

Minutes

Police Authority

Wednesday 24 June 2020, 10:00 – 12:00
Video Conference – Microsoft Teams

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Present:

Ron Barclay-Smith, Chair
Mark Phillips, Deputy Chair
Dominic Booth
Andy Cooper
Graham Evans
Willie Gallagher (part absent)
Kenna Kintrea
Andrew Pollins (part absent)
Martin Richards
Stella Thomas
Craig Mackey
Beverley Shears

Apologies:

Bill Matthews

In attendance:

BTPA Executive

Hugh Ind, Chief Executive
Sarah McGarel, Chief Financial Officer
Sam Elvy, Head of Strategy, Planning and Engagement
Lucy Yasin, Co-Head of Governance and Compliance
Stephanie Calvert, Co-Head of Governance and Compliance (& Secretariat)

BTP

Paul Crowther, Chief Constable
Adrian Hanstock, Deputy Chief Constable
Charlie Doyle, Assistant Chief Constable
Sean O'Callaghan, Assistant Chief Constable
Simon Downey, Director of Strategy and Change
Rachael Etebar, Director of People and Culture
Tracey Martin, Director of Finance and Commercial Services

PUBLIC SESSION

Introductions

Non-agenda

1. The Chair introduced the meeting advising that it was being recorded and would be uploaded to the BTPA website for public access. Member apologies and intermittent absences were noted for the record.

Minutes of 24 March 2020

Agenda Item 1

2. No observations were made at the meeting and the minutes were approved as an accurate record.

Matters arising/actions outstanding

Agenda Item 2

3. An update on any outstanding actions could be found in corresponding table to this Item. The Chief Executive confirmed that the workshop as presented at serial three was being held in the private session during the latter part of the meeting.

Chief Constable's update

Agenda Item 3

4. The Chief Constable provided an update on BTP's response to COVID-19, highlighting some of the key areas from his report supporting this agenda item. He confirmed that the additional funding available from the Department for Transport (DfT) had been bolstered to £3m and advised that a flexible arrangement had been agreed with regards the policing response, which would be in line with demand. The levels of resourcing which had been deployed were outlined. The need to maintain an increased level of resourcing on 4 and 6 July was recognised, as a result of further relaxation of Government restrictions, it coinciding with American Independence Day, televised football and a new railway timetable.
5. It was reported that compliance with face coverings was good. Statistics were provided, highlighting that there were differences between London and other areas of the country. The Chief Constable confirmed that seven fixed penalty notices had been issued but that the emphasis on the three Es remained – explain, engage and encourage. Canning Town was referred as one area where there had been a need to reinforce the requirement. Members were interested to understand whether the new legislation was impacting the Force's relationship with railway staff. The Chief Constable advised that this was difficult at first, as a result of a reluctance from some parts of the industry in getting involved in enforcement, but this had varied between service providers. BTP was reported to be working in good partnership with Network Rail and TfL. It was highlighted that the recent increased levels of resourcing by BTP could not be maintained long-term and therefore there was the expectation that others would need to step forward into that role.

6. The Chief Constable confirmed that turnover of employees had dropped considerably following the situation brought by COVID-19 and as a result the Force had made more rapid progress with recruitment than anticipated. It was queried whether based on the latest assumptions spend would exceed the Budget approved for 2020/21. The Chief Constable advised that this was being looked at through the lens of the total envelope. He reported that there were difficulties in recruiting PCSOs, thus creating a vacancy gap and that increases in officer spend were being managed through this shortfall. It was confirmed that further work was required on non-staff costs but assurances were offered that the budget seemed manageable and underspends were being used to offset additional spend.
7. An update on the TfL Workplace Violence Unit was given. The Chief Constable advised the Authority that the view of the Chief Officer Group (COG) was if this was managed through an Enhanced Police Service Agreement (EPSA) in the same way as previously it could lead to uncertainty. BTP was therefore less inclined to pursue this route and felt that an uplift would need to be assumed as core policing. County lines policing activity was reported to have received good feedback.
8. Members queried whether the terrorism landscape had changed following recent events. The Chief Constable confirmed that counter terrorism deployments had been looked at and considered to be complementary. BTP employees were being reminded on calls of the need to remain vigilant.
9. The Chair concluded this part of the discussion by offering the Authority's support to BTP colleagues, acknowledging that they had been working in very difficult circumstances. He commented that their professionalism had added to the reputation of the organisation. The Chief Constable also commended the work of his team.
10. The Chief Constable provided the Authority with a verbal update on diversity, inclusion and police legitimacy considerations within BTP. He reported that BTP had been working with other Forces to support the public order requirement following the fall out arising from the death of George Floyd. Recognising the need for further work to be done to build and maintain confidence from all communities, he advised that work was being carried out to understand disproportionality within BTP. The Authority was informed that the Deputy Chief Constable and Director of People and Culture had been leading work on an Inclusion Action Plan.
11. BTP's representation of BAME employees was said to compare favourably with other Forces but it was recognised that the percentages were lower for officers and that this more positive picture was not reflected upwards through the ranks. The Authority was informed of the proactive steps being taken which encompassed looking at other organisations, including those of a commercial nature where there had been successes. The race charter and direct entry schemes were also being considered, as well as a development team being in place to offer coaching and confidence building to lower rank BAME employees. Members offered some initial advice and further support with the initiatives. It was confirmed that Stella Thomas had been asked to lead on a review and

