

BRITISH TRANSPORT POLICE AUTHORITY

MINUTES
POLICE AUTHORITY
TUESDAY 25TH OCTOBER 2005

at
BLACK SUITE, BMA HOUSE

Present: Sir Alistair Graham (Chair)
Sir David O'Dowd
Mr L Adams
Mr M Brown
Mrs W Towers
Ms C Knights
Suzanne May
Mr M Holden
Mr C Foxall

Apologies: Mr R Gisby
Mr J King
Mr R O'Toole

In Attendance: Mr I Johnston, Chief Constable
Ms S Budden, Director of Finance and Corporate Services
Mr M Flood, Chief Superintendent HR
Mr A McGuire, Chief Inspector

Mr R Hemmings, Chief Executive & Clerk
Ms D McGovern, Deputy Clerk
Miss L Barrick, Meetings Manager and Minutes
Miss L Bryant, PA

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PART I – ITEMS TAKEN IN PUBLIC

69/2005
Non Agenda

APOLOGIES

Sir Alistair gave apologies from Mr Gisby, Mr King, and Mr O'Toole. The Members sent their best wishes to Mr King for a speedy recovery. The Authority congratulated Mr Foxall on his appointment as Chairman of the new Rail Passengers Council.

70/2005
Agenda item 1

MINUTES OF MEETINGS 5th JULY & 6TH SEPTEMBER 2005

The Authority received and **approved** the minutes.

71/2005
Agenda Item 2

MATTERS ARISING/ACTIONS OUTSTANDING

All actions had been discharged.

The Chair announced the appointment of Mr O'Toole to the Authority and told the Members that he would be asked to sit on the Strategy, Budget and Performance Monitoring Committee.

The Chair informed the Members that the DfT was still debating how best to go about replacing Ms Lewis-Jones, and asked the Members for their views regarding DfT nominating someone. The Members unanimously felt that this was not an appropriate way to select a new member, and Suzanne May stated that it would be totally inappropriate for the DfT to nominate a member without going through the proper public process and advertisement.

Mr Holden suggested that as Freight Operators were not represented within the Authority, this could be used to guide the selection of a new member. Mr Brown made the point that this argument could be used for many groups, such as the light railway operators.

Action:

- **Secretariat to write to DfT regarding vacancy**

72/2005
Agenda item 3

COMMITTEE ISSUES

The Chair requested that the Committee Chairs gave a slightly more detailed account of their meetings than usual, as the minutes had been received late so Members had not had chance to digest them.

Police Authority Workshop (06.09.05): These minutes were dealt with under item 1.

Strategy, Budget & Performance Monitoring Committee (14/09/05): It was noted that Mr Coker from HMIC felt that there had been a dramatic improvement, and that the Force was headed in the right direction. Suzanne May asked if the Force were going to write an environmental policy and the Chief Constable replied that this would be done, although the Force were already making many efforts to be environmentally friendly. The Chair reminded the

Committee that a progress report on efficiencies had to be produced. With regard to consultation, ATOC were to bring forward the names of 5 people for consultation and they had agreed that Network Rail could form part of the group.

The Authority endorsed the Chair's proposal that Mr O'Toole should become a member of this Committee.

Professional Standards Committee (12.07.05 & 10/10/05): Mrs Towers stated that the Professional Standards Department (PSD) had been under-resourced and that the statistics the Committee had received in reports before the 10th October meeting were not as robust as they might be. Mrs Towers stated that the PSD was now headed in the right direction, and that the logging systems in use should result in more accurate figures and statistics in future.

The Committee noted that the HMIC inspection of the PSD was happening in November. Mrs Towers said that Chief Superintendent Bryon did not think there was vulnerability and she said that there had been significant improvements. The Chief Constable added that now because the PSD had more resources it was going through the stage of regaining adequate control.

It was noted that this Committee was carrying a vacancy, proposed to be filled by Ms Lewis-Jones replacement.

