

DEVON AND CORNWALL POLICE AUTHORITY

MINUTES of a meeting of the **Devon and Cornwall Police Authority** held at County Hall, Topsham Road, Exeter on **Friday 5 October 2007**.

Present:

Mr M I R Bull, Mrs L Dunn, Mr B C Greenslade, Mr G Hicks, Mr M Hicks, Mr M Hodge, Mrs A Malcolm, Mr D Money, Mr M Nevitt, Ms J Norton, Mrs J Owen, Mrs V Pengelly, Mr J Rowe, Mr John Smith, Mr W D Thomas (Item P/2164 onwards) and Mr C L Wallin.

Officers in attendance

Police Authority

Mr G Davey (Chief Executive), Mr J Glasby (Treasurer), Mrs E Tanner (Meeting Administrator)

Police Force

Deputy Chief Constable T Melville, Chief Constable S Otter, Mr C Papworth (Interim Director of Finance and Resources), Assistant Chief Constable B Spencer and Assistant Chief Constable S Taylor.

P/2159 APOLOGIES FOR ABSENCE

Apologies were received from Mr C Bulley, Sir Simon Day, Mr B Preston, Assistant Chief Constable B Pennington, Mr C Haselden (Director HR).

P/2160 DECLARATIONS OF INTEREST

The following declarations were received.

Name	Agenda Item	Minute No	Nature of Interest	Action
Mr M Bull	Police Property Act Fund	P/2165	Prejudicial	Left the room
DCC T Melville	Police Property Act Fund	P/2165	Prejudicial	Left the room
Mr B Greenslade	Treasury Strategy	P/2165	Member of Devon County Council	Spoke and voted
Mrs J Owen	Treasury Strategy	P/2165	Member of Devon County Council	Spoke and voted
Mr J Smith	Treasury Strategy	P/2165	Member of Devon County Council	Spoke and voted

P/2161 ITEMS REQUIRING URGENT ATTENTION AND QUESTIONS UNDER STANDING ORDER NO. 8

Questions under Standing Order No. 8

The following question and supplementary question was raised under Standing Order 8 by Mr Graeme Hicks.

P/2161 ITEMS REQUIRING URGENT ATTENTION AND QUESTIONS UNDER STANDING

ORDER NO. 8 (Cont'd...)

Why are not Police Officers and PCSOs in receipt of life saving training? If not statutory for the Police Service, which emergency service has the statutory duty to rescue and do 999 telephone operators know which service to alert?

The Devon and Cornwall Constabulary was the only Force that trained its police officers to the Police Life Saving Certificate standard. PCSOs were not currently trained in life saving however this situation was under review and they would in future be provided with some skills in this area. It was noted that in North Cornwall, 2 PCSOs were acting in RNLI Lifeguard roles and so were trained to a very high standard. It was also noted that 17 commendations had been given to Devon and Cornwall Constabulary staff specifically for rescues in water.

The duty to rescue is not in statute. Under the Human Rights Act, there is a duty to protect oneself and others and so a police officer should not be putting his / her own life at risk unnecessarily. The Police Service would be the first to be called by the 999 service however it was the responsibility of all services to assist where possible.

Members Allowances

The Association of Police Authorities had launched a National Review of Members' allowances. Therefore, further work was required before a revised Members' Allowance Scheme could be presented to the Authority for consideration.

RESOLVED to give delegated powers to the Remuneration Committee to consider and agree a revised Members' allowance scheme.

Independent Members

The Police and Justice Act had resulted in changes to the membership of Police Authorities in relation to the Lay Justice element. From 1 April 2008 Authorities should comprise 10 Councillor and 9 Independent Members. At least one Independent Member should also be a Lay Justice. There was a requirement to appoint two separate panels of members to shortlist and interview applicants for Independent Member posts that would become vacant in 2008. The first panel would need to meet before the next meeting of the Authority.

Issues discussed during consideration of this item included:

- The different recruitment processes for Independent Members and Lay Justice Members. The process that would be used to appoint the Independent Members was under review. In the interim, the Lay Justice process would be used.
- Three Members were required to make up the shortlisting panel, and a further 5 Members to make up the interviewing panel. Members who were appointed to sit on the shortlisting panel could not sit on the interviewing panel. Any Member who was not re-applying could sit on either the shortlisting or the interviewing panels.