reset of how BTPA discharges its duties with respect to the public sector equality duty work and Bev Shears would continue to work on workforce diversity and inclusion.

12. Members were keen to understand the employee diversity breakdown by region. The breakdown for Scotland was of particular interest. It was agreed that this data would be shared.
13. The Chair stated that he was encouraged by what had been reported and requested that BTP liaise with the BTPA Executive with a view to a fuller report being shared with the Authority before the end of the year. He stated that he was acutely aware of the lack of diversity within the Authority membership, something which had been raised with the Department for Transport who have responsibility for Member appointments. It was hoped that this could be addressed in the next recruitment campaign.

Action: BTP to share the regionalised breakdown of diversity employee data.

Action: BTP to provide a fuller report on progress made on inclusion and diversity work strands before the end of the year. A suitable time within the BTPA business cycle to be discussed and agreed with the BTPA Executive.

Annual Report and Statement of Accounts

Agenda Item 4.1

14. The Chief Financial Officer confirmed that the Annual Report and Statement of Accounts had been subject to various layers of review and had been endorsed by the Audit and Risk Committee. The recent walk through session aimed to provide Members with a comprehensive briefing.
15. It was reported that the audit had been substantially completed, with pension asset testing the only element that was not finalised. The audit had been completed remotely with great success and thanks were given to the auditors and to the Finance teams at BTP and BTPA for delivering this. The Chief Financial Officer confirmed the intention to mark up any further alterations to the documents in track changes and circulate this along with a clean final version to the Authority. She added that steps were being taken to lay the Accounts in Parliament by 16 July 2020.
16. The Chair of the Audit and Risk Assurance Committee expressed appreciation of the associated work undertaken by the Chief Financial Officer, Director Finance and Commercial Services, their respective teams and the auditors.
17. The Chief Constable made the observation that the commentary within the report on counter terrorism did not in his view reflect the unmitigated risk following the capability gap analysis. This was highlighted as a risk

which had been presented for the previous year. The Chief Executive advised that this could be reported on in the same terms as previously.

18. The Authority confirmed its endorsement of the Annual Report and Statement of Accounts

BTP Integrity Regulations

Agenda Item 4.2

19. The Head of Governance and Compliance provided a reminder that the details of the proposed new BTP regulations had been presented and discussed at the Authority meeting in February. She advised that the regulations would bring a change to the complaints and conduct process, with greater emphasis on learning and improvement. Culture change was highlighted as being key to successful implementation.
20. Members' attention was drawn to an area of divergence from the Home Office versions of the regulations which was as a result of legislative barriers. This was BTP's participation in the Police Barred and Advisory lists. The Head of Governance and Compliance confirmed that the Home Office was looking into the ability to provide legislation to extend the list of bodies who must report to and consult the list before employing an individual, but that this solution was anticipated to be some time away. Reassurances were offered that in the meantime the process was being aligned as closely as possible with Home Office Forces by placing markers on intelligence systems. The only other difference was as a result of BTP having a footprint in Scotland where there was a different criminal and complaints oversight function. Members were advised that the differences would be reflected within policy which the Professional Standards Department (PSD) was drafting but that the overall process and sanctions remained the same.
21. It was confirmed that the regulations were subject to a consultation period which would conclude on 30 June, but significant representations were not anticipated as the proposed regulations mirrored those made by the Home Office as closely as structure and circumstances allowed. The Authority was invited to provide approval in principle with a view to the regulations coming into effect from 1 September 2020.
22. The Deputy Chief Constable advised that as a result of the changes he anticipated fewer formal complaints being received. The need for there to be stronger management of issues was highlighted and a large training programme was being developed in support. This was intended to professionalise handling by local managers. The Director of People and Culture elaborated on some of the work in train but emphasised that the culture change would take time to embed.
23. Members with greater experience in this area acknowledged that the regulations were a positive step forwards and could bring a welcome change to culture. Members noted the additional requirements which would fall on the BTPA and were keen to understand this further.

