

## DEVON AND CORNWALL POLICE AUTHORITY

**MINUTES** of a meeting of the **Devon and Cornwall Police Authority** held at Police Headquarters, Middlemoor, Exeter on **Friday 8<sup>th</sup> December 2006** starting at 10.00 hrs

### Present:

Chairman ..... Mr D Money

Mr M I R Bull, Mr J Currie, Sir Simon Day, Mr I P A Doggett, Mr T Evans, Mr G Hicks, Mr M Hicks, Mr B C Greenslade, Mrs A Malcolm, Mr S Malloni, Mr M Nevitt, Mr B Preston, Mr J Smith, Mr W D Thomas, and Mr C L Wallin

### Officers in attendance

### Police Authority

Mr G Davey (Chief Executive), Mr J Glasby (Treasurer), Miss C Haughian (Meeting Administrator)

### Police Force

Acting Chief Constable N Arnold, Assistant Chief Constable R Stowe, Acting Assistant Chief Constable A Hollingshead, Mr F Graney (Director of Finance and Administration), Mr N Holt (Director of Human Resources)

### P/1198 Apologies for Absence

Apologies for absence were received from, Mr S Hughes, Mr C Bulley

### P/1199 Declarations Of Interest

The following declaration of interest was received:

| Name         | Agenda Item   | Type of Interest | Nature of Interest               | Action        |
|--------------|---|------------------|----------------------------------|---------------|
| Mr B Preston | 19<br>The National Police Staff Council Handbook and Weekend enhancements for Devon and Cornwall Police Staff | Prejudicial      | Lifelong member of the GMB Union | Left the room |

### P/1200 Items Requiring Urgent Attention

There were no items requiring urgent attention

### P/1201 Minutes

**RESOLVED** that the minutes of the meeting held on 29 September 2006 were confirmed as a correct record, subject to minute P1184 being amended to record that Sir Simon Day is President of the Devon County Show

### P/1202 Chief Constable's Report

It was with regret the Chief reported the death of a serving member of the Constabulary Sandra Trigg.

Members considered the report of the Chief Constable. Issues discussed during consideration of this item included:

- The new style document reflected comments and feedback sought from the previous meeting
- The major incident review was condensed and was accompanied by headline cuttings from the media to show how incidents had been reported in the communities in which the Force serves.
- Major Incidents and Policing diary – increases in knife crime had risen. Work involving amnesties in the community was underway and progressing. More work to raise awareness in this area of crime was to continue.
- Assault on Police Officers – Chief Constable reported that police officers were still facing a significant threat.
- Incidents were reported on Firearms, Robbery, Arson, Road Traffic Collisions.
- Performance – The iQuanta information showed the Force performance for crime and sanctioned detentions at the end of September 2006. The information presented gave a brief indication of Force performance. (a 3 month snapshot).
- A more useful 'traffic light system' could be used in terms of presentation of the iQuanta information
- The positioning of Devon & Cornwall in the performance league tables
- PCSOs training – lengthened to 9 weeks of training (investment in PCSOs )increasing the resources dedicated to neighbourhood policing (535 by April 2008.)
- Dartington Award 2006 –the Chair of the Police Authority will present this award in the future.

**RESOLVED** To note the Report.

### **P/1203 Reports Of The Committees**

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

- (i) Corporate Governance  
A Meeting of the Corporate Governance Committee was held on 21 November 2006.  
Members noted the items discussed by the Committee.
- (ii) Human Resources  
A Meeting of the Human Resources Committee was held on 8 November 2006  
Members noted the items discussed by the Committee
- (iii) Performance Management  
A meeting of the Performance Management Committee was held on 28 November 2006  
Members noted the items discussed by the Committee
- (iv) Planning and Consultation  
A meeting of the Planning and Consultation Committee was held on 1 November 2006

Members noted the items discussed by the Committee

(v) Professional Standards

A Meeting of the Professional Standards and Complaints Monitoring Group was held on 19 October 2006.

Members noted the items discussed by the Committee

(vi) Resources

A Meeting of the Resources Committee was held on 23 November 2006.

Members noted the items discussed by the Committee

(vii) Standards Committee

A Meeting of the Standards Committee was held on 31 October 2006

Members noted the items discussed by the Committee

### **P/1204 Appointment of an Assistant Chief Constable**

The Report provided information concerning the appointment of an Assistant Chief Constable in 2007.

