

CLEVELAND POLICE AUTHORITY EXECUTIVE

A meeting of Cleveland Police Authority Executive was held on Thursday 25 February 2010 in the Members Conference Room at Police HQ.

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

Independent Members

Miss Pam Andrews-Mawer, Mr Chris Coombs, Mr Ted Cox JP, Mr Peter Hadfield, Mr Mike McGrory and Mr Peter Race MBE

OFFICIALS: Mr Joe McCarthy, Mrs Julie Leng, and Mrs Caroline Llewellyn (CE)
Mr Sean Price, Mr Sean White, Mrs Ann Hall and Miss Kate Rowntree (CC)

342 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr Aslam Hanif and Councillor Paul Kirton.

343 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

344 **CLEVELAND POLICE AUTHORITY BUSINESS PLAN**

The Chief Executive presented the final version of the Cleveland Police Authority Business Plan 2010-2013 for members approval.

The draft Business Plan was approved at the November 2009 meeting of Policy & Resources Panel. Copies of the draft Business Plan were circulated for consultation to all stakeholders who expressed an interest in attending the CPA Stakeholder event on 9 December 2009.

Following the collation and assimilation of the stakeholder responses, including discussion with the Force Executive and Members, the draft Business Plan was reworked into a final version, attached at Appendix A to this report.

The Business Plan will become the vehicle for driving service and governance improvements and for dealing with the recommendations of audits, inspections and reviews, including the forthcoming Police Authority Inspection.

Members asked for clarification around the reporting mechanisms to them so that they could review progress. Members were advised that they as owners of the Business Plan would have a key responsibility in driving through the recommendations and reviewing progress on an almost daily basis. Furthermore Members can question any aspect of the Business Plan and add or update as required, this is a 'living document' that would drive performance and improvements.

Page 15 of the Business Plan referred to the 'Up to date Estates Strategy and Asset Management Plans' – Members raised the concern that these plans had been outstanding for some time and asked when they could expect these to be available. The Chief Constable indicated that this was ongoing and a date for completion would be provided as soon as possible.

Page 9 – Reference to marketing using technology and proactive advertising campaigns. Member sought reassurance that schemes such as these would be reviewed to see if they are beneficial and cost effective and if not that they would be stopped.

Members were reassured that both these areas would be monitored and reviewed and that cost implications would always be considered and monitored. However, Police Authorities have been tasked with raising their profile within the public domain and the use of technology is one of the key tools available.

Members queried if the BCU meetings would continue, it was confirmed that these meetings would still take place but that there would be a stronger focus on scrutiny in particular around the implementation of the Policing Pledge.

Members asked for an update on progress in improving the number of BME applicants to the Force.

The Chief Constable advised that as detailed in the report that had been presented to the Policy & Resources Panel in January, the Force continued to actively engage with the BME communities through the Independent Advisory Groups (IAGs) and other forums. But he accepted that there was still more

work to be done to try and encourage applicants not only for Police Officer roles but Police Staff positions also.

The Chairman informed members that the Police Authority through its Lead Member on the Force IAG had circulated the recent advert for an Independent Member to IAG members and to all the local Mosque's but had not received any applicants. The Chairman confirmed that he was currently looking to see if it would be beneficial to have member attendance at each of the District IAGs. This is a key area. As such it is included in the Police Authority Business Plan to ensure we continue to drive forward improvements.

ORDERED that:-

1. the Cleveland Police Authority Business Plan 2010-2013 attached at Appendix A to the report be agreed.

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2010 – 2013 POLICING PLAN

The Chief Constable presented Members with the final draft version of the 2010-13 Policing Plan.

Members had reviewed the draft policing plan at a briefing on Tuesday 23 February 2010 and had requested a number of amendments. In view of this it was proposed that Members would have a further opportunity to look at the revised document in more detail and feedback their comments by Friday 5 March 2010 – the Plan would then be submitted to the Operational Policing Panel for agreement.

ORDERED that:-

1. Members to review the document and feedback any comments by Friday 5 March 2010
2. The amended version of the Policing Plan be submitted to the Operational Policing Panel on 18 March 2010 for agreement.

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ROBUSTNESS OF ESTIMATES AND ADEQUACY OF FINANCIAL RESERVES

The Chief Executive presented the report in accordance with the requirements under Part 2 of the Local Government Act 2003 (Financial Administration). This required the Treasurer (i.e. in our case the Chief Executive) to report to the Authority

on the following matters:-

- a. 'the robustness of the estimates made for the purposes of the calculations in setting the budget for the forthcoming financial year';
- b. 'the adequacy of the proposed financial reserves'.

The Chief Executive concluded that the Authority's budget setting process had been designed to ensure that estimates brought forward for approval are sound and robust. This report confirmed that approach and identified the key elements of the process that make it so.

Similarly, the Authority policy is to ensure that it had sufficient levels of reserves and balances to provide for known, anticipated and unforeseen costs and liabilities. He confirmed that he was satisfied that the proposals emerging from the 2010 / 2011 budget process were clear, soundly based and deliverable, and that the approach to reserves and balances contained therein were appropriate.

In setting a budget for 2010 / 2011 the Authority would need to continue to have regard to the underlying level of available resources. The budget report required the Authority to continue to take a robust approach to the issue by agreeing a long term financial plan aimed at maintaining a sustainable position through the Plan period.

A copy of the reserves policy was attached at Appendix A to the report.

Members asked how realistic the statement was in relation to 'all known existing and future pressures are identified and proposed strategies and solutions proffered to remedy any problems'.

The Chief Executive indicated that the key word in this statement was 'known', and confirmed that he was confident that all the known pressures had been identified and procedures put in place to remedy any problems.

Members questioned how the 3% figure for general reserves had been arrived at whether 3% was sufficient in the current climate.

The Chief Executive confirmed that 3% was sufficient to deal with 'what we know'.

ORDERED that:-

1. Members considered the contents of this report, particularly section 6, and would take them into account when considering the 2010/11 Budget Report.

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TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS

The Chief Executive presented the Treasury Management and Prudential Indicators report to Members.

This report is one of a set of six that are on today's agenda for consideration by Members:

- Robustness of Estimates & Adequacy of Financial Reserves;
- Prudential Indicators & Treasury Management Strategy 2010/4;
- Minimum Revenue Provision Strategy 2010/11;
- 2010/11 Budget and LTFP 2011/15;
- 2010/11 Capital Programme & Outline Capital Plan 2011/14;
- 2010/11 Capital Programme & Outline Capital Plan 2011/14;
- Setting the 2010/11 Precept.

These reports are part of the process introduced by the Authority to establish sustainable annual and long term financial plans and maintain prudent financial management.

Following the collapse of the Icelandic Banks, treasury management in public sector organisations continues to receive a significant amount of focus and emphasis. Two national reports were published, the Audit Commission's "Risk and Return" on local authority treasury management and the Communities and Local Government Select Committee's Review of local authority investments.

A CIPFA Treasury Management Bulletin was attached to the report for Members Information, this provided an update on the work that has taken place to December 2009 and that planned for the future in relation to the Treasury Management.

Whilst the Bulletin constitutes advice only and is not a statutory document the contents are a very useful guide to areas for

potential development in relation to Treasury Management for the Force and Authority.

To comply with the CIPFA Prudential Code of Practice Members were required to set a range of Prudential Indicators for the financial year 2010/11.

The code states that prudential indicators for treasury management should be considered together with the annual investment strategy for 2010/11.

The CIPFA code does not set benchmark indicators. Each organisation must use its judgement when setting indicators.

Based on the indicators proposed above, the revenue budget, capital programme and associated financing are within prudent limits.

A prudent Investment Strategy has been put forward for approval that seeks to firstly secure the money being invested before secondly looking at rates of return. As such a significantly reduced counterparty list has been produced, in comparison to previous years, but the limits for Specified Investments have been increased from previous years as we seek to place with majority of our investments with these counterparties.

Members questioned if we received advanced warning of bank issues.

The Chief Executive confirmed that we receive information through Middlesbrough Council, but also pointed out that the media is usually on the mark with these situations and that they promptly make any information public.

Paragraph 5.4 – Reassurance was sought that the proposal meets with the requirement of best practice and apply the lessons learned from the recent past problems with the banking system.

The Chief Executive reassured members that the investment strategy attached at Appendix A to the report was in line with proper practice to ensure funds are available to make payments at the correct time. Banks are more stable than they were, but we will continue to monitor.

