

DEVON AND CORNWALL POLICE AUTHORITY

MINUTES of a meeting of the **Devon and Cornwall Police Authority** held at Police Headquarters, Middlemoor, Exeter on **Friday 17th September 2010 commencing at 10:00hrs.**

Present:

Chairman..... Mr M Bull

Vice-Chairman..... Mr B Preston

Mr M Clayton, Sir S Day, Mrs L Dunn, Mr B Greenslade, Mr M Hicks, Mrs J Zito, Mr D Percival, Mr D Money, Ms J Norton, Mrs J Owen, Mrs L Price, Mr M Hodge, Mrs L Williams and Mr J Hart

Independent Members of Standards Committee: Mrs A Mayes

Officers in Attendance

Police Authority:

Ms S Howl (Chief Executive) Mr D Walton (Treasurer) Ms J Norris (Assistant Chief Executive) and Mrs N Martin (Personal Assistant to the Chief Executive)

Police Force:

Mr S Sawyer (Deputy Chief Constable), Mr P Netherton (Assistant Chief Constable) Mr M Stamp (Director of Legal Services) and Mrs S Goscomb (Director of Finance and Resources).

P/2442 Apologies for Absence

Apologies for absence were received from Lady J Stanhope, Mr M Harvey and Sir S Day

P/2443 Declarations of Interest

Name	Agenda Item	Minute ref	Interest	Details	Action taken
Mike Bull	14		Personal	Indemnity Policy	Spoke and Voted.
Bryan Preston	14		Personal	Indemnity Policy	

P/2444 Items Requiring Urgent Attention

There were no items requiring urgent attention.

P/2445 Chairman's Announcements

The Chairman explained to Members that item 10 (Constitution) will be moved to the end of the agenda.

Members were informed that a revised version of the Devon and Cornwall Police Authority's response to the Governments 'Policing in the 21st Century: Reconnecting police and the people' consultation paper had been compiled and given to Members at the beginning of the meeting for consideration.

P/2446 Questions raised under Standing Order No. 6

No questions were raised under Standing Order No. 6

P/2447 Minutes

Subject to minor alterations, the minutes were agreed as a correct record.

Members were updated on the Regional Joint Standards Committee and it was anticipated that a paper will be brought to the next Authority meeting in December with a further update for Members.

RESOLVED that the minutes, subject to alterations, of the 25th June 2010 be confirmed as a correct record.

P/2448 Performance Reports

The Chair of the Performance Management Committee gave a brief update on the key issues arising at the recent meeting and referred Members' to the last set of minutes for further detail.

The Deputy Chief Constable presented a report summarising the performance activity of the Constabulary to meet its targets set by the Authority in its Annual Plan and this was considered. iQuanta data was used to benchmark with most similar police forces. Members asked some robust and challenging questions around public confidence and other performance targets.

Issues discussed during consideration of this item included:

- That the Protective Services Working Group had given a presentation at the last Performance Management Committee. It is being proposed that Protective Services becomes a Committee in its own right to give this area of work more status
- That the Performance Analysis Working Group met on 26 August 2010 to discuss the changing national context and any implications this may have on the targets set for the Constabulary for 2010/11. The deliberations and conclusions the Working Group reached were reported to and endorsed by both the Chairs Committee on 3 September and the Performance Management Committee on 8 September. The Performance Management Committee therefore submitted a report with recommendations to this full Police Authority Meeting for consideration.
- That the Force will still be working closely with local councils and partners even though the government has abolished the single confidence target with immediate effect
- The question was raised about the balance between the two methods for recording Offences Brought to Justice and sanction detections and the need to maintain and focus on both of these areas.
- A Member queried if Devon and Cornwall Special Constabulary were included within the numbers for the 2010/11 workforce. The Deputy Chief Constable confirmed that they currently were not included however, this has been suggested for the future.
- It was highlighted that this is the first year that workforce targets have been set and it was made clear to Members that these are aspirational targets and there will be pragmatic reasons why these targets may not be able to be met in year one.
- That there has been an uplift of serious road traffic accidents, it was highlighted that this may be due to the recent changes to the Safety Camera Partnership Unit. The Deputy Chief Constable reassured Members that this was still a key priority for the Force. Members felt very strongly about the increase and it was suggested that this data be shown to partners and MPs to show the impact that the loss of finance and resources are having in this area.

