

BRITISH TRANSPORT POLICE AUTHORITY

MINUTES
POLICE AUTHORITY
4th MARCH 2008, 10.00AM

at
G1&G2 – FHQ 25 CAMDEN ROAD

Present: Sir Alistair Graham (Chair)
Sir David O'Dowd
Mr L Adams
Mr I Dobbs
Mr C Foxall
Mr M Holden
Mr J King
Ms C Knights
Mrs W Towers
Mr J Weimar

Apologies: Mr M Brown
Mr R Gisby
Suzanne May
Mr R O'Toole

In attendance: Mr I Johnston, Chief Constable
Mr A Trotter, Deputy Chief Constable
Mr A Pacey, Assistant Chief Constable, Operations
Mr D McCall, Assistant Chief Constable, Scotland
Mr P Crowther, Assistant Chief Constable, Crime
Mr S Thomas, Assistant Chief Constable, London & Olympics
Ms S Burd, Director of Finance and Corporate Services (part)
Ms L Scott, HR Director
Mr L Stringer, Estates Manager
Ms M Daniels, Deputy Head of Strategic Development
Mr N Barker, Staff Officer to Chief Constable
Ms V Delices, Secretariat Manager

Mr R Hemmings, Chief Executive & Clerk
Mrs E Pike, Treasurer
Mrs S Elvy, Research and Policy Manager
Miss L Bryant, PA
Miss L Barrick, Business Support Manager & Minutes

Observing: Mr F Sampson, Chief Executive, Civil Nuclear Police Authority

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PART I – ITEMS TAKEN IN PUBLIC

15/2008 WELCOME AND APOLOGIES

Non- Agenda

The Chair welcomed Mr Dobbs to his first meeting as a substantive Member of the Authority and thanked him for his commitment and patience whilst he awaited his formal appointment. He gave apologies from Mr O'Toole, Mr Gisby, Mr Brown and Suzanne May who was unwell.

16/2008 MINUTES OF MEETING 22nd JANUARY 2008

Agenda Item 1

These were approved as an accurate record.

17/2008 MATTERS ARISING

Agenda Item 2

Mr Weimar asked what was happening with regard to planning a Strategic Plan launch. Mr Hemmings answered that the London Transport Museum was being considered as a location as it was appropriate and had good facilities. There would also be free museum entrance for all delegates. The idea was to have a brief formal presentation followed by various display stands on key areas that delegates could make their way round. Mr Hemmings added that the Minister had said that he would attend and all stakeholders would be invited along with the Press. It was expected that the event would take place in mid-May.

All matters had been discharged.

18/2008 COMMITTEE ISSUES

Agenda Item 3

**Stakeholder Relations and Communications Strategy Committee
08.01.08**

The minutes of this meeting were put to the Authority. An oral update had been given at the previous meeting.

Professional Standards Committee 29.01.08

Mrs Towers updated that the Taylor recommendations were now likely to be implemented nationally in the Autumn as opposed to April as had previously been planned. She added that the Force was well advanced in its planning for this and was developing its own training regime.

The IPCC was doing a 'stock-take' which could result in some changes to the statutory guidance.

HMIC had issued a self-assessment framework for professional standards departments. This was not an inspection but a 'health check'. The next HMIC inspection of professional standards was expected in Spring 2009.

Strategy, Budget and Performance Monitoring Committee 12.02.08

The major items of this update were covered under item 8.

The current year's financial figures had been presented and the Force was on target to come in on budget.

The Chair said there had been an update on the efficiency programme.

Ms Scott added to this saying that the HR review had been completed and the report received. Plans for implementation were now underway and the senior HR staff had held an away-day at which they had begun to define a new operational structure for the department, both on area and centrally. The new structure was being designed around what the department needed to deliver and would combine central and de-centralised aspects to best fit BTP. The Areas would aim to lead more on operational activity with the centre retaining strategy and policy making capacity. Ms Scott said it now had to be planned over what timeframe the efficiencies would be introduced. The Chief Constable said there were a lot of savings to be made but at the same time the department had to fit the culture of the organisation.

The Chief Constable informed Members that Chief Superintendent Martyn Ripley had been appointed as the operational lead for this project.