ORDERED that:-

1. the Prudential Indicators set out in paragraphs 4.5, 4.6 and 4.7 be approved.
2. the authority delegated 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 will cease as at 31 March 2010. Future investments would be placed in line with the strategy in Appendix A in consultation with the Chair of the Audit and Internal Control Panel be noted.
3. if at any stage the turbulence in the financial markets is judged to have returned that the delegated authority referenced in 3.2 is immediately put back in place following consultation with the Chair of the Policy & Resources Panel be approved.
4. Middlesbrough Council continue to act as an agent on behalf of Cleveland Police Authority in relation to placing and committing the Authority to Investments with the constraints of our Investment Strategy be approved.
5. the Annual Investment Strategy detailed at Appendix A to the report be approved.

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MINIMUM REVENUE PROVISION 2010/11

The Chief Executive presented this report which was one of six on today's agenda for consideration by Members.

The Minimum Revenue Provision (MRP) is the annual revenue provision that authorities have to make in respect of their debts and credit liabilities. The requirement to make MRP has existed since 1990.

This report is presented in accordance with the Local Authorities (Capital Financing and Accounting) (Amendment) (England) Regulations on calculation of the MRP which seeks approval from the Authority as to the annual MRP strategy for the 2010/11 financial year.

The MRP Strategy complements the wider financial picture which aims to provide transparency on the cost to the Authority of taking on new borrowing therefore linking into the

Authority's prudential indicators, the overall management of the Authority's assets the move toward international accounting standards.

Four options are outlined within the 2007 Regulations for authority's to follow as to the calculation of MRP, however there are certain factors which predetermine the option the Authority must adhere to, depending on the timing of the borrowing (that is before or after the 1 April 2008) and whether the borrowing is supported or unsupported. Appendix 2 provided examples of how each of the options are calculated.

ORDERED that:-

1. the Minimum Revenue Provision (MRP) Strategy for 2010/11 be approved. Specifically that being:
 - Option 1 ("Regulatory Method") be used to calculate the MRP on existing borrowing (before the 1 April 2008) and any future supported borrowing (after 1 April 2008).
 - Option 4 ("Depreciation Method") be used to calculate the MRP in the case of any future unsupported borrowing (after the 1 April 2008).
2. all future reports which involve borrowing to support capital expenditure considered by the Authority contain an assessment of additional MRP costs as this would have an impact on future revenue budgets be approved.
3. the MRP Strategy be presented to the Authority on an annual basis and its recommendations adopted for the following financial year in line with the requirements of the 2007 Regulations be agreed.

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BUDGET 2010/11 AND LONG TERM FINANCIAL PLAN 2010/11 TO 2014/15

The Chief Constable and Chief Executive presented this joint report to Members seeking their agreement to the Budget proposals for 2010/11 and the Long Term Financial Plan (LTFP) for 2010/11 – 2014/15.

Members had received an update on the budget proposals for 2010/11 at its meeting on 10 December 2009 and agreed that

"...Long Term Financial Strategy (2010/11 to 2013/14) is brought for review to the authority meeting in February 2010 (recommendation 3.2)". At its meeting on the 26 January 2010 the Authority considered a paper entitled "Formula Funding, Preparing for the Worst Case" – this highlighted the potential resource issues facing the Authority from 2011/12 through to 2014/15.

This report provided in depth considerations around the Long Term Financial Plan 2010/11 – 2014/15 and specifically looked at the future financial environment and how we can deliver a balanced budget beyond 2010/11.

The proposed 2010/11 budget underpins the Authority's financial objectives of:

- Retaining a frontline focus through:
 - Embedding Neighbourhood Policing;
 - Strengthening Protective Services;
- Enhancing the effectiveness of offices and staff;
- Continuing to drive performance improvements;
- Maintaining financial & operational resilience.

The Chairman stated that having an appropriate Client Side for Project I, effectively lead, would be critical. He asked what skills, experience and personal characteristics are needed for this role. He also enquired of the current thinking on this matter and when it would be possible for Members to review what is proposed.

The Chief Executive responded by saying that we would build on the good experience we already have in developing and monitoring partnerships – e.g. Custody Outsourcing and that we have a wealth of experience and a clear understanding of commercial contracts.

Members commented in support of Project I and the fact that in the current financial climate the Authority is looking at ways to secure and protect employees.

Members were aware that a lot depends on Project I to deliver significant savings and asked if there was a 'Plan B' if this proved to be insufficient at any time.

The Chief Executive and Chief Constable advised that although there were some plans in place which have been identified by the 'Futures Group' these would not provide sufficient savings and therefore we would be looking for other reductions..

The Chairman sought clarity around the real value of Rule 2 Grants and Specific Grants (detailed in page 7 to the report) as they have declined because they have not been increased to keep pace with inflation. Do we have any indications about these for the future, will the trend continue or indeed will they continue to exist?

The Chief Executive confirmed that it is unlikely that the Grant Allocation would increase and it certainly would not keep in line with inflation so we will ensure that this is closely monitored.

Members questioned if the assumptions of either a 3% or a 5% reduction in funding were still reasonable in light of the continued political debate about the merits and pitfalls of significant reductions in public expenditure and whether 5% year on year were actually achievable.

The Chief Executive confirmed that 5% year on year reductions would be very difficult and that we would have to consider other collaborative opportunities.

ORDERED that:-

1. the proposed budget for 2010/11 be approved.
2. the Net Budget Requirement of £132,172k which was an increase of 2.6% and a precept increase of 2.94% in the Band D level for 2010/11 was considered and agreed.
3. contributions from Reserves of £1,070k in 2010/11 including £925k from the General fund taking the General Fund to 3.4% of net budget be agreed.
4. cognisance be taken of the Robustness of Estimates and Adequacy of Financial Reserves Report of the Chief Executive considered earlier in the meeting.
5. the basis of the development of the Long Term Financial Plan 2010/11 to 2014/15 as outlined in paragraph 1.11 of the report be agreed.
6. the strategy for dealing with the financial pressures in the period 20-11/15 as outlined in paragraph 1.19 to the report be agreed.

CAPITAL PROGRAMME 2010/11

The Chief Constable outlined the proposed Capital Programme for 2010/11 to Members.

The 2010/11 to 2013/14 Capital Programme allocates significant funds in the following areas:

- A provision of £5m has been created to deliver the Authority's ISIS strategy in the period to 2013/14;
- Against an overall investment of £7.3m, £1.4m will be required in the period to 2013/14 to finish the initial roll out of CUPID devices and then continue the programme of replacement and enhancement.
- £4.6m has been identified for a new replacement helicopter – this will be offset by Capital Grant from the NPIA circa £1.6m and £1m trade-in value for the existing helicopter.

The plan assumed prudential borrowing of £5.1m in 2010/11 and total prudential borrowing of £7.8m over the lifetime of the plan - £3m of this borrowing relates to the planned purchase of a new helicopter in 2010/11. The revenue consequences of the Capital Plan, including financing and operational costs, have been provided for in the 2010/11 to 2013/14 Long Term Financial Plan.

The Capital Plan was set out in Appendix A to the report. It covers the period April 2010 to March 2014 and sets out the capital priorities of the organisation and the funding required for their delivery.

This report set out recommendations to make the optimum use of the capital resource available to the Authority to refresh and develop the asset base for the policing in the 21st Century in line with the vision of 'Putting People First'.

Members sought clarification around the following:-

Paragraph 8.1 in relation to the Fleet Replacement Programme and the fact that we purchase through a national framework – they questioned if we ever benchmark locally – are we allowed to do so.

The Chief Constable responded by confirming that the advantage of the national agreements is that the vehicles are

delivered to the required specifications at the best price.

Paragraph 2.7 – the recommendation around the post implementation reviews of both CUPID and the Air Support Unit – when will they be available and where will they be brought for scrutiny by Members.

It was confirmed that the review in relation to CUPID would be post March when the devices are fully rolled out. The review of the helicopter would take place relatively quickly and it was proposed that the Lead Member for Air Support agree a date for this in conjunction with the DCC.

The Chairman referenced the recent suggestion that had been made by ACPO to introduce a centralised helicopter unit and asked the Chief Constable if this had been progressed any further.

The Chief Constable confirmed that this suggestion had received support from ACPO and was currently been looked into as an option. However, since the initial vote a number who had expressed their support have now changed their position based on the initial financing information.

ORDERED that:-

1. the prudential borrowing of up to £5.1m in 2010/11 be approved.
2. the earmarking of funds for development in the Information Systems Improvement Strategy (£2880k) and for business cases arising during 2010/11 (£204k) as set out at Appendix A be approved.
3. the Air Support Programme detailed at Appendix B to the report be approved.
4. the Facilities Programme detailed at Appendix C to the report be approved.
5. the ICT Programme detailed at Appendix D to the report be approved.
6. the Fleet Programme detailed at Appendix E to the report be approved.
7. post implementation reviews of both CUPID and the

Air Support Unit to be completed be approved. The review of CUPID would be post March once the roll out of the device was complete, the Air Support Unit review date would be agreed between the Air Support Lead Member and the DCC.

