

CLEVELAND POLICE AUTHORITY EXECUTIVE

A meeting of Cleveland Police Authority Executive was held on Wednesday 17 December 2008 in the Members Conference Room at Police HQ.

PRESENT: Councillor Caroline Barker, Councillor Barry Coppinger, 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 (Vice Chair), Mr Ted Cox JP, Mr Peter Hadfield, Mr Aslam Hanif, Mr Alf Illingworth TD JP, Mr Mike McGrory JP and Mr Peter Race MBE

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

362 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Paul Kirton.

363 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

364 **LONG TERM FINANCIAL PLAN UPDATE**

The Temporary Assistant Chief Officer Finance and Commissioning updated Members on developments in the financial position since their briefing which had taken place on 30 September 2008 on the proposals to deliver a balanced budget in 2009/2010 and financial projections for the years 2010/11 and 2011/12.

The tightening economic climate and the emergence of a number of very significant pressures had created greater risk around the delivery of a balanced position in future years. Updated proposals to deliver a balanced budget for 2009/10 and beyond would be brought to the February meeting for Members' consideration and decision.

ORDERED that:-

1. the contents of the report be noted.
2. the continuing process to deliver a balanced budget for 2009/10 and beyond be noted.
3. further briefings would be arranged during January and February as required prior to Members being asked to agree the budget for 2009/10 be noted.
4. the final proposals would be submitted to the February Police Authority Executive meeting for Members' consideration and decision be noted.

365

ANNUAL STATEMENT ON FORCE PROFESSIONAL STANDARDS

The Chair of the Complaints Panel provided the annual statement on Force Professional Standards in accordance with the Association of Police Authorities 'Guidance on the role of Police Authorities in the Oversight and Scrutiny of Professional Standards Matters'.

Under section 77 of the Police Act 1996 and section 15 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 were efficient and effective. In Cleveland this oversight role is performed by the Complaints Panel which meets quarterly.

Although this report deals with the issue of complaints against Police the Chair of the Complaints Panel informed Members' that during the period 1 October 2007 to 30 September 2008 when 472 complaints were recorded, 610 letters of appreciation were also received from members of the Public.

ORDERED that:-

1. the contents of the report be noted.

366

POLICING PLEDGE

The Assistant Chief Constable updated Members on progress towards the implementation of the Policing Pledge.

The National Policing Pledge, as defined un the Green Paper, sets

out the national standards expected from the police service. It had been developed by the Home Office in consultation with ACPO. The national pledge would be underpinned by a local element describing neighbourhood priorities and the neighbourhood policing officers dedicated to addressing them.

Each of the 43 Chief Constable's had agreed to adopt the principles of the pledge and it was expected that each Force would deliver the national and local elements of the pledge by 31 December 2008. The latest version of the national element of the pledge was attached at Appendix 1 to this report.

The Force had made great strides in implementing the Policing Pledge. The work that the Force had undertaken in embedding Neighbourhood Policing had assisted the Force in developing the local element of the Policing Pledge.

ORDERED that:-

1. the contents of the report be noted.

367

MINUTES OF THE COMPLAINTS PANEL

ORDERED that the following minutes of the Complaints Panel held on 30 October 2008 were submitted and approved.

COMPLAINTS PANEL

ACTION

A meeting of the Complaints Panel was held on Thursday 30 October 2008 in the Executive Conference Room at Police Headquarters.

PRESENT: Mr Ted Cox JP (Chair), Cllr Mary Lanigan (Vice Chair), Cllr Paul Kirton, Mr Mike McGrory JP, Cllr Caroline Barker, Mr Chris Coombs (ex-officio) and Mr Alf Illingworth.

OFFICIALS: DCC Bonnard, D/Inspector Steve Gillson, Mrs Joanne Monkman and Miss Kate Rowntree (CC).
Mrs Jayne Harpe (CE)

368

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Ron Lowes, and Cllr Dave McLuckie (ex officio).