Stakeholder Relations and Communication Strategy (11/10/05): It was noted that there had been a lot of discussion about IAGs at this meeting. Suzanne May pointed out a discrepancy in the minutes, where in the main body it stated that the Passenger Workshop would be carried out early in the New Year, where as in the actions it said November. It was noted that early in the New Year had been agreed in the meeting but that this needed to be altered to fit in with budget process so the workshop had been moved to November. Mr Hemmings explained to the Committee that the paper on restructuring had not been discussed at the meeting as on that day the remit of the review had changed so it was no longer relevant in the context it was written. Mr Holden enquired what an IAG was, the Chief Constable provided an explanation. Ms Knights added that finding out what the public think of the BTP was an area that the Force were weak on. Mr Holden expressed concern that the Force was being sucked into something that was not appropriate for them, being a national Force. Mr Foxall cautioned that the Force needed to be careful in what they asked from an IAG, as they may be useful in policy matters but not for operational purposes. Mr Brown stated that following 7 July, London Underground pulled together its faith and BME staff groups for their thoughts and stated that they had found this hugely successful if properly managed.

It was noted that this Committee was a member short, the Chair proposed that Mr O'Toole would fill this vacancy.

Action:

- **Secretariat to write to Mr O'Toole regarding vacancy.**

HR Director Panel (13.10.05): The Chair announced that Linda Scott, who was currently working for the Crown Prosecution Service, had accepted the post of HR Director and would start in January. The standard of candidates was thought to have been high.

Human Resources & Remuneration Committee (18/10/05): Ms Knights thanked Assistant Chief Constable Pacey and Chief Superintendent Flood for their hard work. Members expressed concern that the momentum in the improvement being made may be lost with so many new staff in the department. The Chief Constable said that he would discuss this with Ms Scott, to ensure an effectively managed handover.

With regard to the meeting, Ms Knights informed the Members that the HR Strategy, Training Strategy and Plan were all approved, along with Committee's own workplan. Ms Knights also informed Members that the staff survey had returned higher levels of satisfaction within the staff, and asked Members to discuss these results with Area Commanders. The Chair questioned the issue of targeted recruitment and Ms Knights said that it had been agreed and was now in place. The Chief Constable acknowledged that the bigger challenge was gender, as BTP was under represented with women, although once employed there was a high retention rate for female Officers.

Ms Knights went on to explain that Pensions had been a big issue within the meeting. With regard to the Civilian staff it was agreed that the Pension holiday would stop in 2007, as opposed to 2009 as scheduled, to prevent a deficit in the account. The more controversial issue was surrounding the twelve women who had taken early retirement on medical grounds and opted for the flexible pension scheme. The retirement age had increased to 65 which meant these women would receive less money from turning 60 until they reached 65. Mr Foxall suggested that the Authority needed to be very careful here, as it was not the fault of the Authority that this had occurred, as they had no control over it. Before any decision was made, Members needed to think very carefully as the Authority could exceed its powers and set an unwanted precedent. The Chair felt that if people had taken risks the Authority could not be expected to compensate. It was decided that more advice and thought was needed on this matter.

Ms Knights explained that the implementation of IPLDP would be carried out alongside City of London Police and City University. The Chief Constable ended the discussion by emphasising the positive degree of change which was visible from the staff survey results.

73/2005
Agenda Item 4

CHIEF CONSTABLE'S REPORT

The Chief Constable spoke to his report. The key points were:

- The Force was hitting 10 out its 11 targets, although 4 of

these were close to the target.

