

Minutes

Police Authority

Date: Wednesday 9 December 2009

Venue: G1 & G2 FHQ, 25 Camden Road

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Present:

Ms Millie Banerjee, Chairman
Sir David O'Dowd, Deputy Chairman
Mr Lew Adams
Mr Howard Collins
Mr Ian Dobbs
Mr Colin Foxall
Mr Robin Gisby
Mr Michael Holden
Mr James King
Ms Christine Knights
Suzanne May
Mr Neil Scales
Mrs Wendy Towers

Apologies:

Mr Ron Culley
Mr Jeroen Weimar

In attendance:

Mr Andrew Trotter, Chief Constable
Mr Paul Crowther, Deputy Chief Constable
Mr Alan Pacey, Assistant Chief Constable Operations
Mr Stephen Thomas, Assistant Chief Constable Olympics
Mr Mark Smith, T/Assistant Chief Constable Crime
Mrs Sharon Burd, Director of Finance & Corporate Services
Ms Linda Scott, HR Director
Mr Peter Zieminski, Chief Superintendent
Ms Vanessa Delices, Secretariat Manager

Mr Paul Coen, Interim Chief Executive

Mrs Liz Pike, Treasurer

Mrs Samantha Elvy, Research & Policy Manager

Miss Lucy Barrick, Business Support Manager & Minutes

PART I - ITEMS TAKEN IN PUBLIC

62/2009 Welcome and Apologies

Non-Agenda

The Chair gave apologies from Mr Weimar and Mr Culley.

The Chair announced that Mr Hemmings had resigned from the Authority. The Authority welcomed Mr Coen who had been appointed as Interim Chief Executive. The search for a new permanent Chief Executive was underway and it was anticipated that someone would be in post around April 2010. The Chair also announced that Mr Haddock, Deputy Chief Executive, was returning to the Home Office in January. The Authority wished him all the best.

63/2009 Minutes of Meeting 24 September 2009

Agenda Item 1

Ms Knights requested an amendment to the minutes covering the update from HR&R Committee to say *“The meeting focused on two major projects - the staff pay award for 09-10 and the engaging police staff project on equal pay. The venue of Birmingham was chosen in order to allow members to visit staff at the new HR Business Centre”*.

The minutes were approved subject to the above amendment.

64/2009 Matters Arising

Agenda Item 2

All actions had been discharged.

65/2009 Chief Constable's Report

Agenda Item 3.1

The Chief Constable said that there had been strong performance so far in the current year on both crime reduction and detection. He added that the industry had supported the Force's supervisor seminars with senior industry figures providing opening comments.

There had been some internal changes at the Senior Command Team (SCT) level. Assistant Chief Constable Pacey would now be the lead on territorial policing for all BTP Areas. This would bring consistency and help to drive efficiency across all Areas. The assistant chief constable replacement process would also begin in the New Year once the Strategic Command Course had taken place.

There was a concern from Members that progress was not being made on the Stratford and Liverpool Street accommodation issues. The Force responded that they were in discussions with Network Rail to resolve the Stratford issue well ahead of the Olympics. Mr Gisby gave his assurance that this was in hand and that he would continue to help the Force resolve the issue. It was agreed that the Chief Constable would come back to Mr Adams with an update on Liverpool Street.

The Force acknowledged that theft of passenger property (TPP) was currently a challenge on London Underground, but progress was being made with some significant arrests. TPP was being perpetrated by organised criminal groups and the Force was working with Romanian and Bulgarian authorities to address this.

The Authority noted the good performance at the Birmingham contact handling centre. The Force said that it was undertaking a process review of contact handling to improve this further. Mr King added that the SR&CS Committee was planning to hold its April meeting in Birmingham to visit the contact handling centre again and any other Members were welcome to join his Committee for the day.

Members noted that one of the night-time economy venues which had been causing problems at Leeds Railway Station had closed and asked if this had resulted in any improvement. The Force responded that the closedown had helped but there had also been discussions with the Chief Constable of West Yorkshire Police as the Force considered this type of policing to be city centre policing as opposed to railway policing and that there should not be an artificial divide. The Chief Constable said that he would have similar conversations with colleagues in other affected areas.

The Authority asked if there was an earlier stage at which the Force could intervene to prevent such problems from occurring. The Force said that it was not easy to fight licensing applications but that it was working closely with all parties involved to try and find a solution. It was suggested that the Force could look at having protocols in place with landlords at stations, and possibly an incremental charge, as the night economy required additional

policing. The Force said that it would come back on this suggestion and any progress at a later meeting.