369

DECLARATIONS OF INTERESTS

There were no declarations of interests.

370

OUTSTANDING RECOMMENDATIONS

The outstanding recommendations were noted.

CIVIL CLAIM STATISTICS

The Legal Advisor presented the Civil Claim Statistics for the period 1st April 2008 – 30th September 2008. 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.

The Legal Advisor would provide a written answer to the Panel regarding Public Liability Claims.

**Legal
Department**

ORDERED that:

1. Members noted there had been a 7.8% decrease in the number of claims received when compared with the same period last year. Public liability was the leading category.
2. There had been a 2.32% decrease in the number of claims finalised when compared with the same period last year.
3. 21.43%% of finalised cases during the period were successfully defended which was to be compared with 11.62% successfully defended during the same period last year.
4. The 33 cases settled during the period cost the Force £190,479. This was to be compared with the 38 cases settled during the same period last year at a cost of £187,450.
5. Middlesbrough had become the area with most claims.
6. The contents of the report be noted.

COMPLAINTS STATISTICS

An Officer from the Professional Standards Department presented the Complaints Against Police for the period 1st July 2008 to 30th September 2008. The Quarterly Progress Report on Complaint Issues for Cleveland Police for the period July to September 2008 was attached to the report.

There had been an 11% decrease in the number of Cases recorded during this period (113 to 101), with a 7% decrease in the number of complaints (down from 198 to 184).

Complaints of "other neglect/failure in duty" and "Incivility" continued to outnumber those of "Assault" allegations, 40 and 41 complaints respectively, compared to 23 in the "Assault" categories.

42.6% (86) of completed complaints had been locally resolved. During this period 87.2% (75) of locally resolved complaints had been by District and 12.8% (11) by the Professional Standards Department.

151 letters of appreciation had been received.

ORDERED that:

1. The contents of the report be noted.

373

IPCC ANNUAL REPORT 2007/08

The Chair of the Panel updated Members in relation to the IPCC (Independent Police Complaints Commission) Annual Report and Statement of Accounts 2008.

ORDERED that:

1. The contents of the report be noted.
2. The report be presented to the full Police Authority Executive in December 2008.
3. The report be presented annually to the full Police Authority.

374

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 July 2008 to 30th September 2008 and of the operational results achieved through such forced entry and other premises searches.

Members were informed that the Force had paid out £10,741 in compensation for acts of deliberate damage. Whilst 2693 searches were conducted, only 231 (8.6%) resulted in deliberate damage compared to 9.4% in the previous year. The value of property, cash and drugs seized totaled £610,916 and this compared to £1,338,826 seized during the same period in 2007.

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.

375

EXCLUSION OF THE PRESS AND PUBLIC

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

376

CASES FROM THE COMPLAINTS REGISTER

The Chair of the Panel advised Members that in order to improve the current process and to ensure that APA Guidelines were complied with that in future he would select files from a specific category for examination by Panel Members. A different theme would be chosen each quarter.

Members of the Complaints Panel were shown the cases from the Complaints Register which they had previously selected.

377

MINUTES OF THE CLEVELAND POLICE AUTHORITY EXECUTIVE

ORDERED that the minutes of the Police Authority Executive held on 4 November 2008 were approved and signed by the Chair as a true and accurate record.

378 **MINUTES OF THE AUDIT AND INTERNAL CONTROL PANEL**

ORDERED that the following minutes of the Audit and Internal Control Panel held on 27 November 2008 were submitted and approved.

AUDIT AND INTERNAL CONTROL PANEL

ACTION

A meeting of the Audit and Internal Control Panel was held on Thursday 27 November 2008 commencing at 10.00 am in the Executive Conference Room, Police Headquarters.

PRESENT Mr Mike McGrory JP (Chair), Councillor Ron Lowes (Vice Chair), Councillor Caroline Barker, Councillor Hazel Pearson OBE, Mr Aslam Hanif, Councillor Victor Tumilty, Mr Chris Coombs (ex officio).

