



Chief Constables' Council

Minutes of the meeting held on Friday, 21 October 2011, North Yorkshire

1. ATTENDANCE

1.1 Present

CC Sir Hugh Orde	President (Chair)
ACC John Long	Avon and Somerset
CC Alfred Hitchcock	Bedfordshire
CC Simon Parr	Cambridgeshire
CC David Whatton	Cheshire
Commissioner Adrian Leppard	City of London
CC Jacqui Cheer	Cleveland
DCC Alan Goodwin	Derbyshire
ACC Russ Middleton	Devon and Cornwall
CC Martin Baker	Dorset
CC Jon Stoddart	Durham
CC Ian Arundale	Dyfed Powys
CC Jim Barker McCardle	Essex
CC Peter Fahy	Greater Manchester
CC Alex Marshall	Hampshire
CC Andy Bliss	Hertfordshire
CC Tim Hollis	Humberside
CC Ian Learmonth	Kent
DCC Chris Weigh	Lancashire
DCC David Evans	Leicestershire
CC Jon Murphy	Merseyside
AC Ian McPherson	Metropolitan Police
AC Chris Allison	Metropolitan Police
AC Cressida Dick	Metropolitan Police
Ms Ailsa Beaton	Metropolitan Police
CC Mark Polin	North Wales
CC Phil Gormley	Norfolk
DCC Suzette Davenport	Northamptonshire
CC Sue Sim	Northumbria
CC Grahame Maxwell	North Yorkshire
CC Julia Hodson	Nottinghamshire
CC Peter Vaughan	South Wales
DCC Robert Dyson	South Yorkshire
CC Mike Cunningham	Staffordshire
CC Simon Ash	Suffolk
CC Mark Rowley	Surrey
CC Martin Richards	Sussex
CC Sara Thornton	Thames Valley
DCC Andy Parker	Warwickshire
CC David Shaw	West Mercia
CC Chris Sims	West Midlands

1. ATTENDANCE (cont.)**1.1 Present**

CC Sir Norman Bettison	West Yorkshire
CC Brian Moore	Wiltshire
CC Andy Trotter	British Transport Police
CC Richard Thompson	Civil Nuclear Constabulary
CC Steve Love	Ministry of Defence
CC Nick Gargan	NPIA Chief Executive
Mr Tom Flaherty	ACPO Chief Executive

1.2 In attendance for specific items

Rob Price	ACPO Remuneration and Conditions
Bethan Page-Jones	NPIA

1.3 In attendance

Jane Dench	ACPO Director of Policy
Gareth Morgan	ACPO Chief of Staff
Jane Dench	ACPO Director of Policy
Oliver Cattermole	ACPO Director of Communications
Marie Daniels	ACPO Police Reform Manager
Dave Spencer	Staff Officer to the ACPO President
Rose de la Cuesta	A/Programme Support Manager (Minutes Secretary)

1.3 Members noted the Rolling Attendance Log.**OPEN SESSION****2. WELCOME AND APOLOGIES**

2.1 Apologies were received from: Mr Baggott; Mr Bristow; Mr Creedon; Mr Crompton; Mr Finnigan; Mr Smith; Mr Cole; Mr Port; Mr Otter; Mr Melville; Mr Godwin; Mr Mackey and Mr Stoddart.

3. MINUTES OF THE PREVIOUS MEETING

3.1 The Minutes of the meeting held on 19 July 2011 were agreed as a true record.

4. STANDING ITEMS**4.1 Action log: Status report**

4.1.1 Mr Gormley provided Members with an update on the National Driver Offender Retraining Scheme (NDORS). NDORS was currently undergoing a transition of ownership and its governance structure was being independently reviewed by PriceWaterhouseCoopers. A further update would be brought back to Chief Constables' Council in January 2012.

Action: Mr Gormley

4.1.2 Mr Flaherty drew Members' attention to Mr Hughes' action to bring a further paper to October Council to provide clarity on costs and a timeline for the UK Operational Interoperability Programme (UKOIP) to ensure it was not open ended. Due to the change of lead, the paper had been deferred to the January 2012 meeting of Chief Constables' Council.

Action: Mr Gormley

4.1.3 Members agreed the Action Log.

4.2. CABINET DECISION LOG

- 4.2.1 Members noted and agreed the contents of the Cabinet Decision Log.

Items for information

5. PRESIDENTIAL UPDATE

- 5.1 Mr Hogan-Howe had now been appointed as Commissioner for the Metropolitan Police Service. Mr Shaw and Mr Bliss were welcomed to their first Council meeting as Chief Constables.

