Governance Statement, and the prudential indicators for the year ending 31st March 2009 be approved;
- ii. and authority be delegated to the Treasurer, in consultation with the Chair of the Authority and the Chair of the Resources Committee, to make any minor amendments to the Statement of Accounts to ensure compliance with Audit Commission guidance and to correct the treatment of an element of income as reported at the meeting.

P/2351 Authority Meeting Dates

A report was presented to Members to note the remaining Police Authority and Seminar dates in 2009 and recommended the dates for Police Authority meetings in 2010 and the first meeting in 2011.

RESOLVED

- i. that the dates for the Authority meetings during the remainder of 2009 and the first meeting in 2010 be noted.
- ii. that the dates for the Authority meetings during 2010 and the beginning of 2011 be approved.

P/2352 Members' Complaints Procedure

Members were presented with a draft Members Complaints Procedure. The procedure was considered at the last Corporate Governance Committee where it was recommended for adoption.

RESOLVED that the Members' Complaints Procedure be approved.

P/2353 Police Authority Treasurer

At the last Chairs' Committee, the Treasurer announced that he would retire from the Authority in October 2009. The Acting Chief Executive presented a report proposing a process for identifying and recruiting a Police Authority Treasurer.

Issues discussed during consideration of this item included:

- That Members should be updated throughout the process
- Objections to the use of an external consultancy running the process
- The possibility of using a service which is offered by the NPIA

RESOLVED

- i. That an Appointment Panel is formed to recruit a new Police Authority Treasurer.
- ii. That the Panel consist of three Members of the Chairs' Committee supported by an Independent Assessor selected by the Panel, the Police Authority's HR Advisor and the current Treasurer.
- iii. That the three Police Authority Members of the Appointment Panel have delegated authority to oversee the recruitment process of the Treasurer and establish the terms and conditions, role requirements, responsibilities and remuneration package of the post.

P/2354 Committee Minute Pack

This pack provided minutes of the Committee Meetings that have taken place since the last meeting of the Authority on 24th April 2009.

Issues discussed during consideration of this item included:

- That work will be carried out around Strategic Partnerships Audit
- That the Job and Grading exercise is moving in the right direction

RESOLVED that the minute pack be noted.

P/2355 Consideration to Exclude the Press and Public

RESOLVED that the items detailed in the table below be considered as closed.

| Agenda item No | Minute No | Report Title | Relevant Act | Relevant section |
|-----------------------|------------------|------------------------------------|--|--|
| 18 | P/2356 | New Police Authority Members | Local Government Act 1972 as amended by then Local Government (access to information Act 1985) | Schedule 12A, Paragraph 1. Information relating to any individual. |
| 19 | P/2357 | Senior Officer Succession Planning | Local Government Act 1972 as amended by then Local Government (access to information Act 1985) | Schedule 12A, Paragraph 1. Information relating to any individual. |

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|----|--------|-------------------------------|---|--|
| 20 | P/2358 | Forfeiture of Police Pensions | Local Government Act 1972 as amended by the Local Government (access to information Act 1985) | Schedule 12A, Paragraph 4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority. |
|----|--------|-------------------------------|---|--|

P/2356 New Police Authority Members

Members were presented with a report recommending the appointment of two new Independent Members subject to receipt of satisfactory references and security clearance. The Chairman gave Members the option for both of the new Members to start their positions in mid October or for one new Member to fill the current position with immediate effect.

Issues discussed during consideration of this item included:

- Dates for the Independent Members to begin their roles

RESOLVED

- i. Mr David Percival and Lady Jan Stanhope be appointed as independent members of the Police Authority subject to receipt of satisfactory references and security clearance.
- ii. That Lady Jan Stanhope takes her role as an Independent Member with immediate effect and Mr David Percival from 14th October 2009.

P/2357 Senior Officer Succession Planning

This item was withdrawn due to the Chief Constable's announcement at the beginning of the meeting.

P/2358 Forfeiture of Police Pensions

This item was withdrawn from the agenda. Further consultation around this item is currently underway.

The meeting closed at 12:00hrs

NB The following minute was added as a result of the meeting held on 18.09.2009 minute reference P/2363

| Minute No | Report Title | Relevant Act | Relevant section |
|-----------|-----------------|---|--|
| P/2359 | Chief Executive | Local Government Act 1972 as amended by the Local Government (access to information Act 1985) | Schedule 12A, Paragraph 1. Information relating to any individual. |

P/2359 Chief Executive

The Chairman reported on the position relating to the employment of the Chief Executive of the Authority. He had been briefed very recently by his predecessor on the progress of the complaint investigation which had been commissioned on behalf of the Authority. Members were briefed fully about the current situation,

the position in respect of his contract of employment and the possibilities around his continued employment.

It was agreed in discussion that irrespective of the outcome of the current investigation it would be most difficult for the future if Mr Graham Davey were to return to the Authority due to consequential breakdown in relationships.

Accordingly the Chairman was authorised to act on behalf of the Authority and through external legal representation in negotiating a termination of his contract of employment on the basis of all the information given to Members at the meeting. Accordingly, it was

RESOLVED That the Chairman be requested and authorised to seek a termination of Mr Davey's contract of employment through negotiation by and an appropriate external legal representative and in accordance with the information provided for the Authority at this meeting.

The meeting closed at 12.50 hours