**P/2161 ITEMS REQUIRING URGENT ATTENTION AND QUESTIONS UNDER STANDING
ORDER NO. 8 (Cont'd...)**

RESOLVED to give delegated powers to the Chairman and Chief Executive to agree the Members on the panel to shortlist Independent Member applications and to agree the Members on the panel to interview

P/2162 MINUTES

The minutes of the meeting held on 29 June 2007 were signed as a correct record.

Issues discussed during consideration of this item included:

- [P/2145] The advertising undertaken to publicise the webcasting of the Police Authority meeting.
- [P/2151] The consultation priorities for 2007/08 would be brought to the next meeting of the Authority for resolution.
- [P/2151] The meeting to obtain a fuller understanding of the current position, potential impact and associated negotiations in relation to the Police Staff Handbook had taken place.
- Work was ongoing in relation to the processes to enable police dog handlers to receive a one-off payment for care of a retiring police dog that they retained.

P/2163 PERFORMANCE REPORT

Members considered the report of the Chair of Performance Management and that of the Deputy Chief Constable. The iQuanta report was referred to and a paper on Performance Targets to September 2007 was tabled.

Issues discussed during consideration of this item included:

Performance management Report

- Recording of crime in a public place – definition of ‘public place’.
- Crime Investigation Teams.
- SOCRATES – enhanced performance was expected.
- Sexual crime and the need for reassurance that, although not included in violent crime for recording purposes, it was still being recorded and monitored - Violent crime generally referred to assault, harassment and robbery. Sexual crime was recorded and reported under the major crime heading. It was monitored under Target 8.
- Antisocial behaviour
 - Whether or not the right powers for dealing with this issue were available to the police.
 - Use of Antisocial Behaviour Orders.
 - Responsibilities of other agencies.

The Deputy Chief Constable reported that suitable powers were available to the police and other agencies to deal with antisocial behaviour.

P/2163 PERFORMANCE REPORT (Contd...)

Quanta report and performance compared with the family of similar Forces.

- British Crime Survey.
- Burglary.
- Detections sanction rate.

Performance targets for the period April – September 2007 (paper tabled).

- Target 2 – racist incidents.
- Target 9 – Road traffic incidents. A report on the pattern of driver behaviour which resulted in RTAs was requested. This information could be used to initiate discussions with Councils, Highways and the Police to implement initiatives to reduce RTAs. The issue of road closures during investigations of RTAs was raised.
- Targets 13, 14, 15 & 16 – if the Constabulary continued to do well in these areas, a grading of excellent would be achieved.
- Speed enforcement and the size of the traffic department in Newton Abbot, road safety and road conditions (highway maintenance).

Performance Report

- User satisfaction – further work in this area was required. Performance was increasing however the Constabulary was 8th in its family of most similar Forces.
- Workloads
- Persistent young offenders –the Constabulary was dependent on other agencies in achieving this target.
- Major crime sanction detections – it was pleasing to see an improvement plan developed in relation to rape detections. Detection of this type of crime was hindered because some victims did not have the confidence to go through the process.
- Parking enforcement, PCSO powers in this field and the need for improved communication between the police and councillors during the transition period. It was confirmed that the number of enforcements prior to decriminalisation and during the transition process was consistent.
- Call centre and call handling. Call handling was improving.

RESOLVED to note the report.

P/2164 CHIEF CONSTABLE'S REPORT

Members considered the report. An update to the report was tabled and presented by the Chief Constable.

Issues discussed during consideration of this item included:

- National Charter Mark Award – The Constabulary successfully achieved this on 27th September 2007.
- Corporate branding.
- Police uniform.
- Sustainable alternative travel initiative.
- Personnel snapshot.

P/2164 CHIEF CONSTABLE'S REPORT (Cont'd...)

- Collaboration. Members were asked to be updated on collaboration around protective services in due course.
- Attestations.

RESOLVED to note the report.

P/2165 REPORTS OF THE COMMITTEES

The Authority received reports of the Committee meetings that had taken place since the last meeting of the Authority.

1. A meeting of the Corporate Governance Committee was held on 11 September 2007.

Members noted the items discussed by the Committee.
2. A meeting of the Human Resources Committee was held on the 19 September 2007.

Members noted the items discussed by the Committee.
3. A meeting of the Performance Management Committee was held on the 18 September 2007. This item was considered earlier in the meeting.
4. A meeting of the Planning and Consultation Committee was held on the 6 September 2007.

Members noted the items discussed by the Committee.