**RESOLVED** that the Chief Executive, in consultation with the Chair, be given delegated powers to appoint a panel of 5 members with delegated authority to appoint an Assistant Chief Constable.

### **P/1205 Annual Audit Letter**

The annual audit letter of the Audit Commission had been considered by the Corporate Governance Committee which recommended the Authority accepted it.

Issues discussed during consideration of this item included:

- The Treasurer and his team were thanked for their work.

**RESOLVED** to accept the Annual Audit Letter for the 2005/2006 Audit.

### **P/1206 Baseline Assessment 2005/06**

The Baseline Assessment for Devon & Cornwall Constabulary was published on 24 October 2006. The report presented Her Majesty's Inspector of Constabulary's qualitative evaluation of performance for the financial year 2005-2006.

Issues discussed during consideration of this item included:

- This was an important and significant document
- Actions arising from the report need to be pulled together with strong leadership.

### **RESOLVED**

(i) That the contents of the HMIC Baseline Assessment 2005-06 are noted

(ii) That the critical areas highlighted by the report which the Authority should focus upon in the coming year are:

- Neighbourhood Policing and Problem Solving
- Managing Critical Incidents and Major Crime
- Leadership
- Improving Forensic Performance,

- Human Resource Management and,
- Reducing Anti-Social Behaviour

(iii) That the remit of the Performance Management Committee includes the oversight and co-ordination, through the appropriate committees, of all the actions arising from the HMIC Baseline Assessment 2005/06.

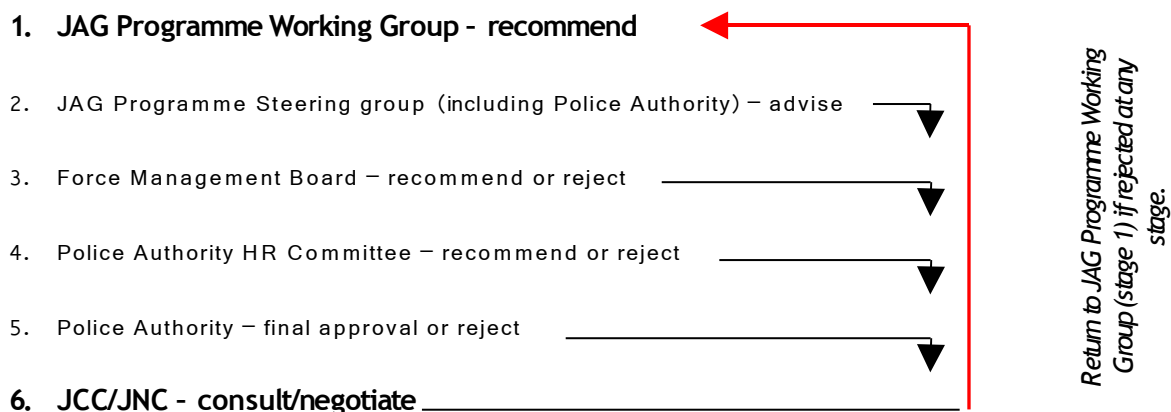
### P/2107 Job and Grading Review

The Human Resources Committee had been updated on progress of the Job and Grading Review at its meeting on 8 November 2006. The Authority was asked to consider the associated decision making process.

Issues discussed during consideration of this item included:

- The necessity of clarity regarding the roles and responsibilities of the Police Authority.
- The Police Authority retains overall accountability and control of the programme including its strategy and outcomes.
- The need for the Police Authority to have active involvement and representation on the JAG steering group
- The JAG programme is monitored through the Human Resources Committee, Police Authority Remuneration Committee and Full Police Authority meeting structure.
- The pleasing level of response from the organisation
- The Police Authority were embedded in the process.
- The next key stage in the process will be the formation of the scheme
- There will be a pilot to test the draft scheme.

**RESOLVED** that the strategic decision making process for the Job and Grading Review be as outlined below:



### P/2108 Disability Discrimination Scheme- Authority

Under the Disability Discrimination Act 2005 there is a requirement for the Authority to publish a Disability Equality Scheme. The Scheme presented covers the period 2006 to 2009. There is a requirement to report and publish progress each year and review and revise the Scheme every 3 years.

