



Chief Constables' Council

Minutes of the meeting held on Thursday, 7 March 2013, London

1. ATTENDANCE

1.1 Present

CC Sir Hugh Orde	President (Chair)
CC Nick Gargan	Avon and Somerset
CC Alfred Hitchcock	Bedfordshire
CC Dave Whatton	Cheshire
Commissioner Adrian Leppard	City of London
CC Jacqui Cheer	Cleveland
T/CC Bernard Lawson	Cumbria
DCC Alan Goodwin	Derbyshire
ACC Paul Netherton	Devon and Cornwall
DCC Adrian Whiting	Dorset
CC Michael Barton	Durham
ACC Julia Wortley	Essex
CC Sir Peter Fahy	Greater Manchester
DCC Jeff Farrar	Gwent
CC Andy Marsh	Hampshire
DCC Andy Adams	Hertfordshire
CC Tim Hollis	Humberside
CC Ian Learmonth	Kent
CC Steve Finnigan	Lancashire
CC Simon Cole	Leicestershire
T/CC Alec Wood	Lincolnshire
ACC Andy Cooke	Merseyside
AC Cressida Dick	Metropolitan Police
AC Mark Rowley	Metropolitan Police
Miss Ailsa Beaton	Metropolitan Police
CC Mark Polin	North Wales
CC Phil Gormley	Norfolk
CC Adrian Lee	Northamptonshire
CC Sue Sim	Northumbria
CC Tim Madgwick	North Yorkshire
CC Chris Eyre	Nottinghamshire
DCC Collette Paul	South Wales
DCC Andy Holt	South Yorkshire
CC Mike Cunningham	Staffordshire
CC Douglas Paxton	Suffolk
CC Lynne Owens	Surrey
CC Martin Richards	Sussex
DCC Francis Habgood	Thames Valley
CC Andy Parker	Warwickshire
CC David Shaw	West Mercia
CC Chris Sims	West Midlands
T/CC John Parkinson	West Yorkshire
ACO Nigel Brook	West Yorkshire
CC Patrick Geenty	Wiltshire

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1. ATTENDANCE (cont.)

1.1 Present

DCC Paul Crowther	British Transport Police
ACC Alistair Finlay	PSNI
CC Keith Bristow	National Crime Agency
Mr Trevor Pearce	SOCA
CC Alex Marshall	Chief Executive, College of Policing
Mr Tom Flaherty	ACPO Chief Executive

1.2 In attendance

DCC Mark Gilmore	Northumbria
David Lewis	ACPO Chief of Staff
Oliver Cattermole	ACPO Director of Communications
Richard Hamlin	Staff Officer to the ACPO President
Rose de la Cuesta	Minutes Secretary

1.3 In attendance for specific items

ACC Drew Harris	PSNI
Chief Supt Mark Hamilton	PSNI
Mr Iain O'Brien	NABIS

1.4 Observers

Emma Wright	ACPO Press Officer
Sherry Traquair	FOI Central Referral Unit

OPEN SESSION

2. WELCOME AND APOLOGIES

2.1 Apologies were received from: Mr Parr; Ms Simpson; Ms Roberts; Mr Barker-McCardle; Ms Davenport; Mr Bliss; Mr Murphy; Sir Bernard Hogan-Howe; Mr Mackey; Mr Byrne; Mr Allison; Mr Baggott; Mr Vaughan; Mr Trotter; Mr Smith and Mr Griffiths.

3. MINUTES OF THE PREVIOUS MEETING

3.1 The Minutes of the meeting held on 25 January 2013 were agreed as a true record.

4. MATTERS ARISING

4.1 Action log: Status report

4.1.1 Mr Flaherty advised that the majority of the actions had been completed and updates were included in the log; however, a further update was provided on Stage II Transfers and the merging of the Professional Standards portfolio with the Professional Ethics portfolio.

4.1.2 Mr Habgood reported that a paper regarding Stage II Transfers had been circulated, which encapsulated key arguments and its potential impact on forces. The paper had been considered by the Association of Police and Crime Commissioners (APCC) and was currently being circulated to Police and Crime Commissioners (PCCs) for views and feedback.

4.1.3 There was a need for a process for the transition stage and a complete toolkit was being developed to assist forces with HR, pensions and other finance related issues; it was anticipated that the toolkit would be ready for circulation in 3 months.

4.1.4 Mr Habgood advised that he had been engaging with the Unions and the Police Staff Council. Some concerns had been raised around the potential for workforce fragmentation to occur

and how Chief Constables would hold PCCs to account for service provided to forces. It was possible Service Level Agreements (SLAs) would be required to ensure efficiency.

- 4.1.5 Mr Habgood suggested that early discussions were needed with PCCs and Chief Executives to determine what Stage II Transfers might look like and to discuss the definition of operational and non-operational and linking this with the new HMIC definition for 'front-line', in terms of operational front-line and operational support.
- 4.1.6 Mr Sims suggested that it might be timely to engage with the Home Office regarding the transfers and the ratification of the decision process. It was understood the Home Secretary would be writing to PCCs in May 2013 reinforcing the timescales for Stage II Transfers.
- 4.1.7 The President suggested that it might be helpful to dedicate further time to discuss the implications of Stage II Transfers and also to clarify what the Home Secretary approval process might entail. Members would be consulted with a view to holding an additional meeting before the end of March.

