

CLEVELAND POLICE AUTHORITY EXECUTIVE

A meeting of Cleveland Police Authority Executive was held on Wednesday 30 September 2009 2009 in the Members Conference Room at Police HQ.

PRESENT: Councillor Caroline Barker, Councillor Barry Coppinger, Councillor Paul Kirton, Councillor Mary Lanigan, Councillor Ron Lowes, Councillor Dave McLuckie, Councillor Hazel Pearson OBE, Councillor Victor Tumilty and Councillor Steve Wallace

Independent Members

Mr Ted Cox JP, Mr Peter Hadfield, Mr Aslam Hanif, Mr Alf Illingworth TD JP, and Mr Peter Race MBE

OFFICIALS: Mr Joe McCarthy and Mrs Julie Leng (CE)
Mr Derek Bonnard, Mr Dave Pickard, Mr Sean White, Mrs Ann Hall and Miss Kate Rowntree (CC)
Mrs Lynne Snowball and Mrs Kath Andrew (Audit Commission)

138 APOLOGIES FOR ABSENCE

Apologies for absence were received from Miss Pam Andrews-Mawer, Mr Chris Coombs and Mr Sean Price.

139 DECLARATIONS OF INTERESTS

There were no declarations of interests.

140 AUDITED STATEMENT OF ACCOUNTS 2008/09

The Chief Executive advised members that following receipt and approval of the Statement of Accounts 2008/09, subject to audit, at their June meeting. It was agreed that the audited accounts and any amendments resulting from the audit would be presented to a future meeting of the Police Authority.

The accounts were prepared in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom: Statement of Recommended Practice (SORP) 2008/09 and the subsequent Police Pension Fund Regulations 2007 (SI 1932/2007) and 'present fairly' the financial position and transactions of the Authority and the Police Pension Fund for the year ended 31 March 2009. The outturn is that previously reported to Members.

In the Annual Governance letter at Agenda Item 4 on today's agenda, the District Auditor stated that she expected to issue an unqualified opinion that:

- The accounting statements and related notes present fairly, in accordance with applicable laws and regulations and the Statement of Recommended Practice on Local Authority Accounting in the United Kingdom 2008, the financial position of the Authority as at 31 March 2009 and its income and expenditure for the year then ended; and
- The police pension fund accounting statements present fairly, in accordance with the Statement of Recommended Practice on Local Authority Accounting in the United Kingdom 2007, the financial transactions of the police pension fund during the year ended 31 March 2009 and the amount and disposition of the fund's assets and liabilities as at 31 March 2009, other than liabilities to pay pensions and other benefits after the end of the scheme year.

The District Auditor stated that 'the financial statements were prepared to a good standard well in advance of the statutory deadline of 30 June and were supported by comprehensive working papers'.

The only amendments were detailed in paragraph 3.5 of the report. These changes, whilst impacting on the Income and Expenditure Account, do not impact on the reported Outturn for the Force given the nature of these technical adjustments, nor the reserves position previously reported to Members.

ORDERED that the Statement of Accounts for 2008/09 be agreed.

141

ANNUAL GOVERNANCE REPORT 2008/09

The District Auditor presented the final version of her report on the results of the audit work for 2008/09. A draft of this report was presented to the Audit and Internal Control Panel on 3 September and discussed and agreed with officers and key members on 22 September and had been updated since as issues have been resolved.

This report summarised the findings from the 2008/09 audit which was completed. It included the messages arising from

the audit of financial statements and the results of the work undertaken to assess arrangements to secure value for money in the use of resources.

It was reported that the financial statements were prepared to a good standard well in advance of the statutory deadline of 30 June and were supported by comprehensive working papers.

There were six amendments which have been made to the financial statements during the audit, the issues were technical in nature and do not affect the Force outturn position. The amendments relate to pension benefit adjustments, issues relating to the dissolution of the North East Air Support Unit and additional information being disclosed in the notes to the accounts.

The use of resources scores, based on the new more challenging methodology introduced as part of the Comprehensive Area Assessment, have recently been reported to the Authority by the Audit Commission. The Police Authority had requested a review of the overall score and the Audit Commission had accepted the request. The results of the review would be notified by 21 October 2009.

The audit was undertaken in accordance with the Code of Audit Practice and having regard to the criteria for Police Authorities specified by the Audit Commission and published in May 2008 and updated in February 2009, and the supporting guidance, the District Auditor was satisfied that in all significant respects, Cleveland Police Authority made proper arrangements to secure economy and effectiveness in its use of resources for the year ending 31 March 2009.

The Chair of the Audit and Internal Control Panel confirmed that the draft report had been submitted for consideration by that Panel and that follow up meetings had taken place with him and the Vice Chair of that Panel to work through technical issues prior to them recommending this report for approval to the Police Authority Executive.

ORDERED that the Annual Governance Report for 2008/09 be received and agreed.

142

**MINUTES OF THE AUDIT AND INTERNAL CONTROL
PANEL HELD ON 28 MAY 2009**

ORDERED that the following minutes of the Audit and Internal

Control Panel held on 28 May 2009 were submitted and approved.

AUDIT AND INTERNAL CONTROL PANEL

ACTION

A meeting of the Audit and Internal Control Panel was held on Thursday 28 May 2009 commencing at 10.00 am in the Members Conference Room, Police Headquarters.

PRESENT Mr Mike McGrory JP (Chair), Councillor Ron Lowes (Vice Chair), Councillor Victor Tumilty, Councillor Mary Lanigan , Mr Aslam Hanif and Mr Peter Hadfield.

OFFICIALS Mr John Bage and Mr Paul Kirkham (CE).
Mrs Ann Hall and Miss Kate Rowntree (CC).
PC Stephen Matthews (Fed)

AUDITORS Mr Ian Wallace, Ms Susan Turner (RSM Bentley Jennison), Ms Catherine Andrew (Audit Commission)

143 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Dave McLuckie (ex officio), Mr Peter Race MBE (ex officio), Councillor Caroline Barker and DCC Derek Bonnard.

144 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

145 **MINUTES OF THE PREVIOUS MEETING HELD 26 March 2009**

The minutes were agreed as a true and accurate record.

146 **OUTSTANDING RECOMMENDATIONS**

ORDERED that:-

1. the Outstanding Recommendations were noted.

147 **THE ANNUAL GOVERNANCE STATEMENT 2008-2009 – SOURCES OF ASSURANCE REPORT**

The Executive Accountant informed Members that the report was intended for the Panel to review the Sources of Assurance as part of the process of establishing the assurance framework in support of the Annual Governance Statement.

Members were informed that as part of the framework for preparing the Annual Governance Statement the PURE & Governance Work Group had identified through its work, the Sources of Assurance which underpin the provision of assurance on the adequacy and effectiveness of controls over

key risks.

The report is focused on authorized internal health and governance issues which if not addressed represent risks to the reputations of the Police Authority and the Force.

ORDERED that:

1. the final version of the Sources of Assurance be agreed.

148

THE ANNUAL GOVERNANCE STATEMENT 2008-2009

The Executive Accountant informed Members that the review of the internal control arrangements now form part of a wider ranging document entitled "Annual Governance Statement" (AGS). The report sought Member review of the second Annual Governance Statement to be produced under these arrangements.

Members were informed that the Audit and Internal Control Panel has the responsibility to review the draft AGS, and to make recommendations to the Police Authority Executive. The report had been drawn up using the CIPFA/SOLACE framework and guidance.

ORDERED that:

1. to amend para 5.2 of the Annual Governance Statement at Appendix A to the report by adding the words 'risk management', be agreed.
2. the Annual Governance Statement at Appendix A to the report be recommended for approval by the Police Authority Executive meeting on the 4th June 2009, be agreed.

149

THE ANNUAL GOVERNANCE STATEMENT – SERVICE UNIT ASSURANCE QUESTIONNAIRE – SUMMARY OF RESPONSES

The Executive Accountant informed Members that the report was a summary of the responses from the survey of Service Unit Managers, undertaken as part of the process of establishing the assurance framework in support of the Annual Governance Statement.

Members were informed that CIPFA guidance advocated undertaking an annual survey of managers to obtain a signed adequacy of controls statement as part of the work in obtaining assurance on the effectiveness of key controls; this had been the third time this piece of work had been undertaken.

The Executive Accountant informed Members that the report was focused on organisational health and governance issues which if not addressed represent reputation risks to the Police Authority and the Force. The report represented the progression of advice in the CIPFA – Rough Guide to the Annual Governance Statement.

The three questions with 'No' responses were discussed in detail and Members also sought further information regarding questions with significant 'Partially Agree' scores. Officers provided further detail and their interpretation of the underlying issues were discussed.

ORDERED that:

1. improvements outlined in the report, will be promoted through the Corporate Governance process and Service Unit Business Plans be noted.

