

Devon and Cornwall Police Authority

MINUTES

A meeting of the **Corporate Governance Committee** was held on Friday 5 May 2011 in the Conference Room, Devon and Cornwall Police Authority, Endeavour House, Woodwater Park, Exeter, starting at 10:00hrs.

Present:

Chairman Ms J Norton

Vice Chairman Ms L Dunn

Members: Mr J Hart, Mr D Percival, Mrs J Zito. Mrs L Williams, as Chair of the Local Policing and Confidence Committee, attended for Agenda item No 13 (Assurance Report from Local Policing and Confidence Committee).

Officers in attendance:

Police Authority

Miss J Norris (Assistant Chief Executive), Mr D Walton (Treasurer), Mr E Wardle (Head of Internal Audit), Mr R Martin (Strategic Planning Officer) attended for Agenda Item No 5, Mr D Eaton (Committee and Meeting Services Officer).

Constabulary:

Mr T Burton (Force Organisational Learning and Risk Manager).

Audit Commission:

Mr M Bartlett (Audit Manager).

Please note that the minutes reflect the order in which items were taken at the meeting.

34. Apologies for Absence

An apology for absence was received from Lady Stanhope.

35. Declarations of Interest

No declarations of interest were made in respect of any item on the agenda.

36. Chair's Announcements

- The Chair announced the changes to the Agenda order to facilitate the late arrival of the Chief Executive who had another meeting to attend prior to this Committee.
- The Chair drew attention to the briefing sheet, "Consultation Paper on the Future of Public Audit", which had been distributed to members since the meeting agenda was published.
- The Chair referred to the Risk Register and the Risk Register Review meeting which had taken place. The new Corporate Governance Risk Register was to be compiled from the individual committee risk registers and would be presented to the committee at a future meeting.
- The item which had been scheduled on the Committee's forward plan regarding the Role of the 151 Officer had been deferred due to the length of the Agenda.

37. Minutes and actions from the last meeting

- In relation to Item 23 it was pointed out that there had been correspondence between a Member and the Devon BCU Commander to ascertain the Force's view as to the likely successor to the Childrens' Trusts. It was understood that the force and local authorities were working towards a peninsula wide approach which would bring some alignment in the approach of the four authorities. The Chairman

reported that this issue had been raised with the Chairman of Protective Services and that a briefing sheet would be distributed when further information was available.

- The wording of Minute 31 (bullet point 6) was amended to read, "Committee would look at two risks in greater detail."
- In relation to Minute 32, Performance Scorecard, the Chair assured members that this had been raised with the Chair of the Human Resources (HR) committee. A meeting had taken place to consider the Risk Register and a further HR workshop would take place on 12 May. The Chair reassured Members that work was being taken forward and would be reported to the Committee when completed. The work of the HR Committee had been affected by the continuing vacancy for a policy officer to support the Committee, an issue which was currently being addressed. The Performance Scorecard was on the agenda of the next HR Committee, scheduled for the 12 May, and the Chair would be raising questions in relation to this.

RESOLVED that subject to the amendment of Minute 31 the minutes of the meeting held on 3 March 2011 be confirmed as a correct record.

38 Assurance Report From Local Policing and Confidence Committee (LPCC)

In presenting the report issues highlighted by the Chair of LPCC included:

- As this report had been brought forward from the July meeting of Corporate Governance much of the work of LPCC consisted of plans rather than work which had been completed.
- LPCC had been given a very wide brief and it had, therefore, been important to retain the focus of the Committee on the priorities which had been identified.
- Priorities included delivering the Police Authority's strategic objectives, developing the Committee Risk Register, and the need to be seen to listen to the outcomes from Public Consultation. Examples included Value For Money and work on Anti-Social behaviour.
- LPCC had 9 Statutory Responsibilities within its remit, which was more than any other committee, and had the highest number of Force targets to monitor.

