

Devon and Cornwall Police Authority

Minutes

A meeting of **Devon and Cornwall Police Authority** was held on Friday, 2 September 2011 at Police Headquarters, Middlemoor, Exeter starting at 10:00 hrs.

Present:

Chairman: Mr M Bull

Members: Sir Simon Day, Mrs L Dunn, Mr B Greenslade, Mr M Hicks, Mr D Money, Ms J Norton, Mrs J Owen, Mrs V Pengelly, Mr D Percival, Mr B Preston, Mrs L Price, Lady J Stanhope, Mrs L Williams.

Independent Members of Standards Committee: Mr M Harvey.

Officers in Attendance:

Police Authority:

Ms S Howl (Chief Executive), Miss J Norris (Assistant Chief Executive), Mr D Walton (Treasurer), Ms J Hall-Williams (HR Advisor), Mr D Eaton (Meetings Administrator).

Police Force:

Chief Constable, Mr S Otter, Ms D Simpson (Assistant Chief Constable), Mrs S Goscomb (Director of Finance and Resources)

32. Apologies for Absence

Apologies for absence were received from Mr M Clayton, Mr J Hart, Mr C Haselden, Mr W Maddern, Mrs A Mayes, Mr G Oliver, Deputy Chief Constable Mr S Sawyer.

33. Declarations of Interests

There were no declarations of interest.

34. Items Requiring Urgent attention

The Chairman informed Members that there were no items requiring urgent attention:

35. Chairman's Announcements

- The Chairman informed Members that Mrs J Zito had resigned from the Police Authority with effect from 1 September 2011, and that he would write to Mrs Zito expressing the appreciation of the Authority for her contribution and commitment. Members were advised that, given the uncertainty surrounding the future of the Police Authority, the vacancy created by Mrs Zito's resignation would be held open for the time being.
- The Chairman informed Members that he and the Chief Executive had met the Leader and Chief Executive of Cornwall County Council earlier in the week.
- Members were advised that it was intended to hold a meeting of the Police Authority in Truro as soon as practicable during the later part of the current financial year.
- The Chairman provided an update to the Authority on progress in relation to the Police Reform and Social Responsibility Bill. Mr B Greenslade was thanked for his contribution to the campaign against the Bill. The Chairman informed Members that he intended to write further to Devon and Cornwall MPs in relation to this matter.
- The Chairman informed Members that this was the last meeting of the Authority to be attended by ACC D Simpson before taking up her position as Deputy Chief Constable

of the Dorset Force. The Chairman expressed the thanks of the Authority to ACC Simpson for her contribution to the work of Devon and Cornwall Police Service which was fully endorsed by the Members of the Authority.

36. Questions from Members raised under Standing Order No.6

No questions were raised under Standing Order No.6

37. Public Questions

No questions from members of the public had been submitted under the terms laid down in Article 3 of the Authority's Constitution.

Minutes

Members were informed that the minutes had been amended to reflect Mrs L Dunn's absence from the meeting, for which apologies had been submitted.

RESOLVED to accept the minutes, as amended, as a correct record of the meeting of 24 June 2011.

Issues discussed during consideration of the minutes included:

- In relation to Minute 30 the Chair of the Protective Services Committee (PSC) informed Members that a presentation on Road Traffic Accidents would be made to the next meeting of the PSC on 20 September 2011, and that all Members were invited to attend. The Chairman requested that this invitation to attend the presentation should be included in the next Members Newsletter.

38. Performance Report

In introducing the report the Chief Constable highlighted key aspects of the report, including:

- That in relation to Confidence and Satisfaction, Devon and Cornwall Police continued to be ranked in second place nationally.
- The latest British Crime Survey (BCS) data placed Devon and Cornwall Police in the top ten nationally in nine of the eleven categories, and in the top five for most. The Chief Constable drew attention to key aspects of the BCS data, including:
 - In relation to 2.2 (dealing with local concerns), a real improvement had been achieved.
 - In relation to 2.1 (seeking people's views) there had been less improvement.
 - In relation 2.3 (public confidence), Devon and Cornwall had achieved top five status in each of the seven diagnostic areas, including being first in two.
- The Chairman and Vice Chairman welcomed the Force's success in achieving such high rankings. Members emphasised that the achievements highlighted in the BCS were even more impressive given the impact of the prevailing financial climate during the period concerned.
- The importance of Safety Partnerships in relation to 2.1 was emphasised.
- Issues discussed during consideration of the data for Visibility included:
 - The continuing upward trend despite the reduction in officer numbers.
 - The difference between, for example, Plymouth and the more rural areas, which highlighted the need to develop strategies to effect improvements in all areas over the next five years.
 - The importance of raising the standard of all work to match the many examples of excellence already in place.