- 5.2 Following on from discussions held on the previous day concerning Home Office proposals for a police IT company, the President stated he would seek to engage with Bill Crothers, Lord Wasserman and the Policing Minister, Nick Herbert, over the development of the new body.

Action: President

- 5.3 The Policing Minister also was understood to be forming a working group to assist in the development of the new Police Professional Body.

- 5.4 Considerable effort by chief officers had been put into the development of the Protocol between Chief Constables and Police and Crime Commissioners (PCCs), the Strategic Policing Requirement (SPR), and the interim process for the appointment of chief officers. In terms of the consequences of appointments it seemed probable that PCCs, elected to a 4 year term themselves, were unlikely to appoint a Chief Constable for a term longer than 3-4 years.

- 5.5 It was noted that the Shadow Home Secretary, Yvette Cooper, proposed to set up an independent review of policing led by Lord John Stevens and possibly supported by a number of academics.

- 5.6 The President thanked forces that had assisted in restoring public order during the August riots: a strong example of forces working together to combat a national threat. Some of the learning from the riots had been helpfully explored during the Home Office International Forum of Experts on Gangs which had been held on 13 October 2011.

- 5.7 The President had met recently with the Attorney General, Dominic Grieve. The approach to delivering the courts service was being reviewed following the criminal justice operation to deal with those arrested during the August disturbances.

- 5.8 The Chief Executive Officer of the Crown Prosecution Service, Peter Lewis, was currently investigating how volume cases could be better dealt with. The President would liaise with Mr Godwin to seek an update and ensure that colleagues were consulted on any work that was currently being developed.

Action: President

- 5.9 The ACPO Autumn Conference would take place on 23-25 November 2011 at Ryton, Coventry.

6. UPDATE ON THE ACPO DEVELOPMENT PROGRAMME

- 6.1 The President introduced a paper which provided an update on the progress of the ACPO Development Programme.

- 6.2 Ms Marie Daniels, on loan from BTP, had been working to support the Police and Crime Commissioner (PCC) transition process. There had been a positive response to her work from chiefs, and to the additional provision of resources to the ACPO Central Office in order to support the emerging landscape of police reform. A letter to forces would follow in the next few days seeking individuals or resources which could be made available for this work.

Action: President

7. AN OVERVIEW OF RELATED NATIONAL LANDSCAPE ISSUES

- 7.1 Mr Gargan introduced a paper which comprised a summary of the challenges relating to the Spending Review, Winsor Review, phasing out of the NPJA and its transition to a range of successor bodies.
- 7.2 Members noted the contents of the paper.

Items for decision

8. UPDATE ON PART 1 AND PART 2 OF THE WINSOR REVIEW

- 8.1 Mr Ash introduced a paper which advised Members of the recent progress made on Part 1 and Part 2 of the Winsor Review.
- 8.2 Members were requested to:
- i. Note the forthcoming developments with the Police Arbitration Tribunal (PAT) for Part 1 of the Winsor Review
 - ii. Support the proposal for the Winsor Part 1 recommendations, which the Home Secretary had asked ACPO to consider
 - iii. Note the progress made with Part 2 of the Winsor Review.
- 8.3 All the contentious recommendations, particularly those which would impact force budget setting, would receive further consideration at the PAT on 8 November 2011. It was unlikely that these would be resolved in one day given their complexity and breadth; therefore, it was anticipated that these would return to the Tribunal on 22 November 2011 with the outcome to be considered by the Home Secretary in January 2012 at the earliest.
- 8.4 The arbitration process for police officers differed from those of police staff as the Home Secretary would ultimately make the final decision for the former; however a decision at arbitration (ACAS) for police staff would be binding on both parties. Unison had also been provided with some reassurance on the level of redundancy anticipated.
- 8.5 Mr Price would be meeting with Professor Disney who was currently working on additional areas of workforce reform. Part 2 of the Winsor Report was due for publication in January 2012, which could be before Part 1 is referred back to the Home Secretary. The timescales were therefore likely to converge.
- 8.6 The government appeared to have accepted the majority of the findings in the Hutton Report, including its recommendation for a tiered approach to pension contributions; however, the final decision would ultimately lie with the Home Secretary. Mr James Hurley, the ACPO lead for the Pensions Portfolio, would be leading on the work required on redesigning the pension scheme on behalf of forces.