Risk Management. LPCC had undertaken work at Committee and sub-group level in relation to Risk Management. The Vice Chairman of LPCC and the Policy Officer were continuing to work on the clarity of language involved in articulating risks. Covalent training had made an important contribution to this. Issues raised during consideration of this section included:

- The risk element arising from the quality of statistics and reporting in relation to media coverage of policing, and the way in which this would be managed; the Chair of LPCC assured the Committee that this was being addressed. Confidence and Satisfaction had been identified as key elements. Different perspectives would be gained as a result of contributions from the Force and by the use of external expertise.
- Public scepticism of media stories in relation to policing had been evident at a meeting attended by a Member of the Committee in Barnstaple, and highlighted the risk element arising from such stories, whether positive or negative in nature.
- In relation to point 10 on the Risk Register the question was raised as to whether the Authority's concern related to messages about the Authority or messages about policing, and the extent to which this was connected to point 17 which relates to public understanding of the work of the police.
- Clarification was provided by the Chair of LPCC and the Internal Auditor in relation to the content and presentation of points 12 and 19.

Statutory Duties. Attention was drawn to the decision taken not to fulfil the statutory responsibility to produce an annual Local Policing Summary. This decision, taken in line with indications that the government intended to abolish this requirement, produced an annual saving of £52,000 to the Authority. The Authority's Annual Report, which is published electronically, continues to provide the required information. The Taxpayers Alliance had praised Devon and Cornwall for achieving reductions whilst continuing to lobby for further savings

to be made. For the Authority potential savings must be considered against the need to fulfil statutory requirements.

Committee Workplan. Issues raised in consideration of this section of the report included:

- The role of community engagement plans in the Committee Workplan. Prior to LPCC a more strategic approach to PALMS had been adopted in Cornwall, with larger events in Devon. The Chairman emphasised the importance attached to feeding back the findings from community engagement activities.
- In relation to Independent Custody Visitors, a value for money review had been started. This work enabled the Authority to demonstrate its commitment to the principle of value for money.
- Public confidence and victim satisfaction are seen as key areas for work for the committee. This includes the importance of understanding the main drivers.
- Following consideration of the issue of victim satisfaction in relation to serious crime it had been decided to refer this to the Protective Services Committee. Dialogue with ACC Simpson had been opened to review the surveying which had been taking place. This issue was now on the Workplan for the Protective Services Committee.
- Members were assured that by working together in this way committees were trying to ensure that specific issues did not fall between the remits of different committees and their workplans.
- The extent to which there may be variations in the performance of the Force across the different regions which it serves, and the connection between this and the requirement placed on the Force to respond to the differing needs identified by the public in different areas. It is not apparent where responsibility for monitoring and mapping these variations lies, within the Authority's committee structure. As a matter of governance the Authority needs to receive assurance from the Force in respect of its work in addressing local needs, including the inevitable variations arising across the regions, and any resource implications. The work on Blueprint in relation to mapping and Force deployment, and the flexibility built into the new arrangements, was intended to allow the Force to respond to local needs. Consistency needs to remain a key objective. The importance of addressing this question further and of working towards "structured transparency" would be taken forward outside of the meeting.

Performance Management. LPCC remains alert to the importance of Performance Management, and to the high profile attached to the visibility of policing. The Chair of LPCC highlighted difficulties which had arisen in the reporting of the Independent Custody Visitor scheme to LPCC, as a result of the work of the Lead Member not falling within the remit of one committee. This could be reviewed as part of the intended review of the new committee structure.

Cross-Cutting Themes. LPCC are satisfied that four of the five themes are satisfactorily embedded in the work of the Committee. Environmental issues and sustainability is the newest network and arises least often in the work of the Committee, a situation which may be representative of the Authority generally. Equality and Diversity is a well established network, and is considered in relation to all of the work of LPCC, an example being the Independent Custody Visitor review which has had Equality and Diversity incorporated into the process from an early stage.

Partnerships. Partnership working is a large and difficult area of work. For LPCC this involves two areas – Oversight of partnership work in relation to the Force, and the need to scrutinise Police Authority's own partnership work. The importance of Members providing feedback forms, following visits to partnership meetings, was emphasised as they enable LPCC to assess the value of visits.

Communications. The LPCC maintains an overview of both Force and Authority communications within its terms of reference. Although not a priority, LPCC is keen to ensure that feedback is provided to groups within the community. Concerns were raised in relation to:

- The potential impact of shift changes on neighbourhood policing. This had been raised with the BCU Commander for Cornwall and a further response from the Force would be provided at the next LPCC meeting.
- The nature and appropriateness of the feedback provided following community engagement exercises such as listening to the community.
- The extent to which the Force was listening to its own staff at Chief Officer Group level as Blueprint unfolds.