- The Chief Constable felt that the Force had been disadvantaged in reaching these targets by the bombings, as these had put a high demand on resources.
- In relation to the HMIC draft baseline report, the Chief Constable felt that the template was not well suited to a national specialist Force, being designed for a Home Office Force environment, for example the Force was criticised over its use of IAGs, however being a national Force these are not used in the same way.
- The Force had been praised by the Judge over their investigation of the Hatfield train crash.
- The FHQ relocation had been completed both on time and budget. The Chair recorded his thanks and congratulations to the Project Manager and team.
- The money for the bombings had still not been forthcoming from the DfT.
- The Change Programme was making good progress and there was confidence that it would be delivered on time, with 80 percent of quarter three already being filled.
- The Chief congratulated South East Trains on being the first to join the safety accreditation scheme.
- There was a possibility that an ACPO Officer may be allocated to the London Silverlink route.
- The Force co-hosted the 2005 International Association of Women Police in Leeds.
- London South Area won an award at the National Rail Awards for a joint initiative with South West Trains, CCTV evidence gathering.
- Keith Jarrett had been appointed as Chair of National SAME. The Authority expressed their congratulations.

With regard to the performance data, the Chief Constable said that meeting these targets by the end of the year would not be easy, as the aftermath of the bombings was now being seen with Officers tiring and beginning to take leave. It was agreed that a formal letter would be written to the Secretary of State for Transport if the money for the London bombings was not forthcoming. With regard to the Railway Safety Accreditation Scheme Mr Holden confirmed that 40 Members of staff had been trained and that their uniforms were as close to Police Officers as possible. Mr Adams raised concerns that if these staff attempted to confiscate alcohol and the like on trains they may be a target for both physical and verbal abuse. Mr Holden assured Mr Adams that the staff were trained not to get into conflicts. The Chair was keen that this scheme should receive ministerial recognition. Mr Holden agreed but felt that it needed to run for some time first.

Action:

- **Secretariat to write to DfT regarding the money following bombings.**
- **Force to give presentation on London bombings to future meeting.**

74/2005 POLICING PRESENTATION: G8 UPDATE

Agenda Item 5

Chief Inspector McGuire gave a detailed presentation on how G8 was planned for and carried out. The Chair thanked Chief Inspector McGuire and noted that it had clearly been a very successful operation which emphasised the necessity for a single force for the railways. The Members questioned who had paid for this; Chief Inspector McGuire stated that the Foreign Office had picked up all the costs.

75/2005 POLICE FORCE RESTRUCTURING

Agenda Item 6

Mr Hemmings spoke to his paper, which outlined the review of BTP that was to be carried out by the DfT. Mr Hemmings stated that the DfT were very clear that they were in the driving seat for the review and that they were waiting to see what came out of the national review by the Home Office. Mr Hemmings confirmed that there had been no formal approaches to the Authority from other Forces regarding policing the railways.

The Chair said that in principle the Force remained in the position of having an overwhelming case for a national police force for the railways. The Chief Constable informed the Members that this review was seen as a bigger threat than it formerly was, as much had changed since the review a year ago, such as the terrorist threat and the restructuring of the Home Forces. The Chief Constable confirmed that rumour was rife regarding the MPS wanting to take over BTP in London on the back of the 2012 Olympics. The Chief Constable stated that he was concerned that these were decisions of political engagement rather than sound operational factors, and that as this review was taking place in the wider context, the Force and Authority had no control over it.

The Chair expressed the view that following a meeting with Alistair Darling he felt the DfT wanted to retain the current structure of BTP. Mr Adams said that he was very concerned, as the railways needed a dedicated, specialist force, and without a specialist force skills would be lost and the rail industry would suffer.

Mr Brown stated that London Underground had a very strong view and had written to both the Home Office and Secretary of State at the highest level. London Underground did not want to lose the BTP and Mr Brown used the example of New York integrating forces to demonstrate how this would cause a drop in performance which could be permanent. He felt that a merger with MPS would create significant gaps in railway policing.

Mr Foxall saw that there were three main issues. If the Force was disbanded, how the railways would be policed, and if London were removed how viable would the Force be? The second issue was governance, which Mr Hemmings stated was a key issue, as the way this Authority was structured ensured the voice of the industry was

heard. Mr Hemmings pointed out that if the MPS or Home Office Forces were to take over policing the railways, the voice of the industry would be extinguished or diluted at best. Also what would be done about BTP Scotland? The third issue Mr Foxall raised was passengers. Mr Foxall stated that any changes made would have to adequately help passengers and he strongly felt that this would not be the case were BTP to be broken up, as specialist skills would be lost leaving the railways more vulnerable. Clearly this would neither be in the passengers nor industry's interests.