Issues discussed during consideration of this item included:
 - The Chairman of the Committee invited all Members to the next meeting to take part in a discussion about Police Authority Liaison Meetings.
5. A meeting of the Professional Standards and Complaints Monitoring Group was held on the 18 July 2007.

Members noted the items discussed by the Committee.

Issues discussed during consideration of this item included:
 - IPCC Review. The Committee would be focussing on how the Police deliver complaint handling.
6. A meeting of the Resources Committee was held on the 13 September 2007.
Note: Mr M Bull and DCC T Melville declared a prejudicial interest in relation to R/659 and left the room.

P/2165 REPORTS OF THE COMMITTEES (Cont'd...)

The following recommendations arose as a result of the meeting:

[R/657] Financial Monitoring

RESOLVED the use of the Budget Management Fund up to £1.801m, subject to the overall outturn position for 2007/08.

[R/659] Police Property Act Fund

RESOLVED

- (i) To approve the transfer of the £139k held within the Police Property Act Fund to the Devon Community Foundation to be invested in an endowed fund;
- (ii) The Fund be divided between the Devon and Cornwall Foundations for distribution in Devon, Cornwall and the Isles of Scilly;
- (iii) The Fund be increased annually with any additional receipts received under the Police (Property) regulations 1997.
- (iv) An annual report be received by the Committee detailing how the fund has been distributed.
- (v) An annual review of the transfer arrangements of the fund be undertaken to ensure fair competition to the fund.

[R/664] Treasury Management

Note: Mr B Greenslade, Mrs J Owen and Mr J Smith each declared a personal interest.

Issues discussed during consideration of this item included:

- Transactions are reported back to the Resources Committee.

RESOLVED

- (i) To approve changes to the Treasury Management Strategy as laid out in section 6 of the report;
- (ii) That members meet with any remaining fund manager to assess performance and prospects.
- (iii) To disinvest from the poorest performing manager on a phased basis so that capital losses are avoided and income is maximised – the timing to be delegated to the Treasurer.
- (iv) To amend the Treasury Management policy on a temporary basis to allow purchase of euros and investment in a European Liquidity Fund up to £2m pending purchase of the new helicopter. This investment would be within the total of the external manager's allocation.

[R/669] Forward Capital Planning to support the ICT Infrastructure Programme

RESOLVED

- (i) To bring forward planned spend for desktop replacements from 2008/9 into 2007/8 to accelerate this replacement programme.

P/2165 REPORTS OF THE COMMITTEES (Cont'd...)

- (ii) To take a corporate approach to procuring an enterprise-wide software licence for the Microsoft tools to support the Force's Information Management strategy.
- (iii) To make provision for planning for possible increased hardware replacement costs for the 'Mike & Lima' Unix servers that run Command & Control, Crime and intelligence systems.

[R/672] Development of Immigration Investigation Unit

Issues discussed during consideration of this item included:

This initiative may not proceed as expected on a national basis because of funding issues. It was suggested that the issue be considered for resolution but that this may require amendment at a subsequent meeting.

RESOLVED

- (i) To support the establishment of an Immigration Investigation Unit (IIU) within Devon and Cornwall by permitting police officers and staff to be seconded to the Immigration Service.
- (ii) That these seconded police officers form part of the overall police officer establishment of the Force on the basis that their activity will be based within Devon and Cornwall;
- (iii) That a unit of fifteen staff (ten police officers) be established as the initial strength with approval to increase to thirty staff (twenty police officers) if appropriate. The unit will consist of a mix of uniform, detective and police staff working with immigration officers.
- (iv) That the funding provided by the Immigration Service to pay for seconded staff be used to civilianise police officer posts to further enhance frontline capability and to improve overall cost effectiveness.
- (v) Any further staffing change in connection with this initiative be brought to the Resources Committee for discussion and approval.

Members noted the items discussed by the Committee.

Issues discussed during consideration these items included:

- [R/671] Forensic Services Collaboration – shared services were not always money saving. There will be a report to the full Police Authority in due course. If the Authority proceeds with this initiative, it would require a single Member to take decisions on behalf of the Authority. Further discussions about this initiative were planned during the Members' seminar in November.

P/2166 COMMITTEE TERMS OF REFERENCE

Issues discussed during consideration of this item included:

P/2166 COMMITTEE TERMS OF REFERENCE (Cont'd...)

- Duplication of a term of reference in the Performance Management Committee and the Corporate Governance Committee – External Inspection Reports would go to the Corporate Governance Committee for consideration.
- The format of the Resources Committee ToRs.
- The ToRs did not provide delegated powers, these would be agreed with the constitution in due course.

