

Def Sy 5/3/2

27 June 2011

**MINUTES OF THE MOD POLICE COMMITTEE**  
**TUES 14 JUNE 2011**  
**MDPGA HQ, WETHERSFIELD**

**Members**

David Riddle	Independent	<b>Chair</b>
Sir Keith Povey	Police Adviser (England & Wales)	
Andrew Brown	Police Adviser (Scotland)	
Dr Marie Dickie	Independent Member	
Caroline Mitchell	Independent Member	
Dr Parvaiz Ali	Independent Member	
Susan Scholefield	Director General Human Resources & Corporate Services & Agency Owner	
Mark Preston	Director Business Resilience	
Karen Feather	Clerk to MOD Police Committee	<b>Secretary</b>

**In attendance**

Steve Love	Chief Constable, MDP
Robert Chidley	ACC Operational Support
David King	Agency Secretary
T/Ch Supt Dave Long	Head of Agency Business Services, MDPGA
Richard Clancy	DefSy-Physical Security & Policing Policy Assistant Head
Supt Dave Pawley	DefSy-Policing Pol 2
Dawn Wiggins	PS/DGHRCS
Amarjit Atkar	Head of DIA
Supt Beth Disher	Observer
Nikki Coe	Observer
Richard Kearns	Asst Clerk to MOD Police Committee

**Apologies**

Mr Gerry McAuley	DCC MDP
Mr John Bligh	ACC PD
Mr Dave Allard	ACC DO
Eamon Keating	Chair of Defence Police Federation

**Chair's Opening Remarks**

1. The Chair welcomed everyone to the meeting, which followed the morning's informal Away Day session. He welcomed Supt Beth Disher and Nikki Coe who were attending the meeting as observers, and extended a welcome to the Head of Defence Internal Audit, Amarjit Atkar.
2. The Chair briefed the Committee on his constructive introductory meeting with 2<sup>nd</sup> PUS Jon Day back in April. He confirmed he already had a good awareness of the challenges faced by MDP, while anticipating that further significant savings would be required from the Agency given the Department's financial position.

### **Agenda Item 1: Minutes of the last meeting**

3. The minutes of the last meeting on 15 March (Def Sy 5/3/2 dated 23 March 2011) were agreed. An amendment requested by ACC OS regarding the Public Order Action Plan had been incorporated.

### **Agenda Item 2: Update on Centre reviews**

4. The Chair requested that the Committee's Away Day discussions on the PR11 implementation and the requirement for further savings measures in PR12, were covered in the minutes under this agenda item.

### **Planning Rounds 11 & 12**

5. Mark Preston briefed the Committee, as part of the Away Day session in the morning on the latest situation on PRs 11 and 12. A submission had been sent from 2<sup>nd</sup> PUS to Min (DPWV) seeking approval of the future guarding and civil policing policy and requirement changes that had been endorsed by Defence Board as part of PR11. The Minister had also been asked to agree that formal consultation on the proposals should take place with the Defence Police Federation (DPF) and the relevant Trades Unions (TUs). A consultation document would be issued to the DPF and TUs once Ministerial approval was received. It was anticipated that the approach to implementation would be flexible, rather than site prescriptive, to ensure the efficient and effective use of guarding and policing resources. Notwithstanding the need for meaningful consultation, the new guarding policies were expected to become effective by around September 2011. The Committee members noted the importance of an audit trail in order to address any risk ownership issues that might arise in the future. Susan Scholefield confirmed the PR11 decision making process had been clearly documented. It was agreed that the Police Committee would be sent copies of the consultation document. **Action: DBR/Clerk**

### **MDP/CNC Interoperability Review**

6. Richard Clancy updated the Committee on the ongoing interoperability review that was being jointly led by DECC and the MOD to consider whether there was potential for achieving greater operational interoperability by the two forces. It had been agreed that more detailed work should be taken forward in areas such as firearms, intelligence, training, road escorts and exercising. A copy of the joint MDP/CNC Action Plan had already been circulated to the Committee. A further report, including a decision on whether to commission further work to consider a full merger of the two Forces, would be provided in Sep 11.