Policing Plan Working Group 12.02.08

Sir David congratulated the Force and the Group on developing the Plan. He said he had asked the Force for confirmation that the Plan fitted with the outcomes of the Flanagan review and been assured that it did. He added that the Association of Train Operating Companies

(ATOC) had been very supportive on the partnership aspects of the Plan.

Mr Holden noted that there did not appear to be any targets around serious, organised or major crime, as the focus was on volume crime. The Deputy Chief Constable said that a whole range of things fed into the targets. He added that it was difficult to develop targets for these areas. Assistant Chief Constable Crowther pointed out that the Strategic Plan covered serious crime. There were also local targets within the Policing Plan that covered aspects of serious crime, so the Force was tackling this area.

Mr Foxall felt that resources going into Wales needed to be identified more clearly. He added that it would be prudent for the Force to have Welsh Assembly Government input and sign off on the targets for Wales. Assistant Chief Constable Pacey said there was no problem identifying the resources that went into Wales and he would be happy to share this information.

Human Resources and Remuneration Committee 19.02.08

Ms Knights gave a brief oral update.

Suzanne May had come to the last meeting as an observer and Ms Knights said if any other Members would like to do this they would be welcome. Alternatively, if any Members wanted to request the HR Director's report which went to the Committee this was quite detailed and could be of interest.

The annual business plan had been presented to the meeting. The majority of planned projects had been completed but a few would be rolled forward into the next year.

Ms Knights said that she and Mr Hemmings had attended a Human Resources Committee meeting at the West Yorkshire Police Authority. This had focused on training and Ms Knights felt the Committee could improve their oversight in this area.

There were still some concerns around the OCCHEA contract which were being dealt with. There had been some efficiency savings around health and safety, with a deal being struck with Dollond and Aitchison which would reduce the cost of eye care to the Force. A health and safety auditing system had also been put in place using PDAs.

The staff survey results had been presented and Ms Knights asked that all Members look at their areas in detail.

Agreed:

- **Members to look at the staff survey results for their areas in detail.**

19/2008 CHIEF CONSTABLE'S REPORT

Agenda Item 4

The Chief Constable spoke to his report. He reported that the Force was hitting 75 out of 100 targets, which was an improvement since the figures were last reported.

The Persistent Young Offenders (PYOs) target continued to be a problem. Assistant Chief Constable Crowther updated on this saying that the target had been 71 days from arrest to sentence and this had been decreased to 65 days to stretch police forces. Originally BTP had had more than 300 outstanding cases and this had been reduced to 84. This had been challenging for BTP as the Force did not fall within standard reporting procedures from the Courts, which had made it difficult to get the data together and a stringent reporting scheme had been implemented.

The Force had been improving in this area and this was demonstrated by the statistics from the rolling quarters, which had started at 121 days and were now at 64 days. However, there were still some challenges to come, as there were some outstanding cases that would hit the figures later. These cases could not currently be progressed until other matters outside of BTP's control had been dealt with.

The Chief Constable reported that overall crime on the railways had fallen by 11% with robbery down by 46%, anti-social behaviour down 9%, violent crime down 13% and staff assaults down 13%.

There had been a delay in the signing of the Memorandum of Understanding for the Olympics. This document gave Assistant Chief Constable Thomas the lead role in coordinating transport security for all transport forms within London during the Games. It was expected that this would be signed shortly.

The ministerial meeting had been moved to 25th March. There had been a meeting with Dr Mike Mitchell of the DfT where the need to develop a coherent approach to CCTV had been discussed.

There had been a significant incident with the rail crash in Leicestershire. The driver had received serious leg injuries but there were no serious injuries amongst the passengers.

There had been a cable theft day of action which had proved very successful and it was hoped that this would be repeated shortly. Mr King asked what sorts of offences were being charged. The Chief Constable said that these varied but the Force was ensuring that all possible offences were being identified, including offences relating to vehicles. Assistant Chief Constable Crowther added to this saying that the aim was to disrupt their activity as much as possible, and the Force was also engaging with HM Revenue and Customs on this matter.

Mr Hemmings updated that he had received a letter from the Scottish Justice Minister thanking the Force and Authority for their efforts around stop and search issues in Scotland and for keeping him informed. He

added that he and Mr King would be meeting the Minister again in April. Mr King said that the SR&CS Committee was focusing on stop and search and was not complacent around the lack of complaints in this area.