RESOLVED

- (i) That the terms of reference for committees be approved as submitted subject to the change to the Performance Management and Corporate Governance ToRs in relation to External Inspection Reports;
- (ii) Committee Chairman be appointed by individual Committees at their first meeting after the Annual meeting of the Authority in May / June each year.

P/2167 ANNUAL GOVERNANCE REPORT

Issues discussed during consideration of this item included:

- The Authority had scored 3 out of 4 for its financial performance.
- The misstatements mentioned at paragraph 17 of the report related to errors in figures provided by external experts and made no difference to the financial management of the organisation.

RESOLVED to accept the Annual Governance Report.

P/2168 DRAFT CODE OF CONDUCT FOR MEMBERS

Members considered the report and draft code.

Issues discussed during consideration of this item included:

- Ongoing Association of Police Authority discussions may result in changes to the code in due course. This would be addressed at the time.
- Members were urged to attend the training that was being provided.

RESOLVED

- (i) to adopt the Code of Conduct for Members as presented to the Authority;
- (ii) that the new code adopted by the Authority should have the general principles stated as an annex to the code.
- (iii) that all existing members of the authority are requested to sign an undertaking to abide by the newly adopted code and all new members of the authority and members re-appointed to the authority will be expected to sign such an undertaking as part of their acceptance of appointment. This requirement will also apply to independent members of the Standards Committee. The undertaking to be worded as follows:
"I undertake to observe the Code of Conduct which is expected of members of the Devon and Cornwall Police Authority."

P/2169 UPDATE ON THE IMPLEMENTATION OF THE RECOMMENDATIONS FROM THE

POLICE AUTHORITY'S PIR OF RISK MANAGEMENT

This paper had been considered in detail at the Corporate Governance Committee.

RESOLVED

- (i) to note the progress so far;
- (ii) to approve the revised draft Integrated Risk Management Policy (PPS D358).

P/2170 ENVIRONMENTAL MISSION STATEMENT AND STRATEGY

There was a need to cross-reference the Authority's mission statement and strategy with that of the Force. Members noted the information provided and were in support of the general principle and the progress made.

RESOLVED to defer the decision to adopt the environmental mission statement and strategy.

P/2171 SPECIAL PRIORITY PAYMENTS

Members considered the report.

Issues discussed during consideration of this item included:

- It was pleasing to note that a wider range of posts was now entitled to this payment.

RESOLVED that the roles for the Special Priority Payments be agreed in accordance with appendix A of the report.

P/2172 ASSOCIATION OF POLICE AUTHORITY MEETINGS

Members noted the meetings held by the Association of Police Authorities since the last meeting of the Police Authority. Those Members who attended the meetings were invited to share issues of interest that had been raised at them.

Issues discussed during consideration of the report included:

- Government Formula Funding Grant consultation and work being undertaken by the Authority and the Association of Police Authorities to contribute to the debate.

RESOLVED to note the report.

P/2173 POLICE AUTHORITY LIAISON MEETINGS

Members noted the meetings held since the last meeting of the Police Authority.

Issues discussed during consideration of this item included:

- Police officer numbers in Falmouth / Penryn area – there was an additional strain in this area because of the influx of foreign students to the college, and holidaymakers.
- Police visibility in Tiverton.

P/2173 POLICE AUTHORITY LIAISON MEETINGS (Cont'd...)

- Funding for Neighbourhood Watch – funds appeared to have dried up in Torbay. A briefing

on funding for Neighbourhood Watch was requested.

RESOLVED to note the report.

P/2174 CLOSED ITEMS - EXCLUSION OF THE PRESS AND PUBLIC

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

Minute number	Report title	Relevant Act	Relevant section
P/2175	Constabulary Response To The Police Authority IP2 Report	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)

P/2175 CONSTABULARY RESPONSE TO THE POLICE AUTHORITY IP2 REPORT

Members considered the reports.

Issues discussed during consideration of this item included:

- The quality of the IP2 report was applauded and Mr M Bull, who was the report author, was congratulated.
- The report contained significant detail and clearly set out lessons to be learnt.
- The content of the report would be used to influence the way in which future programmes were progressed.
- It was important that both the Constabulary and the Authority learn from this.
- The Chairs' Group was tasked with taking this forward.

RESOLVED to note the report

The meeting closed at 13.05hrs.

Signed.....
Date.....