



Chief Constables' Council

Minutes of the meeting held on Wednesday, 19 March 2014

1. ATTENDANCE

1.1 Present

CC Sir Hugh Orde	President
CC Nick Gargan	Avon and Somerset
CC Colette Paul	Bedfordshire
CC Dave Whatton	Cheshire
Commissioner Adrian Leppard	City of London
DCC Iain Spittal	Cleveland
CC Bernard Lawson	Cumbria
CC Mick Creedon	Derbyshire
ACO Chris Haselden	Devon and Cornwall
CC Debbie Simpson	Dorset
CC Mike Barton	Durham
CC Simon Prince	Dyfed Powys
CC Stephen Kavanagh	Essex
CC Suzette Davenport	Gloucestershire
CC Sir Peter Fahy	Greater Manchester
T/ACC Julian Knight	Gwent
CC Andy Marsh	Hampshire
CC Andy Bliss	Hertfordshire
CC Justine Curran	Humberside
DCC Paul Brandon	Kent
DCC Andy Rhodes	Lancashire
CC Simon Cole	Leicestershire
T/DCC Keith Smy	Lincolnshire
CC Jon Murphy	Merseyside
AC Craig Mackey	Metropolitan Police
AC Mark Rowley	Metropolitan Police
AC Cressida Dick	Metropolitan Police
CC Mark Polin	North Wales
CC Simon Bailey	Norfolk
CC Adrian Lee	Northamptonshire
CC Sue Sim	Northumbria
CC Dave Jones	North Yorkshire
CC Chris Eyre	Nottinghamshire
DCC Matt Jukes	South Wales
CC David Crompton	South Yorkshire
CC Michael Cunningham	Staffordshire
CC Lynne Owens	Surrey
T/CC Giles York	Sussex
CC Sara Thornton	Thames Valley
CC Andy Parker	Warwickshire
CC David Shaw	West Mercia
CC Chris Sims	West Midlands
CC Mark Gilmore	West Yorkshire

1. ATTENDANCE (cont.)

1.1 Present

CC Patrick Geenty	Wiltshire
T/CC Paul Crowther	British Transport Police
CC Matt Baggott	Police Service of Northern Ireland
CC Mike Griffiths	Civil Nuclear Constabulary
CC Alfred Hitchcock	Ministry of Defence
CC Keith Bristow	National Crime Agency
CC Alex Marshall	Chief Executive, College of Policing
Mr Ian Readhead	Chief Executive, ACPO

1.2 In attendance

Marie Daniels	ACPO Chief of Staff
Tracy Edwards	Staff Officer to the ACPO President
Nicola Growcott	ACPO Press Officer
Sherry Traquair	ACPO Freedom of Information Officer
Richard Hampson	ACPO Programme Support Officer
Rose de la Cuesta	ACPO Office Manager/Minutes Secretary

1.3 In attendance for specific items

DCC Francis Habgood	Thames Valley
ACC Gareth Morgan	West Mercia
Nick Gibbons	ACPO TAM

OPEN SESSION

2. WELCOME AND APOLOGIES

- 2.1 Apologies were received from: Sir Bernard Hogan-Howe, Mr Rhodes, Sir Stephen House, Mr Paxton, Mr Finnigan, Mr Vaughan, Mr Sawyer, Ms Cheer and Mr Parr.

3. MINUTES OF THE PREVIOUS MEETING

- 3.1 The Minutes of the meeting held on 17 January 2014 were agreed as a true record.

4. MATTERS ARISING

4.1 Action log: Status report

- 4.1.1 Members noted and agreed the Council Action Log.

5. STANDING ITEMS

5.1 Presidential Update

- 5.1.1 The President thanked members of the Transition Board and ACPO Working Group for progressing the work on the future of ACPO.

5.2 Professional Committee Update

- 5.2.1 Mr Marshall introduced a paper which provided an update on the decisions made at the Professional Committee meeting held on 5 March 2014.

- 5.2.2 Mr Marshall thanked Mr Marsh for his work on body worn videos as well as all those who had contributed to the development of the Code of Ethics, which would be presented to the College Board on 27 March 2014.

5.2.3 The list of 'disapproved' officers was now available to forces; it would distinguish between those who deliberately retired whilst they were the subject of gross misconduct and those who retired just before the start of the proceedings. The HMIC review of domestic abuse would be published on 27 March.

