

## Minutes

### Police Authority

**Date:** Thursday 26 May 2011

**Venue:** G1 & G2 FHQ, 25 Camden Road, London NW1 9LN

The Forum  
5th Floor North  
74-80 Camden Street  
London NW1 0EG

T: 020 7383 0259  
F: 020 7383 2655

[www.btpa.police.uk](http://www.btpa.police.uk)

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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 Robin Gisby  
Mrs Elizabeth France  
Mr Michael Holden  
Mr Neil Scales  
Mrs Wendy Towers  
Mr Jeroen Weimar

### Apologies:

Mr Colin Foxall  
Mr James King

### In attendance:

Mr Andrew Trotter, Chief Constable  
Mr Paul Crowther, Deputy Chief Constable  
Mr Alan Pacey, Assistant Chief Constable Territorial Policing  
Mr Stephen Thomas, Assistant Chief Constable Operations  
Mrs Sharon Burd, Director of Finance and Corporate Services  
Ms Teresa Hickman, Acting HR Director  
Ms Marie Daniels, Head of Strategic Development  
Mr Simon Hart, Head of Finance  
Ms Vanessa Delices, Secretariat Manager

Mr Andrew Figgures, Chief Executive  
Mrs Liz Pike, Authority Finance Director

Mrs Samantha Elvy, Performance Review Manager  
Miss Lucy Barrick, Business Manager & Minutes  
Mr Jonathon Newton, Performance Analyst

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## **PART I - ITEMS TAKEN IN PUBLIC**

### **28/2011 Welcome and Apologies**

Non-Agenda

The Chairman gave apologies from Mr Foxall and Mr King.

### **29/2011 Minutes of Meeting 24 March 2010**

Agenda Item 1

The minutes were approved as an accurate record.

### **30/2011 Matters Arising**

Agenda Item 2

Action seven would initially be dealt with out of committee with a paper coming to the next Authority meeting suggesting the way forward. Action eight which referred to "other" PSA holders would be included as part of the PSA Review and taken forward from there.

All other matters had been discharged.

### **31/2011 Chief Constable's Report**

Agenda Item 3

1. The Chief Constable gave a presentation on the 2010/11 performance year. The Force had achieved 11 of its 15 national targets with those not achieved only missed by a narrow margin. The cable theft target was the only one to have a significant difference between the outcome achieved and the target stated.

2. The Chief Constable acknowledged that cable theft remained a major challenge. The problem was still primarily in the North Eastern Area but there were also hotspots in Wales and Western and London North. The Force was confident that it had made headway in tackling the problem with the focus on intelligence as it had reduced slightly, but this coincided with a slight dip in the copper price which could also partly explain this. Having the Network Rail Analyst working with BTP had also helped to move forward on the problem. Software was also being developed to narrow the range to help identify hotspots.

3. The Chief Constable reported that he had been pleased with the Force's enhanced media profile.

4. The Force was looking closely at its missed calls rate to ensure that it had the resources where they were required. There were more resources available in the evenings following feedback from stakeholders.

5. On corporate matters the Chief Constable reported that he was pleased to see financial performance information getting the same attention as operational performance. He thanked the Finance Team for their hard work. The work on the development of the Strategic and Policing Plans between BTPA and BTP continued to improve as did the consultation with stakeholders. A turnaround in the HR Department was also noted as the Chief Constable advised that there was now much more confidence in this function and he gave his personal thanks to Ms Hickman for this. He added that the Force had raised its officer recruitment standards to ensure that the few officers that it did recruit would be of the highest calibre. The process would now involve interviews and higher pass rates would be required. The Force had also recruited more Specials.

6. The closure of Tadworth and opening of Spring House was regarded a success. The decision to bring training back in house was considered to be the right one. It was also noted that in relation to Estates there were no longer any category D premises.

7. Technology was improving and had provided a much better service in 2010/11. However, there was still a lot of work to do in this area and it remained in progress.