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SETTING THE 2010/11 PRECEPT

The Chief Executive presented this report which was one of six on the agenda for consideration by Members. These reports were part of the process introduced by the Authority to establish sustainable annual and long term financial plans and maintain prudent financial management.

This report established the Council Tax Base and proposed a 2.94% increase in the precept for the forthcoming year based on an increase in Net Budget Requirement of 2.6%.

This proposal is consistent with the 2010/11 Budget and Long Term Financial Plan 2011/14 paper that was also on the agenda.

Legislation requires that the Police Authority agree its budget and associated precept and basic council tax for the forthcoming year before 1 March 2010.

When formulating the budget strategy for 2010/11 the Authority had taken account of national and local implications of the current economic recession to establish a prudent budget. The proposed budget seeks to strike a balance between improved service level and performance, savings and efficiencies, prudent reserves over the LTFP period and, moreover, the implications for council taxpayers. As a result the increase in precept had been contained at 2.94%.

ORDERED that:-

1. the Net Budget Requirement for 2010/11 as £132,172k be agreed.
2. the funding for the Net Budget Requirement for 2010/11 be agreed as:
 - Police Grant £50,149k
 - Revenue Support Grant/NNDR £49,953k
 - Net Surplus on Collection Funds £191k
 - Precept £31,879k
 - £132,172k
3. the tax base for 2010/11 as 169,716 Band D equivalent properties be agreed.
4. the basic amount of council tax (Band D equivalent) for 2010/11 be set at £187.838 be agreed.
5. the following precepts be levied on the four billing authorities be agreed:
 - Hartlepool Borough Council £5,218,425
 - Middlesbrough Borough Council £7,478,212
 - Redcar & Cleveland Borough Council £8,192,558
 - Stockton on Tees Borough Council £10,989,972
6. the council tax base be set at the following levels be agreed:
 - A 2/3 rds £125.225
 - B 7/9ths £146.096
 - C 8/9ths £166.967
 - D 1 £187.838
 - E 1&2/9ths £229.580
 - F 1&4/9ths £271.322
 - G 1&2/3rds £313.064
 - H 2 £375.676

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ANNUAL STATEMENT ON FORCE PROFESSIONAL STANDARDS

The Chair of the Professional Standards Panel provided the annual statement on Force Professional Standards.

Under s77 of the Police Act 1996 and s15 of the Police Reform

Act 2002, Police Authorities are required to keep themselves informed of the handling of complaints by their Forces. This was part of the general responsibility that Authorities have to ensure that their Forces are efficient and effective. In Cleveland this oversight role is performed by the Professional Standards Panel which meets quarterly.

In accordance with the guidance issued by the Association of Police Authorities (APA) in 2007, this is the annual report to the full Authority, taking into account any comments or reports from others such as the Independent Police Complaints Commission (IPCC) and Her Majesty's Inspector of Constabulary (HMIC).

The report concluded that bearing in mind comments and reports from outside sources, our own findings, experiences and dealings with the Professional Standards Department, the Professional Standards Panel were satisfied that complaints against Police were dealt with in a professional, efficient, expeditious and proportionate manner and proper processes were in place to ensure that this is so.

The Chairman also reported that although this report was concerned with complaints against Police that it would be wrong to ignore the fact that during the period 1 October 2008 to 30 September 2009 when 446 complaints were recorded, 612 letters of appreciation were also received from members of the Public.

ORDERED that:-

1. the content of the report be noted.

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MINUTES OF THE AUDIT AND INTERNAL CONTROL PANEL HELD ON 20 JANUARY 2010

The following minutes of the Audit and Internal Control Panel held on 20 January 2010 were submitted and approved.

AUDIT AND INTERNAL CONTROL PANEL

ACTION

A meeting of the Audit and Internal Control Panel was held on Wednesday 20 January 2010 commencing at 10.00 am in the Members Conference Room, Police Headquarters.

PRESENT

Mr Mike McGrory JP (Chair), Mr Peter Hadfield (Vice Chair), Councillor Caroline Barker, Councillor Victor Tumilty, Mr Peter Race MBE (ex officio), Mr Chris Coombs, Councillor Mary Lanigan,

ADDITIONAL MEMBERS

Councillor Ron Lowes.

OFFICIALS

Mr Joe McCarthy, Mr John Bage and Mr Paul Kirkham (CE).
Mr Derek Bonnard, Mrs Ann Hall, Miss Kate Rowntree (CC).

AUDITORS

Mr Ian Wallace, Ms Sue Turner (RSM Tenon), Ms Catherine Andrew, Mr Paul Hepple (Audit Commission)

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APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Dave McLuckie (ex officio), Councillor Steve Wallace, Councillor Barry Coppinger.

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DECLARATIONS OF INTERESTS

There were no declarations of interests.

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MINUTES OF THE PREVIOUS MEETING HELD 26 NOVEMBER 2009

The minutes were agreed as a true and accurate record.

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OUTSTANDING RECOMMENDATIONS

ORDERED that:-

1. the Outstanding Recommendations were noted.

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PROGRESS REPORT ON ANNUAL AUDIT LETTER RECOMMENDATIONS

The Executive Accountant informed Members of the progress made to date in implementing the agreed actions in the Annual Audit letter relating to the 2008/2009 audit.

The Audit Commission presented the Annual Audit Letter flowing from the 2008/2009 audit to the Police Authority Executive on 10th December 2009. It contained an action plan agreed with the Authority's officers.

Members were informed that relevant parts of the action plan were at Appendix A to the report. It also contained information relating to progress made to date.

Members raised concerns regarding potential blockages of data / information from partners, and sought clarification of how the Authority would overcome this, should it arise.

The Executive Accountant informed members that data quality checking will form part of agreed Information Sharing Protocols (ISP), and the Authority will be in a position to promote such ISP's.

ORDERED that;

1. the progress to date against the recommendations in the Annual Audit Letter of November 2009 be noted.

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AUDIT COMMISSION PROGRESS REPORT

The Audit Commission informed members that the report provided a summary to inform the Panel of an update on 2009/10 audit programme to date. The update also seeks to highlight key emerging national issues and developments which may be of interest to Members.

Members were informed that the Audit Commission are currently reviewing their initial risk assessment to update their plans for changes since April 2010, and have carried out some testing of the significant financial systems. The audit opinion plan will be presented to the next Audit and Internal Control Panel.

ORDERED that;

1. the report be noted.

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AUDIT PRACTICE ANNUAL QUALITY REPORT – CORPORATE REPORT

and

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AUDIT QUALITY REVIEW PROCESS – ANNUAL REPORT

The Audit Commission spoke to both reports simultaneously.

The Audit Commission informed Members that the Audit Commission appointed external auditors, to principal local government, criminal justice and health bodies in England. The aim of which is to provide assurance that the Commission's audit suppliers had suitable systems and procedures in place to ensure the quality of work delivered at audited bodies.

Members were informed that as the regulator of the local public audit regime, the Commission must be able to provide assurance to the bodies they audit and other key stakeholders, that the audits carried out by the Commission's suppliers are of an appropriate quality. To be credible, such assurance needed to be – and be seen to be – wholly independent.

The Audit Commission went on to inform that the audit practice and the bodies tasked with carrying out the work have continued to produce work which meets their quality requirements. The risk of an auditor issuing an unsafe opinion or failing to meet their regulatory requirements remained low.

The Chair sought clarification on the working practices that may be adopted to carry out such functions and whether or not these practices would differ across participating bodies.

The Audit Commission informed Members that the working practices and reporting mechanisms would remain consistent to the current regime.

Members required clarification as they noted that there were concerns in the Quality Review Process (QRP Results) that there were indications in the report, that the regime that had been implemented had scope for improvement in both the quality of evidence on file to support given

assessments and the quality of written reporting.

The Audit Commission informed Members that overall the quality of such was good, however they do continuously review the quality issues surrounding such activities. The Audit Commission recognised that although the overall degree of administering such was acceptable, there was always scope for improving record keeping and also ensuring their safe-keeping.

ORDERED that;

1. the report be noted.

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INTERNAL AUDIT PROGRESS REPORT

The Internal Auditor informed Members that the periodic internal audit plan for 2009/10 had been approved by the Audit Panel on 28 May 2009. The report presented summarised the outcome of work completed to date against that plan, and Appendix A to the report provided cumulative data in support of internal audit performance.