Action: President

- 4.1.8 Mr Cunningham reported that he had discussed the merging of the Ethics Portfolio with Professional Standards with Mr Lee and that the Workforce Development Business Area would be conducting a review of all of its portfolios in the near future.
- 4.1.9 Members noted and agreed the Council Action Log.

5. STANDING ITEMS

5.1 Presidential Update

- 5.1.1 The President congratulated Ms Suzette Davenport, Ms Jacqui Cheer, Mr Andy Marsh, Mr Nick Gargan, Mr Douglas Paxton and Mr Mark Gilmore on their recent appointments as Chief Constables. The President also extended his congratulations to Mr Hollis on his imminent retirement and thanked him for his outstanding contribution to the work of the Association. The President also welcomed Mr Alistair Finlay and other PSNI colleagues to the Chief Constables' Council meeting.
- 5.1.2 The President reported that the inaugural meeting of the College of Policing Board was held the day before. There was significant engagement from the Police Federation and Police Staff Association. The representatives for Police and Crime Commissioners (PCCs) were yet to be selected, and it was agreed that the Board meetings would take place on a bi-monthly basis.
- 5.1.3 Tom Winsor had attended the Cityforum Round Table event on 26 February and confirmed that the HMIC had no role in the appointment selection process for Chief Constables.
- 5.1.4 On behalf of CPOSA, Mr Polin clarified that following Mr Rhodes' suspension, legal advice was now being sought on the role of chief officers as CPOSA friends.
- 5.1.5 The Director of Public Prosecutions, Keir Starmer QC, had recently announced the imminent release of the Child Sexual Exploitation Action Plan as part of the criminal justice response to child sexual abuse.
- 5.1.6 Given the rapid changes taking place in the national landscape, it was suggested a further meeting of Chief Constables should take place prior to the 23 April 2013. The President undertook to propose some possible dates and those present were requested to notify Mr Flaherty of agenda items.

Action: President/Members

5.1.7 Members noted the update.

5.2 ACPO Funding

5.2.1 The President reported support from a number of PCCs for the continuing role of the Association alongside that of the new College of Policing. The President and Mr Flaherty would be attending the Association of Police and Crime Commissioners AGM on 21 March 2013 to brief Police and Crime Commissioners on ACPO's future role in providing operational policing support and coordination on a national level.

5.2.2 Members added that implementation of standards and guidance delivered by the College would rely on the agreement of operationally independent Chief Constables. Providing operational national co-ordination across the police service should remain an essential task for ACPO. It was felt that emphasising the distinction between roles of ACPO (operational) and the College (standards and guidance), with the input of Alex Marshall, would be helpful.

5.2.3 It was suggested that the Home Office should consider re-establishing the High Level Working Group as in the context of challenges facing policing; it provided a forum where all key players were represented including ACPO, PCCs, the IPCC and HMIC.

5.3 Professional Committee Update

5.3.1 Mr Marshall reported that the recent Professional Committee meeting on 6 March 2013 considered the design of the College, which was being led by Marie Daniels; the police integrity work being led Mr Cunningham; and the Winsor recommendations relating to the skills threshold tests, which would require further consultation.

5.3.2 The Professional Committee meeting also considered the national police promotion framework and its implementation plans and a discussion also took place on public protection, whereby it was agreed that a guidance document on child sexual exploitation would need to be developed.

5.3.3 Further work would also be done to examine how cautions were being used in rape cases and for individuals who had been cautioned in the past. Guidance would be produced which would recognise where cautions were used in specific circumstances, such as for persons found carrying a weapon as they leave the U.K.

5.3.4 The Professional Committee also considered a guidance document on undercover officers, local policing review and discussed the terms and references of the College of Policing and its Business Plan for 2013-14.

5.3.5 Members raised a schematic organisational structure for the College which it was felt should clearly show that the overwhelming majority of national policing business area work is conducted by forces, led by Chief Constables. Mr Marshall agreed to revise the schematic for the next Council meeting.

Action: Mr Marshall

5.3.6 Mr Marshall had arranged meetings to brief PCCs on the role and work of the College; the first had taken place and two further dates had been arranged.

Items for information

6. REVIEW OF FORCES' PRECEPTS FOR 2013/14

6.1 Mr Brook introduced a paper which provided an update on the police force precept decisions taken throughout England for 2013/14 and reported that 7 out of 10 forces had increased their precepts by more than 2%.

6.2 Members noted the update.

7. REVIEW OF POLICE FUNDING

7.1 Mr Brook introduced a paper which reported that the forthcoming Home Office review of police funding had been delayed and any changes were not likely to be implemented before 2015/16.