8. It had been put forward that radio communications, whilst suitable for day-to-day policing, were not adequate for major incidents with all blue light services. There had been good partnership work on Airwave and funding was expected to extend this service. The next task for the Authority and Force to consider was how to obtain funding for BTP's role in counter terrorism policing.

9. The Authority thanked the Chief Constable for his presentation which had been most helpful. The Force was commended for achieving many of its targets and keeping the others moving in the right direction despite the difficult economic climate. The Authority was also pleased to see the financial achievements. The Authority was reassured to hear the measures being taken with regard to cable theft and urged the Force to keep up the focus on this despite changes to copper prices.

10. There was an update on the work on disruption. This had been included in the current Policing Plan with proxy measures to assess performance. The Force was reviewing the crimes which led to disruption and found that 70% related to trespass and as such trespass data was being reviewed. However, few trespass incidents were found to have a major impact on disruption so the next step was to hone down on those areas that result in major disruption and to target resources optimally. This may mean a move away from the Policing Plan target but the outcome was the key and would be the focus for deployment. The

Authority felt that this was absolutely the right thing and was encouraged by the analytical work that had gone into understanding the problem.

11. The Force was congratulated on Operation Balsam which was considered to be an excellent piece of policing.

### **Agreed**

- The approach to reviewing the funding of BTP's counter terrorism capability to be discussed at the fortnightly Chiefs and Chairs Meeting.
- The focus on cable theft had to continue

### **32/2011 Quarter 4 Performance Report Group**

Agenda Item 7

1. The Chair of the Performance Review Group gave a limited report focusing on those areas that had not received mention in the previous item.

2. On Area performance, it was noted that London North and London Underground Areas had both had good years. There had also been some good work by the Force on rostering and resources. There had been some issues in project management with a couple of projects drifting into extra expenditure. The Force responded that work was underway to improve portfolio management with more work on the dependencies between projects for better coordination, as the delay and expenditure had been incurred as a result of IT not being able to meet the demands that had been placed on them.

3. Cable theft remained a major issue for BTP in the coming year but it was noted that this was a partnership issue and the industry also needed to work on its own security, particularly with suppliers and contractors.

4. The report was noted.

### **33/2011 Chief Executive's Report**

Agenda Item 4

1. The charging for 2011/12 was all up to date and charges were being paid. The grant-in-aid from the DfT was in hand and progressing well. The progress on the annual Accounts was positive and it was expected that these would be unqualified and delivered on time.

2. The Police and Social Responsibility Bill was passing through the House of Lords and the Authority had suggested some amendments which would help to enhance the effectiveness of BTP. The Chief Executive and Chief Constable had met with Lord Bradshaw and also had significant support from cross bench Peers. As a result the Authority could be optimistic that the amendment would go through.

3. The triennial valuation of the Police Staff Pension Fund had taken place and a small deficit had been reported. The Authority Finance Director

was reviewing the assumptions that were included and would report to the September Authority meeting on the outcome of this.

4. The Force had refreshed its Equality Diversity and Human Rights Strategy and action plans for 2011/12. It was requested that Members with local Area responsibilities engage with their Area Commanders on this work and feedback to the Executive on progress for report to the Performance Review Group.

5. The Business Plan for 2011/12 was presented to the Authority for approval. This included the priorities for 2011/12 and a review of the performance for 2010/11. The Plan was to be used to monitor the Executive's progress throughout 2011/12. This was approved.

6. The draft Strategic Dashboard was presented for comment. This had been developed to give the Authority a balanced oversight of key performance issues. There was some further refinement to be carried out on establishment and headcount. It was also noted that the colour coding could lead to confusion as this related to whether something had improved not necessarily whether it was being achieved.

7. There was some concern from the Force that the colour coding could be misleading as many of the items included were not targets. It was explained that the concept was different and the dashboard was to look at the bigger picture and monitor the other matters that the Authority needed reassurance on without getting down into the detail that Groups were covering. The colour coding was a quick reference way of seeing whether things were improving.