Issues discussed during consideration of this item included:

- The Disability Equality Scheme was presented to the Committee for 2006 to 2009.
- Tamsin Kelland, Police Authority Consultation Officer was thanked for her work in producing the Scheme.
- The importance of the document
- There was a requirement to report and publish progress each year and review and revise the scheme every 3 years.

**RESOLVED** that the Disability Equality Scheme be approved and adopted.

### **P/2109 Disability Discrimination Scheme - Force**

Under the Disability Discrimination Act 2005 there is a requirement for the Force to publish a Disability Equality Scheme. The Scheme presented covers the period 2006 to 2009. There is a requirement to report and publish progress each year and review and revise the Scheme every 3 years.

Issues discussed during consideration of this item included:

- The Disability Discrimination Scheme was presented to the Committee for 2006 to 2009.
- Juliet Simmons, Director of Diversity was thanked for her work in producing the Scheme.
- The importance of the document
- There was a requirement to report and publish progress each year and review and revise the scheme every 3 years.
- The cost of implementing the Scheme

### **P/2110 Strategic Police Authority**

The Chief Executive provided an oral report updating the Authority on how work is being taken forward to move towards operating as a Strategic Police Authority :- where the Authority needs to go and how it moves forward.

Issues discussed during consideration of this item included:

- Holding a Chief Officer to account
- Performance agenda
- Delegating functions to individual members
- Delegating functions to area committees
- An annual 3 year rolling plan
- The preparation of a Strategic Plan
- Members facilitated discussions on the role of a Strategic Police Authority
- A planned facilitated discussion for Police Authority Staff
- Executive and scrutiny roles running in parallel
- Increased capacity in performance management
- Timescales of the process
- The Member Working Group led by Mr Brian Greenslade

**RESOLVED** to note the report.

### **P/2111 Police Authority Liaison Meetings**

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

### **P/2112 Purchase of Replacement Force Helicopter**

The Report provided information on the role of the Force Helicopter, outlined the case for purchase of a new helicopter and the evaluation of available models.

Issues discussed during consideration of this item included:

- The operational impact of the helicopter
- The replacement timetable
- The stage in the purchasing process at which a firm commitment needs to be made
- The impact of purchasing the helicopter on the budget and the budget cycle
- The preparation of a detailed business case
- Trials undertaken by the Metropolitan Police Service

## **RESOLVED**

- (i) That the potential Home Office funding offer is acknowledged
- (ii) The outstanding financial requirement and order deadlines are noted
- (iii) The process to purchase a Eurocopter EC 145 helicopter is continued subject to the following:
  - a) presentation of a full business case to the Police Authority
  - b) receipt of Home Office funding; and
  - c) agreement of the cashflow timetable

## **P/2113 Licensing Act 2003 - Update**

The Licensing Act was implemented one year ago and the Police Authority were provided with an update on the workings of the Act with particular emphasis on the effect it has had on Policing.

- The Force has coped well with implementing the Licensing Act 2003.
- The number of alcohol related incidents do not appear to have changed to any extent, although geographically incidents are more widely spread and they span a greater length of time well into the early hours of the morning.
- The shift patterns for police officers have been extended to take account of the later opening hours.

**RESOLVED** to note the report

## Closed Items

### P/2114 Reports Of The Committees - Exclusion Of The Press And Public

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

| Minute Number | Report Title  | Relevant Act  | Relevant section   |
|---------------|---|---|--|
| 2115          | Proposed Appointment of an External Auditor<br>Proposed Appointment of an External Auditor            | Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985 | Schedule 12A para 3 "Information relating to the financial or business affairs of any particular person (including the authority holding that information)."   |
| 2116          | Provision of Services to Devon Air Ambulance Trust  | 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).  |
| 2117          | The National Police Staff Council Handbook and Weekend Enhancements for Devon & Cornwall Police Staff | Local Government Act 1972 as amended by the Local Government (access to information) Act 1985 | Schedule 12A Paragraph 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority. |

### P/2115 Corporate Governance Committee

The Police Authority were asked to consider the Audit Commission's proposals regarding the appointment of an external auditor, this matter had been considered by the Corporate Governance Committee at its meeting on 21 November 2006.

**RESOLVED** to agree the Audit Committee's proposal regarding the appointment of an external auditor.

### P/2116 Provision of Services to Devon Air Ambulance Trust

The Devon and Cornwall Police Helicopter, Management Team and Crews are based at a purpose built facility at Police Headquarters Middlemoor and are co-located with one of the Devon Air Ambulance helicopters. The Report outlined possible opportunities for future collaborative working.