OFFICIALS Mr Joe McCarthy, Mr John Bage and Mr Paul Kirkham (CE)
Mr Graeme Slaughter and Miss Kate Rowntree (CC).

AUDITORS Mr Ian Wallace (RSM Bentley Jennison).

379 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Dave McLuckie (ex officio), Councillor Mary Lanigan, Mr Peter Hadfield, DCC Derek Bonnard, Ms Catherine Andrew (Audit Commission).

380 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

381 **MINUTES OF THE PREVIOUS MEETING HELD 18 SEPTEMBER 2008**

The minutes were agreed as a true and accurate record.

382 **OUTSTANDING RECOMMENDATIONS**

ORDERED that:-

1. the Outstanding Recommendations were noted.
2. a quarterly report on the Risk Register be submitted to this Panel.

383 **AUDIT PANEL SELF ASSESSMENT ACTION PLAN**

The Executive Accountant informed Members that as part of the continuous process of development and improvement of the Police Authority, the Chief Executive and the Chair of the Panel commissioned a self assessment of the Audit & internal Control Panel.

Following the sessions and an analysis of the self assessment questionnaires completed by all of the members of the panel, an Action Plan containing 22 issues intended to address areas for improvement had been developed.

ORDERED that:-

1. the Action Plan attached to the report be agreed.

384

AUDIT PANEL REVIEW OF WORK PROGRAMME

The Executive Accountant informed Members that following the self assessment undertaken by the Panel, an action from the self assessment was to provide an opportunity for the Panel to review on a regular basis its work programme.

Members were informed that the work programme appended to the report was agreed with the programmes for other Panels at the Annual General Meeting (AGM) of the Police Authority in June 2008.

The Executive Accountant informed Members that an action arising from the self assessment was to bring a report on this matter to the November meeting of the Panel, to facilitate further discussion as needed.

ORDERED that:-

1. the Outline Schedule of reports be amended to alter the submission of the Internal Audit Strategy document from May to March.
2. the report be agreed.

385

AUDIT COMMISSION REPORTS

The Executive Accountant presented the report to Members to enable the Panel to consider several Audit Commission reports appended to the covering report and previously reported to the Police Authority Executive and Policy & Resources (Corporate Development) Panel.

Members were informed that as the Audit & Internal Control Panel has a specific remit to receive and review the recommendations of the external auditor, this report and the appended documents enable this remit to be fulfilled.

ORDERED that:-

1. the Annual Audit Letter Report, the Annual Governance Report and the Police Use of Resources Report be noted and agreed.

386

ANNUAL GOVERNANCE STATEMENT 07/08 PROGRESS AND PLANS 08/09

The Executive Accountant informed Members that Authorities, including Police Authorities, are required to prepare an Annual Governance Statement.

The purpose of the statement was to update Members on progress against significant governance issues, the action points for improvement identified in the 2007/2008 Statement and to set out a timetable to produce a Final Statement for the year ending 31st March 2009.

The Annual Governance Statement process is to provide a continuous review of the effectiveness of an organisation's governance arrangements including internal control and risk management systems. This was intended to give assurance on their effectiveness or otherwise leading to an action plan to address identified weaknesses.

ORDERED that:-

1. the current progress against the significant governance issues and action points for 2008/2009 identified in the 2007/2008 Annual Governance Statement be noted.
2. the proposed timetable as outlined for review and production of the 2008/2009 Statement be agreed.

387

CLEVELAND POLICE AUTHORITY PROGRESS REPORT

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

Members were informed that there are no issues arising from the work carried out by the Internal Auditor for the year to date that would have a negative impact upon their opinion for 2008/09.

ORDERED that:-

1. the report be noted.