8. It was suggested that there could be a section on people in the dashboard which could include the establishment and headcount piece along with the other matters such as complaints and grievances. Although there remained a question as to whether the complaints statistics included were the right measures.

9. The McNulty Review of the rail industry was discussed briefly and it was proposed that an outline proposal of the response from BTPA would be developed and brought to the July meeting. The Government response was expected in six months and the level two McNulty Report was due at the end of May. The Authority would address the report as a whole rather than focusing solely on the policing references. The Chairman said that she would like advice from the industry members on how the Authority could interact with the right people within the industry at a strategic level.

10. It was further noted that a number of franchises were coming up in 2013 so it may be useful to look at the structure of the charging process as part of the review of charging for post 2013 arrangements.

### **Agreed**

- The Authority Finance Director to report to the September Authority meeting on the Police Staff Pension Fund valuation.

- Members with local Area responsibilities to engage with their Area Commanders on equality and diversity and feedback to the Executive on progress who will report to the Performance Review Group.
- Members to feed in their comments on the Strategic Dashboard by 10 June 2011.
- A refreshed version of the dashboard to be brought to the July meeting with consideration given to a people section and a review of the complaints statistics.
- The 2011/12 Business Plan was approved.
- The Industry Members to advise the Chairman on how the Authority could most effectively engage at a strategic level with the industry to address the McNulty Review.
- The review of charging for the post 2013 arrangements to include a consideration of the McNulty Review and the risks and opportunities this had for how this may affect charging.

### **34/2011 Quarter 4 Finance Group Report.**

#### Agenda Item 5

1. The Finance Group Chair reported that the increased focus and control on the financial side had produced excellent results with an outturn of £4.8m against budget at the end of the year. The £4.8m was split into three parts including, a provision of £3m earmarked for 2011/12 in order to reduce the PSA charge for 2011/12. This had been agreed by the Authority in December 2010 when setting the budget. The remaining £1.8m included the £1.3m required for establishing BTP's firearms capability and £500k which would be allocated to the contingency reserve increasing this to £2.7m.

2. It was noted that the underlying savings figure was not entirely clear as the Force had also funded some unbudgeted projects, such as the voluntary severance scheme at £1.5m. The Finance Group had requested that they receive a report on the underlying saving so that they had a better feel for this. However, they appreciated that some of the savings that had been made were one offs and would not be repeated in later years. It was further noted that owing to the early date of its meeting, its due diligence had been carried out at a slightly higher level but this had been addressed for 2012 and the detailed quarterly reports were to be addressed out of committee by the Finance Group.

3. BTPA had a £25k underspend which was positive following the Judicial Review issues that the Authority had been resolving. The debt recovery work resulting from the Judicial Review which had been carried out within the Executive Team was recorded as this had been diligently conducted with good resolutions delivered.

4. In the 2010/11 Capital Programme, the Wide Area Network (WAN) project was reporting that it would overspend by approximately £150k. This was the result of additional resilience for major sites being provided with the provision of two links rather than one. Otherwise the Capital Programme was being delivered to budget.

5. It was noted that the Appendix to the BTP paper was in a format for internal use owing to the timing of the meeting. In future the Finance Group had directed that the total budget allocation approved by the Authority was not to change in order that any virement and variances could be tracked throughout the year.

6. The report was noted.

### **Agreed**

- The Authority approved the use of £1.3m of the underspend against budget to fund the firearms project.
- The Authority approved the proposal to put the remaining £0.5m into the Contingency Reserve increasing this to £2.7m.

### **35/2011 Pensions Governance**

#### Agenda Item 6

1. The Pensions Working Group had met twice to discuss the governance and investment strategy for the police officer fund. This project had been mandated as it was not considered that the investment strategies of the Trustee were necessarily the most appropriate for BTP(A), as the BTP fund was a small amount of a much larger pot that the Trustee was responsible for and there were no BTP representatives on the Trustee Board.

