

Minutes

Police Authority

Thursday 26 January 2012, 10.00am
at G1&G2, FHQ, 25 Camden Road, London NW1 9LN

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Present:

Millie Banerjee, Chairman
Lew Adams
Patrick Butcher
Colin Foxall
Elizabeth France
David Franks
Michael Holden
Neil Scales
Wendy Towers
Anton Valk

Apologies:

Howard Collins
Jeroen Weimar

In attendance:

Andrew Trotter, Chief Constable
Paul Crowther, Deputy Chief Constable
Francesca Okosi, Director of Corporate Resources
David McCall, Assistant Chief Constable Scotland
Alan Pacey, Assistant Chief Constable Territorial Policing and
Crime
Stephen Thomas, Assistant Chief Constable Central
Operations
Paul Brogden, Chief Superintendent
Elaine Derrick, Business Support Manager

Andrew Figgures, Chief Executive
Liz Pike, Authority Finance Director
Samantha Elvy, Performance Review Manager
Lucy Barrick, Authority Business Manager & Minutes

PART I - ITEMS TO BE TAKEN IN PUBLIC

01/2012 Welcome and Apologies

Non-Agenda

1. Apologies had been received from Mr Collins as he was out of the country and from Mr Weimar.
2. The Chairman announced that this would be Mr Scales last full Authority meeting as he was moving to Australia having been offered the position of Chief Executive Officer for Translink (the organisation which coordinates public transport across South East Queensland). The Chairman, on behalf of the Authority, thanked Mr Scales for his contribution to the work of BTPA and wished him well in the future.

02/2012 Minutes of Meeting 15 December 2012

Agenda Item 1

3. The minutes were approved as an accurate record.

03/2012 Matters Arising

Agenda Item 2

4. A small number of actions remained ongoing whilst all others had been discharged.

04/2012 Chief Constable's Report

Agenda Item 3

5. The Chief Constable reported that he was pleased to see how the Force had responded to the challenge of the Policing Plan's national targets. These were all now being achieved and work on disruption was progressing well.
6. The national crime figures had been released by the Home Office. These showed an increase in robbery offences nationally. BTP reported that there had been a slight increase in robbery offences in their jurisdiction during the summer months but additional focus in this area had secured a reduction. BTP continued to work closely with the Metropolitan Police Service (MPS) where appropriate to ensure coordination of policing effort.
7. The Chief Constable stated that overall he was pleased with the performance so far, in what had been a challenging year financially and operationally with the civil unrest, use of social media to highlight crime (as opposed to traditional reporting) and absorption of officers into the Olympics preparations. However, 2012/13 was set to be the toughest year with a challenging budget settlement, the Olympics, Diamond Jubilee and other significant events due to take place.

8. The Olympics preparations were progressing well. These were now at the joint testing and exercising stage with all the various partners involved. TfL had advised BTP that they wanted to fund additional officers to provide further assistance for emergency response on the London rail network, ensuring that nothing prevented the system from running.
9. Metal theft continued to receive a high profile in the media. Radio 4, 'The Archers' had recently run a story in which the fictional village of Ambridge had been cut off as a result of cable theft. BTP welcomed the raised profile of cable theft.
10. Performance on cable theft was high with offence levels down by 19% compared with the same period the previous year (i.e. 866 offences recorded compared to 1060 at the same point in 2010/11). The enhanced police services agreement with Network Rail had clearly influenced cable theft rates with a 43% reduction on the number of offences in the months following the commencement of this agreement compared to the months preceding it.
11. There had been a metal theft day of action on 14 December with 23 forces and 565 police officers involved, demonstrating how seriously other forces were taking the metal theft issue. The day had been a success with 81 arrests, 34 vehicle seizures and large amounts of property seized.
12. A message had been received from the Secretary of State for Transport's office confirming that part of the funding for the National Metal Theft Task Force, which BTP were coordinating, could be carried forward to the next financial year. This enabled the Task Force to be developed in the most effective way. Preparations for the Task Force were in hand.
13. A pilot project called Operation Tornado was running in three police force jurisdictions in the north east. Scrap metal dealers had been asked to sign up to require photographic identification from anyone dealing in cash. 82% of dealers in the pilot area had agreed to participate in the trial. Whilst the majority of the scrap metal dealers were positive about the pilot some reported an adverse impact on their business with a reduction in takings. Other force areas were keen to adopt the project and there was support from the British Metal Recycling Association (BMRA) but they had requested that the pilot last six months before further extension.
14. It was further reported that as part of a long term covert operation 10 scrap metal dealers had been raided resulting in 35 arrests.