150

THE ANNUAL GOVERNANCE STATEMENT – STATEMENT OF KEY CONTROLS

The Executive Accountant informed Members that the report was intended for the Audit and Internal Control Panel to review and comment on the Statement of Key Controls as part of the process of establishing the assurance framework in support of the Annual Governance Statement.

Members were informed that as part of the framework for preparing the Annual Governance Statement, the PURE & AGS Group had collated a Statement of Key Controls, as one the Sources of Assurance which underpinned the provision of assurance on the adequacy and effectiveness of controls over key risks. This is similar in content, and exactly the same format as that considered and agreed by this Panel on 28th May 2008.

The PURE & AGS Group had reviewed the extent to which there is evidence to support compliance with these key controls and show the source of assurance relied upon.

ORDERED that:

1. the Statement of Key Controls as set out at Appendix A to the report be agreed.

151

THE ANNUAL GOVERNANCE STATEMENT 2008-2009 – REVIEW OF INTERNAL CONTROL AND AGS ASSURANCE GATHERING PROCESS

The Executive Accountant informed Members that the report was intended for the Audit and Internal Control Panel to formally record that the document "Review of Internal Control and the Annual Governance Statement Assurance gathering process" had been made available to Members.

Members were reminded that they had been invited to a briefing on 5th May 2008 which comprised of an interactive presentation of the document. Detailed questions and comments were dealt with by Officers. There were no issues arising from that presentation which required reporting to the Audit and Internal Control Panel. In compliance with practice agreed in 2007, a hardcopy of the Assurance document was circulated to Members on 6th May 2008.

ORDERED that:

1. the working document "Review of Internal Control and the Annual Governance Statement Assurance gathering process" was circulated to all Members of the Police Authority on 6th May 2009 be noted.

152

STATEMENT OF ACCOUNTS 2008-9

Members were informed that under the Account and Audit Regulations 2003,

local authorities, including police authorities, are required to receive and approve the Statement of Accounts for 2008/09 before the end of June 2009.

The Executive Accountant informed Members that as part of that process they need to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the authority.

The report was to provide Members of the Panel with the required information for them to discharge this role.

Officers responded to Member questions regarding the nature of and depreciation rate for intangible assets, the discretionary element of pension costs, reasons for the changes in staff numbers in various salary bands, bad and doubtful debts and the adequacy of the legal cost provision. It was noted that an analysis of the increase in the cost of members' allowances had been discussed in an earlier Members' briefing on the accounts.

ORDERED that:

1. the detailed accounting policies as set out in the Statement of Accounts on pages 13 to 18 inclusive, which the Authority had followed in producing these accounts be noted.
2. the analytical review of the accounts contained with the body of the report and specifically within paragraphs 3.4 to 3.9, to provide Members with confidence in the financial statements be noted.

153

CONTRACT STANDING ORDER NO. 4 (1)– EXEMPTION FROM THE NORMAL REQUIREMENT TO TENDER

The Assistant Chief Officer Finance & Commissioning informed Members that Standing Orders paragraph 4.3c states that "Every authorized exemptions shall be reported to the Authority via the appropriate Panel, and shall be recorded in the minutes of the Authority." The report covered exemption requests for the period January to March 2009.

Members were informed that in compliance with Contract Standing Orders it had been the practice to report quarterly, every circumstance where it appears that the normal requirement to tender has not been followed.

Each such exemption, as detailed in Appendix A, was discussed and Members' questions answered. Those items falling outside of the Police Authority Approved Exemption Reasons, as detailed in Appendix B, were explained and individually approved.

ORDERED that:-

1. the exemptions in Appendix A to the report which satisfy the criteria for exemption from the normal requirement to tender set out in Contract Standing Order 4 be noted.
2. those items at Appendix B to the report outside of the Police

Authority Exemption Reasons were discussed in detail and approved, be noted.

154

CLEVELAND POLICE AUTHORITY – REVISED CODE OF CORPORATE GOVERNANCE

The Strategy & Performance Manager informed Members that the new style Code of Corporate Governance was accepted by the Police Authority at its meeting in December 2007, becoming effective from 1st January 2008. It was agreed that there would be an annual review of the Code, which would be brought to Members for approval.

Members were informed that since the last update in June 2008 there had been important changes to the working document and therefore there was a need to bring these to the attention of Members, to consolidate changes throughout the courses of the year and seek approval for their inclusion within the Code.

ORDERED that:-

1. the proposed amendments to the report be noted.
2. the amended Code of Corporate Governance be recommended for approval by the Police Authority Executive be agreed.

155

CHANGES TO THE ACCOUNTS AND AUDIT REGULATIONS

The Executive Accountant informed Members that Local Authority Accounting is regulated by The Account and Audit Regulations 2003, and the report was to update Members on changes that have been passed to these regulations.

The Police Authority fully comply with The Account and Audit Regulations 2003. The amendments to these regulations had been incorporated into its future statutory reporting in line with the timescales of the regulations.

ORDERED that:-

1. the Amendments to the Regulations be noted.

156

EXCLUSION OF THE PRESS AND PUBLIC

ORDERED that pursuant to the local Government Act 1972, the press and public be excluded from the meeting under Paragraphs 3 and 7 of Part 1 of Schedule 12A to the Act.

157

CONTRACT STANDING ORDER NO. 4 (II) – EXEMPTION FROM THE NORMAL REQUIREMENT TO TENDER

The Assistant Chief Officer Finance & Commissioning informed Members that Standing Orders paragraph 4.3c states that "Every authorized exemption shall be reported to the Authority via the appropriate Panel, and shall be recorded in the minutes of the Authority." The report covered exemption requests for the period January to March 2009.

Members were informed that in compliance with Contract Standing Orders it

had been the practice to report quarterly every circumstance where it appears that the normal requirement to tender has not been followed.

ORDERED that:

1. the exemptions in Appendix A to the report which satisfy the criteria for exemption from the normal requirement to tender set out in Contract Standing Order 4 be noted.

158

CORPORATE RISK REGISTER

The Assistant Chief Officer Finance & Commissioning provided Members with an update on the Force's current Corporate Risk Register.

To ensure that the Members are able to discharge their oversight duties, within the new risk management procedures, a copy of the latest Corporate Risk Register was attached at Appendix 1.

ORDERED that:

1. the contents of the report be noted.

159

REPORT OF THE INTERNAL AUDITORS

The Head of Internal Audit and the Senior Audit Manager presented the following audit reports and responded to Members' questions:

- Progress Report
- Estates Management
- Internal Audit Follow Up Report
- Data Protection
- Inventories

The Head of Internal Audit also presented the Internal Audit Annual Report which was in a new and more detailed format. It was noted that the opinions given in the report provide important assurance in the preparation of the Annual Governance Statement.

The Strategy for Internal Audit 2009/10 – 2013/14 was also presented. It was noted that this contained only minor amendments from the draft version previously discussed by the Panel and the overall strategy and detailed internal audit plan for 2009/10 was agreed.

ORDERED that:

1. the contents of the reports be noted.
2. the Strategy for Internal Audit 2009/10 – 2013/14 be agreed.

160

MINUTES OF THE POLICE AUTHORITY EXECUTIVE HELD ON THURSDAY 4 JUNE 2009

ORDERED that the minutes of the Police Authority Executive held on Thursday 4 June 2009 were approved and signed by

the Chair as a true and accurate record.

161 **MINUTES OF THE STRATEGIC PROCUREMENT & MAJOR PROJECTS PANEL HELD ON THURSDAY 25 JUNE 2009**

ORDERED that the following minutes of the Strategic Procurement & Major Projects Panel held on Thursday 25 June 2009 were submitted and approved.

162 **STRATEGIC PROCUREMENT & MAJOR PROJECTS PANEL** **ACTION**

A meeting of the Strategic Procurement & Major Projects Panel was held on Thursday 25 June 2009 in the Members Conference Room at Police Headquarters.

PRESENT: Miss Pam Andrews-Mawer (Chair), Mr Chris Coombs (Vice Chair), Mr Ted Cox JP, Mr Peter Hadfield, Cllr Ron Lowes, Mr Mike McGrory JP, Cllr Hazel Pearson OBE and Mr Peter Race MBE (ex officio).

OFFICIALS: Mrs Ann Hall, Superintendent Glenn Gudgeon, Mrs Jean Hodgkinson & Miss Kate Rowntree.
Mr Joe McCarthy and Mrs Jayne Harpe.

163 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr Dave McLuckie (ex officio), Cllr Mary Lanigan and Mr Aslam Hanif.

164 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

165 **MINUTES OF THE LAST MEETING 16 FEBRUARY 2009**

The minutes of the meeting on 1st May 2009 were agreed as a true record.

166 **FINAL UPDATE OF THE HARTLEPOOL HQ REFURBISHMENT**

The Assistant Chief Officer for Finance & Commissioning presented the report to Members. The project covered two areas which were a full refurbishment of the Custody Suite and the replacement of all plant and services throughout the building.