The Chair of Corporate Governance commented on the value of the report, and on the quality and detail of the information on assurance which had been provided to the Committee. Feedback on the value of the template provided to the Chair of LPCC was requested as this would inform any amendment of the template issued to the chairs of other committees.

RESOLVED to note the report.

39 Force Annual Assurance Statement 2010/11

Issues discussed during consideration of this item included:

- An outline of the statement finalisation process following changes to the Authority's meeting cycle this year. Comments from Members at the meeting on 3 March had been incorporated. The statement remained a draft document until signed off by the Chief Constable.
- The statement provided a snapshot of the Force position at 31 March 2011.
- Crime and Disorder Reduction Partnerships were still legally constituted. Funding for the Local Criminal Justice Boards had been removed, but the local LCJB had remained in place during the period of the statement.
- Additional assurance was requested in relation to the evidence which lay behind certain sections, including:
 - (h) Ensuring the security of the Force Assets and Information, in relation to which it was not clear where responsibility lay. The Committee were assured that although a less detailed report had been produced, in line with the Committee's request last year, the evidence gathering which lay behind the report had been more thorough this year.
 - (i) Processes for receiving and investigating complaints from the public. Policies need to be monitored to ensure they are being correctly and consistently implemented.
- The desirability of a clear indication of where responsibility lay in relation to each area of governance was emphasised by the Chair.
- The question of governance in relation to Children and Young People was raised, including the importance of the Force demonstrating its commitment in this area.
- The structure of the report has always followed CIPFA guidance on controls and risk. The statement was not intended to report operational policing matters such as Children and Young People, as areas of specific policing had specific strategies in place.
- In relation to the Force Vision and 2012 Programme attention was drawn to the need to identify the benefits arising from the Change Programme in the future, including the benefits arising from Blueprint. Members were assured that the Treasurer intended to raise this with the Director of Finance to ensure that such issues were addressed in the 2012 report. Resources Committee will provide assurance on benefits achieved during the year.
- Members were assured that the Director of Finance and Chief Constable would carefully consider the final contents of the Annual Assurance Statement to ensure it reconciled the views of members with the professional views of the organisation.
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RESOLVED to receive the draft Force Annual Statement for 2010/11

40 Annual Governance Statement

The preparation and publication of an annual governance statement is a statutory requirement. This is in effect a summary report of the work of the Committee over the year. The Assistant Chief Executive informed the Committee of several changes that were required to the draft resented for consideration:

- The reference to the Policing Summary needed to be deleted
- The electronic stakeholder letter is now sent out to over 500 email addresses
- It was confirmed that the final version of the HMIC Support and Challenge Value for Money visit had been received.
- Additional detail on the use of Facebook by the Authority would be incorporated into the relevant section.

The Treasurer informed the Committee that the number of staff posts likely to be lost was between 350 and 500.

RESOLVED to approve the 2010/11 Annual Governance Statement for inclusion in the Statement of Accounts

41 Internal Audit Annual Report

During the presentation of the report issues highlighted by the Head of Internal Audit included:

- The impact of the earlier production cycle on the completion and distribution of the report.
- Assurance that the fieldwork behind the report had been completed, although the report itself was ongoing.
- The report was presented in a different format to previous years, reflecting the greater emphasis on risk and integrated assurance work being developed by the Authority and the Force.
- The unprecedented period of change had risk implications, including the possible impact of resource reductions on the quality and quantity of the control environment.
- The overall opinion (P. 7) draws attention to the positive direction of travel in relation to the internal control environment. However, it is not possible to give assurance that the control environment is fully effective, given the impact of both the unprecedented budget cuts and the transitional change programmes.

Issues raised during consideration of this item included:

- The importance of dating reports to facilitate an awareness of changes since drafting had taken place.
- The Head of Audit confirmed that in relation to (6.1) File and Property Tracking System (FPTS), the Assurance/Advice was likely to be "Improvements required". The FPTS replaces the "A", "B" "E" books for property.
- The Head of Audit informed the Committee that the final version of the report would be presented to the next meeting, and that an interim briefing update would be circulated to Members prior to that meeting.

RESOLVED to note the contents of the report.

42 Audit Commission – Summary Progress Report

The report provides an update on current Audit Commission work which is relevant to the Authority. Issues raised in consideration of this included:

- The consultation on fees had produced few responses.
- Additional rebates for 2011/12 had been agreed, with information on the specific amounts to be provided in the summer.
- The Commission is also committed to delivering further significant fee reductions of up to 15% in 2012/13.
- The Audit Commission published its final briefing paper in the countdown to IFRS series on 17 March 2011. Devon and Cornwall had only minor issues to consider.