### **HMIC Report on the HQ Review**

7. The Police Committee had been sent copies of HMIC's report to DCTLB following their examination of proposals made in the MDPGA HQ Review. HMIC had been asked to advise on the location of the HQ; whether the proposed re-structuring of the HQ was proportionate to the reductions across the Agency; to consider Corporate Services and Standards departments in the new HQ structure and whether the Agency had made full use of workforce modernisation opportunities. The HMIC report contained six main recommendations for consideration.

8. Following discussion it was agreed that Police Committee oversight of the consideration and implementation of actions arising out of the HMIC recommendations would be desirable. In particular, the Committee would be in a position to assist the force with the recommendations concerning command resilience, and the issues concerning civilianisation and the requirement for a demand analysis against the 4 pillars (Corporate Services, Standard, Operations and Central Operations). The Chair would also seek a meeting to discuss the report with Louise Tullet. **Action: Clerk**

### **Agenda Item 3: Chief Constable's Report**

#### **Management Issues**

9. Headlines The CC explained that the Critical Path (dated 9 Jun 11) now included a requirement to identify additional savings of, a further large but unspecified amount, and this may necessitate re-visiting some of the major work strands identified during PR11 since the additional savings target exceeded what could be delivered by the PR11 options endorsed by the Defence Board. The Agency's ability to deliver savings was also subject to some important variables, such as the VERS and further redundancies. Although some additional measures had been identified, these would be insufficient to meet the savings target. Further discussions on how to address the Agency funding shortfall would therefore need to take place over the coming weeks.

10. The CC confirmed that the MDP's VERS applications had been forwarded to the CTLB for consideration, although it was difficult to gauge precisely how many offers would be accepted. However, plans were in place to ensure that if some offers were rejected, officers on a reserve list would be considered in order to achieve the maximum number of voluntary exits. The MDP currently had around 300 gapped posts that would also contribute toward the reduced footprint.

11. Key Priorities CCMDP presented the Agency's Key Priorities for 2011/12 which included performance levels up to 30 April 2011. The committee expressed support for the approach to setting priorities in a very dynamic environment.

Roadmap Projects The Chair asked when the work to establish the proposed Operational Capability Centre would start. Mr Love explained that this was a key element of the HQ Review work. The OCC would be responsible for pulling together all the support elements of the force's specialist capabilities, and would be unique to the UK policing environment. It would also be a key factor in the MDP/CNC interoperability review.

12. Sir Keith Povey referred to the HMIC report on the HQ review that had now been sent to DCTLB, and noted that further savings from the force HQ structure were still being pursued. David Riddle hoped to meet her shortly to discuss the way forward and how the Police Committee might be able to assist the force in providing assurance. **Action: Chair**

13. Risks The Chief Constable explained that his report to the Committee provided an extract of the MDPGA Corporate Risk Register where items are assessed as "high risk/high likelihood". There were two establishments that were currently assessed as red (i.e. MDP achievement of less than 50% of their customer tasking). New policies once agreed and implemented would help to mitigate some of these risks. The Chair asked how these risks were addressed by the Department as a whole. Mark Preston said that the MOD was currently reconfiguring the way it conducts its risk analysis and this would include the risk appearing on the MOD's Risk Register not just the Agency's.

14. Corporate Health Mr Love took the Committee through the 11 Corporate Health requirements, which included sickness, diversity and officer capability.

15. Susan Scholefield confirmed that she was retaining overall ownership of the work on MDP terms and conditions. She had recently met with Martin Fuller who was keeping her informed on any developments regarding the Winsor recommendations so that the MOD's position could be considered as early as possible.

#### Operational report

16. Mr Chidley gave a short overview of the operational report and the Committee noted MDP's support to high profile events such as the TUC Rally around Whitehall on 26 March and the HMS Astute firearms incident on 5 April (where the Chair recorded his thanks to the DCC for keeping him updated as events unfolded).