The building remained operational throughout (with the exception of custody) and the contractors, operational and administrative staff all contributed to making the project successful. A celebratory reception was held on 5th June with some 30+ guests attending to view the building including the custody suite. There was excellent response to the work undertaken and feedback from officers and staff continued to remain very positive. The project was delivered on time and within budget and had proven to be a very rewarding experience for all concerned. The investment for this project had contributed to major improvements which had enhanced the lifespan of the building and the working environment.

ORDERED that:

1. All works were completed and they had been carried out to a very high standard.
2. The Project was delivered on time and within budget.

167

EXCLUSION OF THE PRESS AND PUBLIC

ORDERED that pursuant to the Local Government Act 1972 the press and public be excluded from the meeting under Paragraphs 3 and 4 of Part 1 of Schedule 12A to the Act.

168

UPDATE OF THE ROAD POLICING UNIT, WYNYARD BUSINESS PARK

The Assistant Chief Officer for Finance and Commissioning updated Members on the progress of the Strategic Road Policing Unit located at Wynyard Business Park.

ORDERED that:

1. The details shown in the latest Project Board document be noted.
2. Construction work started late September 2008 and was on target to be completed late July 2009.
3. The transition to the new premises would start week commencing 3rd August 2009 and would aim to be seamless.
4. The existing premises at Cannon Park would be vacated in August 2009.
5. A full reporting process had been in place throughout with Client/Construction meetings and Stakeholder meetings held on a monthly basis and Project Boards held on a bi-monthly basis.

169

UPDATE ON PROJECT I

The Head of Project I updated Members on the Project and the procurement process.

Between 29th June and 17th July 2009 reference site visits would be conducted in relation to each bidder. The visits would be conducted by representatives from the Project Team, Police Authority, ICT, Control Room and Staff Associations.

The final submission will be made on 17th July 2009 which will be approved by Members of the Strategic Procurement & Major Projects Panel on 7th August 2009.

ORDERED that:

1. the contents of the report be noted.

170 **ESTATES UPDATE**

The Chief Executive updated Members on the current position of the relocation of Police Headquarters. An advertisement for expressions of interest had been placed to which there had been 6 expressions of interest regarding the acquisition of Ladgate Lane and 18 sites had been proposed for relocation. The options were currently being looked at and will be presented at the next Strategic Procurement & Major Projects Panel on 7th August 2009.

171 **MINUTES OF THE OPERATIONAL POLICING PANEL
HELD ON TUESDAY 14 JULY 2009**

ORDERED that the following minutes of the Operational Policing Panel held on Tuesday 14 July 2009 were submitted and approved.

OPERATIONAL POLICING PANEL

A meeting of the Operational Policing Panel was held on Tuesday 14 July 2009 commencing at 10.00 am in the Members Conference Room at Police Headquarters.

PRESENT Councillor Barry Coppinger (Chair), Councillor Hazel Pearson OBE, Councillor Victor Tumilty, Councillor Ron Lowes, Mr Peter Race MBE (ex officio)

OFFICIALS Mrs Joanne Hodgkinson and Mr John Bage (CE)
Mr Sean White, Mr Dave Pickard, Mr Christian Ellis and Mrs Louise Drummond (CC).

ADDITIONAL
ATTENDEES Mr Ted Cox JP, and Mr Alf Illingworth TD JP.

172 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from, Councillor Dave McLuckie (ex officio), Councillor Steve Wallace (Vice Chair). Miss Pam Andrews-Mawer, Mr Aslam Hanif, Councillor Mary Lanigan, Councillor Paul Kirton and Mr Chris Coombs.

173 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

174 **OUTSTANDING RECOMMENDATIONS**

ORDERED that:-

1. the outstanding recommendations be noted.

175 **NEIGHBOURHOOD SURVEY**

The Corporate Planning & Performance Manager gave a presentation to Members on Neighbourhood Surveys. Members were informed that both the Authority and the Force were committed to effective surveying of individuals, families and communities across Cleveland to further understand

the effectiveness of policing services that are provided and the context of neighbourhood problems that communities face.

Members were informed that as part of the ambition to promote greater confidence in the work of local police forces, neighbourhood survey data information was invaluable in understanding opinion, issues and challenges at the local level. The Force were encouraged by many of the findings of the pilot Neighbourhood Survey that had been conducted during April 2009.

The Corporate Planning & Performance Manager informed that the Authority and Force were committed to undertake further, more detailed surveys which would make use of 'face to face' or telephone interviews. The results of these surveys, together with the April 2009 data, will be made available through a range of mediums including the internet and published material.

ORDERED that:-

1. the content of the presentation be noted.

176

PLACE SURVEY – ANALYSIS OF RESULTS

The Strategy Manager informed Members that from April 2008 a new performance framework had been introduced based around a comprehensive National Indicator Set of 198 performance measures. This replaced Best Value Performance Indicators. Members were informed that 18 of the 198 indicators were collected through the newly introduced Place Survey, which was administered by Local Authorities. This includes 5 community safety indicators.

Members were informed that at Force level the community safety indicators were measured through British Crime Survey (BCS) data. At Local Authority level, the community safety indicators were measured through the Place Survey, which is a bi-annual postal survey

The Strategy Manager informed Members that the results of the Place Surveys carried out in each of Cleveland's 4 Local Authority areas provides performance results that will form part of the evidence base for the Audit Commission when carrying out the new Comprehensive Area Assessments from April 2009.

ORDERED that:-

1. the content of the report be noted.

177

NEIGHBOURHOOD POLICING UPDATE

The Assistant Chief Constable (Territorial) presented the report to Members on the progress of implementation of Neighbourhood Policing.

Members were informed that the Force's approach to Neighbourhood Policing was based on the Chief Constable's Ward based model of a named police constable per neighbourhood. In addition, each neighbourhood had a minimum of one PCSO working alongside the Constable. In line with the principles of Neighbourhood Policing additional Constables and PCSOs had been allocated to Wards where demand is greatest.

The Force had dedicated 11 Inspectors, 28 Sergeants, 148 Constables and

198 PCSOs as at 31st March 2009 (target figure 197) to Neighbourhood Policing. These resources were further supported by Neighbourhood Support Team Officers, the Special Constabulary and Volunteers, as well as members of the extended police family.

The Force continued to build upon the experience and identification of effective practice in embedding Neighbourhood Policing. Surveys continued to indicate public support for Neighbourhood Policing and recognised the increase in visible patrols and improved service. The Force continued to reduce crime rates whilst embedding Neighbourhood Policing

Debate took place involving Members seeking clarification on a number of the issues in question pertaining to Officer and PCSO deployment in Wards and Neighbourhood Policing areas across the Force.

ORDERED that:-

1. the content of the report be noted.

178

CRIME AND DISORDER SCRUTINY COMMITTEES

The Strategy Manager informed Members that Section 19 of the Police and Justice Act 2006 required every local authority to have a crime and disorder committee with the power to review or scrutinise decisions made in connection with the discharge of duties by responsible authorities with reference to their crime and disorder functions.

Members were informed that clear protocols need to be established to ensure that Members co-opted onto community safety committees are not unwittingly drawn into political debates, or commit the Police Authority to undertake a course of action without agreement/authority. Where issues arise which relate specifically to Cleveland Police, it may be appropriate to refer such issues to the Police Authority.

ORDERED that:-

1. the content of the report be noted.

179

LOCAL CHILDREN'S AND YOUNG PEOPLE'S PLAN

The Strategy Manager informed Members of the contents of the Children and Young People's Plans, published by the Children's Trust Boards (CTBs) for the four local authority's. The document should be the key overarching plan for the provision of services to children, young people and their families.

The Children and Young People's Plans for the four local authority's described the partners' plans for the provision of services to children and young people. The documents will form part of the evidence base for the Audit Commission when carrying out the new Comprehensive Area Assessments from April 2009.

ORDERED that:-

1. the content of the report be noted.

180

COMMUNITY SAFETY PARTNERSHIP PERFORMANCE AGAINST

NATIONAL INDICATOR SET

The Strategy Manager informed Members that the Local Strategic Partnerships (LSPs) have an overarching performance framework that is based around a comprehensive National Indicator Set of 198 performance measures. In 2008 the LSP partners for each area targeted around 35 of these performance measures to be included within the Local Area Agreement (LAA).

Members were informed that a typical LAA has between 4 and 7 community safety measures and targets that are formulated by the local Crime & Disorder Reduction Partnership (CDRP), on which the police authority is a statutory partner. The report presented progress against those national performance indicators for each community safety partnership (CDRP).

The report apprised Members of progress made against the national indicator set for the four Local Community Safety Partnerships. The performance results will form part of the evidence base for the Audit Commission when carrying out the new Comprehensive Area Assessments from April 2009.