- Issues discussed during consideration of the data for User Satisfaction included:
 - The slight decline in the trend data was being addressed and may be related to the impact of the May changes.
 - The Chief Constable emphasised that the data should be set against the overwhelmingly positive approach evident throughout the Force during the change period, whilst accepting the need for action where necessary. Attention was drawn to the impact of national factors in relation to pay and conditions, and pensions.
 - Members highlighted the value of the contribution of PCSOs and the importance of retaining existing numbers, notwithstanding the possible ending of ringfencing in relation to the funding of PCSOs from 2012.
 - Attention was drawn to the importance of officers and PCSOs being made aware of the high expectations attached to their role in relation to User Satisfaction.
- Issues discussed during consideration of the data for Total Crime included:
 - Attention was drawn to the impact of seasonal variations in relation to the Total Crime data.
 - Concern was expressed in relation to the recording of crime as a result of the Blueprint changes, and members were assured that this would be discussed during the Chairman's meeting with the Chief Constable on 5 September.
- Attention was drawn to the reversal of the previously rising trend in the data relating to Violence with Injury.
- Members were advised that the data relating to Positive Outcomes was an area of concern, and may be linked to the impact of the Change Programme.
- Members were provided with additional data in relation to Road Traffic Accidents. Attention was drawn to the data provided over a ten year period which highlighted the long term decline in numbers for serious injury despite the shorter term rise. Members were assured that data which would differentiate between motor cycle and car related injuries would be provided in future.
- Members welcomed the overall improvement in the data provided by the British Crime Survey. The Chairman assured Members that the appreciation of the Authority at the efforts of the Force would be forwarded to all officers and employees.
- Prompted by the BME victim satisfaction data, Members were alerted to the view of a recent Force Race Strand Independent Advisory Group, that the standard reporting measure did not necessarily reflect the feelings of the wider communities in question. The Force was asked to look into developing other ways of finding the views of BME communities.

39. Chief Constable's Report

The Chief Constable drew attention to key points in the report:

Operation Kirton

- The main areas of focus had been contingency planning, public reassurance and the provision of mutual aid.
- The operation had resulted in resource issues for the Force, but there had been very positive feedback, particularly in relation to the professionalism of the Force and the positive approach demonstrated in engagement with communities.
- The Force had received a letter of thanks from the Metropolitan Police Authority thanking the Force for its contribution.
- The Chief Constable expressed his appreciation for the work of the Special Constabulary during the operation.

- Members were assured that the Force were seeking to ensure that appropriate steps would be taken to take note of, and act upon, any lessons which had been learned.

Professional Standards

- The Force had seen a month on month reduction in the volume of complaints for incivility over a twelve month period.
- Attention was drawn by a Member to the quality of the work of the Professional Standards Department, including the very high standard of recording which had been observed by Members during a recent case study visit.

Administration Review

- The attention of members was drawn to the contents of the report.

Operation Brampton 2

- Members were informed of the complicated policing challenges presented by the English Defence League and Unite Against Fascism (UAF) marches being held on the same day as the All Nations Ministry event in Plymouth.
- The day had passed peacefully with only six arrests, and considerable praise had been received from Plymouth City Centre Retail Forum, protestors, the UAF and officers from other forces, amongst others, as to how well the operation had been handled.

Police Bail

- Members were informed of recent developments in relation to the application of time limits in respect of detention warrants, with an MP led review of excessive periods of bail to be conducted.

Blueprint Update

- The attention of members was drawn to the outcome of the six week Post Implementation Review (PIR). Members were assured that the Force had adopted a self critical approach in conducting the review.

Royal Humane Society

- Members were informed of the award of the Royal Humane Society Gallantry medal to PC Rob Condy-Young for an act of great bravery in rescuing a seriously injured female from a burning car in Shaldon in 2009. The Chairman would write to congratulate him on behalf of the Authority.

40. Implementation of the “101” Single Non-Emergency Contact Number

Members were informed that the new “101” number would go live on 5 September 2011.

Issues raised during consideration of this item included:

- Clarification was provided in relation to calls directed towards the old number.
- Members were assured that there would be a well publicised launch of the new number during the period 5-19 September 2011.
- Members were assured that a letter would be circulated to stakeholders outlining the arrangements for the new number.

RESOLVED to note the report.

41. Constitution Review

The Chairman informed the Authority that in relation to point (vi) in the recommendations the responsibility for the Authority’s People Management Arrangements would remain with the Human Resources Committee.

Issues raised during consideration of point 12 in the report (the minute pack) included:

- Discussion of the merits of continuing to produce and distribute the minute pack.
- Concern at the resources required to produce the minute pack.

- The Chairman suggested that this matter should be referred to the Chief Executive for a final decision, bearing in mind points raised during the discussion.