Sir David stated that the Force needed to look at what differentiated it and made it a specialist national force. This should reinforce their skill base and be articulate to external parties. Mr Holden said that the industry was very fortunate to have a specialist force and that PSA holders needed to see the Force for all its worth. Suzanne May agreed and said that the danger was because the Force was aware of its strengths they are not articulated enough as they were taken for granted. Suzanne May raised the point that if the MPS were to take over London Underground only, how would the interfaces work, for example if one Force were patrolling the British Rail station at Kings Cross and another patrolling the Underground Stations, how would this work? The Chief Constable pointed out that BTP was built around level one policing and this was where the MPS were weakest.

Mr Foxall stated that the MPS would find it very difficult to get round the arguments of viability and governance. These points must not be overlooked and were as important as arguments relating to policing the railways.

The Chair was concerned that these changes would lead to a drop in performance and that this would come at a cost.

Mrs Towers noted that there seemed to be low public awareness around the restructuring of Police Forces. Mr Hemmings stated that the Authority needed to mobilise passenger support.

Mr Hemmings informed the Members that the intention of the DfT was to have the whole exercise complete by the end of December. The Chair concluded by stating that the case for retaining the BTP was overwhelming and the fact that it was a national, specialist Force was proved by the recent events of July 7 and 21. Further the Force's performance in policing G8 was a clear indication of the worth and effectiveness of BTP and its role. It was accepted that there may be areas that the review could point out to improve BTP's cost base whilst maintaining performance.

The report was **noted**.

Agreed:

- **The Authority remains convinced that a single national Police Force should continue to police the rail network in England, Scotland and Wales, and that proponents of any**

change must bring forward convincing and powerful evidence to justify any contrary position.

- **If any more detailed consideration on Force restructuring is needed, refer to SB&PM Committee.**
- **Members would help mobilise support using contacts.**
- **Authority should brief stakeholders regarding situation.**

Actions:

- **Secretariat to circulate briefing document to Members.**
- **Secretariat to approach other authorities regarding any proposed restructuring.**

76/2005
Agenda Item 7

BTP FUNDING ARRANGEMENTS

Mr Hemmings spoke to his report, which provided a variety of options regarding how BTP could be funded. There was much discussion around option 3.8 which suggested that passengers could pay through their fares with a security/policing levy added on. Mr Foxall expressed the opinion that none of the options were great but if the government was committed to the user pays principle, then ultimately the passenger should pay as they are the user. Mr Adams pointed out that this should appeal to the Treasury in terms of where the money was coming from. The Chair suggested that a paper was needed from someone who could produce a detailed breakdown of how this could work. It was agreed that someone should be commissioned to undertake this work. Mr Foxall stated that if the Police Authority caused an increase in fares it may come under greater pressure from passengers than with TOCs. It was **agreed** that option 3.8 be explored further.

Actions:

- **Secretariat to commission investigation of option 3.8 in detail.**

77/2005
Agenda Item 8

LOCATION OF AUTHORITY MEETINGS

There was a consensus that if the 5 meetings a year were held in different locations it would cause a drop in attendance and it was critical that Members and the Force attend. It was suggested that as an alternative the Authority hold its annual meeting in July in a different location, on an annual basis. This suggestion was **approved** by the Members.

Action:

- **Secretariat to approach Scottish Executive and Welsh Assembly regarding 2006 annual meeting.**

PART II – ITEMS TAKEN IN PRIVATE

78/2005 CASES OF INTEREST

Agenda Item 9

The Chief Constable spoke to his report, which outlined a small sample of the most serious cases the Force was currently involved in and invited Members to read the information.

79/2005 AOB

Agenda Item 10

There was no AOB.

DATE OF NEXT MEETING: 20th December, 10.00am, to be followed by Christmas Social

Signed.....

Chairman