- The current position on the future of the Audit Commission, with new arrangements intended to be in place by 2012/13. However, this seems likely to slip into 2013/14. The Treasurer has circulated a paper in relation to the consultation process on the future of public audit.

RESOLVED to note the content of the Audit Commission's Audit Progress Summary.

43 Audit Commission – 2010/11 Opinion Audit Plan

The Audit Plan reflects the work carried out to date, and work planned for the rest of the year. In the presentation of the Plan points which were highlighted included:

- The proposed fee for the Authority of £97,147, as indicated in the letter of 29 April 2010.
- The identification of a specific risk in relation to International Financial Reporting Standards (IFRS).
- The summary of findings, including the work undertaken on the Authority's material information systems as part of the interim audit.
- The programme of work planned in relation to Value For Money (VFM), to include the Authority's financial planning arrangements and assessing organisational change preparations for the demise of Police Authorities, and their replacement with Police and Crime Commissioners.
- The Committee were assured that there had been no concerns arising out of possible "over-control".

RESOLVED to note the contents of the report

44 Annual Audit Fee Letter 2011/12

In the presentation of this report the role of the Audit Commission in setting the scale fee was outlined. This could only be varied if there were significant issues in the Police Authority. This was not relevant to Devon and Cornwall.

RESOLVED to note the content of the Audit Fee Letter.

45 Public Questions at Full Authority Meetings

In presenting this report the Assistant Chief Executive drew attention to several sections of the report, including:

- The importance of developing a simple procedure for members of the public to ask questions at meetings of the Authority.
- The draft procedure had been compiled drawing on examples from other local authorities
- Following agreement by the full Authority on a public questions protocol this would be added as an amendment to the Constitution.

During consideration of this item issues discussed included:

- The proposed word limit of 50 per question.
- The proposed 8 day notice period for questions to be received.
- The proposal to limit the period allocated to questions to 30 minutes.
- Concern that the Authority may receive an unmanageable number of questions,
- The need to consider the implications of Freedom of Information and Data Protection legislation for this proposal.
- The need to include a process for excluding vexatious questions.
- The need to limit the length of questions.
- How to prioritise questions to exclude trivial items.
- Where to place the questions item on the agenda.
- The need to consider whether there should be a residential qualification for individuals submitting questions.

The Chair requested that any comments and suggestions should be forwarded by email to the Assistant Chief Executive. The proposal would then be taken forward to a future meeting of the Authority.

RESOLVED

- i) to agree in principle the introduction of a public questions protocol for full Authority meetings.
- ii) that the Chair amend the draft protocol to reflect the comments of members.

46 HMIC and other external reports update

The Strategic Planning Officer presented a report and provided an update.

HMIC "Demanding Times" - The Front Line and Police Visibility. The assessment conducted by HMIC on police visibility had received extensive local press coverage, and had prompted the Chief Constable to write to HMI outlining the Force's dissatisfaction with the way in which the assessment had been conducted. A further assessment was scheduled to take place during the summer.

Valuing The Police.

HMIC were unable to indicate when the final report would be published, despite the inspection having taken place in December 2010. The draft had been received, for comment, but a final version had not yet been issued.

HMIC Inspection of Collaboration in Policing.

Issues raised during consideration of this proposed inspection included:

- In correspondence with the Authority HMIC had expressed the view that the south west area had no preferred partnership or collaboration cluster.
- The view had been expressed that the south west was not robust or advanced in its work on collaboration. This had been firmly rebutted by the Chairman of the Police Authority.
- HMIC are intending to review the effectiveness of police collaboration during the early summer. Given the significance of the financial and political considerations which seem to be driving this review, it is unclear how HMI will assess success or achievement.
- The extent to which HMIC would be aware of collaboration at lower levels and any savings which might be effected as a result.

HM Inspection of Police Crime and Incident Data. The Authority expects a visit to take place before the end of June to assess its compliance with crime and incident data recording standards. HM will provide a three week notice of inspection to the Authority.

HM inspection of Protective Services. This proposed inspection timescale has slipped as a result of the competing pressures on HMI's time.