ORDERED that:-

1. the content of the report be noted.

181

YOUNG PERSONS LOCAL POLICING SUMMARY 2009-2010

The Strategy Manager informed Members that the Serious and Organised Crime and Police Act 2005 introduced the requirement on police authorities to produce and distribute a local policing summary to all council tax paying households in their local area.

Members were informed that for the last two years, Cleveland Police Authority had worked with groups of young people from each of our policing districts to produce a version of the summary specifically for 11-19 year olds. This project had achieved national acclaim through publication in the APA report 'Accountability in Action'.

Production of a young person's summary formed part of our youth engagement and consultation work. This year the project will involve a group of young people from each of the four Local Authority areas in designing and producing the young person's version for each of the four police districts. There are approximately 38,000 young people aged 11-19 in the Cleveland Police Area. Members were informed that it is proposed that 38,000 copies of the young person's summary be distributed to schools and colleges across Cleveland during September 2009.

ORDERED that:-

1. the content of the report be noted.

182

DRUGS UPDATE

The Assistant Chief Constable (Crime Ops) provided Members with an update in relation to drug treatment, enforcement, recovery, and disruption efforts across the Force area.

Members were informed that the Force continued to support the government sponsored Criminal Justice Intervention Programme (CJIP) through the Drug Intervention Programmes (DIPs) that are in place within each of the four policing districts. This followed recognition of the importance of pro-actively tackling the local supply and demand problems, whilst at the same time engaging users and guiding them into treatment support services.

The Assistant Chief Constable (Crime Ops) informed that drug intervention programmes had evolved over the course of the last four and a half years and are aiming to involve a wider client base. Testing on arrest, was introduced in April 2006 and sought to test those over 18 years of age, whilst in police custody, who had been arrested for a trigger offence. The trigger offences are defined by legislation and have been identified as those offences that tend to be committed in order to finance a drug habit.

The Force continued to tackle drug use and abuse in line with Government strategy and the expressed wishes of local people as articulated in our consultation processes.

ORDERED that:-

1. the content of the report be noted.

183

ANTI-SOCIAL BEHAVIOUR UPDATE

The Assistant Chief Constable (Crime Ops) informed Members that anti-social behaviour included a variety of behaviours covering a whole range of selfish and unacceptable activities that can blight the quality of life within communities.

Most types of anti-social behaviour fit into one of three categories; street problems, nuisance neighbours or environmental crime. Incident types recorded by the Force are assigned to categories including: abandoned vehicles; animal problems; hoax calls; rowdy and nuisance neighbours; environmental damage, and rowdy and inconsiderate behaviour.

Members were informed that anti-social behaviour is a policing priority and is a problem that calls for attention and collaborative working between partner agencies. Due to its public nature and widespread community impact, it is important the Force is responsive to community and local needs.

Debate took place involving Members seeking clarification on a number of the issues in question pertaining to Officers and the Force, working where practicable, in partnership, to create holistic long term solutions to local problems.

ORDERED that:-

1. the content of the report be noted.

184

ALCOHOL ABUSE UPDATE

The Assistant Chief Constable (Crime Ops) provided Members with an overview of the current alcohol abuse initiatives taking place in the Force area.

Members were informed that national research and performance data indicated that the impact of harm associated with alcohol is affected by a number of factors. Alcohol-specific hospital admissions were 60% higher and alcohol-related hospital admissions were 35% higher in the NE than the national average.

The Assistant Chief Constable (Crime Ops) informed Members that in order to promote a safe, sensible and social drinking culture in Cleveland where violent and anti-social behaviour is not tolerated, the widest range of interventions should be maintained and utilized.

ORDERED that:-

1. the content of the report be noted.

185

UPDATE ON THE INDEPENDENT CUSTODY VISITING SCHEME

Councillor Ron Lowes, the portfolio holder for Independent Custody Visiting, provided Members with an update on the operation of the Independent Custody Visiting Scheme, operated throughout Cleveland, this included recruitment, visits undertaken and training of the Independent Custody Visitor Volunteers.

Members were informed that Police Authorities are required to operate an Independent Custody Visiting Scheme under the provisions of the Police Reform Act 2002. Guidance published, recommended that regular visits were undertaken by volunteers, who had been recruited and managed by the Police Authority, to attend Police Custody units.

Members were informed that visits had been undertaken to all Cleveland Police Custody units on a regular basis, the frequency of which is usually weekly, but variations occur due to the turnover and cell usage.

The Police Authority continued to fulfil its obligation and commitment to the Independent Custody Visiting Scheme with sufficient volunteers to maintain their interest and yet not overburden the individuals. On average, individual visitors undertake a visit every 6-8 weeks which met the Authority's requirements.

ORDERED that:-

1. the content of the report be noted.
2. appreciation by the Police Authority, to the continuing commitment of the volunteers within the scheme, be noted.

185

MINUTES OF THE POLICY & RESOURCES / CORPORATE DEVELOPMENT PANEL HELD ON WEDNESDAY 22 JULY 2009

ORDERED that the following minutes of the Policy & Resources / Corporate Development Panel held on Wednesday 22 July 2009 were submitted and approved.

POLICY & RESOURCES / CORPORATE DEVELOPMENT

A meeting of the Policy & Resources / Corporate Development Panel was held on Wednesday 22 July 2009 commencing at 10.00 am in the Members Conference Room at Police Headquarters.

PRESENT Councillor Hazel Pearson OBE (Chair), Councillor Victor Tumilty (Vice Chair), Mr Alf Illingworth TD JP, Mr Aslam Hanif (representing Mr Coombs), and Mr Ted Cox JP.

OFFICIALS Mr Norman Wright and Mr John Bage (CE)
Mrs Ann Hall, and Miss Kate Rowntree (CC).

186 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Dave McLuckie (ex officio), Mr Peter Race MBE (ex officio), Mr Chris Coombs, Mr Sean Price, Mr Derek Bonnard.

187 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

Action

188 **MINUTES OF THE POLICY & RESOURCES / CORPORATE DEVELOPMENT PANEL HELD ON 11 June 2009**

Councillor Pearson and Councillor Tumilty requested that their apologies be included for the previous meeting.

The minutes were agreed as a true and accurate record.

189 **OUTSTANDING RECOMENDATIONS**

ORDERED that:-

1. the Outstanding Recommendations be noted.

190 **BUDGET MONITORING REPORT TO 31 MAY 2009**

The Assistant Chief Officer Finance and Commissioning presented the report. Members had approved a Net Budget Requirement (NBR) of £128,790k and budgeted revenue expenditure of £146,911k, the balance of expenditure being funded by specific grants, other income and transfers from reserves. The report set out the progress against delivery of that budget and was part of the process introduced by the Authority to maintain prudent financial management.

Members were informed that the position to date and the year end forecast were shown at Appendix A to the report. No material risks, other than those set out in the Risk Monitor at Appendix D to the report, had been identified to the delivery of a break even position for 2009/10.

ORDERED that:-

1. the report be noted.
2. the expenditure plan for 2009/10 be reviewed and any future

proposals be brought to future meetings, be agreed.

191

CAPITAL MONITORING REPORT TO 31 MAY 2009

The Assistant Chief Officer Finance and Commissioning presented the progress against the delivery of the Capital Programme for 2009/10 and the Capital Plan for 2009/13 which Members had approved at their meeting on 26 February 2009.

Members approved a capital programme totalling £9,806k at their meeting on 26th February 2009. This included new capital schemes, schemes carried forward from 2008/09 and unallocated funding. Since the original programme had been agreed, a number of changes had been identified. These were summarized at Appendix B to the report.

ORDERED that:-

1. the report be noted.
2. the addition of the following project to the 2009/10 Capital Programme:
 - St. Hilda's PFI Communications Fallback Project at a reduced cost of £110k, be agreed, but that an update report be presented to a future meeting.

192

TREASURY MANAGEMENT REPORT TO 31 MAY 2009

The Assistant Chief Officer Finance and Commissioning presented the report to Members.

Members agreed an investment strategy for 2009/10 at their meeting on 26th February 2009. At that meeting Members resolved to continue to delegate authority to amend the approved List of Counterparties and the investment limits with institutions, to the Chief Executive in consultation with the Deputy Section 151 Officer.

The report updated Members on the status of the Authority's investments and borrowing. This was part of the process introduced by the Authority to maintain prudent financial management.

Members were informed that the protection of the Authority's underlying investments had continued to be of utmost importance throughout 2009-10. The investments of the Authority had continued to be placed in a prudent manner and also one that ensured sufficient funds were available to meet its commitments as they became due.

ORDERED that:-

1. the report be noted.

193

LONG TERM FINANCIAL PLAN (LTFP) UPDATE

The Assistant Chief Officer Finance and Commissioning presented the report to Members.