24. The Authority agreed the recommendations as set out in the supporting report. The Chair invited the Chief Constable and Chief Executive to report back in the future on how the landscape has changed, to assess the success of implementation.

Action: The Chief Constable and Chief Executive to report back to the Authority 6 months from the date of implementation on how the landscape has changed.

Annual Board Effectiveness Evaluation

Agenda Item 4.3

25. The Board Effectiveness Evaluation report and action plan was presented to the Authority for approval with a view to it being published and formally submitted to the Department thereafter. The Head of Governance and Compliance confirmed that the report aimed to provide a rounded view of the responses received and the action plan was created as a forward look as to how the BTPA could best operate in the future.
26. The report and action plan were positively received by the Members and the Chief Constable who shared the ambition to improve. The Chair also welcomed the opportunity for the BTP/A to increase the level of joint working. This desire was also reiterated by the Chief Executive.
27. The Authority endorsed the BEE report and accompanying action plan.

Pensions Working Group

Agenda Item 5.1

28. The Chief Financial Officer highlighted some of the key areas of activity undertaken by the Pensions Working Group. She confirmed that BTP had been continuing to support the pool of officers who transferred into BTP with their pension status.
29. The Police Staff Pension Scheme was reported to be progressing well and consultation with the trustees had begun. Members were advised that the implementation date had unfortunately been postponed to January 2021. Work on the Police Officer valuation remained ongoing and the BTPA remained engaged with the DfT in this area.
30. The Authority noted the minutes from the last meeting.

Performance and Delivery Committee

Agenda Item 5.2

31. The Chair of the Performance and Delivery Committee provided an overview of the work which had been considered at the most recent meeting. This included call handling performance and the results of the victim and rail staff survey. The committee noted the good work

undertaken to close the vacancy gap. The committee Chair spoke positively about the year-end finances.

32. The Authority noted the minutes from the last meeting.

Scottish Railways Policing Committee

Agenda Item 5.3

33. In absence of the committee Chair another Committee Member provided a high-level update on the work considered at the most recent meeting. One item of note was the discussions on resource allocation and the Committee's keenness to ensure that the process offered best value for money for Scotland. Also of interest to the Committee was mental health and vulnerability considerations.

34. The Authority noted the minutes from the last meeting.

Strategy and Planning Committee

Agenda Item 5.4

35. The Head of Strategy, Planning and Engagement confirmed that the most recent Committee had taken the form of a special session which had focused on identifying packages of work through which the impact of COVID-19 could play into future assumptions. The workshop led to six work-strands being proposed, as outlined within the supporting paper.

36. Members were asked to review and comment on the initial findings to inform the next phase of work. The report and annex were noted.

Audit and Risk Assurance Committee

Agenda Item 5.5

37. The committee Chair confirmed that there were three areas which he intended to highlight to Authority colleagues. The first of these was external audit, which was reported to have been a smooth process and provided a good result. The internal audit process had resulted in a limited opinion but BTP was in a better place than it had been and this created a good springboard and greater the opportunity for BTP to improve.

38. The Committee Chair also commended the work carried out by the Audit and Risk team in relation to the risk management system which had involved a bottom up process. This area was identified as one where the committee would like greater focus of and the need to develop future agendas to ensure that risk assessments were embraced to a more extensive degree.

39. The Chief Constable advised the Authority that the COG had submitted a report on the work by GIAA in 2019/20, as it did not consider that the audit work had been of the expected quality. However, notwithstanding this there was an agreed plan to provide a pathway to address the outcomes of the audits and concerns of BTP.

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