HMIC Assessment of Transition to Police and Crime Commissioners. It is believed that HMIC may be planning to carry out inspections early in 2012 on progress in relation to the transition to Police and Crime Commissioners, as well as "business as usual" activities. This is not yet confirmed.

Neyroud Leadership Update. The Police Authority awaits the Government's response to the report.

A discussion followed on which committees should receive reports. The following suggestions were put to the Committee:

- HR should be responsible for the high level view of the Winsor Report
- The financial aspects of reports should be directed to Resources.

- People related aspects of reports should be referred to HR.
- Previous reports could be pulled together to highlight the robust track record of the Authority.
- The Authority should be realistic in accepting responsibility for work/reports which may lie beyond the life of the Authority.

RESOLVED i) to note the update.
 ii) to endorse the next steps as set out in the report. Aspects of the Wilson and Hutton reports relating to staff and officers may need to be referred to the Human Resources Committee.

47 Strategic Review – Action Plan

Aspects of the report highlighted by the Chief Executive in presenting the report included:

- The evolution of the Action plan
- Key considerations in relation to Regional Collaboration, including the benefits of collaboration, and the diversion of resources which have been required.
- HMIC closely associate Regional Collaboration with making savings, but little detail is provided by HMIC concerning the nature of the collaboration which is envisaged.
- The possible involvement of Authority Members in Blueprint groups is under consideration, but raises questions of sensitivity in relation to the nature of the involvement and extent of involvement. The value of having Lead Members involved in Blueprint and on the workstreams was emphasised.
- Work was continuing in relation to the Partnership Strategy.
- The Chairman drew attention to the importance of the proposed joint planning event involving the Force and the Authority.
- Comments on the Strategic Review should be addressed to the Chief executive by 13 May.

RESOLVED to note the draft action plan

48 Transition Project Governance Arrangements

In presenting the report the Chief Executive provided members with an update on the Authority's position in relation to the PRSR Bill. Issues raised during consideration of the report included:

- The Authority's adoption of a twin track approach which allowed the transition arrangements to be developed and implemented whilst ensuring that "business as usual" remained a priority.
- Of the 12 work strands identified at national level 10 apply to Devon and Cornwall, with Devon and Cornwall leading on the Checks and Balances workstream on behalf of APACE.
- The Project Management approach adopted by the Authority.
- The difficulty of managing the unprecedented programme of change against a background of the need to effect cuts of £50million with the consequent impact on jobs.
- The real concern at the shortage of concrete detail provided by the Government.
- Additional updates to be provided by email as further detail emerges.
- The need for a specific Risk Register in relation to the Transition Project.

RESOLVED To note the Transition Project arrangements set out in the report.

49 Police Risk Register

In presenting the report the work which is taking place to reduce the number of departmental registers feeding into the Corporate Risk Register to 10 was outlined. The Risk Register is reviewed on an annual basis, with the present version (December 2010) due to be reviewed before December 2011. There were two risks identified for consideration at this meeting:

CRR67 This risk relates to ensuring sufficient funding to conduct police operations, and will retain a high position on the Register during the four year programme of cuts. The five controls which relate to this risk

were outlined. This risk is considered tolerable within the confines of the existing controls. Performance against risk is measured by regular financial reporting at Police Officer, Programme Board and Police Authority level. In response to a question the process for feeding individual elements of the Corporate Risk Register down through the organisation was outlined.

CRR24 This risk relates to the risk of poor internal communications in a time of great uncertainty resulting in low morale, reduced productivity and a failure to deliver the desired level of performance. Five levels of control have been identified and outlined in the report. Performance against risk is managed against the staff surveys by chief officers. Attention was drawn to the current "red" position on the Scorecard, and to the deteriorating trend. It was confirmed that this issue is discussed regularly at the HR Strategic Group, which is attended by a Member and the HR Advisor to the Authority. The Committee received an explanation of the scoring system applied in relation to this risk.

Members will be emailed to seek suggestions for risks to be considered at future meetings, and were requested to provide feedback on the format of this item.

RESOLVED to note the current contents of the Force's Corporate Risk Register as approved by Chief Officers

50 Corporate Governance Committee Workplan

The Chairman commented on the continuing development of the Workplan. Transition is to be added as a priority. The status column is remains blocked in green until updated. The Chairman invited comments from Members.

RESOLVED to approve the Committee workplan supported by the list of initial committee risks.

There being no other business the meeting closed at 12.59 hrs