RESOLVED

- i. to note the performance reports.
- ii. That the current public confidence target '*To exceed a 61.2% level of people who when asked agree that 'the police and local council are dealing with anti-social behaviour and crime that matter in this area'*' be replaced with "*To exceed 63.1% of people who think the police in their local area are doing a good or excellent job*" for the remainder of 2010/11.
- iii. That the target-setting arrangements for 2011/2012 follow the approach

adopted in previous years, namely a working group lead by a Member of the Authority. To commence initial discussions shortly after September 2010.

P/2449 Chief Constable's Report

The Chief Constable's update report to the Police Authority was sent to Members 24 hours prior to the meeting. This report focuses on major relevant strategic issues. A verbal update from the head of Corporate Communications was also given to Members.

Issues discussed during consideration of this item included:

- An update on the Job Evaluation Road Shows. The Deputy Chief Constable informed Members that the road shows had been very well supported and the positivity from staff has been impressive. Appreciation was expressed to Members who had attended as observers or speakers at the road shows.
- A recruitment moratorium for police officers was introduced after the July intake and it is likely to be the last intake until at least April 2012. Internal candidates, including existing members of the Special Constabulary, have been contacted to inform them of the situation, and formal letters confirming the details have been sent to both internal and external applicants. Recruitment of PCSOs has also been paused; much of the cost of PCSOs is provided by specific central grant, which presently expires in March 2011. All other police staff recruitment will be closely controlled, with only limited recruitment for critical and specialist posts taking place. It was highlighted that the Force is committed to doing everything it can to maintain the neighbourhood policing mix of Constables and PCSOs, providing a visible and accessible presence in every neighbourhood in the force area.
- The Chairman highlighted how the importance of PCSO's is appreciated within the Police Authority
- An update on the Safety Camera Partnership. Members expressed great regret in the cut of the grants for the partnership. The need for more partnership working was highlighted to try and achieve the best value out of shrinking resources
- That Chief Superintendent Elaine Marshall, commander of Cornwall BCU, has decided to retire, after 30 years of service. Chief Superintendent Chris Boarland will replace her as the interim Commander whilst we continue to develop the Blueprint work, and establish the future shape of the organisation. Members expressed their gratitude to Elaine and wished her well for the future.
- Feedback on the summer communication campaigns. A number of the World Cup posters were also used by other Forces. Members were also briefed on upcoming campaigns such as Halloween and Bonfire Night.
- The possibility of a joint drink and driving campaign with local newspapers

RESOLVED to note the report.

P/2450 Annual Governance Report by the Audit Commission and Statement of Account for Year Ending 31st March 2010

The Treasurer presented his report to Members highlighting crucial points within. The Treasurer informed Members that it was a clean audit report which adequately covered value for money.

- That the report had been to the Corporate Governance Committee who were very happy to recommend it to the Authority.

RESOLVED

- i. That the Annual Governance Report be welcomed
- ii. The letter of representation be agreed to enable the auditors to issue their opinion, conclusion and certificate
- iii. The Statement of Accounts as amended to include post balance sheet events and to correct the errors identified during the audit be authorised for issue.

P/2451 Regional Collaboration Update

The Chief Executive had written an update report for Members on the Regional Collaboration Project. This report had been sent and read by Members prior to the meeting.

RESOLVED

- i. That the Police Authority notes the update.
- ii. That the Police Authority delegates authority to the Chairman, in consultation with the Chief Executive and Treasurer, to approve the Operation Zephyr Section 23 Agreement subject to satisfactory legal assurance.

