

**MINUTES OF A MEETING HELD ON TUESDAY 1 SEPTEMBER 2009 AT
CONSTABULARY HEADQUARTERS, WINSFORD**

Present: R McNeil, Chairman
A Walmsley, Vice-Chairman
A Arnold
D Cargill
J P Findlow
B Maher
C Oliver
M Ollerenshaw
T Savage

Also in attendance: D Bateman

Authority Officers:
M Sellwood, Chief Executive
M Eaton, Member Services Manager

Constabulary Officers:
G Gerrard, Deputy Chief Constable
C Barton, Director of Human Resources
J Brierley, Head of Learning & Development
Superintendent Paul Williams, Acting Head of
Professional Standards

16 MINUTES

RESOLVED:

That the Minutes of the meeting held on 19 May 2009 be confirmed as a correct record.

17 COMPLAINTS AND MISCONDUCT MATTERS: QUARTERLY REPORT

The Deputy Chief Constable presented the quarterly report on complaints and misconduct matters for April to June 2009. It was reported that during the period 89 complainants had made 124 allegations, which equated to decreases of 31% in complainants and 30% in allegations, compared with the same period in the previous year.

The report contained information on the various categories of individual complaints; the number of referrals to the Independent Police Complaints Commission; internal discipline cases; cases referred to the Crown Prosecution Service; complaints outstanding from previous years; statistical analysis of complaints; and performance indicators relating to complaints. The Committee discussed and accepted the revised format of the report.

Members welcomed the continued reduction in complaints and discussed the reasons for the reduction in the Northern Area.

RESOLVED:

That the report be received.

18 INDEPENDENT POLICE COMPLAINTS COMMISSION REPORT:
CONFIDENCE IN THE POLICE COMPLAINTS SYSTEM

The Chief Executive submitted a report on the IPCC national survey in 2008 on public confidence in the police complaints system. The survey comprised a series of questions relating to police contact, level of satisfaction with police contact; attitudes towards making a complaint; the role of the IPCC; and confidence in the IPCC investigation of complaints.

The Committee considered the national survey results which indicated some evidence of progress, such as those in contact with the police were slightly happier about their experience and were more likely to feel that any complaint would be treated fairly.

RESOLVED:

That the report be noted.

19 INDEPENDENT POLICE COMPLAINTS COMMISSION REPORT: DEATHS
DURING OR FOLLOWING POLICE CONTACT 2008/09

The Chief Executive reported on the statistics issued by the IPCC on the number of deaths that had occurred nationally during or following police contact in 2008/09. The report revealed that 92 people had died which was a decrease of 17 from the previous year and that five deaths had occurred in Cheshire. The Deputy Chief Constable briefed the Committee on the deaths in Cheshire and agreed to include further information in future reports to offer reassurance to the public.

Members discussed the report; the background to the five deaths in Cheshire and whether the Constabulary needed to revise its pursuit policy; the rationale for referrals to the IPCC; the number of IPCC referrals returned back to the Constabulary; and the impact on the confidence agenda. The Deputy Chief Constable advised that all incidents where a death had occurred were referred to the IPCC, however, due to the large percentage of returns to the Constabulary, the procedure was being reviewed to ensure it was fully compliant with the IPCC referral criteria.

RESOLVED:

That the report be noted.

20 STAFFING STATISTICS: QUARTERLY REPORT

The Director of Human Resources reported on the staffing statistics; details of officers on secondment; and the four Statutory Performance Indicators and targets relating to Human Resources.

In considering the report, the Committee requested that consistent information relating to FTEs, establishments levels, and reasons for leaving be included in future reports.

RESOLVED:

That the report be received.

21 RECRUITMENT: QUARTERLY REPORT

The Director of Human Resources reported on police officer, staff, PCSO and special constable recruitment including the number, gender and ethnic origin of new recruits and outlined the progress of the civilianisation programme and the number of vacant staff posts.

The Committee commented on the financial position of the recruitment plan and discussed with the Director of Human Resources a number of issues in relation to PCSOs, which included the costs associated with a third intake, the provision of training and uniforms for those who leave within the first year, particularly to become police officers; and the impact on the staff budget of the greater use of agency staff. The Director advised that the training delivered to PCSOs was being developed to enable it to be interchangeable with the initial Constable training and that some items of the PCSO uniform were standard and could form part of the Constable uniform. The Director reported that the use of agency staff was included in the staff pay budget and agreed to include information on the number of temporary and agency staff in future staffing statistics reports.