15. The Home Secretary had announced that the Legal Aid, Sentencing and Punishment of Offenders Bill would include provisions to make cash transactions illegal in the scrap metal industry and to increase the fines for offences listed under the 1964 Scrap Metal Dealers Act. This was a positive step. The Home Office was also working on a revision of the Scrap Metal Dealers Act. BTPA was encouraged that Government were now addressing the matter. However, there was a concern that should the anticipated crime reduction result from the legislative measures taken thus far the support for legislative reform may wane. Therefore, the pressure to continue reform in this area must continue.
16. The Deputy Chief Constable advised that he had given evidence to the Transport Select Committee (TSC) on cable theft. The TSC had been keen to push for an identification scheme for the scrap metal industry and for new legislation.
17. Vancouver had moved to a cashless model for its scrap metal industry recently. Contact was being made with the relevant authorities in Vancouver to discuss the transition and any lessons learned with respect to loopholes, changes in criminal activity and other associated issues.
18. Following the length of time it had taken to attract Government attention on metal theft, it was agreed that it would be useful to review how the issue had been approached and note those courses of action that had led to success. This would provide assistance in avoiding delay should a similar systemic issue arise in the future.
19. The Deputy Chief Constable advised that he had been keeping the industry abreast of developments in countering metal theft. He would now be writing again to update on the legislative change and funding for the National Task Force.
20. On a general point it was noted that stakeholder engagement was critical to success and that further coordination between the Force and Authority would be beneficial.
21. BTPA thanked the Chief Constable, Deputy Chief Constable, Assistant Chief Constable Pacey and their teams for the success they had achieved through the significant amount of work they had put into the detection and prevention of cable theft.
22. In his role as ACPO Media Lead, the Chief Constable updated that work was progressing well on Olympics control rooms and Olympics media. The Chief Constable had received a S21 Notice to give evidence to the Leveson Inquiry into culture, practice and ethics in the press. Questions posed focused on the Chief Constable's

experience throughout his policing career and in his national ACPO role. The same request had been received by several other chief constables.

23. On Olympic communications, a concern was raised about communication with those attending the Olympics with respect to rail services once they had left the station. BTP confirmed that they would be stationed in the Olympic Park Transport Integration facility at Stratford Station and the main park operations centre so travel updates would be provided at the park.
24. The Chief Constable announced that Inspector Alex Robertson Chairman of the BTP Federation had been awarded the Queen's Police Medal in the New Year Honours. BTPA passed on its congratulations to Inspector Robertson. BTP had also moved up 10 places on the Stonewall Index and was now in the top 25 of Britain's most gay-friendly workplaces.
25. The higher officer recruitment standards that had been introduced were producing positive results in the long term. The hypothesis was that a higher base standard should reduce the supervisory requirement saving BTP money.
26. The Force is reviewing use of space at FHQ and looking to free up 2 floors to accommodate other parts of the estate. BTPA noted the good work that the Force had done on reducing the cost of the Estate.
27. The Strategic Command Team had held an away-day to look for further opportunities for reducing cost whilst maintaining performance. This had been a positive exercise with some innovative ideas which were now being worked through.
28. A key issue for BTP was how to respond to the change in media, as social media had enabled the press and public to report in real time. This added an additional dimension when dealing with incidents.
29. Authority Members raised a concern over the general rise in fatalities. It was noted that there was little that BTP could do to prevent fatalities, but where vulnerable people did come into contact with BTP PIER plans were put in place. The Chief Constable advised that the Force had identified the increase and was looking at its fatality management process. The process was being broken down into its component parts and each of these was being reviewed in detail to see if any time savings could be found without compromising the integrity of each operation. It was agreed that BTP would report back on the outcome of this review process and any changes made.