P/2452 Devon and Cornwall Police Authority's Response to Government Consultation on "Policing in the 21st century: Reconnecting police and the people"

Members were given a revised copy of the Authority's response to the Government's consultation paper. The revised copy was a strengthened paper which had been produced following discussions at the last Association of Police Authorities Board Meeting. Also tabled at the meeting was a 'motion' which had been written by Brian Greenslade.

A lengthy and valuable debate took place around the table giving Members the opportunity to put forward their views and contributions.

Issues discussed during consideration of this item included:

- The intention of the motion which had been drafted by Councillor Greenslade
- The remuneration cost for a Commissioner which is estimated at £125,000. It was highlighted that this amount does not include a support team for the individual and the funds would be allocated from the overall Policing budget.
- Concerns of how one individual would have the capacity to represent the communities across Devon and Cornwall and the Isles of Scilly adequately
- That a covering letter from the Chairman with detailed key points will be submitted with the report to the Home Office.
- The current profile of the Police Authority and its current visibility to the public
- The current position of ACPO
- A number of Members expressed concerns regarding the motion and felt that they were not in a position to support it per se
- That the Government has broken its own code of conduct by not giving Organisations enough time to respond to the consultation paper

RESOLVED

- i. The Devon & Cornwall Police Authority supports good and improving governance arrangements for policing as part of the tripartite system.

- ii. **Devon & Cornwall Police Authority believes Government has failed to evidence how their proposals to change Police Governance arrangements will improve delivery of the Police Service the public wishes to see.**
- iii. **Devon & Cornwall Police Authority especially believes the Government's proposals for directly elected Commissioners and Crime Panels will be more costly than the existing Police Authorities and this will cut the number of Police Officers / PCSOs that can be employed.**
- iv. **Accordingly Devon & Cornwall Police Authority urges Government to withdraw its proposals for changing the governance of policing and enter into a meaningful dialogue with Police Authorities and the Police Service about how the Government's ambitions for policing can be delivered by building on the existing structures within the tripartite system.**

(NB the following Members abstained John Hart, Mike Clayton, David Percival, Martyn Hodge and Vivien Pengelly with no opposers)

The Chairman then asked for a separate vote on the submission of the Authority's response to the consultation paper.

RESOLVED

- i. **that the Devon and Cornwall Police Authority's Response to Government Consultation on "Policing in the 21st century: Reconnecting police and the people be approved subject to delegated authority being given to the Chairman to make any minor amendments or adjustments to the response following any further comments from Police Authority Members**

P/2453 Devon and Cornwall Police Authority Single Equality Scheme

The draft Single Equality Scheme and action plan had been developed following work by the Diversity and Equality Working Group and the wider Authority Membership in early 2010. A three-month period of public consultation has now come to an end and the Diversity and Equality Working Group received a report at their last meeting (18 August 2010) detailing the outcomes of the public consultation and making recommendations for amendment to the Scheme and the supporting action plan. The recommendations were accepted, with some minor amendments, and the Group now presents the Scheme to the full Police Authority for approval.

Issues discussed during consideration of this item included:

- Alterations needed to the percentages on page 36 of the document
- The importance of the scheme to be a living document to ensure it is kept up to date

RESOLVED

- i. **that subject to corrections The Authority accepts the final version of the Single Equality Scheme with the supporting action plan and commits to delivering a high level of service in relation to equality and diversity.**
- ii. **That delegated authority be given to the Chief Executive, in consultation with the Chairman, to make any minor amendments.**

P/2454 Indemnity Policy

The Authority's policy regarding indemnity has been reviewed in order to make sure that appropriate cover can be provided to Members working within the regional collaboration framework and also to the various independent members appointed by the Authority to serve on the Standards Committee and on misconduct panels. The report and policy were considered by the Corporate Governance Committee on 14 September 2010 and their recommendations were tabled at the meeting.