- 8.7 The re-construction of the existing pension scheme for the police service was a complex exercise, which would be further complicated by issues surrounding tax changes and promotion options. There was also a need to be mindful of the impact of the 2 year pay freeze and budget reductions in the police service as well as the potential reactions of Police and Crime Commissioners (PCCs) to direct entry recommendations and regional pay. The issue of voluntary redundancy schemes would also need further consideration as this was likely to prove unattractive to staff and costly for forces.
- 8.8 A discussion ensued in which the following points were raised:
- The combined impact of the Winsor and Hutton Reviews could lead to a constable with 10 years' service being 14% to 16% worse in real terms for the next 3 years
 - A growing number of police officers were exploring the possibility of withdrawing from pension schemes
 - It might be useful to model the impact using the data provided by the Police Mutual Assurance Society (PMAS) information and for Chief Constables to conduct an assessment exercise on their staff.
- 8.9 Mr Fahy requested Members' feedback on regional pay and Members agreed the recommendations outlined at paragraph 9.1 of the paper and at 8.2 above.

Action: Chief Constables

9. NATIONAL SERVICES TO POLICING: A STATUS REPORT ON NPJA TRANSITION

- 9.1 Mr Gargan introduced a paper which outlined the complexities and challenges associated with the phasing out of the Agency. Members were invited to consider the Agency's:
- i. Ability to manage resources, as funds were transferred to successor bodies and the costs of change increase
 - ii. Ability to manage the loss of key staff
 - iii. Dependency on capacity and effectiveness of successor programmes to enable an orderly transition and the successful wind-down of the Agency.
- 9.2 The overall phase-out of the Agency was running smoothly: a number of NPJA functions were continuing to shut down and the scale of redundancies had remained small in number. There were services, such as those associated with Information Communication Technology (ICT), which would remain protected; however, there were other services, such as Schengen and other Value for Money (VfM) functions which would inevitably be orphaned. In addition, the resources requested for the new Professional Body had yet to be considered, albeit these were likely to be more impacted by cuts than any other areas. The request for NPJA services showed no signs of deceleration, although resources within the Agency were quickly diminishing as the phasing out gathered momentum.
- 9.3 It was noted that Mr Rowley would be acting as the ACPO lead for the services listed in column G of Illustration 2 as opposed to Ms Thornton, and even if the the Police Science and Forensics were to be given a 'home', these services were likely to be divided into parts.
- 9.4 Members noted the paper.

10a. PREPARING FOR HMIC 'VALUING THE POLICE

- 10a.1 Mr Gargan and Mr Maxwell introduced a joint paper dealing with financial change over the period covered by the Spending Review.

10a.2 Members were requested to:

- i. Note the financial assessment outlined in the paper
- ii. Consider collectively how to provide support to 'vulnerable' forces
- iii. Consider whether ACPO, APA, NPIA, HMIC and the Home Office could share analysis and agree consistent approaches to reduce duplication of effort and share understanding of the challenges faced by forces and police authorities.

10a.3 The following points were raised in discussion:

- The chart detailed at Appendix D of the paper was challenged as it may not accurately represent the scale of the challenge ahead
- Some of the data projections detailed in the HMIC annual report had proven to be inaccurate for some forces
- A further debate was required on the development of a Professional Body and its capacity to develop core processes, business coordination and national procurement
- The Home Secretary was keen not recreate the NPIA through the development of a Professional Body
- It would be useful if a script could be developed that would include agreed key points on how the new structure would be developed in order to provide consistency for those representing ACPO at the Ministerial working group.

Action: President

10a.4 Members noted the contents of the paper.

10b. THE FUTURE OF POLICE IT AND NEWCO

10b.1 Mr Gargan introduced a new discussion paper that provided an overview of the responses given to the 7 questions posed in the NPIA questionnaire.

10b.2 The Home Office was keen to establish a consultative group, similar to the High Level Working Group, on which ACPO would be represented. Miss Beaton agreed to take this work forward, supported by Mr Parr, Mr Sims, Mr Maxwell and Mr Moore who had volunteered to assist.

Action: Miss Beaton

10b.3 The position paper could support engagement with Lord Wasserman and Bill Crothers in advance of the meeting regarding NewCo, albeit the meeting should take place as soon as possible.

Action: President

10b.4 Members noted the paper.

11. AUTHORISED PROFESSIONAL PRACTICE

11.1 Ms Thornton introduced a paper which provided Members with an update on the recent developments in the Authorised Professional Practice (APP) Programme and the implications of the Strategic Policing Requirement (SPR).

