



Chief Constables' Council

Minutes of the meeting held on Friday, 18 October 2013

1. ATTENDANCE

1.1 Present

CC Sir Hugh Orde	President
CC Nick Gargan	Avon and Somerset
CC Colette Paul	Bedfordshire
CC Simon Parr	Cambridgeshire
CC Dave Whatton	Cheshire
Commissioner Adrian Leppard	City of London
CC Jacqui Cheer	Cleveland
ACC Michelle Skeer	Cumbria
CC Mick Creedon	Derbyshire
CC Shaun Sawyer	Devon and Cornwall
CC Debbie Simpson	Dorset
CC Mike Barton	Durham
CC Simon Prince	Dyfed Powys
DCC Derek Benson	Essex
DCC Rod Hansen	Gloucestershire
DCC Ian Hopkins	Greater Manchester
T/CC Jeff Farrar	Gwent
CC Andy Marsh	Hampshire
CC Andy Bliss	Hertfordshire
CC Justine Curran	Humberside
CC Ian Learmonth	Kent
CC Steve Finnigan	Lancashire
A/CC Simon Edens	Leicestershire
T/DCC Keith Smy	Lincolnshire
CC John Murphy	Merseyside
AC Mark Rowley	Metropolitan Police
AC Cressida Dick	Metropolitan Police
CC Mark Polin	North Wales
T/CC Simon Bailey	Norfolk
CC Adrian Lee	Northamptonshire
CC Sue Sim	Northumbria
CC Dave Jones	North Yorkshire
CC Chris Eyre	Nottinghamshire
CC Peter Vaughan	South Wales
CC David Crompton	South Yorkshire
CC Michael Cunningham	Staffordshire
CC Douglas Paxton	Suffolk
CC Lynne Owens	Surrey
DCC Giles York	Sussex
CC Sara Thornton	Thames Valley
CC Andy Parker	Warwickshire
CC David Shaw	West Mercia

1. ATTENDANCE (cont.)

1.1 Present

CC Chris Sims	West Midlands
CC Mark Gilmore	West Yorkshire
CC Patrick Geenty	Wiltshire
CC Andy Trotter	British Transport Police
ACC George Hamilton	Police Service of Northern Ireland
CC Alfred Hitchcock	Ministry of Defence
CC Keith Bristow	National Crime Agency
CC Alex Marshall	Chief Executive, College of Policing
CC Ian Readhead	Chief Executive, ACPO

1.2 In attendance

Oliver Cattermole	ACPO Director of Communications
Hayley Court	ACPO Senior Press Officer
Jack Hart	ACPO Assistant Public Affairs Officer
Marie Daniels	Police Reform Programme Manager
Richard Hampson	ACPO Programme Support Officer
Rose de la Cuesta	Minutes Secretary

1.3 In attendance for specific items

DCS Murray Duffin	Head of Joint Operational Authority, SISII
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OPEN SESSION

2. WELCOME AND APOLOGIES

- 2.1 Apologies were received from: Mr Lawson, Mr Creedon, Mr Kavanagh, Ms Davenport, Sir Peter Fahy, Mr Rhodes, Sir Bernard Hogan-Howe, Mr Mackey, Mr Byrne, Mr Baggott, Mr Richards, Mr House, Mr Pearce and Mr Griffiths.

3. MINUTES OF THE PREVIOUS MEETING

- 3.1 The Minutes of the meeting held on 18 July 2013 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 advised those present of his attendance to all three political party conferences, which were reported to have been both productive and engaging.
- 5.1.2 The President had a meeting with HMCIC Tom Winsor and Sir Bernard Hogan-Howe, whereby a discussion was held regarding the use of uniform by HMIC officers, whilst attending public events. A further discussion also took place regarding who should lay a reef on the Cenotaph Memorial on behalf of the police service and a letter would be sent to the Home Secretary seeking clarification later this week.