Issues discussed during consideration of this item included:

- That a great deal of work has gone into the policy
- That a few changes were made at the Corporate Governance Committee on the 14th September

RESOLVED That subject to minor amendments the Indemnity Policy be approved and adopted with immediate effects.

P/2455 Independent Custody Visiting Report

A report summarising the output from independent custody visiting for the period 1st January to 30th June 2010 was circulated to Members prior to the meeting.

Issues discussed during consideration of this item included:

- The importance, as an Authority, to see that this duty is being carried out
- That Independent Custody Visitors (ICV's) report the same issues time after time and the question was raised as to why the Authority is still reading about the same issues? Why have they not been dealt with by the Force
- That the Force need to dedicate some resource to look into the issues raised and provide the Authority with an update report
- The need to discuss outside the meeting times of when access has not been granted for ICV's to enter custody suites

RESOLVED that the Authority notes the content of the report.

P/2456 Committee Minute Pack

Members received the Committee Minute Pack prior to the meeting. The pack provides minutes of the Committee meetings that have taken place since the last meeting of the Authority.

RESOLVED that the minute pack was noted.

P/2457 Police Authority Annual Report

A covering report was sent to Members along with this item asking that the Authority approve the Devon and Cornwall Police Authority Annual Report for 2009/10.

Issues discussed during consideration of this item included:

- A number of typos and grammatical errors
- Suggestion that all Members should have their photos in the report

RESOLVED that the Police Authority approves the Devon and Cornwall Police Authority Annual Report for 2009/10 subject to minor amendments.

P/2458 Job Evaluation Governance Arrangements

This report recommended the Police Authority's governance arrangements for the Job Evaluation project.

Issues discussed during consideration of this item included:

- A brief update and the background information to the Job Evaluation exercise
- That the document had been to the Chairs Committee in May where some suggested amendments were made

RESOLVED

- i. That the current progress of the Job Evaluation and Grading Review be noted.**
- ii. The governance arrangements for the Police Authority are approved.**
- iii. The governance arrangements for the Constabulary are noted.**

P/2459 Constitution

Working Groups (1 relating to committee structure and 1 to the other areas of the Constitution) have been considering what changes are required to ensure the continued effectiveness of the Authority. A revised draft Constitution and revised draft committee terms of reference were presented to the Corporate Governance Committee for consideration on 14 September 2010 and their recommendations were tabled at this meeting.

Members went through the Authority's Constitution page by page highlighting any changes or queries.

Issues discussed during consideration of this item included:

- A discussion around whether or not 'disposal of assets' should be included within Article 5, decision making of the Constitution. It was agreed for the Treasurer to check whether this item is already addressed within the financial regulations
- The Chair of the Committee Structure Working Group explained the new Committee Structure to Members and the thinking behind the group when looking and producing the new structure
- Comments were read out by the Chairman from the current Chair of the Protective Services Working Group, who was unable to attend the meeting, around the proposition of the new Protective Services Committee and how he would like to see a 'sub group' of the committee which would comprise of 4 Members
- That the Force welcome the proposed Protective Services Committee and the need for increased scrutiny in this area
- Concerns were raised that the wider Authority Members had not had the chance to debate the new structure and proposed changes
- Appreciation was expressed to the Chair of the Working Group, the Chief Executive and Assistant Chief Executive for their input and hard work
- That the Constitution is a living document
- That a review will take place on the new Committee Structure in two meeting cycles time
- That the number of Members to sit on the Professional Standards and Complaints Monitoring Committee should be increased to 7 Members

- That a paragraph will be added to the beginning of the Constitution highlighting the role of the Police Authority.

RESOLVED

- i. That, subject to the suggestions given in 3 - 7 of this update report being considered by the Authority, the Constitution (articles) and the Terms of Reference and Delegated Powers be approved**
- ii. that the new Constitution (Articles) is effective from 11 December 2010 and the new committee structure and the revised terms of reference and delegated powers are implemented with effect from the same date.**