30. Mrs France, who had been standing in as Performance Review Group chair for Mr Collins whilst he was on leave, reassured Members that all the issues discussed had been picked up by the Performance Review Group and discussed in detail. On a general point Mrs France advised that when dealing with small numbers it was important to look at the context and detail behind these.
31. An update on the firearms project was given by the Deputy Chief Constable. A Section 5 Authority had been issued by the Home Secretary allowing BTP to carry weapons and officers were being licensed individually by their home forces. This was not the ideal solution as it involved a significant amount of bureaucracy. The validity of firearms licences would be carefully monitored. BTPA and BTP would continue to try and find a more practical solution to this situation and were researching various options including affirmative resolution and legislative opportunities.
32. From an operational perspective, BTP was following ACPO guidance and national training and occupational standards for firearms. They were also working on interoperability with the MPS and City of London Police .. Post incident procedures had been developed and the Professional Standards Committee had sight of these. A soft launch of the firearms capability would take place in the next few weeks and communications with stakeholders on this were in progress.
33. After discussion it was felt appropriate to record the frustration experienced by the BTPA, as the Authority and on behalf of the BTP, with respect to the provision of a simple legal framework within which the Force could operate its armed capability without risk and make the considerable administrative effort unnecessary. The Authority recorded its thanks to the Deputy Chief Constable and Chief Executive for their efforts to secure a workable solution.
34. **Agreed**
- 34.1. BTPA and BTP to work on improving coordination of stakeholder engagement.
- 34.2. BTP to report back on the outcome of the fatality management review process, including any changes made.

05/2012 Chief Executive's Report

Agenda Item 4

35. The process for calculating the 2012/13 charges was progressing well and invoices would be prepared for posting to PSA holders on 30 March. The PSA and charging consultation was proving positive with the majority of holding groups now seen. The major concern from

PSA holders with the new version PSA related to the clause stating that any shortfall as a result of non-payment by a PSA holder would be distributed amongst the other PSA holders. This would be something the DfT would need to reflect on.

36. Police reform continued to press ahead. Highlights are provided below:
- 36.1. There was concern with respect to the closure of the National Policing Improvement Agency (NPIA) with respect to where some of the services would go. This was likely to have a cost impact for police authorities. It was expected that the legacy items would be transferred to the Home Office for the interim and charging would continue as it was currently for this period.
 - 36.2. NewCo would be owned by the police forces and be a company limited by guarantee. How it would operate and the costs associated were not clear. The Chief Constable was on the NewCo board giving BTP and BTPA sight at a strategic level.
 - 36.3. The Professional Body remained a work in progress
 - 36.4. The Strategic Policing Requirement would become statutory.
 - 36.5. Police and Crime Commissioners (PCCs) were to be elected in November. It was expected that they would develop their own body and BTPA would need to consider how it would engage with such a body. Additionally, there was a suggestion that the PCCs would want to work in a similar way to a select committee having the ability to question ministers.
37. BTPA agreed that BTP should participate in the HMIC ASB inspection. It was noted that there was a wider issue around HMIC inspections and how BTP and BTPA ensured best value for money. A protocol was being drawn up with HMIC to ensure that best value was achieved but it was noted that HMIC inspections were compulsory.
38. The report was noted.
39. **Agreed**
- 39.1. BTPA and BTP to participate in the HMIC ASB inspection.

06/2012 Quarter 3 Finance Group Report

Agenda Item 5

40. Mr Franks provided an overview of the highlights from the Finance Group as detailed below:
- 40.1. BTP was on target to deliver a £0.9m underspend having received the Operation Bench funding. This would help to cover the budget gap in 2012/13, along with the £2.5m contingencies which had already been saved in year.

- 40.2. BTPA was forecast to under spend by £150k and had recommended that this be transferred to the central contingency fund.
- 40.3. The proposed capital expenditure budget of £11.2m when scrutinised had shown a very limited contingency of £87k. This compared to contingencies of around £400k in previous years. The Group recommended that the capital expenditure bid be increased to £11.6m to mitigate this risk. In the event that the DfT did not approve the increased bid the capital programme would need to be re-prioritised.
41. BTPA were advised that the DfT were aware of the capital expenditure issue. The DfT had suggested the £11.2m figure as the £9.2m figure for 2011/12 had been inflated.
42. There was discussion as to what financial information the Authority should receive. It was agreed that this would be discussed between the Finance Group Chair and Ms Okosi. There would also be an opportunity to address this as part of the annual review.
43. **Agreed**
- 43.1. The BTPA forecast underspend of £150k to be transferred to the central contingency fund.
- 43.2. The Capital budget to be set at £11.6m including a contingency of £0.5m.
- 43.3. The Authority Finance Director to request the DfT to approve a capital delegated expenditure limit of £11.6m
- 43.4. The information provided to BTPA to be reviewed by the Finance Group Chair and Ms Okosi.