Action: President

- 5.1.3 The Presidential Team had a meeting with the Home Secretary regarding the overall policing landscape and the new system of police accountability and governance between Chief Constables and Police and Crime Commissioners (PCCs). The President confirmed that PCCs and Chief Constables have worked hard to build a mutually productive and professional relationship for the sake of ensuring greater public safety. PCCs played an important role in ensuring that Chief Constables were being held to account in the most robust and transparent way.
- 5.1.4 The President reported that the HMIC has completed a report, which had been submitted to the Independent Police Complaints Commission (IPCC) regarding the top slicing and funding of force professional standards units. Members raised concerns regarding the mechanisms being employed by the HMIC for commissioning and the publication of reports involving forces, as Members have not had sight of this recent publication. The President undertook to write to HMCIC Tom Winsor for clarification.

Action: President

- 5.1.5 A paper regarding the first week of the nationally coordinated 'in focus weeks of action' was circulated. This was launched on 18 September and dealt with 'Alcohol Harm' which was led by Mr Lee in his capacity as the national policing lead on Alcohol Licensing and Harm Reduction.
- 5.1.6 Mr Lee highlighted that 37 forces participated in the campaign, which involved both operational and communications activities. This included briefings for national crime reporters, media interviews, a Twitter Q&A session and a Tweetathon of all alcohol-related incidents which forces had dealt with between 19-21 September. Mr Lee emphasised the benefits of using 'Drunk Tanks' as a tool by which to raise further awareness of the campaign to a wider audience.
- 5.1.7 The President and Mr Lee thanked all forces and public stakeholders that took part in the campaign. Mr Lee also advised of the forthcoming In Focus target of 'Anti-Social Behaviour', which would take place from 28 October to 1 November.
- 5.1.8 The President advised of Mr Stephen Rimmer's imminent departure as Director General for the Crime and Policing Group and a further update would be circulated in due course.
- 5.1.9 Those present were encouraged to attend the forthcoming ACPO Winter Conference which would take place on 20-22 November at Whittlebury Hall in Northamptonshire. The President thanked the ACPO team for all their efforts in arranging this event.
- 5.1.10 Sir Peter Fahy was organising a fundraising dinner at the ACPO Winter Conference and PCCs had been invited to support the event.
- 5.1.11 Ms Thornton added that a discussion was held at the Lord Chief Chancellor Annual Conference regarding the use of cautions for sexual related offences and the use of cautions whilst on bail. There was a need for forces to liaise with judges regarding the use of cautions for police led prosecution cases and to clarify ACPO's policy on this area of police business.
- 5.1.12 Ms Owens raised the Ministry of Justice (MoJ) consultation on out of court disposals, specifically in relation to the development of the MoJ guidance on the use of cautions. Discussions had taken place and a meeting with the Rt Hon Damian Green, Minister for Policing & Criminal Justice was scheduled in order to have the review released at the earliest opportunity.
- 5.1.13 Ms Owens asserted the importance for all force practitioners to engage with the Ministry of Justice (MoJ) with regards to the cautions review, which was yet to be published. There was a need for the out-of-court disposal process to be made simpler and this was currently being negotiated with the MoJ.

5.2 Professional Committee Update

5.2.1 Mr Marshall introduced a paper which provided an update on the decisions made at the last Professional Committee meeting. A report detailing decisions made at Professional Committee meetings would now be tabled as a standing item at future Chief Constables' Council meetings.

5.2.2 Members noted the update.

Items for information

6. STRATEGIC COMMAND COURSE 2014

6.1 Mr Marshall introduced a paper which provided Members with an update on the developments of the Strategic Command Course 2014.

6.2 The course would run from January to April 2014 and would involve elements of police leadership, business skills as well as ethics and integrity. A letter was sent to Chief Constables seeking suggestions and these have been incorporated in the course. Further work was ongoing with external agencies and work was also underway to engage Police and Crime Commissioners.

6.3 A further letter would be circulated to Chief Constables to identify Deputy Directors and Syndicate Directors and a future discussion would also be required on whether the 2015 SCC course should be modular. Members were further advised that the SCC candidates would be given work throughout the duration of the course, but the residential element would only last for 6 weeks.

6.4 Members noted the update.

7. INTRODUCTION OF THE SCHENGEN INFORMATION SYSTEM TO THE UK

7.1 Ms Paul introduced a paper which advised on the progress and actions required by forces to enable the UK to join the Shengen Information System II (SIS II).

7.2 Ms Paul was the designated SRO for the SIS II programme, which was a Home Office led programme that has been in operation across EU countries since April 2013, with the UK due to join in October 2014. Mr Murray Duffin, Head of Joint Operational Authority, has been working on two NCALT training packages and implementation processes on the PNC. Mr Murray has also been developing an APP package and raising general awareness through the POLKA website.

