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## Board Meeting

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**Date & Time:** Wednesday 29 May 2019 at 10:30am

**Venue:** Canary Wharf

**Present:**

|                  |  |
|------------------|--|
| Michael Lockwood | Director General/Chair                         |
| Geoffrey Podger  | Senior Independent Director (SID)              |
| Mary Lines       | Non-Executive Director                         |
| Andrew Harvey    | Non-Executive Director                         |
| Bill Matthews    | Non-Executive Director                         |
| Catherine Jervis | Non-Executive Director                         |
| Jonathan Green   | Deputy Director General (Operations) (Interim) |

**In Attendance:**

|                |  |
|----------------|--|
| David Emery    | General Counsel                                      |
| Mike Benson    | Head of Finance                                      |
| Lianne Corris  | Head of Private Office                               |
| Lindsay Harvey | Business Planning and Projects Manager (Item 10)     |
| Sara Clark     | Content and Design Manager (Item 12)                 |
| Steve Noonan   | Director, Major Investigations Directorate (Item 18) |
| Margaret Bruce | Governance Secretary                                 |

## 1. WELCOME AND INTRODUCTIONS

The meeting commenced at 10:30 and was quorate.<sup>1</sup> The Chair welcomed members and other attendees to the meeting.

## 2. APOLOGIES

The meeting received apologies from:

- Manjeet Gill (Non-Executive Director),
- Tom Whiting (Deputy DG Strategy and Corporate Services)
- Kathie Cashell (Director Strategy and Impact)

## 3. DECLARATION OF INTERESTS

Members were invited to declare any interest in the items on the agenda. There were no declarations of interest.

## 4. MINUTES OF THE LAST BOARD MEETING HELD WEDNESDAY 24 APRIL 2019 (PAPER REF IOPC 05/19/04)

The Board considered the minutes of the last meeting held on Wednesday 24 April 2019. It agreed to approve the minutes as a correct record. The Board noted that the minutes would be published in line with the Standing Orders.

## 5. MATTERS ARISING FROM PREVIOUS BOARD MEETING/ACTION TRACKER (PAPER REF IOPC 05/19/05)

The Board considered the following matters arising from its last meeting in April 2019.

- **Action** – Director S&I and Chair of ARAC to meet for discussion on complaints (from risk perspective), and produce a report for October ARAC meeting – in progress.
- **Action** - To circulate to members, the ICT report presented to April ARAC meeting – complete - the report was circulated on 26 April 2019.
- **Action** - Impact Report – to circulate draft report to Board members in May and present to June Board meeting – in progress - The report will be circulated by 7<sup>th</sup> June.
- **Action** – Annual Report and Accounts – to present draft report to the May Board meeting and final report to the June meeting. The draft report is presented under item 12.
- **Action** - To present the revised Scheme of Delegation to the May Board meeting with a view to publishing with other documents. This is addressed under item 13.

The meeting also considered the action tracker and noted that there were no issues arising at the present time.

**Agreed:** to note.

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<sup>1</sup> SO 10.12.1 – Quorum shall be 6 members. The majority must be Non-Executive members.

## **6. REPORT FROM AUDIT AND RISK ASSURANCE COMMITTEE (ARAC) MEETING (HELD 16/04/2019) (PAPER REF IOPC 05/19/06)**

The meeting considered the minutes of the last Committee meeting held on 16/04/2019. The Committee Chair recalled that an oral report was given at the last Board meeting in May. The minutes of the meeting have since been circulated.

**Agreed:** to note the report.

## **7. REPORT FROM HR & REMUNERATION COMMITTEE MEETING (HELD 01/05/2019) (PAPER REF IOPC 05/19/07)**

The meeting considered the minutes of the last Committee meeting held on 01/05/2019. The Committee Chair noted the variety of matters discussed such as the pay award and expediting the process; new recruitment process currently in progress which provides flexibility to ensure fairness, good practice and effectiveness; and an update on Fixed Term Contracts (on which reliance is now reducing).