Agreed

- Mr Gisby to help the Force to resolve the Stratford accommodation issue.
- The Chief Constable to come back to Mr Adams with an update on Liverpool Street.
- Members to let Miss Barrick know if they would like to join the SR&CS Committee in Birmingham in April.
- The Force to look into the suggestion of having protocols in place with landlords at stations and report back on progress at a later meeting.

66/2009 Strategic Assessment

Agenda Item 3.2

The Strategic Assessment was used to feed into the Annual Policing Plan and protective services. The assessment also took account of seasonality meaning that the Force could predict when certain crime types would decrease and increase and plan accordingly.

The Members felt that the assessment did not address the fact that the Force anticipated policing issues well and had a good strategic network role. T/Assistant Chief Constable Smith said that this was covered in the executive summary and he would distribute this to Members.

There was a discussion regarding how people who had committed staff assaults were dealt with. There was a concern that too many of these were dealt with by way of a caution. The Force said that this was not the case. There had been 198 people dealt with by way of a caution but over 800 people had been charged. There was also a lot of work taking place with the Crown prosecution Service (CPS) to ensure that the severity of such assaults was recognised in making decisions on staff assault cases. The current thinking was to have regional representatives within the CPS who staff assault cases could be referred to so that caution decisions would only be made in exceptional circumstances. The question was raised as to whether similar discussions were taking place with the Procurator Fiscal in Scotland. T/Assistant Chief Constable Smith said that he believed they were but he would confirm back to the Authority.

Mr Collins said that using a domestic violence template in dealing with these cases had worked well for London Underground and he would be happy to share this model.

Agreed

- T/Assistant Chief Constable Smith to distribute the executive summary to Members.
- T/Assistant Chief Constable Smith to confirm whether the same discussions that were taking place with the CPS on staff assaults were also taking place with the Procurator Fiscal.
- Mr Collins to share the domestic violence template used for dealing with staff assaults on London underground Area.

67/2009 Final Statement of Accounts 2008-9

Agenda Item 4

It was requested that Members feedback any comments on the narrative to Mrs Burd as soon as possible.

The Authority was updated that the post Judicial Review situation had resulted in the Accounts being held back as errors had been found in the charging model meaning that the Post JR Project Team had to go back to the base to work these through. The Post JR Project Team had now given assurance that the numbers were correct at the earlier A&CG Committee meeting. However, the Accounts were not quite in the position for final sign off, as there was still some work to be done on the treatment of debt before the National Audit Office (NAO) would give a final opinion.

The issues had been that the 2009/10 invoicing had been crucial to the Accounts completion but these had not been sent out until November as the Post JR Project Team had been working through the errors identified in the charging model. The NAO had at this point only provided a draft pre-certification report which was substantially focused on detail such as typing errors and presentational errors with some further information required but nothing material.

The NAO did raise one substantive issue which related to the treatment of debt and what expectations the Authority could reasonably have that invoices issued would be paid. The A&CG Committee was of the opinion that substantial provision should be made and the NAO were content with this for the period up to 2007. However, after 2007 the NAO felt that the treatment should be to show a contingent liability and reduce provisions.

The A&CG Committee felt that this was a possible way forward but it may show continuing problems in the 2009/10 Accounts.

As a result of the above, it was proposed that the work continue with the aim of receiving a final report from the NAO before Christmas. If a report was received which did not raise further material issues it was proposed that delegation be given to the Chair and Deputy Chair, also as Chair of the A&CG Committee, to sign the Accounts off before the end of the year on behalf of the Authority. It was hoped that any report would give an unqualified opinion. If further material issues were raised the Accounts would come back to the full Authority.

This path was supported by the Authority and the Chief Constable as the Accounting Officer.

Agreed

- The Chair and Deputy Chair to be given delegation to sign off the Accounts should a final report from the NAO be received which raised no further material issues.
- If further material issues were raised by the NAO the Accounts to come back to the full Authority.
- The Chair and Deputy Chair to report back to the Authority in January.

68/2009 Final Position Summary Report

Agenda Item 5

The Force updated Members that the revenue forecast to the year end was for an underspend of £50k. It was also noted that following an agreement at the SB&PM meeting £400k had been put into reserves. There were no major areas of concern just some minor over and under spends.

The report was noted.