7.3 Mr Marshall added that the APP website was due to go live on 24 October 2013.

7.4 Members noted the update.

8. ETHICS COMMITTEE

8.1 Ms Cheer introduced a paper which provided an update on the development of Ethics Committees. A blueprint was being developed to introduce a national Ethics Committee: two groups were being proposed, an internal Ethics Committee and an external counterpart, which would involve engagement from those within the medical profession. Forces were encouraged to join and register their interests via the Chief Constable's office of Cleveland Police.

8.2 Members noted the update.

Items for decision

9. DELIVERING SPECIALIST CAPABILITY

9.1 On behalf of Mr Shaw, Ms Owens advised that in order to meet the demands of the Strategic Policing Requirement and tackle the Public Order element, national work was required for Firearms and Search.

9.2 Members noted the update.

10. JESIP – PROGRAMME DELIVERY

10.1 Ms Owens introduced a protected paper which advised Members of the recent developments surrounding the Joint Emergency Services Interoperability (JESIP). A Home Office funded programme, which was established two years ago.

10.2 Members were requested to note the contents of the paper and agree the following recommendations:

- i. The adoption of the JESIP doctrine for joint working among the three emergency services at major incidents
- ii. The adjustment of service specific policy and procedural guidance as necessary to recognise JESIP doctrine
- iii. The engagement of their organisation in the delivery of JESIP training, including the provision of trainers to support local delivery arrangements
- iv. The issue and use of Police Incident Commander tabards
- v. Ongoing support for the further delivery of JESIP.

10.3 Those present were advised that Ministers expected all training requirements to be completed by September 2014, but it was acknowledged that this could prove challenging. The HMIC had also recently conducted a re-inspection of progress and it was anticipated that positive feedback would be provided at the next Ministerial Board. The JESIP doctrine would be subject to consultation over the summer months and would later be submitted to the JESIP Board and the College of Policing Professional Committee for approval. Members were further advised that only front line operational Commanders would be trained and that an e-learning package was being developed for new recruits.

10.4 Members welcomed the development of the JESIP doctrine, but urged the adoption of a joint decision making model in multi-agency areas. It was further suggested that the doctrine should remain consistent with APP materials. Given that concerns were raised over the delivery of training requirements within the timescales suggested, those present were advised that at least 75% of the training requirements should be completed by the proposed deadline and that Ministers were looking into the curriculum and training courses and working through the development of a pragmatic solution.

10.5 Members agreed the recommendations contained in paragraph 9.1 of the paper, reproduced at 10.2 above.

11. DISASTER VICTIM IDENTIFICATION STRATEGY 2013-16

11.1 Ms Owens introduced a paper which sought Members' approval for the Disaster Victim Identification Strategy 2013-16. Members were also asked to support the resourcing of a lead Senior Identification Manager (SIM) in each force and to ensure that Regional DVI Coordinators work to the Regional Lead SIM.

11.2 Members agreed the recommendations articulated in the paper.

12. INFORMATION SHARING AGREEMENT BETWEEN HM CHIEF INSPECTOR OF EDUCATION, CHILDREN'S SERVICES & SKILLS AND ACPO

12.1 Mr Geenty introduced a paper which sought Members' approval for an Information Sharing Agreement (ISA) which had been drawn up between Ofsted, CEOP, UK Missing Persons Bureau and the national policing working group for Missing Persons in order to formalise the sharing of information between agencies and ensure that legal requirements were met in terms of disclosure, particularly when Ofsted undertake inspections of children's homes.

12.2 Members drew attention to page 10 of the ISA and highlighted that the term 'ACPO lead' should be amended to 'national policing lead'.

Action: Mr Geenty

12.3 Those present were also advised that data exchange experts at the MPS considered the document in need of further development and there was a need to ensure that the document was also consistent with the policies held by the Welsh Government.

12.4 Clarity was sought on the signatories required for ISAs and MOUs and it was confirmed that such documents were considered as 'signed-off' and approved by Chief Constables provided that they have been endorsed by Chief Constables' Council.