Mr Adams said that the Chief Constable had been reported in his ACPO capacity as saying that there was a lot of unreported crime. He asked how this reflected on the rail industry. The Chief Constable replied that it was difficult to know what the level of unreported crime was as it was a very complex area. He said that staff assaults demonstrated this. Reporting had increased when the Force had focused on it and encouraged the reporting of assaults. However, the figures were now reducing because of the positive action taken by the Force.

Mr Foxall said that he would be interested to see some research done into theft of passenger property, as he felt that it would pay the Force a dividend.

Mr Hemmings said that HMIC had visited the Force to review the counter terrorism function; this had not been an inspection. He said that funding issues had been discussed.

The report was **noted**.

Agreed:

- **Consideration to be given by the Force into carrying out research into the theft of passenger property.**

20/2008 POLICING PRESENTATION – MAJOR CRIME

Agenda Item 5

Assistant Chief Constable Crowther gave a presentation on major crime.

Ms Knights said that the presentation had been very interesting. She asked whether this was something that the Authority needed to monitor more coherently, because the current portfolio arrangement meant that some aspects of this were not picked up.

Mr Foxall said that he supported Ms Knights suggestion.

Mr Hemmings asked how these issues were fed back to the industry. The Chief Constable said that all the cases mentioned had been featured in the Chief Constable's report which was distributed to the industry. He said the challenge was to raise the salience of these issues.

The Chair asked if there was anyway that the Force could demonstrate how the results translate into a cash benefit to the PSA holders.

Mr Dobbs said that it was worth getting the message across to the industry that BTP was not trying to do everything. Assistant Chief Constable Crowther said that in cases such as murder BTP took a

collaborative role rather than a leading one. The Chief Constable said the national protocol was that if something happens on the railway that will affect its running BTP take it. He said he certainly had no desire to pick up anyone else's work.

The Chair asked if the Force came to amicable arrangements regarding resources with other forces. Assistant Chief Constable Crowther said this was the case and gave the example that there had been a large operation to tackle people trafficking largely been led on BTP intelligence but working in conjunction with the MPS.

Agreed:

- **Consideration be given to revising the Member portfolio interests to ensure that all aspects of serious crime are covered.**

21/2008 PROPOSALS FOR PRESENTATIONS TO THE AUTHORITY

Agenda Item 6

Mr Hemmings spoke to the paper which laid out suggestions for presentations to the Authority in the future. He added that since the paper had been written it had occurred to him that another useful presentation might be on workforce modernisation. It might also be a good opportunity to hear from some of the Area Commanders.

Mr Adams suggested that business continuity planning would be a useful presentation. Sir David said that this was covered by the A&CG Committee, and that an internal audit report on this was to be discussed at the next Committee meeting.

The Chief Constable requested that CCTV be added to the list.

Mr Hemmings added that with regard to portfolios, Mr Brown had supported extending the football policing portfolio to include events policing and that he would be interested to undertake this role alongside Mr O'Toole.

The Chair recorded his thanks to Mrs Elvy for the paper.

Agreed:

- **The list was approved with the additions of**
 - **Workforce modernisation**
 - **Area Commanders - updating on their Areas**
 - **CCTV**
- **Mr Brown to pick up events policing as a portfolio area. Mr O'Toole to retain the focus on football policing.**

22/2008 POLICING PLAN 2008/9

Agenda Item 7

The Deputy Chief Constable spoke to the paper. He said that the Policing Plan Working Group (PPWG) had guided the Force to move away from a three tier model to a two tier model to simplify the process and management of the Policing Plan. The Plan now consisted of national and local targets which still left some complexity around the management of the Plan. He added that the Force had stretched itself as much as it could so it would be a challenging year.

Passenger groups and the rail industry had been consulted on the targets and the Force had evidence of this work, which had been more rigorous than the previous year as the Force settled into the new process.

The Deputy Chief Constable said the link between the Strategic Plan and the Policing Plan had been made explicit and the Force would continue to drive for a reduction in notifiable crime and an increase in detections.

Ms Knights said that the recruitment and progression targets were extremely challenging but the HR department was addressing how these were pursued. She added that they were linked to retention issues also not just recruitment. Ms Scott said that the recruitment targets were based on Home Office figures which were based on the overall composition of the Force and not just recruitment. She added that transferees made up a large section of new recruits to the Force and this was not controlled by HR. Ms Knights said that the HR&R Committee would be continuing to monitor the composition of the Force. Ms Scott said that turnover in general was not a concern but it was disproportionate for the under-represented groups. She said that a study of why people leave the Force had been carried out but had not uncovered anything significantly unexpected.