5.2.4 Members noted the update.

Items for discussion

6. IMPLEMENTATION OF THE REVIEW OF ACPO BY GENERAL SIR NICK PARKER – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

7. COMMUNITIES OF PRACTICE – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

8. AUSTERITY, DEMAND AND THE REGULATORY BURDEN – A SESSION TO EXPLORE THE ACPO STANCE ON CURRENT AND FUTURE FUNDING AND THE IMPACT OF THE TOP SLICE

8.1 Sir Peter Fahy, Mr Gargan, Mr Habgood, Mr Cole and Mr Sims gave a presentation on the current and future financial challenges facing chiefs.

8.2 Mr Cole reported on the demands on the police service:

- Mental ill health – research suggested a quarter of police business was related to mental ill health; in the last four years police had undertaken 23,000 detentions under Section 136 of the Mental Health Act with 8,000 of people going into police custody.
- Missing people – tracing missing people from hospitals, children's homes and dementia sufferers was placing significant demand on policing.
- Investigating abuse in institutions – Leicestershire Police currently had 100 investigations of allegations of abuse in residential care homes and was receiving regular calls from some homes requesting security assistance.

8.3 It was agreed that there was more to do to hold public and private care providers to their responsibilities and reduce the impact on the police.

8.4 Mr Sims expressed concerns around the ability of the service to invest sufficiently in innovation and technology. Budgetary pressures in this area acted to deter private sector investment in policing and reduce opportunities for collaboration. He highlighted challenges surrounding collaboration on forensic sciences at the national level.

8.5 Members discussed:

- How chief constables could work together to explain the financial challenges the service faced and the potential impact for public safety to politicians and the public
- The value of widening discussions with government on finances to include the Treasury and Cabinet Office
- The challenge of meeting uncoded HMIC recommendations within current budgets.

8.6 It was agreed that chief constables would need to be open about the financial position of their forces and what could be achieved with different levels of funding.

- 8.7 A briefing explaining the financial challenges and their impact on public safety could be shared between chiefs.

Action: Sir Peter Fahy

Items for information

9. POLICE ARBORETUM MEMORIAL TRUST

- 9.1 Mr Leppard introduced a paper on the Police Arboretum Memorial Trust. The total cost of the project was £4m and a fundraising campaign was being planned to meet this target. Members were asked to raise awareness to maximise fundraising opportunities.
- 9.2 Members noted the update.

10. USE OF FORCE DATA

- 10.1 Mr Shaw raised an item around the recent publication of Taser statistics and the debate over water cannon. Forces may need to collate more national data about the use of force in policing.
- 10.2 Members noted the update.

Items for decision

11. COMMON LAW DISCLOSURE: PROVISIONS TO SUPERSEDE THE NOTIFIABLE OCCUPATIONS SCHEME

- 11.1 Mr Readhead introduced a paper on behalf of Mr Parr on proposed provisions for making urgent social need disclosures of police information to employers and/or regulators using common law powers. The proposed arrangements would enable employers and/or regulators to act to mitigate risks and ensure that vulnerable persons were appropriately protected.
- 11.2 Members agreed the provisions and endorsed its adoption from 1 April 2014.

12. MENTAL HEALTH CRISIS CONCORDAT

- 12.1 Mr Cole introduced a paper on the Mental Health Crisis Concordat, which had previously been circulated for consultation and approved on the basis of members' feedback.
- 12.2 Members formally agreed to the principles contained within the national Concordat and agreed to commit to the delivery of local Mental Health Crisis Declarations.

13. PUBLIC PROTECTION TRAINING AND ACCREDITATION

- 13.1 Mr Whatton introduced a paper proposing that chiefs supported the development of knowledge products and professional training on public protection to ensure that officers across the service are equipped to protect people from violence and abuse.
- 13.2 An amended version of the paper will be circulated as the wording at paragraph 2.4 had been revised.

Action: ACPO Secretariat

- 13.3 Members supported the direction of travel but concerns were expressed over training and cost implications.

- 13.4 Members agreed the recommendations outlined at paragraph 4.1 of the paper with the proviso that further information would be provided on cost implications and the timeline for back record conversions along with an assurance on the necessity of the level of training recommended.

Action: Mr Whatton

14. FUNDING FOR UGLY MUGS

- 14.1 Mr Murphy introduced a paper on the National Ugly Mugs (NUM) initiative, which has been of significant benefit to a number investigations. The Home Office has withdrawn funding for the scheme and alternative funding streams were being pursued. In the interim, forces were asked to contribute £5k each towards the funding of NUM for 2014/15, which cost £110,000 a year.

