

Devon and Cornwall Police Authority
MINUTES

A meeting of the **Corporate Governance Committee** was held on Thursday 7 July 2011 in the Conference Room, Devon and Cornwall Police Authority, Endeavour House, Woodwater Park, Exeter, starting at 10:00hrs.

Present:

Chair Ms J Norton

Vice Chair Ms L Dunn

Members: Mr J Hart, Lady J Stanhope, Mrs J Zito. Mr B Preston (as Vice Chair of the Protective Services Committee) attended for Agenda item No 13.

Officers in attendance:

Police Authority

Miss J Norris (Assistant Chief Executive), Mr D Walton (Treasurer), Mr E Wardle (Head of Internal Audit), Mr D Eaton (Committee and Meeting Services Officer).

Audit Commission:

Mr M Bartlett (Audit Manager).

51. Appointment of Chair

RESOLVED that Ms J Norton be appointed Chair of the Committee.

52. Appointment of Vice-Chair

RESOLVED that Mrs L Dunn be appointed Vice-Chair of the Committee.

Chair's Announcements

- Item 9 The Force Risk Register had been withdrawn from the agenda as the report duplicated the report brought to the last meeting.
- The Force Scorecard had not been included on the agenda and would be subject to further discussions with the Chief Executive.
- The Corporate Governance Risk Register was not yet presented in the Covalent format. Members were assured that work was in progress to complete the necessary work and that there were no concerns in relation to risk arising from this.

53. Apologies for Absence

Apologies for absence were received from Mr D Percival.

54. Declarations of Interest

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

56. Minutes and Actions from the last meeting

- Minute 37. The Chair informed Members that the question of a briefing on children's issues had been raised with the Chair of Protective Services Committee

(PSC) and that an item in relation to this had been included in the Report from PSC to be presented to the meeting.

- Minute 40. Clarification was provided in relation to the status of the report following the HMIC “Support and Challenge Value for Money” visit. A final version would be produced based upon the individual reports received by HMIC.
- Minute 46. Members were informed of the very positive initial feedback received from HMIC following the recent inspection in relation to police and crime data.
- Minute 46. The Chair informed members that further information would be sought in relation to a proposed HMIC follow-up visit in relation to police visibility.
- Minute 47. In relation to the possible involvement of Members on Blueprint groups, the Chair assured Members that the process had started and that information would be requested with regard to when the involvement of Members would begin.
- Clarification was provided in relation to the process by which feedback from member involvement in Blueprint groups would be communicated to Members. Members were assured that this process would be monitored to ensure that effective and appropriate communication resulted from this involvement.

RESOLVED to approve the minutes as a correct record of the meeting held on the 5 May 2011.

57. Assurance Report for the Resources Committee

The Chair informed Members that the Chair of Resources was unable to attend the meeting and recommended that the presentation of the report be deferred to the next meeting.

RESOLVED to defer the Assurance Report for the Resources Committee to the next meeting.

58. Assurance Report for the Protective Services Committee (PSC)

This report was presented by the Vice-Chair of the Protective Services Committee, who outlined the background to the report. Issues discussed during consideration of this item included:

- The impact of Home Office changes in relation to Protective Services during the past twelve months, some of which had made a significant difference to the work of the Committee.
- Changes resulting from Blueprint had also impacted upon the work of the Protective Services Committee.
- Attention was drawn to the specific role of the Protecting Vulnerable People Working Group and the subsequent development of this role.
- The Vice-Chair of the PSC reported on the recent meeting with the National Police Improvement Association (NPIA), and informed members that a regional meeting would take place, led by NPIA and organised by Devon and Cornwall.
- Attention was drawn to the Minimum Standards documentation which formed the basis of the PSC assurance work.
- Attention was drawn to the Performance Management Working Group which considers Performance Management in relation to the work of the PSC.
- Clarification was provided in relation to Point 24 of the report, which should refer to “the Police Authority receives its primary communication” rather than “the Force receives its primary communication.”