The meeting touched on the following:

- Investigator accreditation – in particular where the training is not completed within the set time. It was advised that this is being addressed under performance management.
- The need to ensure that training is kept up to date to ensure investigators continue to possess the necessary skills for effectiveness. The meeting was advised that the accreditation is undergoing a review and matters such as continuing professional development (CPD) would be addressed.
- The importance of having a timescale for completion of the DBS checks and the need to be conscious of the associated risks. The meeting was assured that this is continually monitored and regular updates are provided through the Committee.
- Flexibility in recruitment – it was advised that a new process is being developed and flexibility is an integral part of this.

**Agreed:** to note.

## **8. STRATEGIC OBJECTIVES – PERFORMANCE AND PROGRESS REPORT (PAPER REF IOPC 05/19/08)**

The Deputy DG (Ops), presented the report. He recalled that as agreed at the last meeting, the present format would change from the next reporting period and the reporting frequency would now be quarterly as agreed at the last meeting. This will be complemented by the monthly DG report to the meeting which will now include key performance issues. He noted that the report before the meeting is up to the end of April. He highlighted the below.

- Performance for completing MOI decisions = 77% at the end of April (this is the lowest in 12 months). This is attributed to the sudden influx of new work which increased workload and staff Easter leave. However, performance has improved since April (up to 82% as at earlier that morning).
- Completion of Referrals (average of 3.87 working days).
- Timeliness of completing investigations within 12 months (75% this is below the 80% set target) but a higher number of major investigations were completed.
- 84% of core (excluding major) investigations completed within 12 months.

- Performance on completion of all appeal types was 61% (this is below the 80% set target). Backlog and annual leave has affected performance. There is a plan in place to address this.
- Local DSI investigation reviews completed within the 30 working day target = 9% (this is below the 75% set target).
- Investigator accreditation achievement – there was improvement but this is below the ambitious target set i.e. 70%.
- Some data for measuring performance (under Priority 3) are collected quarterly and annually. As such, these are not reflected in the current report.

The meeting discussed as below:

- The need to develop more understanding of the DSI cases referred for local investigation (i.e, local DSI cases) and the reason for extremely low performance (9%). It was explained that this is not part of investigation work. It falls within casework (review) and the rating may be attributed to the fact that the work is relatively new. More details would be provided in the next report **(ACTION)**.
- The need to focus on reducing the number of cases opened. It was explained that this is now being implemented and will be reflected in the next report.
- The need to ensure effective scrutiny of performance reports. In this context, the meeting supported the proposal on quarterly reporting but recommended that in the interim this could be complemented by a monthly written performance brief (not more than 2 pages) highlighting any major issues in particular the red areas with explanation of mitigating measures to address them. This should be circulated with meeting documents to enable members to sufficiently prepare for discussion and challenge as appropriate. The monthly brief should help address any gap between the quarterly reports and strengthen accountability.
- The need to distinguish between (and define) core investigations and major investigations. It was explained that work is in progress in the Assessment Unit. This would be presented to the Board in due course.

### **Agreed**

- To note the report.
- That more information would be provided in the next report on the local DSI cases. **(ACTION)**
- That the core performance report would be presented to the Board on a quarterly basis. The next report would be presented to the July board meeting. **(ACTION)**.
- That in the interim, a written monthly performance brief would be presented focussing on the 'red areas' and circulated before meetings.

**Action: Deputy DG (Ops)/Director, (S&I)**

## **9. RESOURCES REPORT- (PAPER REF IOPC 05/19/09)**

The Head of Finance presented the report. He noted that this is a skeleton report (with information up to the end of April) as the primary focus has been on the preparation of the Annual Report and Accounts (addressed under item 12). He noted briefly as follows:

- Pay bill is not as high as anticipated. Details would be provided in the next report.
- The net increase in pension cost is forecast to be £0.7m for the full year. Details would be provided after the budget delegation is received.
- The capital delegation budget past Q1 is awaited. We are currently overspent on the Q1 delegation due to funds being required for ICT expenditure sooner than anticipated – Home Office have been informed.
- More funding is likely to be available from Hillsborough due to trial delays.
- Efficiency planning is also in progress.
- On the future savings issue – a submission has been made to the Home Office, a response is likely to be received by September.

**Agreed:** To note the report.

## **10. EFFICIENCY PLAN 2019-2022 (PAPER REF IOPC 05/19/10)**

The Business Planning and Projects Manager presented the report. The aim was to update the meeting on the work being done to develop the IOPC's first Efficiency Plan. The Plan is being developed in response to the impending changes to the fiscal landscape and the need to continue to ensure efficient use of resources in the delivery of the new strategic plan in spite of the financial challenge.

The meeting noted the guiding principles developed and intended to apply to the Efficiency Plan to ensure that standards and effectiveness are not compromised. The Efficiency Plan is being integrated into the new strategic plan to enable flexibility in planning and financial decision-making where necessary.

It also noted the projections on future work and the financial pressure on the organisation comprising a mix of revenue and capital costs. Directors and senior managers have been tasked to identify how savings could be made across the organisation. Some feedback has been received and this is being assessed. A further meeting is planned for 6<sup>th</sup> June and it is envisaged that the Plan would be finalised in September. In essence the Efficiency Plan should assist the organisation on allocation of resources and management of live financial risks. Actions are being taken to ensure there is staff awareness and engagement with the Efficiency Plan. This is aimed at encouraging staff to work in the most efficient ways. It is envisaged that the Plan would be ready for implementation by September.

The meeting discussed as below:

- The importance of responding to fiscal changes by developing and implementing the discipline required to ensure the effective delivery of the Strategic Plan.
- The necessity of implementing the Efficiency Plan as an integral part of the Strategic Plan. It was explained that efficiency champions are already being identified across the organisation.
- The need to broaden the application of the efficiency principles rather than a typically simplistic approach of targeting obvious areas for cuts. In considering efficiency, it may be necessary to terminate some activities altogether and the savings made could be applied to improve areas of priority. The principles should provide guidance.

- The need to ensure that Non-Executive Directors are involved in the process and share their experience. It was explained that the draft document would be circulated for feedback and it is envisaged that the document would be finalised and implemented by September.
- The importance of revising the communication plan (which is in progress) and encouraging staff participation to generate ideas as well as to develop understanding on the financial position.
- The meeting was conscious of the extensive work done and the significant improvement/progress made to date (evidenced by the staff survey). The financial changes would no doubt have impact and in view of this, it advised caution so that the progress is not diluted by the failure to properly communicate developments in financial circumstances to Staff. It emphasised the importance of applying effective methods of communication to ensure clarity, consistency and transparency. The Chair supported the need for dialogue and interactive sessions where concerns could be shared and ideas generated for the way forward in addressing the fiscal challenges. He assured the meeting that the necessary time would be dedicated to this matter and Non-Executive Directors would have opportunity to make input. The work is in progress.

**Agreed:**

- To note the report.
- That the final Efficiency Plan would be presented to the September meeting **(ACTION)**.

**Action: Director (S&I)**

**11. ORAL UPDATE FROM THE DG**

The Chair informed that in the last few weeks, he has met with a variety of individuals and organisations to continue to promote and share the new IOPC way of working and seek views and support. The discussion touched on matters such as improved timeliness, the thematic approach to learning and the bolder definition of the word independence. The meeting outcomes have been positive. Specifically, he has met (and participated) with the below.

- CAPLO conference – i.e. The Police Federation Conduct Leads.
- Leicestershire/Lancashire police force visits. The Deputy DGs have also done some visits and feedback has been helpful.
- Sarah Champion, Rotherham MP and strong advocate for those affected by Child Sexual Exploitation (CSE).
- David Hanson MP (ex Police Minister) who has been communicating with us on timeliness.
- INQUEST lawyers.
- The Home Office (to provide updates and areas requiring improvement).
- Hillsborough – met with Bishop James Jones, former advisor to the Home Secretary on Hillsborough. He also chaired the Hillsborough family forum and has provided valuable advice.

- Youth Panel – the meeting helped to develop understanding and underscore the importance of engagement with young people.
- Policing and Fire Minister (Nick Hurd) – who chaired a meeting aimed at getting the system leaders together with a view to better sharing learning across policing.

He further noted as below:

- Good progress is being made in relation to the ‘legacy cases’ although there is still more to do.
- Significant amount of work continues in order to prepare for the ICT disaggregation process. There is a lot more to do but plans for the work required are now in place.
- Work has been ongoing with middle managers to develop their role as leaders within the organisation. Plans are in place to further progress this group over the coming months. .
- On 18 June, the IOPC would be appearing before the Home Affairs Select Committee to give evidence as part of the Committee’s ongoing inquiry into MacPherson: 20 Years On.

The Deputy DG (Ops) updated on the outcome of the Hillsborough Investigation Board meeting he chaired the previous week. He further updated on some ongoing sensitive cases.

**Agreed:** To note the report.

## 12. ANNUAL REPORT AND ACCOUNTS (PAPER REF IOPC 05/19/12)

The report was presented by the Head of Finance and the Content and Design Manager. Both noted as below:

- An update is yet to be received from external auditors on the figures provided so far.
- The report is further ahead at this stage than has been the case previously.
- The feedback from auditors would be discussed by ARAC at its June meeting. Subject to their comments, the report will then be circulated to the Unitary Board for their agreement over email. This will then be reported formally at the June Unitary Board meeting.

The meeting discussed as below:

- The need to review the area on ‘complaints about us’ in relation to the data provided.
- The need to ensure cross-reference of the ARA to the annual complaints report which is produced separately. The presenter promised to clarify this with the auditors on the level of detail which needed to be provided in the report.
- The need to highlight in the report the role of the HR & Remuneration Committee on Health and Safety matters.
- The need to provide more details on former commissioners who remained on the payroll until around March 2018. The Head of Finance agreed to look into this and provide explanation to ARAC meeting (**ACTION**).
- That any further specific feedback was to be provided to the Content and Design Manager by email.

**Agreed:**

- To note the report.
- That the updated report would be presented to the June ARAC meeting before circulation to the Board for agreement. **(ACTION)**.

**Action: Head of Finance/Content and Design Manager**

**13. SCHEME OF DELEGATION (PAPER REF IOPC 05/19/13)**

The Head of Private Office Group presented two documents as below:

- **Scheme of Delegation** - Under the Police Reform Act 2002<sup>2</sup> the DG can delegate some of his functions to others. The power is implemented through the Scheme of Delegation produced and reviewed annually. The Head of Private Office Group presented the latest review and updated on the outcome of the consultation which informed the amendments to the document. In essence, the amendments made are noted below:
  - To update the content in relation to employment of 'restricted persons'. This section will be finalised following completion of the staff consultation exercise which is ongoing. No substantive issues have been raised to date.
  - A short section on financial delegation to reflect the delegations that are in place to budget holders.
  - A new section on delegation of delivery of the strategic plan to those identified as Senior Responsible Officers (SROs).
- **Decision-making framework** - The framework is aimed at providing clarity on where authority/responsibility rests for various aspects of the organisation's work. This is one of the actions recommended from the Board evaluation conducted in January 2019 and is presented for approval by the Board.

The meeting discussed as below:

- That the position on 'restricted persons' appear to be reasonable but this should be kept under review and discretion exercised where necessary to ensure due sensitivity and avoid the risk of such recruitment becoming disproportionate.
- The need to ensure that where discretion is exercised proper records are kept to monitor trends.
- As part of exercising its governance functions, the Board must ensure there is a scheme of delegation in place. In this context it is necessary to clarify that approval of the Board is required on the scheme of delegation document.
- In relation to the decision-making framework, it is expected that the Board would have a greater role in the agreement of key areas of work. As it presently stands, the DG is the decision-maker for a number of areas and this needs review, taking into account that in any case the DG is the Chair of the Unitary Board. It was recommended that the column on 'decide' be deleted.
- The need to also review the financial delegations and set individual spending limits for budget holders to ensure proper levels are in place. This is necessary for protection of

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<sup>22</sup> Paragrah 6A, Schedule 2 of PRA 2002.

the Chair as Accounting Officer and the Board's collective responsibility. The Head of Finance noted that there is a set individual spending limits for budget holders. The meeting discussed whether these were set at the appropriate level and recommended that the matter should continue to be discussed to ensure that a holistic approach is adopted. This should be addressed by developing and attaching a financial schedule to the main Scheme of Delegation document which reflects spending limits up to the DG/Unitary Board level **(ACTION)**.

**Agreed:**

- That the DG would give further consideration to the decision-making framework.
- That the financial delegation documentation would be reviewed and attached to the Scheme of Delegation document.
- That the reviewed documents would be presented to the July Board meeting for discussion and approval **(ACTION)**.

**Action: Head of Private Office Group/Head of Finance**

#### **14. BOARD EVALUATION ACTION PLAN (PAPER REF IOPC 05/19/14)**

The Head of Private Office Group presented the report. She recalled the Action Plan which resulted from the Board evaluation conducted in January 2019. The Plan is being implemented and it was agreed that the Plan would be reviewed quarterly. This is the first quarterly review.

The meeting noted that good progress has been made in implementing the actions. Some are in progress. The following were highlighted:

- Developing a decision-making framework – this was addressed under item 13.
- Skills register – the need to coordinate existing skills to ensure these are properly utilised. In this context, all members (of Management Board and Unitary Board) completed a skills matrix.
- Definition of a Non-Executive Director (NED) – given the unique role of the IOPC, it was felt that such definition should reflect the organisation's business. Following consultations, a draft definition was produced and presented for consideration and feedback. This is reproduced below.

*“The role of an IOPC Non-Executive Director is to bring independent oversight and challenge to the Director General and Executive Directors on a range of issues. They are expected to focus on board matters and not stray into ‘executive direction’ thus providing an independent view of the organisation that is removed from the day-to-day running and operational decision-making of the IOPC. They are also expected to offer their particular skills and expertise to assist in the development of IOPC work. A key part of their role is to ensure robust governance and financial/risk management of the organisation, to*

*monitor and review organisational performance and with other Board members, to set and promote the strategic aims and values of the IOPC.”*

The meeting discussed as below.

- The view is that the Board should act and be viewed as far as possible like the board of any other public body subject to the legal responsibilities of the DG.

**Agreed**

- To note the report.
- To approve the definition of NEDs as proposed.
- To review the decision-making framework along the lines suggested under item 13.
- That the skills register be circulated to senior management for use as necessary.

**Action: Head of Private Office.**

**15. BOARD MEETING ATTENDANCE (PAPER REF IOPC 05/19/15)**

The Board considered the report presented by the Governance Secretary.

**Agreed:** to note the report.

**16. FORWARD PLAN (PAPER REF IOPC 05/19/16)**

The Board considered the Plan presented. This is aimed at ensuring effective forward planning for Board meetings. It provides the opportunity for members to propose and discuss items for future meeting agenda.

**Agreed:** to note the document.

**17. DATES, TIMES AND VENUE OF FUTURE MEETINGS (PAPER REF IOPC 05/19/17)**

The Board considered the document on future meeting dates and amended/agreed as below.

**Agreed:**

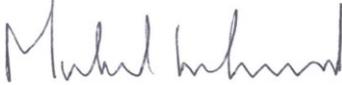
- October 2019 meeting would be held in Birmingham (this could be reviewed given that the HR & Remuneration Committee is scheduled to meet in Birmingham on 7 November 2019)
- February 2020 meeting would be held in Sale.

**Action: Head of Private Office Group**

**18. ANY OTHER BUSINESS (PAPER REF IOPC 05/19/18)**

The meeting received the March HO Dashboard. The meeting also received a presentation on the important and complex work of the Directorate of Major Investigations. There was no other business.

The Chair closed the meeting and thanked members and staff for their attendance and participation.

|                  |   |
|------------------|---|
| <b>NAME</b>      | Michael Lockwood  |
| <b>SIGNATURE</b> |  |
| <b>DATE</b>      | 26 June 2019  |

## Schedule of Actions

| <b>Agenda Item</b> | <b>Responsibility</b>                         |
|--------------------|---|
| 8                  | Deputy DG (Ops)/Director (S&I)                |
| 10                 | Director (S&I)                                |
| 12                 | Head of Finance                               |
| 13                 | Head of Finance /Head of Private Office Group |
| 14                 | Head of Private Office Group                  |

## IOPC Board - Future Meeting Dates/Times/Venue

**F/Y 2019/20**

**Time: 10.30am**

| Date                                      | Venue (tbc)     |
|---|-----------------|
| Wednesday 26 <sup>th</sup> June 2019      | London          |
| Wednesday 24 <sup>th</sup> July 2019      | London          |
| Wednesday 25 <sup>th</sup> September 2019 | London          |
| Wednesday 23 <sup>rd</sup> October 2019   | Birmingham      |
| Wednesday 27 <sup>th</sup> November 2019  | London 2-4.30pm |
| Wednesday 29 <sup>th</sup> January 2020   | London          |
| Wednesday 26 <sup>th</sup> February 2020  | Sale            |
| Wednesday 25 <sup>th</sup> March 2020     | London          |

**F/Y 2020/21**

**Time: 10.30am**

| Date                                      | Venue (tbc) |
|---|-------------|
| Wednesday 29 <sup>th</sup> April 2020     | London      |
| Wednesday 20 <sup>th</sup> May 2020       | London      |
| Wednesday 24 <sup>th</sup> June 2020      | London      |
| Wednesday 29 <sup>th</sup> July 2020      | London      |
| Wednesday 23 <sup>rd</sup> September 2020 | London      |
| Wednesday 21 <sup>st</sup> October 2020   | London      |
| Wednesday 25 <sup>th</sup> November 2020  | London      |
| Wednesday 27 <sup>th</sup> January 2021   | London      |
| Wednesday 24 <sup>th</sup> February 2021  | London      |
| Wednesday 24 <sup>th</sup> March 2021     | London      |

# ARAC - Future Meeting Dates

Venue: London (Canary Wharf)

Time: 10:30am

## F/Y 2019/20

| Date                                    | Venue |
|---|-------|
| Wednesday 12 <sup>th</sup> June 2019    | “     |
| Wednesday 16 <sup>th</sup> October 2019 | “     |
| Wednesday 22 <sup>nd</sup> January 2020 | “     |

## F/Y 2020/21

| Date  | Venue                 |
|---|-----------------------|
| Tuesday April 14 <sup>th</sup> 2020                                     | London (Canary Wharf) |
| Tuesday 9 <sup>th</sup> June 2020 or Wed 10 <sup>th</sup> June          | “                     |
| Tuesday 13 <sup>th</sup> October 2020 (or Wed 14 <sup>th</sup> October) | “                     |
| Tuesday 19 <sup>th</sup> January 2021(or Wed 20 <sup>th</sup> )         | “                     |

# HR and Remuneration Committee

## - Future Meeting Dates

Venue: London (Canary Wharf)

Time: 10:30am

### F/Y 2019/20

| Date   | Venue                 |
|--|-----------------------|
| Wednesday 17 <sup>th</sup> July 2019           | London (Canary Wharf) |
| Friday 27 <sup>th</sup> September 2019 (11:00) | “                     |
| Thursday 7 <sup>th</sup> November 2019         | Birmingham            |
| Thursday 13 <sup>th</sup> February 2020        | “                     |

### F/Y 2020/21

| Date                                    | Venue                 |
|---|-----------------------|
| Tuesday 5 <sup>th</sup> May 2020        | London (Canary Wharf) |
| Wednesday 15 <sup>th</sup> July 2020    | “                     |
| Thursday 5 <sup>th</sup> November 2020  | “                     |
| Thursday 11 <sup>th</sup> February 2021 | “                     |