12.5 Members endorsed the Information Sharing Agreement with the proviso that the MPS were given some reassurance that the document was fit for purpose and that further consultation would take place with the Welsh Government.

Action: Mr Geenty

13. NATIONAL VOLUNTEER POLICE CADET PROGRAMME

13.1 Mr Sawyer introduced a paper which provided an update on the current position of the National Volunteer Police Cadet (NVPC) Programme and sought Members' agreement for the next steps of development.

13.2 Members were requested to support the following recommendations:

- i. The move for the NVPC to become a registered charity
- ii. That the NVPC team work with forces to agree success measures
- iii. That the NVPC team work with interested parties to develop an agreed vetting procedures for cadets
- iv. That the NVPC team develop an accredited training programme for cadets.

13.3 Mr Sawyer thanked Mr Finnigan for chairing the National Volunteer Police Cadet Seminar. The NVPC team consisted of funded roles to develop cadets in forces; however, there were some sensitivity around the vetting procedure for cadets which were currently being worked through. The funding for the Programme was due to run out by September 2014 and it was

proposed that a charity status be pursued before then in order to prevent the risk of fragmentation.

- 13.4 Mr Creedon reported that his force had recently received its first batch of cadets and that this had been cost neutral. There was a need however for continued coordination and a permanent approach to the vetting procedure.
- 13.5 Members felt that the vetting procedure for cadets was problematic given that there was a different vetting standard in place for police officers, which some cadets might not be able to meet should they apply for police officer posts in future. It was however acknowledged that the National Volunteer Cadet Programme was intended to be a developmental opportunity for the youth and was not essentially about their future recruitment into the police service. The cadets also received a letter advising that the vetting standards would be quite different for police officer roles.
- 13.6 Mr Sawyer advised that there were currently no plans to link the Volunteer Cadet Programme with any adult volunteering initiatives; however, there was a potential to expand the current Terms of Reference of the Programme, but this would inevitably cut across DCC Rob Beckley's portfolio.
- 13.7 Members agreed the recommendations outlined in paragraph 5.1 of the paper and at 13.2 above.

14. CORPORATE OWNED DEVICES: ACCESS TO POLICE DATA

- 14.1 Mr Parr introduced a paper which advised Members of the introduction of the National Policing: Mobile Device Access to police Data Guidance by the Police Information Assurance Board.
- 14.2 Forces were expected to comply with the forthcoming guidance, otherwise justification for non-compliance would need to be provided, which in turn could potentially lead to the loss of the CJX secured connection.
- 14.3 Further work was ongoing to identify the necessary secure software and encryptions required to continue to protect police data.
- 14.4 Members agreed to raise awareness of the forthcoming guidance document within their own Chief Officer Teams, Information Assurance and ICT professionals.

15. GOVERNMENT CLASSIFICATION POLICY

- 15.1 Mr Parr introduced a paper which requested for an in principle agreement for the adoption of the Government Classification Policy (GCP) in the police service.
- 15.2 Mr Parr emphasised that the approach towards the classification of data was changing, which would improve interaction with the NCA and other security services. This was an opportunity for the police service to organise its method of data classification; however, further work needed to be done on identifying any potential implications. Further work would also be conducted on PNDs and other intelligence areas of business in order to identify a suitable classification for 'Confidential'.
- 15.3 Members noted the relevance of this paper with the previous agenda item and provided an in principle agreement for the adoption of GCP within the police service.

16. JOB RELATED FITNESS TESTING GUIDANCE

- 16.1 Mr Cunningham introduced a paper which sought Members' approval for the Job-Related Fitness Testing interim guidance for the police service of England and Wales.

- 16.2 Mr Cunningham thanked ACC Robin Merrett for his work on progressing this guidance document. The guidance was developed as a result of the recommendations of the Windsor Part 2 Review and had previously been approved by the College of Policing Professional Committee.
- 16.3 Mr Marshall highlighted that a proper evaluation of the equality impact required the collection of data and that the College of Policing would be assisting forces in progressing this.
- 16.4 Members suggested that a medical form accompany the fitness testing guidance and it was acknowledged that officers who had failed the fitness testing would not be able to progress to officer safety training; however, it was acknowledged that any failure should be dealt with on a case-by-case basis.
- 16.5 Members requested clarity on whether the fitness testing was intended for all police officers and staff who were required to undertake personal safety training, as this would have implications particularly in relation to restricted officers and other redundancy issues. Mr Cunningham undertook to liaise with ACC Merrett in order to seek clarity.