7.2 Mr Brook urged forces and Business Area Heads to provide him with information and examples, which might assist in explaining to the Home Office the impact that further cuts might have on forces, particularly in the long term. He said that particular areas of interest included evidence of savings achieved and where further investment may generate financial benefits, the cost impact of health service failures in relation to mental health and ambulance services, and examples of time wasted in criminal justice. Mr Bill Wilkinson had been retained by the police treasurers to work on the submission for the spending review and the funding formula review and gather factual data in order to support these complex reports.

Action: Members

7.3 A discussion developed which raised the following:

- There were concerns for the future, in light of the growing number of Local Authorities withdrawing funding for services, such as, youth centres and those relating to mental health initiatives. The impact that this would have on policing demands was likely be significant, but would be difficult to evidence
- Clarity was required on what constituted performance or service delivery.

7.4 It was felt the police service should develop a narrative for communicating the potential impact of further cuts in the police service clearly and responsibly, alongside the message emphasising the effort the Service is making to sustain frontline services. Police and Crime Commissioners would clearly take a role in presenting any narrative such as this to the public.

Action: Mr Brook

7.5 Members noted the update.

8. NATIONAL CRIME AGENCY UPDATE

8.1 Mr Bristow reported on the recent developments regarding the new National Crime Agency (NCA) with only 30 weeks to vesting and highlighted that the Agency had been trying new ways of working, whilst operating in shadow mode, in order to ensure that it was fully operational by 1 October 2013. The cyber crime unit, for instance, had started to work in shadow form to ensure NCA coordination. The international network was being reviewed and a small team of staff had also been looking at what the Agency could do differently at the border.

8.2 The Crime and Courts Bill, which would provide the statutory basis for the NCA was currently at the Report Stage. The Northern Ireland Executive, however, had refused consent for the NCA to take on operations in Northern Ireland.

- 8.3 Version 2 of the high-level blueprint for the operating model for the NCA had been published; however, version 3, which would be shared with partners, was anticipated to be ready for publication in May 2013. Mr Bristow encouraged those present to commence discussions highlighting the particular commitments of the NCA. Mr Bristow further emphasised the importance of having a partnership agreement in place regarding how we work together and force personnel come to work with or for the NCA ensuring that bureaucracy was kept to a minimum.
- 8.4 Advertisements for 160 vacancies had recently been published, giving secondment opportunities; however, police pension arrangements would not be available for NCA employees. Those present were encouraged to put forward appropriately skilled individuals with the potential to progress to the Police National Assessment Centre (PNAC).
- 8.5 Members queried the increase in Home Office direct control of NCA functions and felt that it would be helpful to develop a narrative, which separated the Home Office mandated work and NCA coordinated initiatives.
- 8.6 Mr Bristow explained that the NCA was a non-Ministerial government department and as such, was bound by the Civil Service Code. The NCA did not have policy independence of the Home Office and operational independence would thus apply in a different context to that which applied to Chief Constables. A protocol between the NCA and the Home Office was currently being developed and Mr Bristow undertook to circulate the protocol once it had been agreed.

Action: Mr Bristow

- 8.7 Members noted the update.

9. COLLEGE OF POLICING UPDATE

- 9.1 Mr Marshall provided an update on the College of Policing and reported that Marie Daniels, currently on loan from the British Transport Police (BTP), was working on the design of the College. The status of the College was that of a 'Company Limited by Guarantee'; however, an application for 'Royal College' status was a possibility. The College of Policing would also be seeking to move from Marsham Street in due course.
- 9.2 Those present were assured that the Professional Committee was progressing well and that all parties were very much engaged.
- 9.3 Members noted the update.

Items for decision

10. NATIONAL POLICING VISION 2016

- 10.1 Mr Marshall introduced a paper which presented the draft National Policing Vision 2016 and requested Members to approve:
- i. The draft Vision document
 - ii. That a longer-term vision of policing be produced by the ACPO Futures Business Area and the College of Policing, in partnership with stakeholders.
- 10.2 Mr Marshall reported that the document had been discussed at Chief Constables' Council twice in the past and had now been agreed by the Superintendents' Association and the Police Federation. A short bullet point version had also been developed and circulated to

Police and Crime Commissioners (PCCs). Mr Marshall clarified that this work had been developed by the ACPO Futures Business Area, not the College of Policing.

- 10.3 Members felt that clarity was required on next steps once agreement had been secured. It was also suggested that there was a need for a more ambitious and longer-term vision which would extend beyond 2016 and the document should have the Statement of Mission and Values attached as an appendix.
- 10.4 Mr Marshall explained that the document provided forces with a central document to work with and that it had been produced as a result of discussions with Chief Constables and PCCs. The Vision was deliberately developed to specifically address what was currently happening in policing at the present time and what was achievable in current circumstances. The Vision was also intended to be a concise document. Following discussion, it was agreed that a reference to the Statement of Mission and Values should be sufficient.
- 10.5 Members agreed the recommendations outlined at paragraph 8.1 of the paper and 10.1 above.