Members were informed that the table at Appendix A to the report showed the work planned and undertaken to date for 2009/10. Progress is in line with the audit plan as agreed at the Audit Panel meeting on 28 May 2009. Since the last Panel meeting one report has been finalized.

The Chair informed the Panel that it was noted that the actual audit days in the first nine months equated to approximately half of the planned days for the year. Progress on each planned and commenced audit was discussed with reasons for the timing of such work. The Head of Internal Audit stated that the programme for the rest of the year should not prevent the timely completion of the Internal Audit Annual Report.

The Chair commented on the previously agreed protocol for progressing internal audit reports for presentation to the Panel and expressed disappointment that there had been some significant slippage in recent months. The reasons for these were discussed.

ORDERED that;

1. the report be noted.
2. once potential for significant slippage of any report becomes apparent, the Head of Internal Audit alerts the S151 Officer and the Chair of the Panel, be agreed.
3. there be an assumption that Internal Audit Reports are presented to the Audit & Internal Control Panel meeting following the planned final report date, unless agreed otherwise with the Chair of the Panel.

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ANNUAL GOVERNANCE STATEMENT

The Executive Accountant informed Members that Authorities, including Police Authorities, are required to prepare an Annual Governance Statement. Guidance from CIPFA envisages that the statement is reviewed by a Member group during the year as an integral and critical component of the review process. The Audit and Internal Control Panel had been tasked with this

role.

Members were informed that the purpose of the report is firstly to update the Panel on progress since November 2009 against significant governance issues, and the action points for improvement, identified in the 2008/2009 Statement. Secondly it brings forward an initial draft of the 2009/2010 Annual Governance Statement.

ORDERED that;

1. the current progress against the significant governance issues and action points for 2009/2010 identified in the 2008/2009 Annual Governance Statement be noted.
2. the initial draft of the 2009/2010 Annual Governance Statement for further progression by Officers be agreed.

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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.

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PAYROLL AND EXPENSES

The Internal Auditor provided Members with an update of the audit of Payroll and Expenses which was undertaken as part of the approved internal audit periodic plan for 2009/10. This audit used payroll data generated by IDEA (Interactive Data Extraction and Analysis) Audit Interrogation software.

Members were informed that taking account certain issues identified in the report, in the auditors opinion the Authority can take substantial assurance that the controls upon which the organisation relies to manage this area, as currently laid down and operated, are effective.

Members sought clarity on a number of areas of concern and welcomed assurances that the actions being taken to remind staff of the importance of keeping records up to date. The Force confirmed staff would be reminded.

ORDERED that;

1. the report be noted.

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STRATEGIC RISK MANAGEMENT & SERVICE CONTINUITY PLANNING

The Deputy Chief Constable informed Members that the report was to update Members on the progress of implementing risk management and service continuity planning in the Force and to increase awareness of the strategic risks facing the Force.

Members were informed that the Force's integrated approach to strategic risk management and service continuity planning is progressing on a systematic basis with the intention of developing robust risk management and service continuity plans and embedding a risk management culture.

Members sought clarification regarding a structured timetable and succession planning for actions. The Deputy Chief Constable gave assurance to Members on such matters to the Members satisfaction.

In response to Members questions on succession planning he confirmed that there were currently processes in place whereby business critical roles in the organisation are identified and appropriate mitigation strategies agreed.

ORDERED that;

1. the report be noted.

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COUNTER FRAUD ARRANGEMENTS – THEMATIC REVIEW

The Internal Auditor informed Members that in an economic downturn, research suggests that fraud is likely to increase and organisations need to ensure they are robust against such a risk. The review compared the arrangements within the Authority and Cleveland Police against the good practice set out in the CIPFA guidance.

Members were informed that to assist the Internal Audit in undertaking the assessment they split the actions into seven areas, and had assessed the arrangements in place at the Authority and Cleveland Police for each of those areas.

The Internal Auditor informed Members that on the basis of the Thematic Review they had undertaken to compare Cleveland Police Authority's arrangements with the good practice set out in the CIPFA Guidance, Managing the Risk of Fraud, they had concluded that the Authority and Cleveland Police had appropriate high level executive support, concise, detailed policies and procedures and a positive attitude in relation to building and maintaining an anti-fraud and corruption culture.

ORDERED that;

1. the report be noted.

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**MINUTES OF THE OPERATIONAL POLICING PANEL
HELD ON 22 JANUARY 2010**

ORDERED that the following minutes of the Operational Policing Panel held on 22 January 2010 were submitted and approved.

OPERATIONAL POLICING PANEL

A meeting of the Operational Policing Panel was held on Friday 22 January 2010 commencing at 10.00 am in the Members Conference Room at Police Headquarters.

PRESENT Councillor Barry Coppinger (Chair), Councillor Steve Wallace (Vice Chair). Mr Chris Coombs, Councillor Mary Lanigan, Councillor Victor Tumilty.

OFFICIALS Mr Norman Wright and Mr John Bage (CE)

Mr Sean White, Mr Mick Williams, Miss Kate Rowntree (CC).

ADDITIONAL
ATTENDEES

Mr Ted Cox JP, Councillor Ron Lowes and Mr Peter Hadfield.

369 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from, Councillor Dave McLuckie (ex officio), Mr Peter Race MBE (ex officio) Councillor Hazel Pearson OBE, Miss Pam Andrews-Mawer, Mr Aslam Hanif and Mr Dave Pickard.

270 **DECLARATIONS OF INTERESTS**

Two Members declared an interest in Agenda Item 12 'Tall Ships Race 2010'. Councillors Tumilty and Wallace declared an interest as there may be a financial recovery cost to Hartlepool Borough Council. They were permitted to continue in that part of the meeting. Apart from this, there were no other declarations of interest.

371 **MINUTES OF THE MEETING HELD 13 NOVEMBER 2009**

The minutes of the previous meeting were held as a true record.

372 **OUTSTANDING RECOMMENDATIONS**

ORDERED that:-

1. the outstanding recommendations be noted.

373 **FORCE PERFORMANCE REPORT (APRIL – NOVEMBER 2009)**

The Assistant Chief Constable presented the report to Members on Force performance to November 2009.

Progress against the Policing Plan Priority was monitored using the Priority Indicator Set. The Priority Indicator Set provided a reduced suite of performance measures (i.e. 'a performance dashboard'), which aimed to reflect outcome performance in relation to the local policing priority and the Chief Constables vision of Putting People First.

For 2009-10, there are 18 performance measures within the Priority Indicator Set. Of these 11 are green, 2 are amber and 5 are red.

However, Members were informed that recorded crime continued to fall significantly. The annual target for 2009-10 was a reduction of 5%. The current year to date figures showed a current decrease of 11.9% (4,437 less crimes) when compared to last year. Significant reductions have been achieved in all headline target crime categories (Overall Violent Crime, Serious Acquisitive Crime, Criminal Damage and Other Theft).

The Chair queried what the force executive did to publicise and highlight such good results. The Assistant Chief Constable informed Members that the Force regularly promotes such activity with a wide range of external media publications, notices and press releases. This is followed up by Neighbourhood Police Officers regularly attending community meetings and events. Internally, there are regular staff updates and notifications sent via the Police Intranet and other publications.

The Assistant Chief Constable informed Members that the Force is aware of the need to inform the public of their achievements and to help reduce the fear of crime. However, this has to be balanced against constantly feeding too much into the public domain.

ORDERED that:

1. the report be noted.

374

VULNERABLE ADULTS REPORT

The Assistant Chief Constable updated Members on the current work across the Force to tackle abuse caused to and committed by Vulnerable Adults (VA).

Members were informed that the investigation of abuse against vulnerable adults had been included in the remit of the Vulnerability Units (VU), established on 13th July 2009. Staffing levels with respect to this specialist area remained unchanged during the move to the VU. Detective Constables deal with investigations in this area and are supported by a specified supervisor within the unit. Additional assistance is provided by other staff within the unit at the discretion of the Detective Inspector in charge of the unit.

The Force is committed to safeguarding vulnerable adults and striving to improve the investigating of such offences. The introduction of the Vulnerability Units had changed the structure of the Force response to VA referrals and VA investigations. The success of the Vulnerability Units will be reviewed early in 2010.

ORDERED that:

1. the report be noted.

375

SPECIAL CONSTABULARY AND POLICE VOLUNTEER SCHEME

The Assistant Chief Constable informed Members that the purpose of the report was to update Members as to the present position with regards Cleveland Police Special Constabulary and Volunteers Programme.