Action: Mr Cunningham

- 16.6 Mr Marshall emphasised that the interim guidance was now in circulation and that Chief Constables were responsible for its implementation within their respective forces.
- 16.7 The document was due to be submitted for approval at the Police Advisory Board and it was agreed that clarity would be sought on whether the fitness testing was applicable to all officers as recommended in Part 2 of the Windsor Review.
- 16.8 Members agreed the interim guidance document, subject to further clarity before its submission to the Police Advisory Board.

17. NATIONAL RESPONSE TO FORENSIC SCIENCE

- 17.1 Mr Sims introduced a paper which requested Members' support for preliminary scoping work in order to establish the feasibility of creating a single body responsible for the provision of forensic services to the police service within England and Wales.
- 17.2 Mr Sims highlighted the difficulties with commercial partners and the current lack of market stability; however, there was a potential to secure significant savings if a national forensic agency were to be established.
- 17.3 Members were supportive of the proposal and acknowledged the significant work involved. The provision of forensic services was currently disjointed and fragile and there was a need to keep the momentum for developing a strategic approach towards data forensics, both at a local and international level, in order to mitigate any operational risks.
- 17.4 Members supported the proposal to develop a single body for forensic service provision.

18. OPERATION NUTMEG CLOSING REPORT – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

19. ACPO BUSINESS CASE – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

20. EMERGENCY SERVICES MOBILE COMMUNICATIONS PROGRAMME (ESMCP) UPDATE – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

21. ACCREDITATION OF ACPO AUTHORISING OFFICERS FOR UNDERCOVER OPERATIONS – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

22. CCD PROGRAMME – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

23. ACPO TAM FUTURE GOVERNANCE – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

24. ANY OTHER BUSINESS

24.1 Integrity and Leadership Debate

24.1.1 Mr Sims advised that a series of discussions had taken place with the Home Affairs Select Committee regarding integrity and leadership issues within the police service. There remained a need to emphasise the procedural and legal aspects of any decisions and that police officers always based their decisions on the evidence and information available to them at the time.

24.1.2 Members suggested that there may be a need to examine the more contentious high-profile cases which had previously been investigated by the IPCC and look into how decisions had been made. There was also merit in looking into where the police service might contradict with the IPCC with regards to professional standards issues.

24.1.3 Members further recognised that the vast majority of police officers were people of high integrity and that this should not be overlooked.

24.2 HMIC Inspections

24.2.1 Ms Paul highlighted the recent increase in HMIC force inspections and its growing demands on forces, given that seven inspections were due to be conducted between October to December of this year.

24.2.2 The President undertook to raise this issue at the next Home Secretary meeting on 31 October and an update would be circulated to Chief Constables in due course.

Action: President

24.3 Knife Amnesty

24.3.1 Mr Hitchcock advised that the Home Office was currently working on knife amnesties and had requested forces to provide information on any amnesties, which they might have enforced as a local initiative within the past two to three years.

24.3.2 A letter would be circulated to all Chief Constables requesting that they submit their responses direct to Mr Hitchcock, who would in turn produce a coordinated response on behalf of the police service.

Action: Mr Hitchcock

24.3.3 Mr Hitchcock further advised that a Knife Crime Seminar Workshop would be taking place at the Home Office on 9 December and encouraged the attendance of force representatives.

24.4 Air Support

24.4.1 Mr Marshall announced that he would be relinquishing his post as the national policing lead for Air Operations and advised that the collaboration agreement for regional air support was nearing completion.

24.5 Firearms Licensing

24.5.1 Mr Marsh advised those present of the recent increase in Firearms Licensing fees, although the Prime Minister had originally stated that there would be no increase for the next two years.

24.6 Court of Appeal Notice

24.6.1 Mr Sawyer advised of the legal proceedings which had recently taken place at a Central London County Court regarding three DSU officers from Devon and Cornwall Constabulary whom had been successful in their claim for overtime payments which had arisen as a result of having been recalled to duty. Members suggested that an appeal should be sought and acknowledged that this could potentially have implications for the entire police service.

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