- The need to ensure value for money in relation to Protective Services was highlighted, given the potential demand on resources arising from the risk averse approach adopted in this area of policing.
- Members were informed that Roads Policing had been the subject of a detailed report to Protective Services Committee, but that there were concerns in relation to which committee would be responsible for Roads Policing in future.
- In relation to Childrens Services, assurance was sought that PSC Members were able to cover all areas within Devon and Cornwall following the decision to end the role of Childrens Boards. The Vice-Chair of PSC assured Members that this would be raised with the Chair of PSC and the outcome reported to the Chair of the Corporate Governance Committee.
- The Chair requested assurance in relation to the role of the PSC in scrutinising the performance of the Force with regard to rape convictions. The Vice Chair of the PSC would raise this with the Chair of the PSC and report back to the Chair of the Corporate Governance Committee.

RESOLVED to note the contents of the report.

59. Corporate Governance Committee Workplan

In introducing the report the Assistant Chief Executive emphasised that the Workplan and Risk Register were subject to regular amendment and updating. The relationship between the Risk Register and the Workplan was outlined. Issues discussed during consideration of this item included:

- The three risks highlighted in red would be monitored on a monthly basis to ensure that the level of risk was reducing. The Assistant Chief Executive informed members that each of these risks related to the transition process arising from the Police Crime and Social Responsibility Bill. A Transitions Risk Register was being compiled and would be linked in to the other Risk Registers.
- Concern was expressed at the difficulty of mitigating known risks in the absence of clear Government direction and guidance in relation to Transition.
- Members were assured that the covering report which would accompany future reports to all committees would provide a summary of the headline messages in relation to risk, and the changes which had taken place. This would enable Members to focus on major risks and the action required as a result.
- The Chair drew attention to the need for risk in relation to Transition to be highlighted in future reports.
- The Assistant Chief Executive provided clarification in relation to Risk 8, which highlights risk arising from any failure of the new risk management process.
- The Head of Internal Audit assured Members that the major risks were being mitigated and that work in relation to this would become apparent as the cycle of committee meetings was repeated.
- Attention was drawn to the importance of headline data incorporating a current assessment of risk versus targets.

RESOLVED

- i) to approve the Workplan, supported by the Risk Register.
- ii) to note that the Risk Register is evolving as a result of continued development.

60. Audit Commission Summary Progress Report

The Audit Manager updated Members on progress in relation to the draft Interim Audit Report, which had now been agreed and would shortly be issued as a final report. Issues discussed during consideration of this item included:

- Work in relation to Value for Money was continuing and would be reported with the Statement of Accounts at the next meeting.
- Work on the draft Financial Statement would commence on 15 August 2011
- The Audit Manager updated Members on the future of the Audit Practice and the Audit Commission.
- Members were informed that the Audit Commission were working with the Department for Communities and Local Government on the transfer of audit services into the private sector.
- Members were informed that the Audit Commission had confirmed an 8% rebate on the 2011-12 Audit Fee.
- The Chair informed Members that the Statement of Accounts would be approved in September 2011. A group of Members from the Committee had met recently to consider the Statement of Accounts in detail.

RESOLVED to note the contents of the report.

61. Internal Audit Plan

The Head of Internal Audit drew attention to key aspects of the report, including:

- The additional detail included in year one of the four year internal audit plan.
- Work in relation to Treasury Management for the second quarter was now complete.
- Work in relation to the Property Tracking system was also complete, although the report was not yet finalised.
- Preparatory work in relation to Transition had commenced. At present this focused on asset management.
- Less detail had been included for future years given the uncertainty surrounding internal audit requirements in the future.
- Clarification was provided in relation to the number of days allocated in the report, and members were assured that where the number of days had been reduced in order to make cost savings there would be no impact on the quality of the work provided.
- In relation to the higher number of days allocated in future years the Head of Internal Audit advised members that this was based on an assessment of future needs but would be subject to negotiation on grounds of cost.
- Clarification was provided in relation to the number of days allocated under Overheads.
- In response to a member's question the Head of Internal Audit outlined the difficulty of reliably benchmarking the work conducted on behalf of the Authority against other Authorities.
- Clarification was provided in relation to the organisation and cost of the Internal Audit function.

RESOLVED to approve the four year audit plan.

62. Internal Audit Strategy

The Head of Internal Audit highlighted key aspects of the report, including:

- That the strategy remained largely unchanged since the presentation of the draft version, although there had been some amendment to the final paragraph of the report in relation to Equality and Diversity.
- The Equality Impact Assessment had been completed.
- The Internal Audit Strategy had been through consultation with the Chief Officers Group.
- Clarification was provided with regard to the Joint Working Protocol which informs the work of the internal and external auditors.
- Members were informed that work in relation to risk maturity would take place later in the year.