17. PNICC had approached MDP with 3 requests for support to the 2012 Olympics; search dogs, protestor removal teams and marine policing. MDP was scoping what support they might provide, but no firm commitments had been made by the force at this stage. Susan Scholefield confirmed that government policy is that costs incurred as a result of providing support to the Olympics would lie where they fall. Dave Pawley confirmed that MDP was plugged into working groups in MOD, as well through policing connections.

18. UK and Defence objectives There were currently 21 MDP officers deployed in Afghanistan. There appeared to be a Government requirement for more police officers to support the transitional arrangements for 2015, but this would need to be agreed by the MOD, FCO and ACPO and then underpinned with the necessary funding and relevant Duty of Care arrangements.

19. The Committee noted that the MDP were no longer represented in Kosovo following 11 years of successful deployments.

20. Media activity The Committee agreed that this information could be deleted from future reports since they were generally kept up to date on press articles concerning the MDP by the Clerk. **Action: CCMDP**

21. Standards and Compliance The Committee noted that the Surveillance Commissioner was due to make his annual visit to the force on 23-24 Aug 11. ACC OS should report the outcome to the Police Committee meeting in December 11. **Action: ACC OS**

22. Use of force and powers The Chair was grateful for the information relating to the MDP's use of Tasers and considered it contained the right level of detail.

#### **Agenda Item 4: End of Year Performance 2010-11**

23. At the end of year for 2010/11 the Agency had met 7 out of its 11 Key Priorities. The Committee noted this significant achievement against such a background of uncertainties and financial constraints.

#### **Agenda Item 5: MOD Police Committee Work Programme 2011/12**

24. The Committee's Work Programme for 2011/12 was agreed.

25. Arrangements would now be made to plan the items that are due to report at the September meeting. This included a desktop review of the HMIC's Public Order Report recommendations, a review of the Committee's recommendations following their Firearms Scrutiny in 2009; Attendance Management issues and assurance work on constabulary independence and jurisdiction issues. **Action: Clerk**

#### Policy for Complaints against senior MDP officers

26. The Committee agreed a draft policy for handling any complaints from the public against MDP senior officers. This draft would now be subject to formal consultation with the Chief Police Officers' Association and CCMDP. **Action: Clerk**

#### AWE Fire

27. The Chair informed the Committee that DBR had asked them to consider external reports arising from the fire at AWE last August, and where there was reference to MDP to ensure that where any lessons that had been identified had been addressed and implemented. He agreed to discuss with the CCMDP how the Committee might proceed. **Action: Chair**

### **Agenda Item 6: HMIC**

#### HMICS Crime Audit

28. The Chair welcomed the report from HMIC Scotland following the Crime Audit of the Scotland Division. Andrew Brown said although the overall volume of crimes investigated by the MDP in Scotland was low, the positive HMIC report was a significant indicator of the force's performance. The Chair undertook to reply to Andrew Laing's letter and agree to the publication of the report on HMICS' website. **Action: Clerk**

#### HMIC Public Order report

29. Mr Chidley provided an update on the recommendations arising from HMIC's Public Order inspection report. A Public Order forum had been established following the appointment of an MDP Public Order lead at Supt level. MDP was also proposing to invite CNC to attend. Command Training was now on track following an earlier delay and work was in progress with the NPIA to agree a bespoke course for MDP officers. The draft Standard Operating Policy was currently with CLS for a legal check. Sir Keith welcomed the progress and noted that a desktop review was due to be undertaken in the next couple of months for the Committee's independent assurance of the work to date.

### **Agenda Item 7: Professional Standards**

30. T/Ch Supt Long presented the force's professional standards report and gave an end of year analysis of the complaints and misconduct cases. This indicated a 71% increase of complaints since 2009/10 although the number of complaints against the force is relatively low. 40% of the cases were unsubstantiated and 40% had been dealt with by local resolution.