RESOLVED: That

- (1) the report be noted; and
- (2) in recognising the critical link between the recruitment plan and the budget, future reports include a statement of the financial position in relation to recruitment levels for officers, staff and PCSOs and the projected outturn position, and an indication of expenditure on agency staff to provide temporary cover for staff vacancies.

22 MANAGEMENT OF ATTENDANCE: QUARTERLY REPORT

The Director of Human Resources presented the attendance data for April – June 2009, which included causal factors for absence, departmental breakdown and outlined initiatives to improve the level of attendance. The average number of working days lost for the period for police officers and staff was 1.29 and 1.45 respectively, which represented decreases for both compared with the previous year.

The Chairman and Members welcomed the further reduction in sickness absence for officers and staff, and the significant improvement in the Constabulary's national position. The contingency arrangements, costs and welfare implications of dealing with the swine flu virus; and the number of staff on long term sickness were discussed.

RESOLVED:

That the report be noted.

23 LEARNING & DEVELOPMENT UPDATE

The Head of Learning & Development submitted a report on the progress against the recommendations arising from the Learning & Development Base Budget Review and Internal Audit review.

The report commented on the introduction of improved governance arrangements; the work undertaken with the NPIA to identify the real costs of training; and the savings that could be realised.

Members expressed some continuing concern about the controls on expenditure; expenditure on training not authorised by the Head of Department; and actual expenditure against budget provision.

RESOLVED: That

- (1) the progress and updated action plan, be noted; and
- (2) budget proposals for learning and development expenditure for 2010/11 be submitted to the Committee on 24 November 2009.

24 OSPRE RESULTS

The Director of Human Resources reported on the recent Operationally Structured Practical Related Examination (OSPRE) results for Sergeants and Inspectors. The report compared Cheshire officers' results, with that of its most similar forces and the national average.

RESOLVED:

That the report be noted.

25 STAFF SURVEY 2009

The Director of Human Resources presented a summary of the findings of the 2009 Staff Survey.

The Committee were concerned that the report did not enable any comparisons to be made with previous surveys and cultural audits; trends identified; or show what action was being taken to address any concerns. Members discussed the level of dissatisfaction amongst frontline staff and their impact on the confidence agenda. The Director agreed to present a further report showing trends and similarities with previous surveys to the next meeting, together with a summary of activities being taken. The Deputy Chief Constable outlined a number of areas of improvement, including reducing bureaucracy, force restructuring and the introduction of restorative justice, which would improve staff satisfaction levels.

RESOLVED: That

- (1) the report be noted;
- (2) in recognition of the relationship between the confidence agenda and the views expressed by frontline staff, a detailed report be submitted to the Committee on 24 November 2009 which compares the findings of the

2009 Staff Survey with previous surveys, including the cultural audit; identifies any significant trends in recent years, the areas of concern, and the resulting actions to address them; and

- (3) the results of, and the subsequent reporting on future surveys include a comparison with previous findings and the identification of trends.

26 LOCAL EMPLOYMENT TARGETS

The Director of Human Resources presented an update on the employment monitoring and targets highlighted in the recent Association of Police Authorities interim guidance 'Local employment targets for under represented groups'. The Committee considered the APA interim guidance and the extensive monitoring that existed with the Authority and the Constabulary of local employment and diversity targets, including the role of the Independent Advisory Group.

RESOLVED: That

- (1) the report be noted;
- (2) the Chief Constable ensure that local employment targets are developed in consultation with Members during the Autumn and included in 2010/11 Policing Plan; and
- (3) the Director of Human Resources further review the interim guidance from the APA 'Local Employment Targets for Under Represented Groups' and submit a position statement in relation to each of the recommendations contained in the guidance to the Committee on 24 November 2009.

27 LOCAL GOVERNMENT PENSION SCHEME: INFORMAL CONSULTATION ON STABILITY AND VIABILITY

The Director of Human Resources presented a report on the informal consultation on the Local Government Pension Scheme (LGPS) around stability and viability in advance of the 2010 formal scheme review.

RESOLVED: That

- (1) the report be noted; and
- (2) the Treasurer consider the draft response by the Pensions Administrators to the informal consultation paper and determine a response from the Authority in consultation with the Chairman and Vice-Chairman of the Committee.