Members approved the 2009/10 Budget and 2010/13 LTFP at their meeting

on the 26th February 2009. The LTFP approved at that meeting required savings to be made in 2010/11 and 2011/12 to return the Force to recurring financial balance.

Members were informed that the report was part of the process introduced by the Authority to establish sustainable annual and medium term financial plans and maintain prudent financial management.

The Assistant Chief Officer Finance and Commissioning informed Members that due to the tightening economic climate and the emergence of a number of very significant pressures, a greater risk around the delivery of a balanced position for future years had been created.

ORDERED that:-

1. the contents of the report be noted.
2. Member's briefing(s) be arranged to further consider such matters, be agreed.

194

LOCAL GOVERNMENT PENSION SCHEME (LGPS)

The Strategy & Performance Manager informed Members that the report was to respond to the Communities and Local Government (CLG) consultation paper entitled "LGPS delivering affordability, viability and fairness" which had been sent out to all LGPS stakeholders (local authority Chief Officers inc Police Authorities) on 25th June 2009 for consultation.

Members were informed that the current debate on the future of public sector pension schemes, which covered some 6.4 million employees, revolved around future liabilities. Recent calculations indicated large unfunded liabilities.

The CLG consultation paper proposed a solution to a likely short term funding problem. Members were informed that it did little to change the affordability of the LGPS in the long term. The proposals for further stakeholder consultation about the future direction of the LGPS will have to tackle the long term affordability issue for employers and taxpayers if the future of the Scheme, in its current format, is to be protected

ORDERED that:-

1. the Police Authority respond to the CLG consultation document, as laid out in para's 4 and 5 to the report be agreed.

195

PROCUREMENT STRATEGY

Members received a briefing on the Procurement Transformation and revised Contract Standing Orders (CSO) on 10th March 2009. The Procurement Strategy attached at Appendix A to the report, encompassed all the values of the revised Contract Standing Orders.

The Assistant Chief Officer Finance and Commissioning informed Members that the new Force Procurement Strategy had been designed to provide the foundations for effective procurement transformation and deliver significant performance improvement in supply chain management.

ORDERED that:-

1. the revised Procurement Strategy be agreed.

196

2008/09 ANNUAL FLEET STRATEGY REPORT

The Assistant Chief Officer Finance and Commissioning provided Members with an annual progress report with regard to the Fleet Strategy during the period 1st April 2008 to 31st March 2009 respectively.

Members were informed that the Fleet Strategy was approved in 2007 and provided details of a professional fleet management approach employed to deliver a range of services in respect of the efficient and effective acquisition, maintenance and disposal of vehicles in response to operational needs.

An annual report had been produced by the Head of Commissioning in order to keep Members informed. It reported progress against the key deliverables and ensured service delivery continued to reflect the strategic aims of the Force.

ORDERED that:-

1. the report be noted.

197

PROCUREMENT OF REPLACEMENT FIRE ALARM SYSTEM FOR HQ

The Assistant Chief Officer Finance and Commissioning informed Members that they had recently been four false activations of the fire alarm at Police Headquarters.

Members were informed that due to the deterioration of the existing HQ fire alarm system (which is approximately 40 years old) advice was taken by the Force from the Fire Brigade and the Force Health and Safety Teams. The advice received was that the Headquarters alarm system be replaced as a matter of urgency.

The Assistant Chief Officer Finance and Commissioning reported to Members that due to the urgent need to replace the fire alarm system, it was agreed by Health & Safety and the Commissioning Management Team that the timescales for a full tender to replace the current system would not be appropriate.

Members were informed that due to the deterioration of the existing fire alarm system, an exemption to standing orders was raised to expedite the replacement of the system, which had become a strategic risk.

ORDERED that:-

1. the report be noted.
2. the procurement method used be agreed.

198

**MINUTES OF THE PROFESSIONAL STANDARDS PANEL
HELD ON WEDNESDAY 29 JULY 2009**

ORDERED that the following minutes of the Professional Standards Panel held on Wednesday 29 July 2009 were submitted and approved.

PROFESSIONAL STANDARDS PANEL

ACTION

A meeting of the Professional Standards Panel was held on Wednesday 29 July 2009 in the Members Conference Room at Police Headquarters.

PRESENT: Mr Ted Cox JP (Chair), Cllr Mary Lanigan (Vice Chair), Cllr Caroline Barker, Mr Aslam Hanif, Mr Mike McGrory JP, Mr Peter Hadfield, Cllr Hazel Pearson OBE.

OFFICIALS: T/Supt Darren Best, DCC Bonnard and Mrs Joanne Monkman, Inspector Ian Kelly and Miss Kate Rowntree (CC)
Mrs Jayne Harpe (CE)

ADDITIONAL MEMBERS Cllr Victor Tumilty.

199 **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

200 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

201 **OUTSTANDING RECOMMENDATIONS**

The Grievance Procedure was being looked at in light of a recent Employment Tribunal result. A reviewed report would be submitted to this Panel following a 28 Day Consultation Phase of the new procedure.

Complaints Against Police – Diversity Issues - Members Briefing would be arranged.

Kate Rowntree

Deliberate Damage Report – Members to discuss whether all statistical information would be required in future reports.

202 **CIVIL CLAIM STATISTICS**

The Legal Advisor presented the Civil Claim Statistics for the period 1st April 2008 – 30th June 2009. The Panel was informed of the number and types of civil claims against the Force received during that period, the amount paid out for those claims finalised during the period and the amount recovered. The report also detailed a comparison between the Basic Command Units.

ORDERED that:

1. Members noted the number of claims received remained the same as the number of claims received in the same period last year. Motor liability was the leading category.
2. There had been a 54% decrease in the number of claims finalised when compared with the same period last year.

3. 25% of finalised cases during the period were successfully defended which was to be compared with 23% successfully defended during the same period last year.
4. The 9 cases settled during the period cost the Force £30,854. This was to be compared with the 20 cases settled during the same period last year at a cost of £144,824.
5. Middlesbrough remained the area with most claims.
6. The contents of the report be noted.

Whilst Legal Services had no control over the number of claims received, feedback was provided on a case by case basis to ensure assistance was given to Basic Command Units in managing risks.

203

COMPLAINTS AGAINST POLICE

The Head of Professional Standards Department presented the Complaints Against Police for the period 1st April 2009 to 30th June 2009. The Quarterly Progress Report on Complaint Issues for Cleveland Police for the period January to March 2009 was attached to the report.

There had been a 7% increase in the number of cases recorded during that period (114 to 122), with a 11% decrease in the number of complaints (up from 197 to 176).

Complaints of "other neglect/failure in duty" and "Incivility" continued to outnumber those of "Assault" allegations, 37 and 36 complaints respectively, compared to 27 in the "Assault" categories.

46% (59) of completed complaints had been locally resolved. During that period 73% (43) of locally resolved complaints had been by District and 27% (16) by the Professional Standards Department.

A guidance document relating to Pledge 10 – matters of dissatisfaction is to be introduced during September. An update to this Panel in January 2010.

DCC

92 letters of appreciation had been received. Only letters of appreciation were recorded but other expressions were not. This was a very bureaucratic process and would be looked at.

ORDERED that:

1. The contents of the report be noted.

204

DELIBERATE DAMAGE STATISTICS

The Head of Professional Standards Department informed Members of the cost to the Force of deliberate damage by way of forced entry into premises for the period 1st April 2009 to 30th June 2009 and of the operational results achieved through such forced entry and other premises searches.

Members were informed that the Force had paid out £8,447 in compensation for acts of deliberate damage, this compared to £8,599 paid out in the same period during the previous year. Whilst 2882 searches were conducted, only

257 (8.92%) resulted in deliberate damage compared to 7.9% in the previous year. The value of property, cash and drugs seized totaled £940,772 and this compared to £1,079,186 seized during the same period in 2008.

The revised report was brought to the meeting and Members were asked their opinions. There were mixed feelings as to the exclusion of the statistical data and the Deputy Chief Constable would see what value the information added elsewhere.

DCC

ORDERED that:

1. The contents of the report be noted.
2. The operational benefits accruing to the Force in terms of property, drugs and cash seized, outweigh the cost of the damage claims be noted.

205 **EXCLUSION OF THE PRESS AND PUBLIC**

ORDERED that pursuant to the local Government Act 1972, excluding the press and public from the meeting under Paragraphs 1 and 7 of Part 1 of Schedule 12A to the Act.

206 **CASES FROM THE COMPLAINTS REGISTER**

Members of the Complaints Panel were shown the cases from the Complaints Register which had previously been selected by the Panel Chair.

207 **MINUTES OF THE HUMAN RESOURCES AND DIVERSITY PANEL HELD ON FRIDAY 7 AUGUST 2009**

ORDERED that the following minutes of the Human Resources and Diversity Panel held on Friday 7 August 2009 were submitted and approved.