2. The investment discussion remained ongoing but the paper presented proposed a way forward on the governance front. The Group had considered three options:

- No change
- Greater powers of delegation to the Management Committee, principally in the areas of funding, audit and investment
- Take on full Trustee role

3. The second option, of the Management Committee having greater delegated powers, was recommended as the way forward, as taking on the full powers of the Trustee would be onerous and was considered unnecessary. The membership of the Committee would need to be reviewed to ensure that the appropriate skills were present to deliver the new terms of reference and the Committee would require support on investments.

4. The Authority was asked for its approval for the Pensions Working Group to finalise the requirements for the recommended option and to work with the employer and employee representatives with the objective

of going to the Trustee together to request permission for this amendment. It was noted that the final decision would be the Trustee's and further that the Trustee would retain the overriding power in regards to investments and could veto the proposals of the Committee if it felt strongly that they were inappropriate.

5. It was not anticipated that the employer and employee representatives would be unresponsive to the suggested way forward, or that the Trustee would have an issue.

### **Agreed**

- That the Pensions Working Group take the proposal for greater powers of delegation to the Management Committee, principally in the areas of funding, audit and investment, to the Railways Trustee.
- That the responsibilities of the Management Committee are amended to those set out in the draft "Terms of Reference" document that was included as an Appendix to the paper.
- That the Pensions Working Group reviews the membership of the current Management Committee and, if appropriate, suggests changes to ensure that it has the appropriate level of knowledge and experience to make the necessary decisions under the new terms of reference.
- The Pensions Working Group to report back to the Authority once a formal response to the proposal has been received from the Railways Trustee.

### **36/2011 Annual Review of Business Cycle and Committee Structure**

#### Agenda Item 8

1. The Tribal Review of the Authority's governance procedures in January 2010 recommended that the Business Cycle and committee structure be reviewed on an annual basis to ensure that the Authority continued to work in the most effective and efficient way.

2. This was the first review of the new Business Cycle and committee structure that were introduced in May 2010. The review focused on four areas:

- Programming of meetings
- Terms of reference
- Inputs and outputs
- Best Practice

3. As part of the review, a compliance review was conducted to ensure that the recommendations emanating from the feedback were not contravening the advice that had been received and assurance was offered on this point.



4. The only significant changes were the proposal to amalgamate the Strategy and Charging Groups and the change of the Chief Constable Appraisal Panel to the Appointments and Remuneration Committee with wider terms of reference.

5. The Authority approved the recommendations within the paper.

## **Agreed**

### **Police Authority**

- The late July meeting for quarter one data to be conducted offline.
- Consistency to be brought to group level reporting with key issues highlighted.
- The late papers issue to be addressed.

### **Audit Committee**

- The terms of reference to be reviewed against the DfT guidance to ensure that they remain fit for purpose.
- The dates to be reviewed when the whole government accounting timetable is released to ensure that they fit with this.
- The membership to be increased.

### **Professional Standards Committee**

- The terms of reference to be amended to include oversight of grievances and employment tribunals.
- The Committee to receive more written reports and fewer verbal updates in the future.

### **Strategy Group**

- The outline of the new Strategy Group process was approved
- Approve the revised terms of reference, including the amalgamation of the Charging and Strategy Groups.

### **Finance Group**

- The May and July Finance Group dates to be revised to better fit with the financial reporting cycles at BTP

### **Performance Review Group**

- The membership to be increased.
- The work plan be amended to remove the monitoring of grievances and include strategic plan monitoring

### **Chief Constable Appraisal Panel**

- The Panel to be renamed as the Appointments and Remuneration Committee.
- The proposed terms of reference were approved.

**37/2011 Audit Committee Minutes 28 March 2011**

## Agenda Item 10

1. Work with the National Audit Office (NAO) on the audit of the 2010/11 Accounts continued to progress well with a good working relationship established. The NAO had confirmed that they were content with the treatment of L Area for the Accounts.
2. The Bribery Act came into force in May and the Authority and Force had reviewed their fraud policies to reflect the changes that arose as a result. These would be brought to the June Audit Committee for ratification.
3. The Statement on Internal Control would be renamed as the Governance Statement from the current financial year.
4. There had been some areas of concern from the internal audit reports but these had been reviewed in depth at the Committee and the appropriate assurance received that it was an improving situation.