Issues discussed during consideration of this item included:

- This collaboration was a business opportunity
- The impact of such collaboration on operational policing
- The financial implications
- Legal liability and insurance
- Environmental issues
- Staff training issues
- Synergy between the services
- Rule of the Civil Aviation Authority

**RESOLVED** that a full business case be developed and presented to a future meeting of the Police Authority

### **P/2117 The National Police Staff Council Handbook And Weekend Enhancements For Devon & Cornwall Police Staff**

The report updated the Authority on work being undertaken with the objective being to implement the Police Staff Council National Handbook and accepting it as providing minimum standards of employment for allowances and benefits. The Human Resources Committee and the Resources Committee had considered this item at their respective meetings.

#### **RESOLVED**

- (i) that the Director of Human Resources undertake negotiations with the Trade Unions with the objective being to implement the Police Staff Council National Handbook and accepting it as providing minimum standards of employment for allowances and benefits; and
- (ii) such negotiations would be in two distinct phases
  - a) Initial negotiations –to address urgent matters as outlined in the unions’ demands and to establish formal recognition (agreement in principle) of the need to remove unearned allowances from employees. Commitment from the Unions through entering into a formal “Agreement of Intent”
  - b) process negotiations –that will bring about harmony in relation to the Local and National handbooks. This will include resolution of issues on work patterns, shift patterns, hours of work and other issues anomalous within the handbooks; and
- (iii) that such negotiations are within the parameters (a- g) set out below and any deviations from those parameters must be reported back to and agreed by the Police Authority’s Human Resources Committee acting with delegated powers.

Parameters for negotiation:

- a) agree the National Police Staff Council Handbook as the minimum terms and conditions in respect of allowances and benefits for all Devon and Cornwall Police Staff unless supplemented by local agreements reached with trades unions recognised by Devon and Cornwall Constabulary;
- b) agree the implementation of Weekend payments, specified in the National Police Staff Council Handbook, as part of a negotiated solution on unearned allowances;

- c) the process by which unearned weekend and shift allowances are discontinued subject to protection arrangements as part of a collective agreement with the recognised unions;
  - d) that there are adequate controls in place to prevent future divergence between local and national agreements regarding minimum standards of employment for allowances and benefits;
  - e) assurances are obtained on future union flexibility over changes to shift patterns;
  - f) agreement that the funding needed to implement the Police Staff Council National Handbook and accepting it as providing minimum standards of employment for allowances and benefits will need to be achieved by future reductions in staff numbers and changes to shift patterns;
  - g) An implementation plan including funding arrangements be established in anticipation of approval to proceed.
- (iv) that the Director of Human Resources compiles a strategy for communicating information about the negotiations and proposed changes to staff which the Chief Executive is given delegated authority to approve following consultation with the Chairman of the Human Resources Committee
  - (v) that the potential cost of the proposals, (which could be equivalent to some 1 % of the Council tax next year but reducing in subsequent years) be noted with concern
  - (vi) all those involved, including the unions, be asked to recognise that spending on such a scale in the current financial climate will limit capacity to meet future needs and could ultimately cost jobs
  - (vii) negotiators on both sides be urged to consider proposals, including start date and netting off, to limit the final cost increase
  - (viii) that the Chief Constable be requested to investigate the possibility of changing working practices and shift patterns to better match the pattern of demand and to identify compensatory savings
  - (ix) that the final proposals and savings be considered at the Budget Meeting of the Police Authority so that proposals can be assessed in the light of affordability and other demands on limited resources.
  - (x) that the Chief Constable be asked to ensure that he is personally fully sighted on these critical issues
  - (xi) that full information be circulated to members on the number and scale of potential losers and gainers.
  - (xii) that negotiators be set a cost envelope for the final project to be within £1.5m over 5 years including National Insurance and superannuation.

Note: B Preston declared a prejudicial interest in this item as a member of the GMB Union he left the room during consideration of the item.

### **P/2118 Record Of Thanks**

Acting Chief Constable Nigel Arnold was formally thanked for his outstanding contribution to Devon & Cornwall Constabulary and policing over the years and wished well for his impending retirement.

Frank Graney was also thanked for his contribution to Devon & Cornwall Constabulary following his retirement in December 2006.

The meeting closed at 13.30hrs