HUMAN RESOURCES AND DIVERSITY PANEL

A meeting of the Human Resources and Diversity Panel was held on Friday 7 August 2009 in the Members Conference Room at Police Headquarters.

PRESENT: Mr Aslam Hanif (Chair), Cllr Caroline Barker (Vice Chair), Mr Ted Cox JP, Cllr Ron Lowes, Mr Mike McGrory JP, Mr Chris Coombs, Mr Alf Illingworth, Cllr Paul Kirton, Cllr Hazel Pearson OBE, Cllr Victor Tumilty, Miss Pam Andrews-Mawer.

OFFICIALS: Mr Norman Wright, Mr John Bage and Mrs Sarah Wilson (CE)
DCC Derek Bonnard, Sgt Christian Ellis, Mrs Lynda Turnbull (CC).

208 **APOLOGIES FOR ABSENCE**

Apologies were received from Cllr Dave McLuckie (ex officio) and Mr Peter Race MBE (ex officio).

209 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

210 **MINUTES OF THE PREVIOUS MEETING**

This is the first meeting of this new Panel and as such there are no previous minutes.

211 **BME RECRUITMENT & RETENTION**

The Consultation and Performance Officer informed Members that the report was intended to outline the current and proposed processes in place for the recruitment and retention of BME Police Officers, PCSOs and police staff.

Members were informed that currently the local target in Cleveland is for 5% BME police officer representation, against a BME population of 2.93% in the 2001 census. From an establishment of 1727 there are currently 29 BME officers, which constitute 1.6% of Force strength. An additional 57 officers would need to be recruited to achieve the 5% target.

Members were informed that there are important diversity and equal opportunity implications arising from this report. It is essential that both the Force and Authority are seen to be employers that value diversity within their workforce. This is a core imperative in the new Equality Standard published by NPIA for the police service. However, it was also essential that any initiatives introduced are not seen to be unjustifiably discriminatory against those who are not from a BME community background.

ORDERED that:-

1. the report be noted.

212 **RECRUITMENT UPDATE**

The Deputy Chief Constable presented the report to Members which provided performance outturn information regarding recruitment activities carried out by the Force between March 2009 and June 2009.

Members were informed that the Force had currently maintained its commitment to a 1% vacancy rate for police officers. At June 2009 the Force vacancy rate was 0.5% with an establishment of 1727 police officers. This vacancy rate will be monitored and reviewed throughout the course of the year in order to finish as close to 1% as practical.

ORDERED that:-

1. the report be noted.

213 **CHANGES TO THE MANAGEMNT STRUCTURE**

The Deputy Chief Constable presented the report to Members which provided Members with an update to recent changes in management functions affecting People and Organisation Development (P&OD) now People and Diversity (P&D), Corporate Planning and Performance (CP&P) and Community Justice Unit (CJU).

Members were informed that a recent review of functionality across the Service Units within the portfolio of the Deputy Chief Constable identified the

opportunity to restructure the Senior Management Team to allow the Force to move to the next stage of its development. Following wide consultation, changes were implemented as of 1st May 2009.

ORDERED that:-

1. the report be noted.

214

MINUTES OF THE STRATEGIC PROCUREMENT & MAJOR PROJECTS PANEL HELD ON FRIDAY 7 AUGUST 2009

ORDERED that the following minutes of the Strategic Procurement & Major Projects Panel held on Friday 7 August 2009 were submitted and approved.

STRATEGIC PROCUREMENT & MAJOR PROJECTS PANEL

ACTION

A meeting of the Strategic Procurement & Major Projects Panel was held on Friday 7 August 2009 in the Members Conference Room at Police Headquarters.

PRESENT:

Miss Pam Andrews-Mawer (Chair), Mr Chris Coombs (Vice Chair), Mr Ted Cox JP, Mr Peter Hadfield, Cllr Mary Lanigan, Cllr Ron Lowes, Mr Mike McGrory JP, Cllr Dave McLuckie (ex officio), Cllr Hazel Pearson OBE and Mr Peter Race MBE (ex officio).

OFFICIALS:

Chief Constable, Deputy Chief Constable, Superintendent Glenn Gudgeon, Sgt Christian Ellis, Miss Kate Rowntree and Mrs Lynda Turnbull (UNISON) (CC)
Mr Joe McCarthy CEO and Mrs Jayne Harpe (CE)

ADDITIONAL MEMBERS

Cllr Caroline Barker, Mr Aslam Hanif, Mr Alf Illingworth TDJP, Cllr Paul Kirton, Cllr Victor Tumilty, Cllr Steve Wallace.

215

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr Peter Hadfield and Cllr Barry Coppinger.

216

DECLARATIONS OF INTERESTS

There were no declarations of interests.

217

MINUTES OF THE LAST MEETING 25 JUNE 2009

The minutes of the meeting on 25 June 2009 were agreed as a true record.

218

EXCLUSION OF THE PRESS AND PUBLIC

ORDERED that pursuant to the Local Government Act 1972 the press and public be excluded from the meeting under Paragraphs 3 and 4 of Part 1 of Schedule 12A to the Act.

219

UPDATE ON PROJECT I

The Head of Project I presented a report to Members on the short-listing

process.

On 1st May 2009 the Authority approved a short-list of four companies to participate in the initial stages of the Competitive Dialogue Process.

As part of the agreed process, a period of open access and on site due diligence started on 18th May 2009 for a period of six weeks which enabled the four bidders to gain a greater understanding of our requirements for Project I. The proposals were received on 17th July.

ORDERED that:

1. A new short-list of 3 bidders for the next stage of the process be agreed.

220

MINUTES OF THE AUDIT & INTERNAL CONTROL PANEL HELD ON THURSDAY 3 SEPTEMBER 2009

ORDERED that the following minutes of the Audit & Internal Control Panel held on Thursday 3 September 2009 were submitted and approved.

AUDIT AND INTERNAL CONTROL PANEL

ACTION

A meeting of the Audit and Internal Control Panel was held on Thursday 3 September 2009 commencing at 10.00 am in the Members Conference Room, Police Headquarters.

PRESENT

Mr Mike McGrory JP (Chair), Mr Peter Hadfield (Vice Chair), Councillor Ron Lowes, Councillor Caroline Barker, Councillor Victor Tumilty, Mr Peter Race MBE (ex officio).

OFFICIALS

Mr Joe McCarthy, Mr John Bage and Mr Norman Wright (CE).
Mr Michael Porter, Mr Mike Hopkins, Mr Graham Slaughter, Miss Kate Rowntree (CC), PC Steve Matthews (Fed)

AUDITORS

Mr Ian Wallace (RSM Bentley Jennison), Ms Catherine Andrew (Audit Commission)

221

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Dave McLuckie (ex officio), Mr Chris Coombs, Councillor Mary Lanigan, Councillor Steve Wallace, Councillor Barry Coppinger, DCC Derek Bonnard, Mrs Ann Hall.

222

DECLARATIONS OF INTERESTS

There were no declarations of interests.

MINUTES OF THE PREVIOUS MEETING HELD 28 MAY 2009

The minutes were agreed as a true and accurate record.

223 **OUTSTANDING RECOMMENDATIONS**

ORDERED that:-

1. the Outstanding Recommendations were noted.

224 **PLAN OF BUSINESS**

The Chair requested Members consider taking Agenda Item 7, Strategic Risk Management & Service Continuity Planning into a private session, later in the meeting.

ORDERED that:-

1. the amendment to the agenda be agreed.

225 **POLICE AUTHORITY RISK REGISTER**

The Strategy and Performance Manager updated Members on the Police Authority Risk Register which had been revamped to follow the scoring matrix and the format that had recently been developed for the Force Risk Register.

Members were informed that in future there will be a monthly risk management meeting, which will include the Chief Executive, the Head of Corporate Planning and Performance and the Chair and Vice Chair of the Audit and Internal Control Panel. This forum will develop the risk management process, including the integration of the Force and Authority Risk Registers. It will also oversee the management of strategic risks, including business continuity planning.

Members were pleased to receive the report and commented that the suggested meetings and the integration of Risk Registers would aid efficiency and effectiveness. Members requested further information on the impact the recent loss of a dedicated HR Professional as Head of People and Diversity, due to the post holder leaving the organisation, would have on the organization.

Members were informed that a senior Police Officer has taken over as the Head of People and Diversity and that the current Deputy Head of People and Diversity is a qualified HR Professional. As such the Force do not foresee that there would be any detriment to the organisation by these arrangements.

ORDERED that:-

1. the Police Authority Risk Register as detailed at Appendix 1 to the report be agreed.
2. due to a new scoring matrix being used, the inherent and residual risk scores had been recalculated, be noted.
3. the draft Action Plan as detailed at Appendix 2 to the report be agreed

UPDATE ON VAT AUDIT

The Head of Finance updated Members on the progress of implementing the recommendations identified during the internal audit on VAT. The review identified a number of recommendations to improve the management and control of VAT.