Members were informed that the aim of the Special Constabulary is to provide assistance to the regular Force, by working alongside Neighbourhood Policing Teams, high visibility patrols, and response assistance where required. The aim of the Volunteers is to provide support to our organisation in back office functions, enabling officers and staff to concentrate on core policing tasks. Cleveland currently has 143 serving Special Constables and 68 volunteers in various posts at BCU's and Force HQ

The Assistant Chief Constable informed Members that the National Strategy for the Special Constabulary was launched in March 2008. The aim of the strategy was to enable the Special Constabulary through seven key work streams to strengthen its position as a valuable part of policing provision and to make best use of Specials to increase force performance.

Members were informed that the Special Constabulary, due to the national strategy are undergoing a period of tremendous change. The aim is to have

a Constabulary that meets the needs of a modern police service, and for the Constabulary to consolidate its position as a reliable, trusted and respected member of the policing family, with a role to play in most, if not all aspects of police service delivery, especially community engagement. The Force is continuing to embed volunteers within the organisation. An evaluation will be carried out in 2010 to establish how well the program is running.

Members queried the deployment of Special Constables and enquired as to where they carry out their duties. The Assistant Chief Constable informed Members that Special Constables are deployed across all Districts and across almost all departments.

Members asked if the Special Constabulary was used to give feedback to those that contact the Police. The Assistant Chief Constable informed Members that both Special Constables and Volunteers are utilized to provide feedback to members of the public, they carry out ringbacks to those contacting the Police and also to get messages and information into communities and neighbourhoods.

ORDERED that:

1. the report be noted.

376

USE OF TASERS

The Assistant Chief Constable informed Members that the report is to update Members on the Force's use of Tasers as a less lethal option and in particular as to its roll out to specifically trained unarmed officers.

Taser provides Officers with an alternative to lethal force when faced with incidents of serious violence that fall below the threshold for the use of firearms and is very successful in assisting to safely resolve such incidents. The 'use' of Taser includes those incidents when a Taser is drawn, pointed, fired or used in 'drive stun' mode.

Members were informed that in December 2008 the Home Secretary authorised the roll-out of Taser to Specifically Trained Units (STUs) and provided funding to cover the cost of acquisition. STUs are otherwise unarmed officers specially selected and trained in the use of Taser.

The Assistant Chief Constable informed Members that after careful consideration the Force had taken the decision to issue Taser to a proportion of their response officers as they were the officers most likely to face spontaneous incidents of violence when Taser may become necessary.

Members enquired as to how Officers were chosen to be issued with a Taser. The Assistant Chief Constable informed Members that individuals were chosen once they had volunteered and were nominated by their respective Inspector based on the Inspectors professional judgement.

Members were informed that the Force will continue to use Taser as a less lethal option during the deployment of armed officers.

ORDERED that:

1. the report be noted.

POLICING PLEDGE UPDATE

The Assistant Chief Constable updated Members on progress in implementing the Policing Pledge. The Pledge is the police service's commitment to the public and sets out minimum standards of service they can expect to receive.

Members were informed that the overall impact of the pledge was expected to be an improvement in public confidence. A sub-group of the Citizen Focus Project Board was established to develop systems to meet the Policing Pledge. This sub-group reports to and is monitored by the Citizen Focus Project Board, Chaired by the Assistant Chief Constable (Territorial Operations). The Authority has both Officer and Member representation on the project board.

The Chair sought clarification on how the Operational Policing Panel could receive updates from the Citizen Focus Project Board and take receipt of actions taken to date. The Assistant Chief Constable informed Members that a briefing had been arranged for Members for February 2010 and feedback as and when available could be brought to the Panel as appropriate.

Members required clarification as to the availability of policing priorities to call handlers and those working in those areas. The Assistant Chief Constable informed Members that call handlers do have policing priorities available to them, especially those for neighbourhood areas. Upon receipt of requests for assistance and where the assistance requested matches the priority in a certain area, those calls are immediately expedited and dispatched within sixty minutes.

ORDERED that:

1. the report be noted.

SPEED AWARENESS COURSE UPDATE

The Assistant Chief Constable provided Members with a summation of the Speed Awareness Course Provision for the first six months of operation.

In June 2009 an interim scheme was introduced to provide a Speed Awareness Module of the National Driver Offender Re-Training Scheme (NDORS) within the Cleveland area.

Members were reminded that the NDORS is a Court diversion scheme, which allowed the Chief Constable to introduce educational courses as an alternative to prosecution for certain offences.

There are three courses available:

- The Driver Improvement Scheme (DIS)
- The Rider Intervention Development Experience (RiDE)
- The Speed Awareness Course (SAC)

The Assistant Chief Constable informed Members that all of the courses can be used by Cleveland Police as an alternative to sending drivers/riders to Court or issuing a fixed penalty ticket.

A formal deployment process had been developed by the Unit managing the schemes, to allow incremental deployments in line with the process levels. This will allow the Partnership to amend their operating procedure accordingly.

Members sought clarification as to why there had been growth in staffing since the commencement of the scheme. The Assistant Chief Constable advised Members that there had been a large increase in referrals to the scheme, and following an extensive review, it was determined that the Police and Administrative Support element of the scheme needed to be more appropriately staffed. Members were informed that all costs had been self funded from the scheme.

Members requested a full report to be brought to the Police Authority post its first anniversary in June 2010.

ORDERED that:

1. the update, staffing changes, and ongoing work for the provision of the Speed Awareness Courses be noted.
2. a full report to be brought to a future Police Authority Executive, post June 2010 be agreed.

**ACC
(Territorial
Ops)**

379

LOCAL PUBLIC CONFIDENCE SURVEY (OCTOBER TO NOVEMBER 2009)

The Assistant Chief Constable presented an update on the findings to date resulting from the Local Public Confidence Survey.

Members were informed that the Local Public Confidence (LPC) Survey was introduced in October 2009. The survey is conducted in partnership by the Force and the Authority and replaces the previous Quality of Life and Neighbourhood Surveys. The survey is conducted via telephone interviews with a sample selection and other methodology issues designed in accordance with the Home Office minimum technical requirement.

The survey is conducted on a monthly basis by an independent market research company. The aim of the survey is to measure public confidence and to understand the factors associated with it. For comparative purposes, the survey included a number of British Crime Survey (BCS) questions, including the national confidence indicator.

Members were informed that the initial findings of the LPC survey are positive. To date, the responses given would suggest a higher level of public confidence and a more positive perception of police performance than those indicated via the BCS. In accordance with national requirements, headline results from the baseline dataset will be made available to the public by the end of February 2010. Data collection for 2010-2011 will recommence in April 2010.

ORDERED that:

1. the report be noted.

380

TALL SHIPS RACE 2010

Two Members declared an interest in this item. Councillors Tumilty and Wallace declared an interest as there may be a financial recovery cost to Hartlepool Borough Council. They were permitted to continue in the meeting.

A/Supt Mick Williams provided an update to Members on the work that Cleveland Police is undertaking in preparation for the Tall Ships Race to be held at Hartlepool in 2010.

The Tall Ships Race 2010, organised by Sail Training International, will be hosted in Hartlepool between 7th and 10th August 2010. The ships will leave Kristiansand, Norway on 1st August and race across 376 Nautical Miles to finish at Hartlepool by 7th August.

Hartlepool Borough Council are the organisers and hold responsibility for all events in Hartlepool. Approximately one million people are expected to attend Hartlepool over the four day period with approx. 66,000 vehicles expected.

Event Control will be located overlooking the Marina and with in it will be sited Silver Commanders from emergency services and partners. Police will have a Silver Commander within Event Control 24 hours a day throughout the event. Cleveland Police will lead Silver Command for partner Police services – Durham Police, Northumbria Marine Unit, Harbour Police, British Transport Police and Civil Nuclear Police.

Members were informed that this is a highly prestigious event that will bring a lot of interest to the town and the region. Partnership and internal planning is underway utilising previous experience and expert knowledge. This is a very exciting event that attracts international media and gives host to many people from across the world.

ORDERED that:

1. the report be noted.

381

COMPREHENSIVE AREA ASSESSMENTS (ONEPLACE)

The Strategy & Performance Manager informed Members that the purpose of the report is to inform Members of the 2009 area assessments for Middlesbrough, Stockton, Hartlepool and Redcar & Cleveland that were published on the Audit Commission Oneplace website in December 2009.

Members were informed that the Comprehensive Area Assessment, or Oneplace Assessment, is a new way of assessing local public services in England. It examines how well Councils are working together with other public bodies to meet the needs of the people they serve. It's a joint assessment made by a group of six independent watchdogs, led by the Audit Commission, and including HMIC. It covers 152 areas in England.