RESOLVED that the Internal Audit Strategy is approved by the Corporate Governance Committee, and signed by the Chair of the Committee and the Treasurer.

63. Annual Review of the Effectiveness of Internal Audit

The Assistant Chief Executive outlined the background to the report, and highlighted key points in the report. Issues raised during consideration of the report included:

- The checklist was welcomed by Members.
- Members were informed that the compliance checklist had been based on best practice documents.
- The value of the checklist in relation to Transition and future Internal Audit requirements was highlighted
- Concern was expressed at the low number of responses received in relation to the survey.
- The importance of continuing to seek improvements in the effectiveness of Internal Audit was emphasised.
- Attention was drawn to the possible importance of rising expectations of service levels as a factor influencing satisfaction levels.
- The Assistant Chief Executive provided clarification to members in relation to the process for carrying out the survey.
- The Chair welcomed the absence of any indication of dissatisfaction in the responses received.
- The Treasurer outlined to members examples of the Performance Indicators which may be developed to enhance the assessment of the effectiveness of Internal Audit.

RESOLVED

- i) that the internal audit service is broadly effective and compliant with most areas of best practice, and that it should seek to improve performance management.
- ii) that the Committee supports the use of the compliance and evaluation checklist.

64. Constitution Review

Issues raised during consideration of this item included:

- The Assistant Chief Executive informed Members that specific comments in relation to typographical matters would be incorporated into the document.
- Point 9 (b).Minute Pack. The value of continuing to produce and circulate the Minute Pack was discussed by the Committee. The Assistant Chief Executive informed Members that there was no procedural requirement for a Minute Pack as each committee had delegated authority in relation to decision-making. Concern

was expressed at the environmental considerations arising from the volume of paperwork generated by the Authority.

- Point 5 (c).Members who sit on panels and tribunals. It was agreed that this should be amended to include, in relation to Members participation on panels, “they will be drawn from Members of the Human Resources Committee if possible”.
- Point 9 (e).Partnerships. Issues raised included:
 - The importance of considering the benefit of attendance at specific Partnership meetings in relation to the value to the Authority was highlighted.
 - The role of the Local Policing and Confidence Committee as the Committee with oversight of attendance at Partnerships was considered.
 - Responsibility for assigning Members to specific Partnership bodies.
 - The importance of members returning the feedback forms following attendance at Partnership meetings was emphasised.
 - The Chair requested that the list of Members assignments to external bodies should be recirculated to members.
- Point 9 (f).Responsibility for Police Authority Staff. The Assistant Chief Executive informed Members that this had been discussed with the Chair of the Human Resources Committee.
- Point 9 (c). Members discussed the value of replacing the Minute Pack with a brief report summarising key decisions to be circulated to members for information, and it was agreed that this should be taken forward.
- In relation to the Scheme of Delegations, the Assistant Chief Executive assured Members that further clarification would be included in the document with regard to the Chief Officer Group, Director level staff and Police staff.
- The Vice-Chair informed Members that a meeting with the Office Manager had been arranged to discuss the training needs of members and to compile an updated list of training experience and expertise.
- Clarification was provided in relation to the discretionary authority allowed to the Chief Constable to award additional pension payments under the terms of the Pensions Act.
- In relation to the urgent decisions procedure (page 140) the Chair proposed that urgent decisions should be communicated to all Members of the Authority.

RESOLVED to make the following recommendations to the full Authority:

- i) that the revised Scheme of Delegations to Individuals (as attached in Appendix 1) is approved.
- ii) that the following changes are made 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 in forfeiture of pensions they will be drawn from Members of the Human Resources Committee wherever possible.”*
 - c) *an addition to the “special notes” on the Terms of Reference for the*

Professional Standards and Complaints Monitoring Committee “that Members are 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) that approval of the Annual Governance Statement and the Statement of Accounts is delegated to the Corporate Governance Committee and Article 5.3.1 of the Constitution and the Authority and Corporate Governance Committee Terms of Reference are amended accordingly
- iv) that Standing Orders are renamed Procedure Rules
- v) that the urgency procedure (as detailed in Appendix 2) are incorporated into the Procedure Rules.
- vi) that all Members are advised of decisions made on urgent matters.

65. Inspection Reports

There were no Inspection Reports to be presented to the Committee.

The meeting ended at 12.10 hrs.