Members requested clarification regarding Recommendation 10 to the report requiring a VAT efficient policy governing the use of its vehicles.

The Head of Finance confirmed that the Force would shortly have such a written document in place.

ORDERED that:-

1. the content of the report be noted.

INTERNAL AUDIT PROGRESS REPORT

The Internal Auditor presented the report to Members in which the report summarised the outcome of work completed to date against that Operational Plan, and informed that Appendix A to the report provided cumulative data in support of internal audit performance.

Members were informed that regular liaison meetings had been held with the Authority and the Force to discuss developments within the organisation and the scoping of individual audits.

The Internal Auditor informed Members that following discussions with the Chief Executive and the ACO Finance and Commissioning it is proposed to transfer 12 days from the planned PFI Action Stations audit to the Procurement Transformation Project (6 days) and the contingency (6 days). The rationale for the change and other potential uses of the contingency were discussed and a further update on the latter brought to the next meeting of the Panel

ORDERED that:-

1. the change to the Internal Audit Plan be agreed.
2. the Internal Audit Progress Report be noted.

AUDIT COMMISSION PROGRESS REPORT

The Audit Commission presented the report and informed that the report provided a summary to inform the Audit and Internal Control Panel of progress against the 2008/09 audit programme to date and also an update on 2009/10 planning.

Members were informed that the 2008/09 audit plan was agreed with the Audit and Internal Control Panel in March 2008. Two documents had been prepared to explain the audit approach in more detail, the external audit Opinion Plan was presented to the Audit and Internal Control Panel in January 2009 and the Use of Resources report was presented to the Policy and Resources Panel in May 2009.

The Audit Commission informed that their approach to planning had

changed for 2009/10 and instead of producing a full audit plan a number of months in advance of starting any work, they now prepare a letter at the beginning of the audit year, with a detailed plan to follow later.

ORDERED that:-

1. the content of the report be noted.

229

AUDIT COMMISSION ANNUAL GOVERNANCE REPORT

The Audit Commission presented the report to Members and informed that the report summarised the findings from the 2008/09 audit. It included the messages arising from the audit of the Authority's financial statements and the results of the work the Audit Commission had undertaken to assess the Authority's arrangements to secure value for money through the Authority's Use of Resources.

Members were informed that the Authority's financial statements and annual governance statement are important means by which the Authority accounts for its stewardship of public funds. Members have final responsibility for these statements. It is important that Members consider the Audit Commissions findings before they adopt the financial statements and the annual governance statement.

Members sought clarification on the 'errors' stated from para's 10 - 13 to the report. In addition, Members raised the issue of an additional £96k pension fund deficit and requested the reasons behind this

Members were informed that the 'errors' are generally outside of the Police Authority's control and due to external influence. The Audit Commission informed Members that the 'errors' were low in terms of concern and do not pose an immediate material effect to the accounts. The pension fund deficit was highlighted because of the difference between estimates and actual investment values. This was due to a number of actual variations including the recent interest rate fluctuations.

As the draft report had been tabled at the meeting, there had been no opportunity for advance study. Further consultation with relevant Officers was necessary. The Panel had been required to consider the report, any adjustments still to be made to the financial statements, the content of the draft letter of representation and the response to the proposed action plan, in order to be able to recommend approval by the Police Authority Executive. Members agreed that the Panel Chair and Vice Chair act on their behalf in this regard, taking account of Members views expressed at the meeting and any subsequent matters raised.

ORDERED that:-

1. subject to any amendments being made by the Chair / Vice Chair of Panel, the content of the report be noted.

230

EXCLUSION OF THE PRESS AND PUBLIC

ORDERED that pursuant to the local Government Act 1972, the press and public be excluded from the meeting under Paragraph 3 of Part 1 of Schedule 12A to the Act.

231

STRATEGIC RISK MANAGEMENT & SERVICE CONTINUITY PLANNING

The Head of Corporate Planning and Performance presented the report which updated Members on the Force's approach and progress to date to Strategic Risk Management and Service Continuity Planning.

Members were informed that the programme is progressing on a systematic basis with the intention of developing robust risk management and service continuity plans and embedding a risk management culture by March 2010.

The Panel Chair sought to clarify the methodology for Members to discharge their governance duties as stated in para 3.7 to the report. Members were informed that a monthly meeting will be held to discharge these functions, membership would include Chair and Vice Chair of Panel, Head of Corporate Planning & Performance, and Chief Executive.

ORDERED that:-

1. the content of the report be noted.

232

CONTRACT STANDING ORDER NO. 4 – EXEMPTION FROM THE NORMAL REQUIREMENT TO TENDER

The Head of Commissioning informed Members that Standing Orders paragraph 4.3c states that "Every authorised exemption shall be reported to the Authority via the appropriate Panel, and shall be recorded in the minutes of the Authority." The report covered exemption requests for the period April to June 2009.

Members were informed that in compliance with Contract Standing Orders it had been the practice to report quarterly, every circumstance where it appears that the normal requirement to tender has not been followed.

Each such exemption, as detailed in Appendix A to the report was discussed and Members' questions answered. Those items falling outside of the Police Authority Approved Exemption Reasons, as detailed in Appendix B, were also individually explained and discussed.

ORDERED that:-

1. the exemptions in Appendix A to the report which satisfy the criteria for exemption from the normal requirement to tender set out in Contract Standing Order 4 be noted.
2. those items outside of the Police Authority Exemption Reasons, be noted.

233

MINUTES OF THE POLICY & RESOURCES / CORPORATE DEVELOPMENT PANEL HELD ON THURSDAY 10 SEPTEMBER 2009

ORDERED that the following minutes of the Policy & Resources / Corporate Development Panel held on Thursday 10 September 2009 were submitted and approved.

POLICY & RESOURCES / CORPORATE DEVELOPMENT

A meeting of the Policy & Resources / Corporate Development Panel was held on Thursday 10 September 2009 commencing at 10.00 am in the Members Conference Room at Police Headquarters.

PRESENT Councillor Hazel Pearson OBE (Chair), Councillor Victor Tumilty (Vice Chair), Councillor Barry Coppinger, Mr Ted Cox JP, Mr Alf Illingworth TD JP, Mr Peter Race (ex officio)

OFFICIALS Mr Norman Wright and Mrs Julie Leng (CE)
Mrs Ann Hall, and Sgt Christian Ellis (CC)

ADDITIONAL MEMBERS Councillor Ron Lowes

234 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr Chris Coombs, Councillor Mary Lanigan, Councillor Dave McLuckie (ex officio), and Mr Sean Price

235 DECLARATIONS OF INTERESTS

There were no declarations of interests.

Action

236 MINUTES OF THE POLICY & RESOURCES / CORPORATE DEVELOPMENT PANEL HELD ON 11 June 2009

The minutes were agreed as a true and accurate record.

237 OUTSTANDING RECOMENDATIONS

ORDERED that:-

1. the Outstanding Recommendations be noted.
2. Recruitment Report – to be removed from this Outstanding Recommendations and placed on the HR and Diversity Panel Outstanding Recommendations.
3. Long Term Financial Plan – Members requested that a briefing still take place to look at worst case scenario options.

238 CHANGE TO THE AGENDA

ORDERED that Agenda Item 10 – The Management of Time Off in Lieu be presented first to allow two members who had notified the Chair that they would have to depart at 11.00 am an opportunity to raise questions they had in relation to this report.

239 TIME OFF IN LIEU

The Assistant Chief Officer Finance and Commissioning updated Members on the work being undertaken by the Force to reduce levels of time of in lieu (TOIL).

The Force has been working during the course of last year to reduce the levels of TOIL held by Police Officers and Police Staff across Cleveland Police. This was prompted by concerns that changes to the International Financial Recording Standards (IFRS) may mean that a financial liability is incurred as a consequence of retaining large amounts of time off held by members of the Force as a consequence of working additional duty. To date a scrutiny of policy and levels of time off held by members of the Force has been undertaken by the Operational Performance Team (OPT). This has led to proposals to the Force to amend the policy and agree maximum levels of time off that can be retained. It was important to differentiate time off in lieu from annual leave which is a statutory requirement.

The target date for a reduction off in lieu across Cleveland Police to the proposed maximum levels had been set for 31 March 2010. In addition, a linked proposal was currently being consulted upon to amend the annual leave year period for Police Officers within the Force from the current arrangement which runs from 1 January to 31 December in any year to the more common national agreement that also reflects the Police Staff annual leave year (1 April to 31 March).