- 11.2 Members were invited to endorse the following:
- i. Agree the four areas of core practice on information management, intelligence, operations and decision making
 - ii. Note the progress with the identification and limited scope of specific practice
 - iii. Note the role of the Gateway Group overseeing the APP process
 - iv. Agree the need for specific reference from the SPR to underpin detail including APP
 - v. Agree the need to raise the future APP development in the context of future NPIA functions.
- 11.3 The content of the four areas of core practice on information management, intelligence, operations and decision-making had been signed off by the relevant ACPO leads. The development of core practice was not about producing new material, but rather about consolidating existing knowledge products. The use of interactive technology to ensure a shorter and crisper approach was considered the best way forward in developing APP materials.
- 11.4 The Gateway Group had been considering APP specific practice submissions provided by various ACPO portfolios. The timeline for specific practice to inform the Strategic Policing Requirement (SPR) to reach completion was June 2012, whilst non SPR related specific practice would be considered from July 2012 onwards. There were also other documents to consider such as 52 Memorandums of Understanding in place between the police service and government departments, national agencies or other bodies.
- 11.5 The Practice Improvement Unit (PIU) in the NPIA was instrumental to the delivery of the APP programme; however, given the resourcing issues surrounding the Agency, business area engagement was considered essential to the development and delivery of APP products within the agreed timeline.
- 11.6 Members agreed the recommendations outlined at 6.1 of the paper and at paragraph 11.2 above.

12. POLICING THE ROADS FIVE YEAR STRATEGY 2011-2015

- 12.1 Mr Gormley introduced a paper which sought Members' support for the new Roads Policing Five Year Strategy.
- 12.2 The Strategy was supported by a wide range of stakeholders and promoted better arrangements for disposals, subject to the National Driver Offender Retraining Scheme (NDORS), and the need to keep traffic flowing in order to minimise disruption. Other issues surrounding the need to keep traffic moving after fatal incidents would be covered in greater detail in the Road Death Manual.
- 12.3 Members acknowledged that the Strategy was well constructed and should assist in raising public confidence. The Policing the Roads - 5 Year Strategy 2011-2015 was agreed for publication and implementation across forces.

13. OUT OF COURT DISPOSALS FRAMEWORK PAPER

- 13.1 Mr Marshall introduced a paper which advised those present of the current priorities within the Out of Court Disposals Portfolio and requested Members' feedback and support.

13.2 Members expressed support for the framework; however, some felt that the term 'restorative justice' was preferable to 'community resolutions', whilst others raised the risk of conflating the two as tier 1 restorative justice could be community resolution in other forces.

13.3 The following points were raised in discussion:

- There was a need to be cautious of what outcomes were being recorded at the lower end as these could discredit the overall statistical information
- It would be in the public interest to be explicit on risks, particularly those relating to the use of biometric data
- There was a need to ensure that the public fully understood what would be citable and what they did and did not need to disclose
- The victims should also be advised on the recording of convictions.

13.4 Members were asked to respond to the Out of Court Disposals consultation, that had been circulated to all forces via the ACPO intranet on the 11 October 2011, to inform the developing framework.

Action: Chief Constables

14. NATIONAL POLICE AIR SERVICE – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

15. UPDATE ON POLICING INDUSTRIAL DISPUTES – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

16. ACPO POSITION ON NATIONAL REQUIREMENTS FOR CAPABILITY IN COUNTER TERRORISM, CIVIL CONTINGENCIES, SERIOUS ORGANISED CRIME AND PUBLIC ORDER – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

17. SERIOUS/SERIAL VIOLENT OFFENDER MARKER ON PND – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

18. NATIONAL POLICE FIREARMS MOBILISATION PLAN – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

19. ANY OTHER BUSINESS

19.1 Clearance of the Dale Farm Site

19.1.1 Mr Barker-McCardle expressed his gratitude to all forces that provided mutual aid support during the clearance of the Dale Farm site. A letter of thanks would be circulated to relevant forces in due course.

Action: Mr Barker-McCardle

19.2 Engagement of Business Area Staff

19.2.1 An issue was raised regarding specific grants to business areas to engage staff on national work and the current difficulty in recruiting officers or staff for such roles due to reductions in force personnel. It was suggested that secondment through ACPO might be considered in such cases; employment through ACPO was not possible as a moratorium on recruitment was in place.

19.3 AC Ian McPherson

19.3.1 The President thanked Mr McPherson, as this was his last meeting before retiring from the Service, for the significant contribution he had made as a Chief Constable and Business Area lead.

20. DATE OF NEXT MEETING – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED