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Board Meeting

Date & Time: Wednesday 29th March 2023 at 10:30hrs

Venue: Canary Wharf (Room 2.10)

Present:

Kathie Cashell	Director, Strategy & Impact
Christine Elliott	Non-Executive Director
Catherine Jervis	Non-Executive Director
Rommel Moseley	Non-Executive Director
Julia Mulligan	Senior Independent Director (SID)
Amanda Rowe	Interim Director of Operations (South East)
Tom Whiting	Chair/Interim Director-General

In Attendance:

Mike Benson	Head of Finance
Margaret Bruce	Governance Secretary
David Emery	General Counsel
Smyth Harper	Head of Communications (Item 9)
Elizabeth Jones	Senior Stakeholder Engagement Manager (Items 7 & 9)
Tom Jones	Stakeholder Engagement Officer (Item 7)
Marie Morrissey	Head of Private Office

1. WELCOME AND INTRODUCTIONS

The meeting commenced at 10:30hrs and was quorate. The Chair welcomed members and attendees to the meeting.

The Chair also welcomed Dr Gillian Fairfield, the Cabinet Office commissioned, Lead Independent Reviewer and Mr Martin Skeats (Board Secretary, DBS) who is supporting elements of the review.

2. APOLOGIES

Apologies received from

- Bill Matthews – Non Executive Director (NED)
- Deborah Bowman – Non Executive Director (NED).
- Miranda Biddle - Interim Director of Operations (North)

The General Counsel advised on quorum noting that under the PRA the Board may determine meeting quorum provided the majority of members present are non-executives.¹ This is stipulated in the Standing Orders² (sub-para 11.12.1) where the quorum is noted as 6 members (with non-executive majority) present at the meeting. There are 10 Board members (comprising 6 non-executives and 4 executives). 7 members (3 executives and 4 non-executives) are present at this meeting. Going forward, (and to ensure quoracy) a pragmatic approach would be adopted aligning the number of executives with non-executives and ensure non-executive majority. Such approach would include some executive members attending in an advisory capacity or non-attendance.

3. DECLARATIONS OF INTERESTS

Members were invited to declare any interest in the items on the agenda. The following made declarations that could reasonably be considered prejudicial, so would absent themselves from the meeting for the relevant discussion as follows:

- Chair/Interim DG – item 18
- General Counsel - item 18

The SID also declared she is the Chair of the Police Advisory Board's discipline sub-committee.

Agreed: To note the declarations.

4. MINUTES OF LAST MEETING HELD WEDNESDAY 22ND FEBRUARY 2023 (PAPER REF IOPC 03/23/04)

The Board considered and agreed, with some amendments for accuracy, the minutes of the last meeting held on Wednesday 22nd February 2023.

¹ (para 10(1) & (1A) sch 2 PRA)

² (sub-para 11.12.1)

Agreed: To note and approve the minutes for signature as an accurate record of the meeting.

5. MATTERS ARISING (PAPER REF IOPC 03/23/05)

The Board considered the actions from the last meeting.

Action:

- Present the revised Communications strategy to the March meeting. Item 9 provides update on the strategy.
- Convene a meeting to discuss performance projections and future performance reporting with Julia Mulligan, Christine Elliott and Catherine Jervis in attendance. It was **agreed** that the Director, S&I will take this forward. **(ACTION)**
- Develop a ToR/Guidance Note for the independent review team, including visiting Cardiff and identifying³ the appropriate time for the visit. This is addressed under item 18.
- Coordinate the programme of work (on improving operational delivery) highlight impact and present a consolidated work document/report to the May Board meeting. This will be presented to the April Board meeting. **(ACTION)**
- ARAC to discuss financial management and report to the Board. This is being presented to the June ARAC meeting.
- The People and Culture Committee will discuss the audit recommendations on workforce planning and report back to the Board. The Director, People will present the item to the May PCC meeting. **(ACTION)**

Agreed: To note.

ACTION: INTERIM DG/DIRECTOR, S&I

6. ESTATES STRATEGY (PAPER REF: IOPC 03/23/06)

The Director, People presented the draft estate strategy. She noted the background and highlighted key points including the following:

- The limited strategic choices in the property space which is closely supervised by the Home Office (now replaced by the Ministry of Justice).
- A business case must be made in order to enter (or exit) a lease which is usually subject to a 20-25 year Memorandum of Terms of Occupancy (MOTO).
- Moving into a normal property market is not often feasible. Arms' Length Bodies have been encouraged to move into a government hub (managed by the Government Property Agency (GPA)) which are not usually favourable in terms of cost. Also, locations may not be suitable given that operational deployment requires separate arrangement for fleet.
- In essence, the risks are numerous, and it is still unclear how the government's initiative ('places for growth' - aimed at moving jobs out of central London) will

³ Perhaps align with the UB seminar meeting being held in Cardiff.

impact the organisation in the longer term. A submission has been made and the response is awaited.

- It may be necessary to specify the types of office required in the future. Some specifications are noted (in the document circulated to the meeting). This will also impact on hybrid working.
- Feedback would be welcomed.

The Board discussed the following:

- Greater clarity on objectives and purpose of the strategy.
- Providing examples of analysis showing the number of forces covered by each IOPC office and the caseload being generated.
- The criteria for determining where an office should be located and the link to the projected demand for investigations/the current caseload and alignment with budget,
- Previous discussion on the car fleet and the need for further consideration.
- Whether the drop-down offices and reduction of estate cars are underpinned by scenario planning or numbers/data. It was explained that these are based on numbers and data. It is also somewhat led by 'opportunism' (i.e. opportunity for lease breaks - this being the only opportunity to make changes – and the need to be prepared for these breaks and understand needs).
- Recommend revision of the strategy reflecting objectives/purpose/approach etc with supporting data. Also, noting the impact of hybrid working and how this feeds into (and the savings made in) the Medium Term Financial Plan. (MTFP).
- Recommend the People and Culture Committee consider the impact of office use on performance. **(ACTION)**
- The revised document be considered by the April ARAC meeting and report back to the Board. **(ACTION)**

The Director, People informed that:

- the document is aligned to the 5-year strategic plan and 3 year medium term financial plan, and the savings to be made are reflected in the plan.
- there is a separate analysis (and other documents) which supports the position that the offices are well placed geographically.
- the cost of closing an office (and the associated disruption) is significant.
- The recent fleet audit conducted indicate a need for reduction and moving to hybrid/electric fleet. This is under active consideration.

Agreed:

- That a revised document be presented to the ARAC meeting in April and report back to the Board. **(ACTION)**
- That the document is also considered by the People and Culture Committee (as noted above). **(ACTION)**

7. WORKING WITH THE YOUTH PANEL (IOPC 03/23/07)

The Director, S&I referenced the discussion at the July 2022 Board meeting when the Youth Panel presented its work and made recommendations including exploring the opportunity to facilitate a closer working relationship with the Board.

The Senior Stakeholder Engagement Manager and the Stakeholder Engagement Officer presented the report aimed at providing details of the proposed engagement. In this context, 3 recommendations were proposed as below.

- **Bi-annual attendance at Board meetings** – providing an opportunity to update on the work done and progress. Also, for in-depth discussion in selected areas, seeking the Board’s commitment (and accountability in) key areas. The IOPC will support with delivery, monitor progress and publish an annual report.
- **Establish a Youth Panel/Unitary Board mentoring programme** – providing an opportunity to broaden mutual understanding and experience around policing and the complaints system and the views of young people in this area.
- **Periodic attendance/participation at Board meetings** – providing an opportunity for exposure through observing, participating, contributing to discussion and influence decision-making.

The Board welcomed the recommendations and the opportunity for engagement. It discussed and sought clarifications as follows:

- Relevance of the discussions at Board meetings. It was noted that key areas of (Youth Panel) contribution could be accountability, confidence in policing and the complaints system. A youth event is being held later in the day and will look at a variety of issues relating to accountability and how the police complaints system is meeting the needs of young people.
- Being cognisant of the organisation’s remit and priority areas.
- Set guidelines to manage expectations given the need to manage frustrations by the pace of change/progress in some cases.
- Give sufficient attention to other groups with low confidence in policing. It was explained that the stakeholder engagement strategy is sufficiently broad, covering a wide variety of stakeholders. Nonetheless, young people remain a key group where confidence is low.
- On the last recommendation - Recommend closer collaboration with Leaders Unlocked and work with others in the policing landscape to ensure coordination/consolidation and broaden the work. Also, consider models with other sectors (such as the NHS) engaging with young people and share best practice.

Agreed:

- To adopt recommendations 1 and 2 (with the IOPC implementing and ensuring appropriate safeguards/sensitivity).
- That more work be done around recommendation 3.

8. FORMAL MOTION TO AMEND STANDING ORDERS (PAPER REF: IOPC 03/23/08)

The General Counsel briefly explained the background to the item and the legal risk which recently arose around operational effectiveness, in particular the continuance of delegation in the event of incapacity or vacancy in the office of the Director General .

As the legislation is silent on this, it was advised that legislative change presents the ideal solution. In the interim, risk could be minimised through amendments to the Standing Orders to expressly provide for continuance of delegations.

In view of this, the Director, S&I proposed a motion to amend the Standing Orders to ensure continuance of the Director-General's delegation. It was proposed to amend paragraph 3.2 by adding the following:

'These delegations will remain in effect and not be revoked by the Director General becoming incapacitated or the office becoming vacant and in such circumstances the delegations in force immediately before will remain in force until varied or revoked by a subsequent holder of the office appointed by way of special meeting or otherwise'.

The Board briefly discussed making a distinction between continuance and exercising the delegated powers. It noted that the risk of action is reflected under the risk assessment and recommended reflecting the risk of inaction as well. It also recommended that:

- the 'Office' should ensure there is good governance (such as the ongoing review) around delegations.
- all areas of legislative change be reflected in the ongoing Cabinet Office review.

Following discussion, the Board unanimously voted in favour of the motion.

Agreed:

- To approve and pass the motion to amend the Standing Orders.
- That the Standing Orders be amended accordingly and published. **(ACTION)**

HEAD OF PRIVATE OFFICE

9. COMMUNICATIONS AND STAKEHOLDER ENGAGEMENT STRATEGY – UPDATE (PAPER REF: IOPC 03/23/09)

The Board welcomed the new Head of Communications who presented an update on the strategy under review. He noted the key points and welcomed feedback to inform the revised strategy before presenting the final document to the April meeting. He noted as follows:

- The previous and ongoing work on the strategy including areas of communication, engagement and influence etc. The intention of the new strategy (aims and objectives).
- The overlaps/crossovers in some areas aimed at addressing silo working across specific functions etc.
- Interface with partners and stakeholders/presenting voice to ensure delivery.
- Providing core (public facing) messages linked to the organisation's strategic objectives (i.e. awareness and confidence, accountability, leading improvement and performance)

- Engaging with communities to develop an understanding on the workings of the police complaint system, core messages and delivery
- Tactics (including being proactive, maintaining relationships, listening and collaborating with stakeholders and others etc.)
- Digital-led in producing (modern, accessible and engaging) contents for audiences.
- Measurement (through survey, feedback, analysis and tracking public perception etc.)
- In essence, developing a new corporate strategy provides a good opportunity to bring engagements under a single strategy and ensure alignment, strengthen culture and make impact. It also provides an opportunity for shifting and focusing on our audience and amplifying their voices in order to bring about change.

The Board requested it provide feedback for consideration via a newly established working group. Meanwhile, it briefly discussed:

- Exploring (and simplifying) some of the language used in the draft strategy.
- Reviewing structure and recommended more detail to better understand the objectives. Also, highlight relevance to measures, segmentation (and prioritisation) of audiences.
- Consider what could be done differently, how to deliver the principles around awareness and influence, better understanding of the objectives/aims around the tactics.
- Measurement – should discuss the data being received and consider the need for qualitative (rather than quantitative) data for better understanding of specific groups.
- The role of thought leadership in delivering the strategy.
- Highlighting the messages around independence and impact on confidence and accountability.
- Reflecting sustainability.

Agreed:

- To note the update.
- To forward feedbacks for the revised document to be considered by the Communications Sub-Group (comprising Julia Mulligan, Christine Elliott, Bill Matthews and Rommel Moseley) and Management Board.
- That the final document be presented to the May meeting. **(ACTION)**

ACTION: DIRECTOR, S&I/HEAD OF COMMS

10. HEADLINE PERFORMANCE REPORT (PAPER REF: IOPC 03/23/10)

The Director S&I and the Interim Director of Operations (South East) presented the headline report focussed on operational work. The Board noted as follows:

- The next quarterly report will be presented to the April meeting, reflecting the previous discussion on report structure.
- Change in awareness ratings which is inconsistent with the recent focus on the organisation's work. The latest public perception survey is in progress and the result should provide more details.

- Learning recommendations previously discussed – the LAG is being reviewed but the overall position is good. The current position is specified as follows:
 - 81% of our learning recommendations were accepted.
 - 10 are outstanding.
 - 7 rejected (this was somewhat expected but it seemed right to make those recommendations).
- Investigations – remain on track to achieve targets on cases completed within 12 months and 6 months. The current prediction is on achieving 91% (against 85% target) on 12-month cases and 35% (against 33% target) on 6-month cases.
- Cases are becoming more complex and this impact on cases that can be completed within 6 months. This is being considered as part of our demand and capacity work within Improving Operational Delivery.
- Casework – Active caseload of reviews remain on track. There is a national office turnaround plan which is progressing in line with the most realistic case scenario.
- Timeliness for reviews improved in February and remains on track in March.
- The benefit of the recruitment and training of casework managers are becoming prominent as more reviews are being completed than received. This is expected to continue in March.
- Referrals have continued on the same upward trajectory. This is being monitored.

The Board discussed and sought clarifications as follows:

- How the departure of the Director, London had impacted work. It was informed that the stakeholder engagement team have a good familiarity and were already well known to stakeholders, thus easing communication and transition. The operational responsibility was also assigned to other colleagues, easing continuity. Recruitment of interim replacement is in progress. Overall, the related risks are being managed.
- Progress on turnaround plan around performance and what the current concerns are. It was informed that the plan is in progress. There are concerns around the current MET situation and the impact of the Casey report. Also, what this means for policing in general.
- Change around turnover in January and any related concerns. It was explained that there are no concerns (raised from People Directorate). Also, new recruitments were made (in Croydon) in January. Details will be provided in the next quarterly report in April.

Agreed: to note the report.

11. HEADLINE RESOURCES REPORT (PAPER REF: IOPC 03/23/11)

The Head of Finance presented the report and briefly noted the following:

- There is good news overall. The requirement to deliver within budget would appear to have been met. This is in line within the forecast on capital and resource delegation.
- The Home Office is happy that the overspend envisaged had been resolved.
- The decision made earlier in the year had resulted in savings (for example through ICT).

- The work on the medium term financial plan has indicated areas of financial challenge next year (such as operations). Case Management System (CMS) is likely to require more work next year
- There is likely to be pressure on capital budget next year. This has been discussed with the Home Office.

The board commended the report and agreed that it feels well sighted on the direction of the budget, with good understanding of the drivers in the context of performance. It considered the need to link the medium term financial plan to some of the Board discussion around strategy going forward. It highlighted the importance of understanding the organisation's financial planning and getting accurate forecasting. Also, having confidence in the medium term financial plan and how it is being delivered. It was informed that the impact on delivery will be reflected in the quarterly performance report.

Agreed: To note the report.

12. INTERIM DIRECTOR GENERAL – UPDATE (PAPER REF IOPC 03/23/12)

The Interim DG noted the comprehensive report circulated and briefly highlighted the following:

- Participation at meetings with external stakeholders such as:
 - Chris Philp, Minister for Policing
 - Force visits to West Midlands
 - Andy George, President, National Black Police Association
 - Andy Marsh, College of Policing
 - Martin Hewitt, Chair NPCC
 - Senior Complaints Panel meeting
 - National Policing Board (chaired by Home Secretary)
 - Super Complaints Panel (on s.60 PACE)
 - Angiolini Inquiry
 - Integrity Roundtable
- Discussion/update with the Home Office on recruitment of NEDs and a new Director General.
- Independent Review in progress, conducted by Dr. Gillian Fairfield. The Terms of Reference had been circulated.
- Concerns around the sign-off on the last Annual Report and Accounts (ARA).
- Appearing before the Home Affairs Select Committee (HASC) on 15 March to contribute to the inquiry into the priorities of policing. This went well.
- Staff Matters – recent strike action on 15 March, departure of the Director, London and arrangements for replacement.
- Management Focus – finalising business planning (2023-24) to ensure effective delivery of strategy.
- Update on major cases.

The Board thanked the Chair and asked for case summaries to be circulated to members. It also recommended future discussion on key issues arising, the resulting impact and support from the Board. **(ACTION)**

13. BOARD MEETING ATTENDANCE (PAPER REF IOPC 03/23/13)

The Board considered the document presented by the Governance Secretary.

Agreed: To note the document.

14. FORWARD PLAN (PAPER REF IOPC 03/23/14)

The Board considered the Forward 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 agendas. The document was revised and recirculated to the Board.

Agreed: To note the document.

15. DATES, TIMES AND VENUE OF FUTURE MEETINGS (PAPER REF IOPC 03/23/15)

The Board considered the document on future meeting dates/venues. It recalled the previous discussion/agreement to hold at least one meeting in Wales. The date (for the Wales meeting) is being considered.

Agreed: To note the document.

ACTION: HEAD OF PRIVATE OFFICE

16. ANY OTHER BUSINESS

There was no other business.

17. MEETING REFLECTION

Rommel Moseley led the reflection on:

- Previous recommendation to broaden discussion around trust and confidence in other areas (beyond performance and youth panel matters).
- Ensuring value for money during discussions around the mid-term financial plan and delivering against the budget. There is clarity on the nature of financial challenges faced going forward and this needs to be aligned with the delivery of the strategy.
- Clarity in the objectives of the strategies to be considered by the Board.
- Strong support for the youth panel and recognising the related challenges and the willingness to learn from others and develop best practice.
- Considering items for the agenda of the next Board Development session (i.e.
 - improvement in the unitary nature of the Board;
 - the necessary conditions for Board behaviour to thrive;
 - preparation of papers and target audience.
- Maximising (or extension of) meeting time/clarity in expectation.

Agreed: that **Kathie Cashell** will lead reflection for the next meeting.

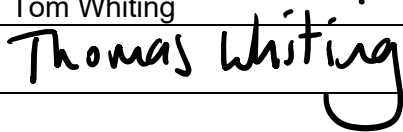
18. TERMS OF REFERENCE FOR THE REVIEW TEAM (IOPC 03/23/18)

The Interim DG and General Counsel, having declared an interest, left the meeting and were absent during the discussion and decision making on this item.

The SID chaired this item. The Board considered and approved the Terms of Reference for the review team. It discussed the pros and cons of publishing the report and saw merit in aligning the timing of publishing with the publishing of the report of the Cabinet office review to ensure coordination. It recommended further discussion in this area. **(ACTION)**

Agreed:

- To note and approve the Terms of Reference.
- That further discussion be held by Kathie Cashell, Julia Mulligan and Catherine Jervis. **(ACTION)**

NAME	Tom Whiting
SIGNATURE	
DATE	28/04/23

Schedule of actions

Agenda Item	Action by
5	Director (S&I)
6	Director, People
8	Head of Private Office
9	Head of Comms/Director S&I
18	Director S&I