The Chair noted that targets around absence management were difficult. Ms Scott said this was a challenging area but it was right to keep it as a target. She said her objective was to maximise the number of officers and staff available.

Ms Knights asked if it was likely that the statistics would start by going up rather than coming down with the firm stance taken. Ms Scott responded that this was a possibility and that there were difficulties around disability discrimination, but she added that she was taking a firm line on absence. The Chair said there was a limit to the adjustments an organisation could make without affecting its core activity.

Agreed:

- **Members approved the targets outlined in the appendices of the paper.**

23/2008 REVENUE AND CAPITAL BUDGET PROPOSALS FOR 2008/9

Agenda Item 8

The Chief Constable spoke to the paper. He said that the DfT had confirmed that they would provide £11M capital funding for 2008/9. He added that a paper had gone to both the January Authority meeting and February SB&PM detailing the proposed budget. This budget had now returned following those discussions which had not required any significant change.

The Chair said that he could confirm that the SB&PM Committee had recommended the budget that was now before the Authority.

Mr Holden said that it was the first time that he had seen the London Underground budget and he noted that the settlement left L Area with a proportionately lower figure than the rest of the Force. The Chief Constable replied that this reflected recent history and there had been a very high level of investment. He said the TfL budgetary position had changed and he did not consider it an unsatisfactory level of investment given the previous levels of investment.

Sir David asked if Treasury approval had been received for the contingency fund. Ms Burd said that the DfT had written to the Treasury in support of this and written confirmation from the Treasury was now awaited; this was not expected to be an issue. Ms Burd added that the contingency fund would continue to be built up over the coming years.

Mr Holden asked whether the modernisation of police staff terms and conditions was imperative, as it was something that would rectify itself over time. The Chief Constable said that this related to the equal pay audit and the Force had to do something about it or they could be open to litigation under equal pay legislation. Ms Knights added that the HR&R Committee had been following this and agreed that it must be done. The Chair suggested that a presentation could be given on this subject so that the Members had a full understanding of what this entailed.

Mr Weimar asked for clarification regarding the reserves. He said that it had previously been suggested that the underspend following the police pay decision may be used to introduce the new uniform that was planned earlier than expected, however it now appeared that this money would be put in the contingency fund. The Chief Constable said the Force had received various windfalls over the past year that would be used to start a contingency fund. At present the money that had been discussed for uniform was to be put in the contingency, particularly as the Federation nationally had taken to the funding decision to Judicial Review which could mean that the money would be needed for a payout should the Federation win.

Mr Foxall said there had been a concern from a number of Members previously on the management of money that comes available throughout the year. He felt that it was unhelpful to assign the contingency in such a way as had been suggested regarding uniform. Ms Knights said that this was not strictly from the contingency but the

saving from the pay award. The Chair added that the Force was keen to use the money to do something that would boost morale. Mr Foxall said he understood this but that the money should go into the contingency and a fresh look be taken the following year rather than allotting projects throughout the year.

Mr Foxall was also concerned to ensure that both the Force and Authority understood the impact the budget for 2008/9 would have on the rest of the Medium Term Financial Plan (MTFP). Ms Burd answered that the Force had a good idea about committed costs but there were the unknowns such as the demand for policing and other initiatives that could not be fully planned for. Ms Burd added that the Force would come back to the Authority with any changes to be made to the MTFP. Mr Foxall said that the Authority would be approving the 2009/10 and 2010/11 budgets in light of the MTFP so cognisance needed to be taken of these when approving the 2008/9 budget.

Mr Hemmings said that the Authority needed to approve the Olympics spending proposals even though the funding was being provided by the DfT. The Chair updated Members that there were positive soundings from the DfT on the Olympics funding.

Mr Adams asked for clarification on the budgeted spends for neighbourhood policing schemes, as this was not included as a separate item after 2008/9. The Chief Constable confirmed that this was because the money labelled neighbourhood policing was for the set-up of new teams. Provision would form part of the base for future years. The Force did not envisage being able to afford to increase the number of teams in 2009/10 and 2010/11; the costs of the existing teams were included in the budgets as business as usual.