28 URGENT BUSINESS

(There were no items of urgent business)

29 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That under Section 100(A)(4) of the Local Government Act 1972, as applied by the Police Act 1996, as amended, the press and public be excluded from the meeting for the items of business listed below on the grounds that they involve

the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act in the paragraphs indicated:-

<i>Item</i>	<i>Paragraph</i>
Review of Misconduct Issues: Quarterly Report	(2) Information which is likely to reveal the identity of an individual
Review of Redeployment and Redundancy Procedure	(4) Information relating to labour relations
Employment Tribunals and Grievances: Quarterly Report	(2) Information which is likely to reveal the identity of an individual
Police Pension Scheme: Current Issues	(4) Information relating to labour relations
Medical Retirements: Quarterly Report	(2) Information which is likely to reveal the identity of an individual
Police Authority Commendation	(2) Information which is likely to reveal the identity of an individual
Police Regulations 2003 and Force Procedures: Business Interests Appeal	(2) Information which is likely to reveal the identity of an individual

PART 2 – MATTERS CONSIDERED IN THE ABSENCE OF THE PRESS AND PUBLIC

30 REVIEW OF MISCONDUCT ISSUES: QUARTERLY REPORT

The Deputy Chief Constable submitted a report on the number of written warnings, hearings and suspensions for police officers and discipline action against police staff and PCSOs during the period April to June 2009.

RESOLVED:

That the report be noted.

31 REVIEW OF REDEPLOYMENT AND REDUNDANCY PROCEDURE

As requested at the Discussion Day on 20 July 2009, the Director of Human Resources presented a report which outlined proposed amendments to the current Job Change Procedure, which included change of name to Redeployment and Redundancy Procedure, which were the subject of negotiation with Unison.

The Committee also considered a supplementary report on the development of a separate augmentation policy, which was required following changes to the Local Government Pension Scheme regulations in 2008. Members discussed the Authority's current position in relation to augmentation and the wording of the proposed policy.

RESOLVED: That

(1) the report be received;

- (2) the Director of Human Resources submit the Redeployment and Redundancy Procedure to the next meeting of the Committee for approval; and
- (3) the Authority's LGPS augmentation policy, with paragraphs 2.8 and 2.9 as amended by the Committee, be approved.

32 EMPLOYMENT TRIBUNALS AND GRIEVANCES: QUARTERLY REPORT

The Director of Human Resources submitted a report on employment tribunals and grievances for the period April-June 2009.

RESOLVED:

That the report be noted.

33 POLICE PENSION SCHEME: CURRENT ISSUES

The Director of Human Resources reported on issues impacting on the Police Pension Scheme, which included indexation of guaranteed minimum pension; new commutation factors as a result of the Judicial Review; and the subsequent financial implications for the Authority.

RESOLVED: That

- (1) the report be received; and
- (2) the actions being taken by the Chief Constable in relation to the indexation of guaranteed minimum pension, as set out in the Appendix to the report, be supported and an update report be submitted to the Committee on 24 November 2009, including the outcome of the audit of files.

34 MEDICAL RETIREMENTS: APPROVALS

The Chief Executive submitted a report on medical retirements (the granting of ill health and injury pensions) that had been approved since the last meeting.

RESOLVED:

That the report be received.

35 POLICE AUTHORITY COMMENDATION

The Chief Executive submitted a report which invited the Committee to consider the award of a Police Authority Commendation. Members were reminded that the Commendation was the highest internal award and was awarded for meritorious acts which fell short of the requirements of Royal recognition.

The Committee asked that the matter be deferred to enable a discussion with the Chief Constable about the criteria for Police Authority Commendations and the possibility of developing another award to recognise excellent service/performance by staff.

RESOLVED:

That consideration of the nomination for a Police Authority Commendation be deferred.

36 POLICE REGULATIONS 2003 AND FORCE PROCEDURES: BUSINESS INTEREST APPEAL

The Chief Executive advised Members that pursuant to Regulation 7 of the Police Regulations 2003 as amended by the Police (Amendment) (No. 2) Regulations 2006, the Authority were required to determine an appeal by a police officer against a decision by the Chief Constable relating to a business interest.

Members considered the representations submitted by the appellant and the Chief Constable.

RESOLVED:

That the decision of the Chief Constable be upheld.

Duration of Meeting: The meeting commenced at 9.30am and finished at 11.45am.

[Post Meeting Note: Following the meeting A Arnold, D Cargill, P Findlow, C Oliver and T Savage undertook a dip sample of completed complaints files.]