Members raised a number of issues in relation to this report and specifically asked for reassurances on the following areas:-

- Does it have implications on reserves?
- Does this in turn lead to revenue implications?
- What are the current levels for both Police Officers and Police Staff?
- What is the agreed level that we are working to by 31 March 2010?
- What is the Federation and Unison reaction to these proposals?
- Who makes the decision to grant TOIL?
- What is the difference between TOIL and overtime – and who decides which is offered?
- BCUs agreement to manage down – how is this to be done?
- Is there to be a new agreement where TOIL must be taken within a set time?
- What is the 'cause' of this large amount of TOIL been allocated?
- Are the shift patterns correct?

Members all agreed that they required further information on this issue as it was not viable to continue with this unplanned / unknown liability.

ORDERD that:-

- | | | |
|----|---|--------------------------------|
| 1. | the contents of the report be noted. | |
| 2. | A members briefing be arranged to discuss all the issues raised by Members as detailed above (briefing note be circulated in advance of the briefing detailing the amounts and trying to answer some of the questions so that members could have an informed discussion). | ACC |
| 3. | The Association of Police Authorities (APA) be contacted to establish what other Authorities are doing. | Head of Strategy & Performance |
| 4. | A further report be submitted to this Panel in November. | ACC |

The Assistant Chief Officer Finance and Commissioning presented the report. Members had approved a Net Budget Requirement (NBR) of £128,790k and budgeted revenue expenditure of £146,911k, the balance of expenditure being funded by specific grants, other income and transfers from reserves. The report set out the progress against delivery of that budget and was part of the process introduced by the Authority to maintain prudent financial management.

Since setting the 2009/10 budget firmer information was now available that allowed us to revisit the assumptions and best estimates that this budget was based upon. By doing this it was possible to reduce the contribution from General Reserves needed to support the budget during 2009/10 by £625k. This reduced contribution from Reserves during 2009/10 could then provide additional financial options when the 2010/11 LTFP was being developed.

Members were informed that the position to date and the year end forecast were shown at Appendix A to the report. No material risks, other than those set out in the Risk Monitor at Appendix D to the report, had been identified to the delivery of a break even position for 2009/10.

Members were pleased to receive the report and commented that this advanced planning rather than crisis management was key.

Members requested further information on the impact of the Olympics both on Officer abstractions and cost implications.

An update report on the Major Incident Contingency Fund would be submitted to the next meeting of the Panel.

ACO Finance
and
Commissioning

ORDERED that:-

1. the contents of the report be noted.
2. the expenditure plan for 2009/10 be reviewed in line with the proposals detailed in 3.4 of the report be agreed.
3. the transfer from General Reserves of £1,900k to support the 2009/10 budget, as approved by Members on the 26 February 2009, be reduced by £625k to £1,275k as a result of the proposals detailed in paragraph 3.4 to the report be agreed.
4. the expenditure plan for 2009/10 be further reviewed and proposals for creating additional in year savings be brought forward to a future meeting be agreed. The aim would be to provide further reductions in the amount needed to support the 2009/10 budget which would in turn provide more options in developing the 2010/14 Long Term Financial Plan.
5. further information on the impact of the Olympics both on Officer abstractions and cost implications to be provided in a future report.

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Commissioning

progress against the delivery of the Capital Programme for 2009/10 and the Capital Plan for 2009/13 which Members had approved at their meeting on 26 February 2009.

Members approved a capital programme totalling £9,806k at their meeting on 26th February 2009. This included new capital schemes, schemes carried forward from 2008/09 and unallocated funding. Since the original programme was agreed, a number of changes had been identified. These were detailed at Appendix B to the report.

Members raised a number of questions around PFI funding and sought clarification on the amount of capital incorporated into PFI funding and the revenue impacts on PFI schemes. An update on PFI expenditure would be provided.

ACO Finance & Commissioning

ORDERED that:-

1. the report be noted.
2. the addition of the following projects to the 2009/10 Capital Programme which were approved under delegated authority be noted:
 - North Ormesby Gates £8k
 - Stockton Parking Bays £9k
 - ANPR £25k
3. the addition of the following projects to the 2009/10 Capital Programme be approved:-
 - Vulnerable Person's Unit - Kirkeatham £93k
 - Vulnerable Person's Unit - Billingham £67k
4. the addition of £100k to the NSPIS Origin HR and Self Service project be approved.

242

TREASURY MANAGEMENT REPORT TO 31 JULY 2009

The Assistant Chief Officer Finance and Commissioning presented the report to Members.

Members agreed an investment strategy for 2009/10 at their meeting on 26th February 2009. At that meeting Members resolved to continue to delegate authority to amend the approved List of Counterparties and the investment limits with institutions, to the Chief Executive in consultation with the Deputy Section 151 Officer.

The report updated Members on the status of the Authority's investments and borrowing. This was part of the process introduced by the Authority to maintain prudent financial management.

Members were informed that the protection of the Authority's underlying investments had continued to be of utmost importance throughout 2009-10. The investments of the Authority had continued to be placed in a prudent

manner and also one that ensured sufficient funds were available to meet its commitments as they became due.

ORDERED that:-

1. the contents of the report be noted.
2. the period of delegated authority to the Chief Executive in consultation with the Deputy Section 151 Officer, to amend the approved List of Counterparties and the Investment Limits with institutions to 31 March 2010 be approved.
3. the Investment Strategy for the remainder of 2009-10 would be unchanged from that approved by members on the 26 February 2009 be noted.

243

PROCUREMENT REPORT FOR THE PROVISION OF FURNITURE

The Assistant Chief Officer Finance and Commissioning provided Members with a summation of the procurement benchmarking exercise carried out to award a contract for the provision of Office Furniture.

A mini-competition was carried out in line with EU legislation using the Thames Valley Police and NEPO Frameworks as a benchmark.

The recommendation was for the contract to awarded to Tenderer 1 using a local distributor. It was reported that this option offered value for money, providing a saving of 27% on current furniture expenditure and this option also supported the local economy and was considered to be a low risk option.

ORDERED that:-

1. the procurement method used be noted and the recommendation put forward by the Evaluation Team be approved.
2. the contract be awarded to Tender 1, using a local distributor be approved.
3. the revised prices and projected saving of 27% be accepted.

244

PROCUREMENT REPORT FOR THE PROVISION OF TEMPORARY STAFF

The Assistant Chief Officer Finance and Commissioning provided Members with a summation of the procurement exercise carried out to award a contract for the provision o Temporary Staff.

Cleveland Police have used the Emergency Services Collaborative Framework Agreement for the supply of Temporary Staff since 2003. This contract was a Master Vendor, tiered approach system.

Cleveland Police have an ongoing requirement for temporary staff and the current process for engaging the Master Vendor for the recruitment of temporary staff was inefficient and ineffective. The contract was let by Thames Valley Police who are the Lead Authority, however it expired in 2009. This contract had been extended via exemption whilst an options

appraisal was completed by the Procurement Unit in conjunction with People and Diversity.

Options investigated included a mini-competition exercise on the new Emergency Services Collaborative Agreement, however, as this Framework was a Master Vendor, tiered approach, it was agreed by the Evaluation Team that this option was not viable for the Authority.

The North East Purchasing Organisation (NEPO) a contract for temporary staff on a Vendor Neutral basis earlier in 2009. This contract was awarded in line with European Legislation and was available to all Public Authorities and Emergency Services within the North East.

This Vendor Neutral approach offered value for money by implementing internal process efficiencies to reduce costs, mitigate risk, improve candidate quality and access improved Management Information.

This option also supported the local economy and was considered to be a low risk option.

ORDERED that:-

1. a full tender process in line with EU Legislation had been carried out by the North East Purchasing Organisation (NEPO) be noted.
2. the recommendation put forward by the Evaluation Team for the use of a Vendor Neutral Contract and the award of the contract to the successful tendered for the NEPO contract be approved.

245

EXCLUSION OF THE PRESS AND PUBLIC

ORDERED that pursuant to the Local Government Act 1972 the press and public be excluded from the meeting under Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Act.

246

CLEVELAND POLICE AUTHORITY - POLICE USE OF RESOURCES SCORS 2008/9 – REQUEST FOR REVIEW

The Chief Executive notified members that the Authority had given notice on the 17th September of its intention to appeal against the findings of the Commission's assessment of our use of resources in 2008/09 and in particular the overall score level and level scores in sections 'Governing the Business' and 'Managing Resources'.

The Audit Commission had confirmed that a review would be undertaken and that they would report any findings by 21 October 2009.

Members unanimously supported the review request and raised a number of concerns with the report.

ORDERED that the Chief Executive progress the review with the Audit Commission and that members be kept fully informed of progress.

247

POST OF DEPUTY CHIEF EXECUTIVE

The Chief Executive explained the rationale for formalising the position of Deputy Chief Executive and outlined the process followed.

ORDERED that:-

1. the formalization of the arrangements for the Secretariat Manager to undertake the role of Deputy Chief Executive be approved.
2. the job title of the Secretariat Manager be changed to Deputy Chief Executive.
3. the remuneration of the postholder remains the same.