69/2009 Budget Setting

Agenda Item 6

This paper explained the statutory position relating to budget setting. It was noted that the budget setting was taking place earlier than previously and that a two-year direction of travel was being suggested.

It was explained that Members were only being asked to set the budget at this point and not the PSA charge for 2010/11. There was an outstanding issue relating to depreciation which needed to be clarified with the DfT before the PSA charge could be set. Also, the BTPA budget proposals had not yet been received and would be coming to the January meeting once there was more clarity around the Authority's strategy for the medium term. There were also conversations still taking place with ATOC.

This paper contained the recommendations to be considered when discussing the next item.

70/2009 Revenue & Capital Budget Proposals 2010-11

Agenda Item 7

The Chairman noted that the current economic climate was difficult. She also noted that the Force had had some extraordinary years with large budget increases which totalled a 57% increase from the 2004 budget to 2009. The Force had turned itself around as a result of this, and the determination of its employees, and its performance was now excellent. The time had now come to recognise some of the efficiencies and value for money coming out of the investment. The Chair added that the political debate on value for money in public services would continue with the Government White Paper signalling significant reductions in police budgets. However, the police pay increase was agreed for 2010/11 and this would not change, but for 2011/12 and onwards this was an unknown. The proposals that were in front of Members would put pressure on the Force but the Chair thanked the Chief Constable and his team who had been very cooperative and positive which meant that the proposals were significantly underpinned by programmes and plans. The Chair concluded saying that she would like to recommend the proposals.

The Deputy Chief Constable presented the Medium Term Financial Plan 2010/11 - 2012/13. The *Frontlinefirst2* Programme had identified £3.7m in savings. However, there would be additional savings of £0.69m in 2010/11 and £3.4m in 2011/12 to be made on top of the £3.7m identified. A sensitivity analysis was provided demonstrating the range within which the budget could be affected by police officer and police staff pay and general inflation increasing or decreasing by 1%. Other pressures to be considered were that the number of enhanced PSAs was likely to reduce as PSA holders found themselves in tight positions financially due to the recession; both TfL and High Speed 1 had indicated that they would be reducing their enhanced PSA commitments.

Capital funding arrangements had presented an opportunity with the Financial Reporting Manual (FReM) leading the Force to include costs for

depreciation in PSA charges. This issue needed to be resolved before the PSA charge could be determined and could offer an opportunity to reduce the PSA charge.

A comprehensive review of the reserves was to be carried out in the New Year and the Force would report back to the Committee on this in the Spring.

The Deputy Chief Constable concluded saying that the risks had been rehearsed on several occasions and it was noted by the Force that these were challenging but deliverable.

A draft capital programme would be brought before the Authority for approval in March. This would first go to the February SB&PM Committee meeting. It was noted that the SB&PM committee had seen a draft programme at its November meeting.

The Chief Constable added that there was no doubt that the proposals would prove extremely challenging but they were achievable. The Force had gone through all the issues on a case-by-case basis and identified where most of the savings could be made. He added that the Force was cognisant of the financial situation. The Force would ensure that its focus remained on driving crime down.

Members were pleased to see a concrete strategy but there was some concern about the second year. Members felt that there was a lot that could happen that was outside of both the Force and Authority's hands and could mean that 0% was not achievable. Members considered the 0% position could be too constraining and difficult to move away from if it was stated too boldly at this point in time. The Chairman agreed that this was a concern but added that approximately 80% of the Force's costs were people so there were only 20% of costs that were at risk due to impact of increased inflation. She added that the 0% was intended to indicate a direction of travel to achieve the strategy and would not be given as a promise. The Members added that any communication would need to be clear on this point and that the PSA charge had not been signed off. Options for the PSA charge and capital depreciation charge would come to the January meeting.

The potential deficit in the pension fund was noted as a further risk to the budget. Members asked if the correct provision was being made for the employer contribution. The Chairman noted that the valuation had found a significant deficit in the pension fund but this would not affect the budget until 2011/12 and the Chief Executive was leading a project to explore this

issue. A discussion would also take place with the pension regulator to see if the payment time could be increased. It was added that the pension issue had been raised with the funders who had been spoken to and they were aware of the risks associated.

Mr Collins said that he would be happy to provide any assistance on the pension valuation issues.

The Members asked what was happening with the London Underground Area budget. The Chief Constable explained that he had met with Mr Hendy, the TfL Commissioner, and discussed the budget pressures faced by TfL. It had been agreed that the Force would look at the BTP budget for the London Underground Area and the enhanced arrangements to see where the pressures could be accommodated. It was also noted at this point that the governance arrangements with TfL were under review.