The assessments for the 4 local areas covered presented a mixture of problems being experienced in those areas and positive steps being taken by partners to improve the service outcomes and standards for people in those areas. Members were informed that there is generally a strong partnership working and service improvements being experienced, particularly in the

safer community area, with recent reductions in crime and ASB, and associated improvements in safety.

Members showed concerned and raised the issue of the 'Significant Concern' (poor performance - red flag) raised against the Hartlepool Partnership with regard to deficiencies in tackling the harm caused by alcohol. The Assistant Chief Constable informed Members that the District Commander for Hartlepool had highlighted this problem in discussions with partner agencies over the concerns with alcohol problems within the night time economy, with particular reference to the issue of alcohol-fuelled violent crime. Members were informed that the work to be undertaken to address these areas of concern will be open for scrutiny throughout the course of the year.

ORDERED that:

1. the report be noted.

382 **MINUTES OF THE SPECIAL CLEVELAND POLICER
AUTHORITY EXECUTIVE HELD ON 26 JANUARY 2010**

ORDERED that the minutes of the Special Police Authority Executive held on Tuesday 26 January 2010 were approved and signed by the Chair as a true and accurate record.

383 **MINUTES OF THE POLICY & RESOURCES / CORPORATE
DEVELOPMENT PANEL HELD ON 27 JANUARY 2010**

ORDERED that the following minutes of the Policy & Resources / Corporate Development Panel held on 27 January 2010 were submitted and approved.

POLICY & RESOURCES / CORPORATE DEVELOPMENT

A meeting of the Policy & Resources / Corporate Development Panel was held on Wednesday 27 January 2010, commencing at 10.00 am in the Members Conference Room at Police Headquarters.

PRESENT Mr Aslam Hanif (Chair), Councillor Hazel Pearson OBE (Vice Chair),
Councillor Victor Tumilty, Mr Ted Cox JP, Mr Chris Coombs, Miss Pam
Andrews-Mawer, Councillor Ron Lowes.

OFFICIALS Mr Norman Wright, Mr Paul Kirkham and Mr John Bage (CE)
Mr Derek Bonnard, Mr Michael Porter, Ms Denise Curtis-Haigh and Mr Steve
Matthews.(CC).

ADDITIONAL Mr Peter Hadfield.
MEMBERS

384 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Barry Coppinger,
Councillor Paul Kirton, Councillor Dave McLuckie (ex officio), Mr Peter Race
MBE (ex officio) Mr Sean Price and Mrs Ann Hall.

FOR The Chair informed the meeting that Agenda Item 8 was to be withdrawn

INFORMATION from the meeting.

385 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

Action

386 **MINUTES OF THE POLICY & RESOURCES / CORPORATE DEVELOPMENT PANEL HELD ON 24 NOVEMBER 2009**

The minutes were agreed as a true and accurate record.

387 **OUTSTANDING RECOMENDATIONS**

ORDERED that:-

1. the Outstanding Recommendations be noted.

388 **BUDGET MONITORING REPORT TO 30 NOVEMBER 2009**

The Head of Corporate Finance 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 £975k in total. This reduced contribution from Reserves during 2009/10 could then provide additional financial options when the 2010/11 budget and 2010/14 LTFP were 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 gave a clear picture to the Force's budgetary control.

Members raised concerns regarding the indicated 35% overspend in the overtime statement for Specialist Operations and requested what controls were in place to manage that spending line. The Deputy Chief Constable informed Members that monthly performance reviews are held with ACC (Crime Operations) and the Head of the Dept's concerned, to control such activity. He confirmed to Members that a robust regime is in place to manage such activities and it will be reinforced for the future. A review will also be undertaken of the profiling of next years budget to ensure it matches appropriate operational demand.

Members sought to clarify the situation regarding employment contracts for PCSO's, as indicated at para 3.5 to the report. Members wished to clarify the position and establish what changes if any would occur. The Deputy Head of P&D informed Members that upon the changes to be effected in February 2010, the PCSO's currently on a fixed term contract would be

offered a permanent contract and the newly recruited PCSO's would be placed on a fixed term contract upon commencement.

ORDERED that:-

1. the report be noted.
2. the expenditure plan for 2009/10 be reviewed in line with the proposals detailed in 3.1 of the report be agreed.

389

CAPITAL MONITORING REPORT TO 30 NOVEMBER 2009

The Head of Corporate Finance 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 totaling £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 sought clarification on the proposed HQ Lift Upgrade and Replacement at Appx A to the report. Members were reminded that this proposed capital scheme had been mooted for some time and enquired as to what the current situation was. Members requested that a cost benefit analysis be brought to the next meeting to determine the best way forward with this matter.

DCC Bonnard

ORDERED that:-

1. the report be noted.
2. the £46k being allocated into the Accommodation Adjustment line from the Provision for Estates Strategy be agreed.
3. the addition of the Integrity Unit Relocation Scheme at a cost of £28k from the Provision for Estates Strategy be agreed.
4. the addition of the Saadian PINS system scheme at a cost of £38k to be funded from the ISIS Provision be agreed.
5. a reduction in the Air Support budget of £350k be agreed.

390

TREASURY MANAGEMENT REPORT TO 30 NOVEMBER 2009

The Head of Corporate Finance 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.

391

PROCUREMENT REPORT ON THE FUEL CARD CONTRACT

The Deputy Chief Constable informed Members that the purpose of the report was to present a new national contract that improves the service to Cleveland Police Authority.

Members were informed that the current Fuel Card Framework Contract governed by Buying Solutions was due to expire on 31st January 2010. The system worked by fuel cards being issued to drivers of police fleet vehicles and hire cars. From all the suppliers available on the Buying Solutions contract, Arval UK Limited offered the most advantageous geographically placed garages.

The Deputy Chief Constable informed Members that this ensured access to the majority of garages in our area as well as nationwide. The contract is in place ready to join upon approval. The contract will expire on 22nd August 2013. Arval UK Limited are a current supplier to Cleveland Police and they are more than comfortable with our needs and procedures.

The Buying Solutions procurement process had been completed in line with European Legislation, and the Contract meets the specification required by Cleveland Police. By networking with other Forces, the contract will deliver long-term financial benefits. The core services provided by Arval UK Limited are provided both free of card and transaction fees. Rebates are available annually based on annual spend levels.

ORDERED that:

1. Cleveland Police Authority transfer to the new national contract tendered and awarded by Buying Solutions (previously know as OGC) with immediate effect be agreed.

392

FORCE COMPLIANCE WITH THE HUMAN RIGHTS ACT

Members were informed that the Human Rights Act 1998 came into force in October 2000 and enshrined in statute 15 different human rights. Public authorities, such as the Police, have a duty to comply with these rights.

The Deputy Chief Constable informed Members that the Force ensured that it kept up to date with all relevant advice on Human Rights with the latest guidance having been taken from The Equality and Human Rights Commission report '*Human Rights Enquiry 2009*'.

Inline with the recommendation from the recent '*Human Rights Enquiry*' the Force is currently looking at identifying a Human Rights champion/champions that can drive any issues forward across Service Units.

Members sought to clarify whether other organisations acting on behalf of the Force also complied with the Act. The Deputy Chief Constable assured Members that such compliance was built into contractual arrangements with third party's.

Members enquired as to whether Members would be involved with others acting as Human Rights Champions. The Deputy Chief Constable informed Members that volunteers from the Authority would be welcome.

Members were informed that there were no material issues to report, the principles of the Human Rights Act are imbedded in Force policies and procedures, and are subject of regular review.

ORDERED that:

1. the content of the report be noted.

393

WORKFORCE MODERNISATION

The Deputy Chief Constable informed Members that the report outlined to the Police Authority activities undertaken in the last 12 months along with activity currently underway in relation to Workforce Modernisation

Members were informed that to enable the effective delivery of the Policing Plan a series of strategic changes were identified, a number of which had significant implications on the effective management of the workforce. Key elements of change were then incorporated within the three year People and Diversity Strategy in regard to workforce planning.

A review of Police Officer promotion processes was undertaken and brought in line with the new Putting People First behaviors framework. A Police Officer promotion / succession plan was developed and delivered to ensure timely promotion activity to ensure that the correct workforce mix was sustained.

The PSCO recruitment plan was delivered to make certain that the Force was able to meet the establishment of 197 FTE. The plan ensured that local authority partnership funding was used in the four districts effectively and efficiently, which ultimately supported the delivery of neighbourhood policing plans.

Members sought clarification on the establishment between Cleveland and Durham Forces of developing a joint firearms service provision.