31. Comparisons between the 2004 and 2009 conduct regulations illustrate that cases are being finalised in greater numbers and generally within shorter timeframes, which may in the main be due to more use of management action. It was also reported that 4 officers had resigned whilst under investigation for conduct matters.

32. Caroline Mitchell reported that she had carried out the PSD Audit in May and raised no concerns. Some matters of officers' welfare had arisen but she was assured that the force had measures in place to deal with such instances. She noted the statistics on Drugs and Alcohol Testing contained in the report, and welcomed the employee information booklet that had recently been published to raise further awareness.

33. The Chair noted that the quality of the report provided to the Committee, and the Lessons Learned Bulletin that had been circulated to the members recently.

34. The IPCC Commissioner was expected to attend the next meeting. **Action: Clerk**

### **Agenda Item 8: Diversity**

35. The Committee received the Diversity Action Plan for the year ending 31 Mar 11 and noted some good achievements. The Opportunity Now scoring had increased from 82 to 84% despite the constraints on advertising and no focussed events, although the Agency was placed outside the Top 100 for the first time since 2006 when the Stonewall results were announced.

36. Mr Love reminded the Committee that the Equality Act has removed his responsibility to maintain and publish an MDP Diversity Scheme and Action Plan as the Agency was now subsumed into the MoD for statutory responsibilities. Parvaiz Ali recognised that the force should maintain some of the excellent links already established in their support networks and hoped some of these would be able to provide support and advice to wider MOD networks. The Chair suggested that it might be appropriate for a Committee member to attend the CTLB Diversity Board, and CCMDP agreed to discuss this with the Chair, Louise Tullet. **Action: CCMDP**

37. Marie Dickie had concerns about how the Committee might assist the force in monitoring its diversity issues in the future and what information might be available to them. Mr Love explained that the Agency would no longer have the capability to generate or maintain its own diversity data given the implications of the HQ Review reductions and the Optimizing HR initiative. Susan Scholefield suggested it might be extracted from the Diversity Dashboard. The Chair suggested that he, Marie Dickie and the Clerk should consider what information the Committee wants to receive in the future and how this could be met. **Action: Chair/Marie Dickie/Clerk**

### **Agenda Item 9: MOD Police Committee Annual Report 2010/11**

38. The Committee approved its Annual Report to the Secretary of State for Defence. The report and its accompanying annexes would be sent to the Defence Secretary before the summer Parliamentary recess, and then published on the MOD internet and intranet. **Action: Chair/Clerk**

### **Agenda Item 10: Any other Business**

MOD Police Appeals Tribunal Regulations.

39. The Committee agreed that DGHR CS, as the process owner for Departmental HR matters should perform the functions assigned at the Agency Head of HR under Regulation 3(1) of the MOD Police Appeals Tribunal Regulations 2009. *[Secretary's note: Min(DPVW) has also agreed this with regard to the MOD Police Appeals Tribunal Regulations 2004].*

40. The Chair stated that in the event there is ever an appeal involving the CC or DCC, it would be reasonable for DGHR CS to consult with the committee about the composition of the Police Appeals Tribunal panel. Susan Scholefield confirmed that she was content with this arrangement and agreed to generally keep the Committee informed regarding the police appeals received.

#### **Agenda Item 11: Presentation by the Head of Defence Internal Audit**

41. The Committee welcomed the Head of DIA, Amarjit Atkar. He gave members a short presentation about managing the risk of fraud within the MOD, and how the various stakeholders across the Department engaged with this. He also provided an illustration of the various categories of fraud, the estimated loss to the Department and the totals recovered. The risk of fraud in the procurement area was a particular concern. The Committee found the presentation most informative and hoped that the Defence Crime Board, chaired by DG Fin, would be able to address the concerns highlighted by Hd/DIA, some of which were shared by the Committee members during their discussions at previous meetings.

#### **Agenda Item 12: Date of the next meeting**

42. The date of the next meeting is Tues 13 September.

*[Signed]*

**KAREN FEATHER**  
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