Mr Dobbs said the owning groups were expecting a 4.1% increase and the fact that this was to be delivered along with the efficiency projects and hopefully the Olympics funding, would improve the reputation of the Authority with the industry.

Agreed:

- **The Force to come back to the Authority with any changes to the MTFP throughout its life.**
- **Members agreed the overground budget for BTP of £192.83m in respect of 2008-09.**
- **Members agreed the underground budget for BTP of £50.3m in respect of 2008-09, funded wholly by Transport for London (TfL).**
- **Members agreed to the capital programme proposed by the Chief Constable amounting to £11m for 2008-09.**
- **Members agreed the budget proposals for the Olympics, funded wholly by DfT.**

- **Members agreed that charges to PSA holders for 2008-09 should be set at a level to recover these costs, and that the Chief Executive & Clerk be authorised to levy charges and render appropriate accounts to PSA holders.**

24/2008 BTPA BUDGET 2008/9

Agenda Item 9

The Chair confirmed that this budget proposal had been to the SB&PM Committee and came to the Authority with its recommendation.

Mr Hemmings said that there had been a significant provision made for legal costs due to the disputes. There had also been increases in the cost of recruitment with more posts to be recruited for than previously and the provision for police appeal tribunal costs had risen following a better knowledge of costs in these cases and a rise in the number of appeal requests.

Mr Foxall said that he would assume that the legal costs would not continue at the current rate in future. He also questioned why they were shown under consultancy costs, as he felt that as a matter of presentation it would be better to separate legal and consultancy costs for clarity. Mrs Pike said that she would address the presentational issue.

Agreed:

- **Members agree a budget of £1.856m in respect of the Police Authority for 2008-09.**
- **The presentation of the budget to be looked at.**

25/2008 UPDATE ON PROGRESS OF REVISED PSA

Agenda Item 10

Mr Hemmings said that there had been a lack of clarity in the current PSA and it had been criticised by the arbitrator in the previous disputes. Following this and to deal with the new legislative framework which established the BTPA, a new PSA had been drafted in consultation with the DfT. This did not affect enhanced PSAs, as these were bespoke, or the agreement with TfL.

Mr Hemmings said the next step was to consult with ATOC about the draft. He added that there was no option but to have a new document. The view of the DfT was that all existing PSAs should be terminated at the same time and replaced with the new agreement. This would take four years as this was the notice period stated in the current PSA. This could only be achieved sooner by agreement from all parties.

Mr Hemmings said that he would want to align the new PSA with the budget cycle.

The Chair asked if the powers under section 6.7 regarding late payment were significantly different. Mr Hemmings answered that the current agreement did not have that provision.

Mr Dobbs said that he was disappointed that there had not been more of a partnership approach to this piece of work so far. Mr Hemmings said that he was keen to consult with industry colleagues.

Mr Weimar said that the Authority needed handle the implementation of this carefully and that it must secure buy-in from the PSA holders. He asked, as disputes were still running, was there any urgency to implement this. The Chair said that the current PSA was not fit for purpose so there was urgency in that sense. Mr Weimar said he doubted that a new PSA would prevent further disputes.

The Chair said that discussion with the PSA holders was needed and as such the recommendations would not be agreed until this had taken place. The Authority agreed to approve the draft document for discussion with the PSA holders. A report would come back to the Authority following these discussions.

Agreed:

- **The position was noted.**
- **The draft agreement was approved for discussion with PSA holders.**
- **The Chief Executive and Clerk to come back to the Authority following discussion and before any termination notices were served.**

PART II – ITEMS TAKEN IN PRIVATE

26/2008 ESTATES – BLUNDELL STREET LEASE ARRANGEMENT

Agenda Item 11

The Authority approved the lease arrangements and noted the position of the central London accommodation strategy.

27/2008 SAFEGUARDED TRAVEL

Agenda Item 12

There was a discussion on safeguarded travel arrangements.

28/2008 UPDATE ON DISPUTES

Agenda Item 13

Mr Hemmings updated members on the disputes.

PART III – MEMBERS ONLY

29/2008 CHIEF OFFICER RECRUITMENT

Agenda Item 14

The Authority considered a paper from the Chair.

30/2008 AOB

Agenda Item 15

There was no AOB.

DATE OF NEXT MEETING:

Tuesday 6th May at FHQ, 25 Camden Road.

Signed.....

Chairman