**38/2011 Professional Standards Committee 12 May 2011**

## Agenda Item 11

1. The PSC had reviewed its approach to file reviews, as the standard outcome focused reviews had shown a gradual improvement in files, so to ensure that they were adding best value the PSC was now conducting thematic reviews at alternate meetings. The first thematic review had looked at completed complaint files that had formed part of the local handling pilot on London South. The result of this had been very positive with the files in good order and a reduction in completion times.
2. The other notable matter was that the Professional Standards Department (PSD) had been restructured which included the addition of the HR Legal Services and Corporate Risk Teams. This had resulted in the change to the terms of reference for the Committee to take on the oversight of grievances and employment tribunals.

**39/2011 AOB**

## Non Agenda

1. It was the last meeting of the Authority for Sir David O'Dowd who would be retiring as Deputy Chairman and a Member of the Authority at the end of June. The Chairman, speaking on behalf of the Authority, said that Sir David had been an extraordinary force for good with a great attention to detail, focus and commitment that were legendary within the Authority and BTP. She added that it had been extremely useful at an Authority level to have someone who understood the workings of a police force. Also, on a personal level the Chairman added that she now understood the purpose of a Deputy Chair having worked with Sir David who had provided nothing but good counsel and support. Sir David would be missed by the Authority and its Executive Team. The Authority

owed him deep gratitude for all that he had done and for going about it with his wonderful and lively personality.

2. The Chief Constable, on behalf of BTP, thanked Sir David for his contribution to the Force and the excellent working relationship that they had formed. He wished him very well in the future.

## **PART II – ITEMS TAKEN IN PRIVATE**

### **40/2011 Minutes and Matters Arising continued**

Agenda Item 12

The minutes were approved as an accurate record.

### **41/2011 Chief Constable's Update**

Agenda Item 13

The Chief Constable advised that he had nothing further to add.

### **42/2011 Olympics Presentation**

Agenda Item 9

1. The Authority received an update on the Olympics planning and preparation within BTP.

#### **Agreed**

- A quarterly update to be provided with the next update to come to the September Authority meeting.
- A stakeholder event to be held in October.

### **43/2011 Police Staff Pay**

Agenda Item 14

1. The Authority discussed the staff pay issues.

#### **Agreed**

- Approval was given for those staff graded competent or above in their PDR to receive an increment in line with their EPS contracts.
- The proposal for staff earning less than £21k to be given an award of £250 or an increment as according to their EPS contract, whichever was of the greater value, was approved.
- Staff graded exceptional in their PDRs to receive a one off bonus, and a pot of £75k for this purpose was approved but to be moderated to the norm.
- No revalorisation of the pay scales to take place in 2011/12 as this was unbudgeted.
- Pay assumptions within the budget to be explicitly notified to the Authority at the budget setting stage. This would not reflect an approval that any allocation should be paid only that it had been allocated for a decision to be taken at a later date.

### **44/2011 BTPA Quarterly Strategic Risk Report**

Agenda Item 15

1. The report was that which had been presented to the March Audit Committee and reviewed in detail.

2. The report was noted.

**43/2011 BTP Quarterly Strategic Risk Report**

Agenda Item 16

1. This paper had been reviewed in detail at the Audit Committee. The Force reported that progress had been made on a number of risks. There had been a substantial improvement on the Force's performance on Freedom of Information (FOI) requests and it was now being used as a good practice model for other organisations who were struggling with FOI demands.

2. The internal risk assessment process for BTP had also been reviewed and three separate meetings amalgamated into one to ensure a joined up approach. The risk assessment process of firearms was also being carefully dealt with.

3. The report was noted

Signed.....

Chairman