07/2012 Quarter 3 Performance Report

Agenda Item 6

44. The Group noted that there was some crossover on the monitoring of projects between committees and groups. This would be addressed through the annual review process.
45. A presentation had been given to the Group on the management of critical incidents. This had led to a discussion of the impact of the media on how BTP plan for and handle these incidents. The Group recommended that a presentation on the changing challenge of BTP's engagement with/management of the media (including press and social media) be made to the full Authority.
46. A report on BTP's Equality Diversity and Human Rights Strategy was presented to the Group. The report had not provided sufficient

detail for BTPA to take a view on progress and a revised report with more context and metrics was to come to the next meeting.

47. There had been some concern with respect to the training strategy. The accuracy of the figures presented to the Group had been questioned as it was believed that the situation was better than appeared. Work was taking place to ensure that accurate figures were presented to the Group at its next meeting.
48. The Group questioned whether a 90% target for mandatory training was appropriate. Non-attendance at courses also presented as an issue. The Chief Constable advised the Authority that non-attendance would only be tolerated where there was an unavoidable operational demand for the particular officer or staff member to be elsewhere. In any other case non-attendance would not be tolerated.
49. **Agreed**
 - 49.1. A presentation on the changing challenge of BTP's engagement with/management of the media (including press and social media) to be made to the full Authority in June.

08/2012 Professional Standards Committee

Agenda Item 7

50. There had been a restructuring of the Professional Standards Department (PSD) with Detective Superintendent Lawson taking over as head of department. This post had previously been filled by a Detective Chief Superintendent but BTPA had supported the appointment of an experienced Superintendent. It was further noted that Chief Superintendent Brogden had oversight of the Deputy Chief Constable's portfolio which included PSD.
51. BTP had a new IPCC Commissioner, Sarah Green, who had attended the Committee meeting.
52. The protocol in the case of a shooting by a BTP officer had been discussed. The IPCC would independently investigate all shootings with initial support either from BTP or the MPS if necessary. It had also been noted that there were counselling and support services in place for officers involved.
53. The Police Integrity Report from the HMIC had been briefly discussed and a paper on this would be coming to the Committee's July meeting. The Authority would also receive a report on the implications of this for BTP and any work being progressed as a result.

54. Work was underway to look at how incivility complaints could be reduced as this was the most common category of complaint. It was noted that an increase in complaints throughout the Olympic period was anticipated and PSD had made appropriate preparations as a result. There was also a protocol in place for complaints against mutual aid officers during the Olympics.
55. The Committee had received papers from BTP and BTPA providing reassurance that all procedures, practices and systems with respect to custody were in line with legislation and guidance as appropriate. This was in response to the new relevant duty of care which the Corporate Manslaughter and Corporate Homicide Act 2007 had brought in. It was agreed that a six monthly update on custody would be received by the Committee.
56. There had been a referral from the Police Complaints Commissioner Scotland (PCCS) to BTPA with respect to a recommendation that BTP had declined to implement. The recommendation was that officers should be told not to confer when writing notes in complaint investigations. The view of the Committee had been that whilst it had sympathy with this suggestion this was not practiced by other police forces and BTP should remain in line. The IPCC view was that with the exception of Article 2 it was not standard practice to disallow conferring. Therefore a letter would be sent to the PCCS advising that whilst BTPA had sympathy with his view it did not support this recommendation.
57. There was some discussion as to where health and safety was reported in BTPA's structure. It was agreed that this should come to the full Authority meeting on an annual basis for note that satisfactory processes were in place.
58. **Agreed**
 - 58.1. Annual health and safety reports to come to the full Authority from BTPA and BTP for note that satisfactory procedures were in place.
 - 58.2. A paper detailing the implications from HMIC's Police Integrity Review to be brought to the Authority, including an update on work taking place in response to the report.

PART II - ITEMS TO BE TAKEN IN PRIVATE

09/2012 Minutes continued

Agenda Item 8

59. The minutes were approved as an accurate record.

10/2012 Pensions Issues

Non-Agenda

60. The Chief Executive detailed the options for resolution of the issues identified and the risks and implications attached to these.

61. Agreed

61.1. The letter as discussed to be sent to HMRC.

61.2. A provision to be made in the 2011/12 Accounts.

61.3. A timetable of next steps and progress update to come to the next meeting.