- 14.2 A letter seeking funding had previously been sent to Police and Crime Commissioners (PCCs) by NUM and some forces had already made a contribution. Mr Murphy would look into this to ensure that forces did not pay twice and issue an update to chiefs.

Action: Mr Murphy

- 14.3 Members agreed in principle to contribute a maximum of £5k each during the 2014/15 fiscal year, whilst further work was conducted to identify a more sustainable funding mechanism.

15. REVISED PROTOCOL BETWEEN ACPO AND THE CRIMINAL INJURIES COMPENSATION AUTHORITY

- 15.1 Mr Eyre introduced a paper which requested Members' approval for a revised Protocol between ACPO and the Criminal Injuries Compensation Authority (CICA).

- 15.2 Members agreed the Protocol as the governing agreement for information sharing between ACPO and the CICA.

16. PSNI MUTUAL AID – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

17. CRIMINAL JUSTICE KEY WORKSTREAMS – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

18. WATER CANNON UPDATE – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

19. ANY OTHER BUSINESS

- 19.1 Mark Ellison and Herne Reviews into the MPS Special Deployment Squad (SDS) – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

- 19.2 Sections 135 and 136 of the Mental Health Act

- 19.2.1 Mr Cole reported that the Home Office was holding a public consultation on s.135 and s.136 of the Mental Health Act.

- 19.3 The Mental Health and Disability Portfolio

- 19.3.1 The portfolio would be split with Commander Christine Jones leading on mental health and Mr Cole leading on disability.

19.4 ACPO TAM

19.4.1 Ms Dick announced that Mr Nick Gibbons had been appointed as the new Director of Strategy in TAM.

19.4.2 The MPS had agreed to host the functions of ACPO TAM Headquarters and officers previously seconded to TAM would be seconded by the MPS from 1 April 2014.

19.4.3 The TAM Board has changed its name for administration purposes to the National CT Policing Headquarters.

19.5 Letter to the Army

19.5.1 Mr Murphy advised that the Army had written a letter to all Police and Crime Commissioners (PCCs) stating that they would have primacy of investigating all crimes committed by Army personnel. Mr Murphy had resolved the issue with the Army.

19.5.2 The President added that they were keen to have a further meeting with Chief Constables' Council in future.

19.6 Normington Review

19.6.1 Ms Thornton said that all forces had been sent an FOI request about the Normington Review and the Federation had advised that this information was not for forces to disclose. Mr Readhead advised that the onus for disclosure usually lay with the organisation holding the information but further advice would be sought from the Central Referral Unit (CRU) and circulated to forces.

Action: Mr Readhead

19.7 Public Holiday Dates

19.7.1 Mr Cunningham said that the growing number of police officers taking leave on public holiday dates were causing operational planning difficulties. Legal advice would be circulated with the Minutes.

[Secretary's note: please find attached the legal advice on public holiday dates].

Action: Mr Cunningham

19.8 ACPO Conferences

19.8.1 Members expressed support for an ACPO Conference to be held this year. Options for potential dates and venues would be circulated after the meeting.

Action: Mr Readhead/President

19.9 Section 38 and CPOSA Insurance

19.9.1 Mr Polin reported that s.38 was discussed at a recent APCC meeting attended by Tom Winsor. A joint protocol between CPOSA and the APCC on the use of s.38 has been circulated for consultation. The Advisory Conciliation and Arbitration Service (ACAS) had also agreed to provide the mediation, subject to negotiation.

19.9.2 The APCC had agreed a 6-month extension in the payment of insurance premiums; members should notify Mr Polin if that was not happening. A joint working party comprising of the APCC, CPOSA and Superintendents' Association would be established to look at the issue.

- 19.9.3 Consideration was being given to developing national criteria for operational insurance cover and exploring the financial implications for CPOSA members.
- 19.9.4 Paul West has been commissioned to look at alternative options for employment of chief officers and issues around s.38. Dave Jones would be establishing a working group to provide protection for CPOSA members, especially around fixed term appointments (FTA), and to develop a negotiating position for the Senior Salaries Review Body (SSRB).

Reasons for Non- or Partial Disclosure under Freedom of Information Act 2000**Document Title:** Chief Constables' Council Minutes~ (Closed Session)**Date:** 19 March 2014**Reference / version, etc:**

Is this document completely non-disclosable? NO

Is this document partially disclosable? YES

For evidence and rationale, please contact the ACPO Central Referral Unit.