The Deputy Chief Constable informed Members that currently negotiations are taking place to scope and agree operational Command and Deployment issues regarding such.

Members sought clarification on cross border professional standard issues, and required clarification on what processes were in place should any disciplinary issues arise. The Deputy Chief Constable informed Members that work on this subject was currently being carried out nationally.

The Deputy Chief Constable informed Members that the Force had been reviewing its workforce and during the current financial year a number of activities had been delivered and a number are currently in planning or

implementation stages. Members will be kept updated on developments.

ORDERED that:

1. the content of the report be noted.

394

FLEXIBLE RETIREMENTS

Members were informed that the Force had received a request for flexible retirement from a member of staff. Flexible Retirement was introduced into the Local Government Pension Scheme in April 2006 as a discretionary provision which allowed employees, with the employer's consent, to reduce their hours or move to a lower graded position and withdraw the pension benefits already accrued. Employees can also continue to pay into the LGPS under flexible retirement in order to accrue further benefits.

The Deputy Chief Constable reminded Members of the Force's statement of policy in relation to Flexible Retirements. To date applications for Flexible Retirement have not been approved where there had been a cost to the Force. Those individuals willing to take actuarially reduced benefits, where there is normally no cost to the Force, had been able to take flexible retirement.

The Police Authority in June 2008 agreed to delegate to the Chief Constable, any future decisions relating to Flexible Retirement requests which may have associated financial cost implications up to the value of £1,000 per case. In this particular case the individual will be unable to take actuarial reduced benefits, so is unable to retire without the cost being met by Cleveland Police.

ORDERED that;

1. the request for flexible retirement not be approved.

395

ASSET MANAGEMENT STRATEGY 2010-13

The Strategy & Performance Manager informed Members that the report was to seek approval for the Asset Management Strategy, which is intended to formally establish a strategy in support of the delivery of Police Authority's broader objectives.

The Police Authority's Draft Business Plan 2010-13, which had been approved for consultation at the Policy & Resources November 2009 Panel meeting, included a number of tasks and associated outcomes related to continuing improvements in value for money and services.

Members agreed the need for an Asset Management Plan as this had been an area for improvement identified in the Use of Resources (UoR) assessment. The Business Plan had as one of its outcomes the approval of an Asset Management Plan and Estates Strategy by April 2010.

The Strategy & Performance Manager informed Members that in order to facilitate the production of such plans and strategies, the Authority is requested to agree the overarching Asset Management Strategy contained at Appendix A to the report.

Members were informed that the Asset Management Strategy provided Members with assurance of the further development of an integrated business planning process that would focus on the delivery of improved services and value for money.

ORDERED that;

1. the Asset Management Strategy set out at Appendix A to the report be agreed.
2. the strategy be reviewed in December 2010, and thereafter at intervals that support the Police Authority's Business Planning processes be agreed.

396

DRAFT BUSINESS PLAN 2010/11 – 2012/13

The Executive Accountant updated Members of the progress in the development of the Business Plan. Members were informed that the Business Plan is currently out for consultation with stakeholders and that a final version will be brought to the Police Authority Executive on 25th February 2010.

Members were reminded that they approved the draft Business Plan for the purposes of consultation at the November 2009 meeting of the Policy & Resources Panel. Subsequently copies of the Business Plan were sent to all stakeholders (89 No.) who expressed an interest in attending the Police Authority's stakeholder event on 9th December 2009. The closing date for responses to this consultation was 15th January 2010.

Following the collation and assimilation of the stakeholder event responses, and discussions with the Force Executive, the draft Business Plan will be amended into a final version to be put to the Police Authority Executive on 25th February 2010.

The Executive Accountant informed Members that the Business Plan will become the vehicle for driving service and governance improvements and for dealing with the recommendations of audits, inspections and reviews, including the forthcoming police authority inspection.

ORDERED that;

1. the Business Plan will be brought to the Police Authority Executive on 25th February 2010 as a final version, be noted.

397

UPDATE ON THE POLICE AUTHORITY INSPECTION PROCESS

The Strategy & Performance Manager updated Member's on the preparations for the inspection of Cleveland Police Authority by the HMIC/Audit Commission.

Members were informed that the HMIC/Audit Commission police authority inspection process is well underway with the first 10 police authorities having been inspected as part of phase 1 of a process that will be completed in 4 stages, finishing in 2011. In November 2009 HMIC indicated that Cleveland will be subject to inspection as part of phase 2 covering a further 13 Authorities. Cleveland's inspection will take place during June 2010.

The Strategy & Performance Manager informed Members that the police authority continued to plan and work towards achieving a successful inspection in June 2010.

ORDERED that;

1. the HMIC/Audit Commission had formally notified the Police Authority that the Authority will be subject to an inspection in June 2010 be noted.
2. in March/April Officers of the Authority update the portfolio of evidences and inform Members accordingly.

398

PARTNERSHIP STRATEGY & CODE OF PRACTICE

The Strategy & Performance Manager informed Members that Partnerships play an important role in service delivery. The Police Authority is committed to strengthening the governance arrangements and strategic direction for existing and future partnerships entered into by the Authority.

Members were reminded that the Police Authority Standing Order 42 (Partnerships) stated that the Authority's involvement in Partnership arrangements shall conform to the principles of good governance and that there shall be guidance concerning the involvement in principal partnerships. This would include partnership agreements, performance management and risk management arrangements.

ORDERED that;

1. the Partnership Strategy and Code of Practice at Appendix A to the report be agreed.

399

CLEVELAND POLICE AUTHORITY COMMUNICATIONS STRATEGY

The Strategy & Performance Manager informed Members that an update of the original 2007 Communications Strategy was approved by Members in April 2009. The Strategy was designed to describe the required standards for Police Authority communications and to improve stakeholder and public awareness of the Police Authority.

The Communications Strategy had been revised again to take account of recent developments in policing services, such as the Policing Pledge, and in corporate governance, such as the development of the Business Plan.

Members were informed that the Communications Strategy would facilitate the achievement of the Police Authority's objectives to consult with public and stakeholders, to promote confidence in policing and to promote a greater understanding of the role and responsibility of the Police Authority.

ORDERED THAT;

1. the revised Communications Strategy at Appendix A to the report be agreed.

400

PREPERATIONS FOR THE USE OF RESOURCES ASSESMENT 2009-10

The Strategy & Performance Manager informed Members that the final Use

of Resources audit assessment for 2008-2009 was presented to the Police Authority Executive on 10th December 2009 by the District Auditor.

Members were informed that for subsequent years the assessment process will be streamlined. The Audit Commission will examine the data and findings from the previous assessment and produce a "gap analysis" for each Key Line of Enquiry for the Authority to concentrate on in its evidence submission. This gap analysis is presently being provided by the Audit Commission.

Members were reminded that as in previous years, a joint Use of Resources/Annual Governance Statement Group had been established to take forward this work, to collect and collate evidence for submission to the Audit Commission for the 2009-2010 assessment. The initial evidence will be submitted in February 2010. The gap analysis from the 2008-2009 Use of Resources assessment will be used as the basis for the 2009-2010 evidence gathering requirements.

The Strategy & Performance Manager informed Members that in addition to the gap analysis, there is a further element of the managing resources theme to be assessed in 2009-2010, which is the use of natural resources. This requirement is summarised at Appendix A to the report.

Members enquired as to what processes were to be put in place to brief Members and prepare them for such assessments. The Executive Accountant informed Members that Officers were currently in dialogue with colleagues from the Audit Commission, to seek additional data. Members were informed that they should receive a briefing by the end of February 2010.

ORDERED that;

1. the Use of Resources assessment process for 2009-2010 is being carried out, focusing on the following evidence requirements;
 - the Use of Resources gap analysis from the Audit Commission - outlined at Appendix A to the report – will form the basis on which the assessment will be made for 2009-2010
 - the assessment of the effective use of natural resources outlined at Appendix B to the report, will be the new resource management assessment for the year 2009-2010

be noted.

401

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.

402

JOB EVALUATION AND NEW PAY MODEL – POLICE STAFF

The Deputy Head of People & Diversity updated Members on the work being undertaken to identify the potential benefits and costs associated with the introduction of an analytical job evaluation process and a new pay model for Police Staff.

Members were informed that the risks associated with continuing with the current job evaluation process and pay model were highlighted in the body of the report and were particularly associated with financial and legal risks.

ORDERED that;

1. the report be noted
2. a feasibility study be undertaken to produce a cost benefit analysis in relation to the proposed introduction of an analytical job evaluation scheme and new pay model, be agreed.