RESOLVED to approve the recommendations as outlined below:

- i) **to approve the revised Scheme of Delegations to Individuals as appended to the Minutes**
- ii) **to approve the following changes to the Committee Terms of Reference and Delegated Powers :**
 - a) *an addition to the Terms of Reference for the Professional Standards and Complaints Monitoring Committee in the “Complaints about the Police Service” section “To oversee and monitor the arrangements for the consideration of forfeiture of pensions”*
 - b) *an addition to the “special notes” on the Terms of Reference for the Human Resources Committee “that where Members are required to participate in any way (including as observers) for Misconduct Panels, Police Staff Disciplinary Appeals or any panel making a decision regarding forfeiture of pensions the Members will be selected wherever possible from those that have received appropriate training and if possible who are also Members of the Human Resources Committee” .*
 - c) *an addition to the “special notes” on the Terms of Reference for the Professional Standards and Complaints Monitoring Committee “that Members cannot participate in any way (including as observers) for Police Appeal Tribunals, Misconduct Panels, Police Staff Disciplinary Appeals or any panel making a decision in forfeiture of pensions as this could be perceived as a conflict of interest with their committee membership.”*
 - d) *Amend the Purpose / Scope of the Professional Standards and Complaints Monitoring Committee to read “To provide oversight and scrutiny of the professional standards arrangements operated by the Constabulary and the arrangements for handling the complaints and freedom of information requests received by the Authority.*
 - e) *The terms of reference for the Strategic Planning and Co-ordination Committee to include “The delegation and / or co-ordination of any specific topic or specific piece of work to an established committee, network or working group, or if more appropriate to set up a project board (with terms of reference approved by SPCC), where the topic is not already covered by the Committee Terms of Reference. All decisions made under this delegated power to be reported to the next meeting of the full Authority for information and the Committee Terms of Reference or other Constitutional documents amended accordingly”*
- iii) **to delegate approval of the Annual Governance Statement and the Statement of Accounts to the Corporate Governance Committee and Article 5.3.1 of the Constitution and the Authority and that the Corporate Governance Committee Terms of Reference are amended accordingly.**
- iv) **to approve the renaming of Standing Orders as Procedure Rules.**
- v) **to approve the incorporation of the urgency procedure (as detailed in Appendix 2) into the Procedure Rules.**
- vi) **HR Committee that the oversight of the Authority’s People Management**

Arrangements should remain within the remit of the Human resources Committee Authority.

- vii) **Minute Pack.** To delegate to the Chief Executive the authority to make a final decision on the Minute Pack, taking into account issues raised during consideration of this matter at the Police Authority meeting.

42. Regional Collaboration

- RESOLVED**
- i) to note the update on progress in developing a Regional Collaboration Strategy.
 - ii) to note the update from the SWPAJC meeting on 18 July 2011.

43. Redundancy Appeals Process

Issues raised during consideration of this item included:

- Concerns were raised during discussion of the second bullet point of paragraph 6, specifically in relation to whether it should be included.
- Concern was raised during discussion of paragraph 7 in relation to whether this paragraph should be included.
- Members discussed the status of the document prior to its presentation to the Authority, specifically in relation to its role in current staff reviews.
- The Chairman drew attention to the desirability of seeking the views of the Director of Legal Services prior to approval of the recommendations.

- RESOLVED**
- i) to delete Paragraph 6, bullet point 2 from the process set out in the report.
 - ii) to delegate to the Chair of the Authority and the Chair of the Human Resources Committee the authority to approve the interim process for determining redundancy appeals, as set out in the report, having given consideration to the views of the Director of Legal Services.

44. Minute Pack

- RESOLVED** to approve the minute pack

45. Consideration to Exclude the Press and Public

- RESOLVED** that the press and public be excluded from the meeting for the following items.

Agenda Item No	Minute No.	Report Title	Relevant Act	Relevant Section
16	46	National Air Support Strategy	Local Government Act 1972 as amended by the Local Government (access to information) Act 1985	Schedule 12A, paragraph 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).

46. Formation of a National Police Air Service

Mr Brian Greenslade declared a prejudicial interest in this item and left the meeting during the discussion.

The Chairman outlined the background to the proposals in relation to this item. Issues raised during consideration of this item included:

- Concern was expressed at the reduced cost savings outlined in the report compared to the original proposal.
- Clarification was provided in relation to the deployment of helicopters as outlined in the proposal.
- Members were advised that it was anticipated that Devon and Cornwall would benefit from the availability of additional helicopters, although there could be no guarantee of operational availability at all times, which reflected the current situation as a result of the need for servicing of the helicopter as required.
- Members were assured that the proposal was for a decision in principle, and that no commitment would be entered into until a satisfactory outcome had been achieved during the negotiations on the detail of the new service.

RESOLVED to approve in principle the recommendation that Devon and Cornwall Police Authority join the National Police Air Service, subject to a satisfactory outcome to the ensuing detailed negotiations.

The meeting closed at 12.00hrs.