The Chairman was clear that should there be a reduction in the London Underground charge this should not affect the other PSA holders charge. The reduction would come out of enhanced PSAs.

The Authority thanked the Force for all their work on putting the proposals together.

The Authority agreed:

- To support a 1.3% increase in budget for 2010/11.
- To support 0% as an indication of the direction of travel for the 2011/12 budget with the caveats that this was dependent on external factors, such as the economy and inflation and that communications were clear that this was not a promise.
- The PSA charge would be agreed at the January meeting once the depreciation issue was settled.
- The Force to bring a draft capital programme to the Authority for approval in March, following recommendation for the February SB&PM Committee meeting.

Actions

- The Force would report back to the Committee on its comprehensive review of reserves in the Spring.
- The communications going out with the budget settlement to be clear that 0% was an indication of a direction of travel for 2011/12 and not a

promise and that it was dependent on a number of factors including the economic situation and inflation changes. The Chairman to write to ATOC on this point.

- Options for the PSA charge and capital depreciation charge to come to the January meeting.
- Mr Collins to offer assistance with the pensions valuation issues.

71/2009 Progress Update in Relation to the Strategic Plan

Agenda Item 8

The Force gave a progress update on actions against the Strategic Plan. Progress against the plan was going well with all but 4 of the 85 areas rated green. The 85 areas related to the four overall objectives.

The Force was now turning its mind to future plans, and in collaboration with the Authority wanted to look at moving to a three-year rolling plan. A new plan was required from 2011 and the Force asked that work on this commence early in 2010. There was also the possibility that with a rolling strategic plan the policing plan could be incorporated into this. It was agreed that this would be discussed at the next meeting.

Agreed

- Work to begin on a new plan looking at moving to a three-year rolling plan with the policing plan incorporated.

72/2009 BTPA Expenses Policy

Agenda Item 9

Mrs Towers requested that a reference to the Police Appeals Tribunal expenses policy be included.

The Authority approved the policy with the above amendment.

73/2009 Committee Issues

Agenda Item 10

Stakeholder Relations & Communications Strategy 20.10.09

The minutes were noted.

Business Review Group – Meeting with Committee Chairs 22.10.09

The minutes were noted.

Professional Standards 27.10.09

Mrs Towers said that the Annual Complaints Statistics prepared by the IPCC for 2008/9 had shown that the Force had a higher increase in complaints compared with other forces. However, this was being monitored and the current year was showing a much lower level.

It was also noted that the complaint policies that were being drawn up for chief officers and staff were not yet ready to come to the Authority for approval.

Policing Plan Working Group 29.10.09

The Force updated Members that the single measure for Home Office forces was a confidence measure which was measured through the British Crime Survey. The Policing Plan Working Group (PPWG) had been looking at what this could look like for BTP. There had been agreement that effort to increase passenger satisfaction with journeys through reliability (e.g. reducing cable theft, dealing with fatalities) and perception of safety (e.g. reducing violent crime and anti-social behaviour) was key. The PPWG had then considered whether this could be measured via the National Passenger Survey as a single measure. However, there were some reservations over using this as a measure and whether the detail of the survey would deliver what was required. Therefore, the confidence target through a single measure would not be one of the overall targets for 2010/11 as more work was required on looking at how this could be measured. However, the Force was looking at what could be done to bring passenger safety into the targets.

The PPWG was looking at research on anti-social behaviour to help in this area. Staff groups were also recommending that the rail staff survey could be used to draw out passenger experiences through staff perceptions. The Force was currently looking at ways to enhance the coverage of the rail staff survey such as through Unions, PSA holders and Neighbourhood Policing Teams (NPTs).

The Authority asked if the work required was manageable in the next 15 months to bring something in for 2010/11 around a single confidence measure. The Force assured the Authority that it was possible. Mr Foxall said that the NPS was a good tool for providing a background picture measure and possibly identifying hotspots but it would not be possible to get down into the detail in different areas on confidence from this.

Mr Collins said that he had a lot of data from London Underground that he would be happy to share.

Agreed

- Mr Collins to share relevant data from London Underground on staff and passenger perceptions.

Human Resources & Remuneration 24.11.09

The minutes were noted.

Strategy, Budget & Performance Monitoring 24.06.09

The minutes were noted.

Special Audit & Corporate Governance 01.12.09 and 09.12.09

The minutes were noted.