403

**HER MAJESTY'S INSPECTORATE OF CONSTABULARY (HMIC) –
VALUE FOR MONEY PROFILES**

The Executive Accountant informed Members that the report was to inform Members of the HMIC Value for Money Profiles and to explore the range of responses to this benchmarking initiative.

Members were informed that the "Police Report Card" was the new assessment framework by which HMIC will draw conclusions about the performance of individual Forces and Authorities. Commencing in 2010 HMIC compiles a continuous assessment of the performance of Police Forces and Authorities. This assessment will be a public document and it will feed into the Continuous Area Assessment process and the Police Authority Inspection process.

The Executive Accountant informed Members that the HMIC Value for Money Profiles present Cleveland Police Authority and Force with both an opportunity to inform, and the drive and financial imperative to improve, the value for money of service delivery. It is proposed that the indicators with-in the report are utilised, to respond to the financial challenges facing the Force and Authority in 2011/12 and beyond.

ORDERED that;

1. Members receive the HMIC Value for Money Profiles for Cleveland Police detailed in Appendix D to the report be agreed.
2. the summary analysis of the variation between Cleveland and its Most Similar Group as set out at Appendix A to the report be noted.
3. further reports be brought forward to enable the Authority to review the movement in benchmark data, and the progress against agreed action plans for improvement in value for money over time, be agreed.

404

**MINUTES OF THE PROFESSIONAL STANDARDS PANEL
HELD ON 2 FEBRUARY 2010**

ORDERED that the following minutes of the Professional Standards Panel held on 2 February 2010 were submitted and approved.

PROFESSIONAL STANDARDS PANEL

ACTION

A meeting of the Professional Standards Panel was held on Tuesday 2nd February 2010 in the Members Conference Room at Police Headquarters.

PRESENT: Mr Ted Cox JP (Chair), Cllr Caroline Barker, Mr Aslam Hanif, Cllr Ron Lowes, Mr Mike McGrory JP, Cllr Steve Wallace and Mr Peter Race MBE.

OFFICIALS: DCC Bonnard, Supt Darren Best, Supt Martin Campbell, Mrs Joanne Monkman and Miss Kate Rowntree (CC)
Mrs Jayne Harpe (CE)

ADDITIONAL MEMBERS Cllr Victor Tumilty.

MEMBERS OF THE PUBLIC Mr Gerard Walsh.

405 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr Mary Lanigan (Vice Chair), Cllr Hazel Pearson OBE, Cllr Dave McLuckie and Mr Peter Hadfield.

406 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

407 **MINUTES OF THE PREVIOUS MEETING 30 OCTOBER 2009**

The minutes of 30 October 2009 were agreed as a true record.

Matters Arising

The question had been asked why Employer's Liability in Middlesbrough was high – Members had received a written reply.

408 **OUTSTANDING RECOMMENDATIONS**

The Grievance Procedure had not been finalised, a report would be submitted to the Panel at a later date.

Employers Liability - Members had received a written report from the Deputy Chief Constable. This item was discharged.

Data collected in relation to Pledge 10 had been included in the Professional Standards Quarterly Progress Report and would continue in this format. This item was discharged.

Independent Custody Visitors Carers Allowance – A report was to be presented to Members by the Lead Member for the Independent Custody Visitors Association.

409 **CIVIL CLAIM STATISTICS**

The Legal Advisor presented the Civil Claim Statistics for the period 1st April 2009 – 31st December 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 there had been an 8.33% increase in the number claims received when compared with the same period last year. Motor liability was the leading category.
2. There had been a 2.82% increase in the number of claims finalised when compared with the same period last year.
3. 31.50% of finalised cases during the period were successfully defended which was to be compared with 19.72% successfully defended during the same period last year.
4. The 50 cases settled during the period cost the Force £275,591. This was to be compared with the 57 cases settled during the same period last year at a cost of £296,404.
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.

410

COMPLAINTS STATISTICS FOR ENGLAND & WALES 2008/09

The Head of Professional Standards Department presented a report to Members which had been produced by the Independent Police Complaints Commission (IPCC).

The report presented figures on complaints about the Police in England and Wales for the financial year 2008/09. It detailed the number and type of complaints made and how those were dealt with.

During 2008/09 Cleveland Police recorded 410 complaint cases compared to 416 recorded in the previous year, a decrease of 1%. In 2008/09 Cleveland Police recorded 735 allegations, a decrease of 9% on the previous year. This put Cleveland Police in second place when compared to the most similar forces group.

In 2008/09 Cleveland Police completed 262 investigations: 44 (17%) were substantiated and 218 (83%) were unsubstantiated.

Cleveland Police would continue to monitor and record all elements of complaints cases in an ethical and accurate manner.

ORDERED that:

1. The content of the report be noted.

411

COMPLAINTS AGAINST POLICE

The Head of Professional Standards Department presented the Complaints Against Police for the period 1st October 2009 to 31st December 2009. The Quarterly Progress Report on Complaint Issues for Cleveland Police for the period 1st October to 31st December 2009 was attached to the report.

There had been a 37% increase in the number of cases recorded during that period (87 to 119), with a 48% increase in the number of complaints (up from 141 to 209).

Complaints of "other neglect/failure in duty" and "Incivility" continued to outnumber those of "Assault" allegations, 38 and 51 complaints respectively, compared to 29 in the "Assault" categories.

40% (55) of completed complaints had been locally resolved. During that period 76% (42) of locally resolved complaints had been by District and 24% (13) by the Professional Standards Department.

206 letters of appreciation had been received, an increase of 39 (+23%) over those recorded the previous year, this outnumbered the total complaints received during this period.

Included in the Head of Professional Standards report was a synopsis of Pledge 10 issues dealt with during the last quarter.

ORDERED that:

1. The contents of the report be noted.
2. Pledge 10 issues would continue to be contained in the quarterly report and that work would continue on deciding what information was needed by the panel to fulfill its' scrutiny role.

412

DELIBERATE DAMAGE STATISTICS

The Deputy Chief Constable informed Members of the cost to the Force of deliberate damage by way of forced entry into premises for the period 1st October 2009 to 31st December 2009 and of the operational results achieved through such forced entry and other premises searches.

Members were informed that the Force had paid out £12,871 in compensation for acts of deliberate damage, this compared to £12,110 paid out in the same period during the previous year. Whilst 2640 searches were conducted, only 273 (10.3%) resulted in deliberate damage compared to 8.85% in the previous year. The value of property, cash and drugs seized totaled £1,397,383 and this compared to £1,801,060 seized during the same period in 2008.

The figures for Redcar and Cleveland pertaining to cash of £219,872 and drugs £13,670 being seized were queried. Members were advised that these figures would be checked and a written reply circulated.

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.

413 **INDEPENDENT CUSTODY VISITORS CARERS ALLOWANCE**

The Lead Member for the Independent Custody Visitors Association informed Members that when it had been agreed to pay Independent Custody Visitors an Annual Honorarium it had also been agreed that consideration would be given to payment of a carers allowance. This would enable those visitors with dependents to attend training and panel meetings. The recommendation was in line with the carers allowance included in the Members Allowance Scheme.

ORDERED that:

1. Members agreed, in appropriate cases, the payment of a carers allowance in respect of training and Panel meetings and that this item be discharged.

414 **EXCLUSION OF THE PRESS AND PUBLIC**

ORDERED that pursuant to Section 100a(4) of 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.

415 **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.

416 **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 2 of Part 1 of Schedule 12A to the Act.

417 **APPOINTMENT OF AN INDEPENDENT MEMBER ON CLEVELAND POLICE AUTHORITY**

The Deputy Chief Executive invited Members to make one appointment to the Independent Membership of Cleveland Police Authority.

Following the resignation of one of the Independent Members the Police Authority had undergone a recruitment process in accordance with the Police Authority Regulations 2008 (SI 630 2008).

An advertisement had been placed within the Evening Gazette and Hartlepool Mail and made available on the Police Authority website. In addition a copy of the advert was submitted to the Independent Advisory Group (IAG) for dissemination to the

BME Communities and a copy was sent to each of the local Mosques. This resulted in 28 expressions of interest and 16 applications were returned for consideration.

The Selection Panel considered the 16 applications on 8 January 2010 and invited 7 candidates to interview. Two of the 7 candidates withdrew their application in advance of the interview date – one for personal reasons and the other had successfully secured a full time position.

The remaining 5 candidates were interviewed on 10 and 11 February 2010 around the competency criteria.

In accordance with the regulations two names were submitted for consideration including a copy of their application forms and the Selections Panel order of preference.

ORDERED that:-

1. Mr Geoffrey Fell be appointed to the position of Independent Member commencing 1 March 2010 for a four year term.