388

EXEMPTIONS REPORT

The Temporary Assistant Chief Officer Finance & Commissioning presented to Members the quarterly report detailing the exemption requests to the Authority's Standing Orders. This report covered exemption requests for the period July to September 2008.

ORDERED that:-

1. Standing Orders had been waived and the details of the exemptions were included in Appendix A to the report be noted.

389

EXCLUSION OF THE PRESS AND PUBLIC

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

390

CLEVELAND POLICE AUTHORITY RISK REGISTER

The Strategy and Performance Manager informed Members that the Police

Authority Risk Register was being updated in line with the policy to review the document at six monthly intervals.

ORDERED that:-

1. the report be agreed.
2. the changes to the Risk Register as set out in Appendix A to the report be noted.

391

CORPORATE RISK REGISTER

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

To ensure that the Members were able to discharge their oversight duties, a copy of the latest Corporate Risk Register was attached to Appendix 1 of the report.

ORDERED that:-

1. the report be noted.

392

MINUTES OF THE STRATEGIC POLICING & PERFORMANCE PANEL

ORDERED that the following minutes of the Strategic Policing & Performance Panel held on 28 November 2008 were submitted and approved.

STRATEGIC POLICING & PERFORMANCE

A meeting of the Strategic Policing & Performance Panel was held on Wednesday 28 November 2008 commencing at 1.30pm in Conference Rooms 5&6 at Police Headquarters.

PRESENT

Miss Pam Andrews-Mawer, Mr Ted Cox JP, Mr Aslam Hanif (Chair), Mr Alf Illingworth TD JP (Vice Chair), Councillor Mary Lanigan, Mr Peter Race MBE, Mr Chris Coombs (ex officio), Councillor Barry Coppinger, Councillor Ron Lowes and Mr Mike McGrory JP.

OFFICIALS

Mr John Bage and Mr Norman Wright (CE).
Mr Sean White, Mr Mick Hartnack and Miss Kate Rowntree (CC).

ADDITIONAL
MEMBERS

Councillor Victor Tumilty.

393

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Dave McLuckie (ex officio) and Councillor Hazel Pearson OBE.

394

DECLARATIONS OF INTERESTS

There were no declarations of interests.

Action

395 **MINUTES OF THE STRATEGIC POLICING AND PERFORMANCE PANEL
HELD ON 24 SEPTEMBER 2008**

The minutes were agreed as a true and accurate record.

396 **OUTSTANDING RECOMMENDATIONS**

ORDERED that:-

1. the Outstanding Recommendations be noted.

397 **PERFORMANCE REPORT**

The Assistant Chief Constable (Territorial Operations) presented an update on Force performance for the period 1 April 2008 to 30 October 2008.

Recorded crime during this period showed a reduction in the number of crimes. There was a 16.4% decrease in overall crime, which equated to 6,477 fewer victims of crime.

The Force sanction detection rate during the reporting period increased to 38.0%, a 4.9 percentage point improvement from the same period last year.

The performance figures show that the Force continued to make excellent progress in reducing crime and increasing detections.

ORDERED that:-

1. the positive performance figures for the period April 2008 – October 2008 be noted.

398 **CIVIL CONTINGENCIES REPORT**

The Temporary Assistant Chief Constable (Crime Operations) updated Members on the Force's current position on civil contingencies, and advised Members of the impact of the Civil Contingencies Act 2004.

The Civil Contingencies Act 2004 (CCA) has set the framework for all key agencies to deliver statutory preparedness to manage in the event of an emergency. Within Cleveland the Local Resilience Forum (LRF), under the chair of the Chief Constable oversees the multi-agency preparedness across all key agencies within the Cleveland area.

The Local Joint Emergency Planning Unit (EPU) holds the accolade of HMIC best practice in working arrangements as well as Beacon Status for Emergency Planning (2007/8). Even with this recognition the unit collectively on a multi-agency basis, is very proactive in ensuring resilience preparedness is maintained.

Support to the unit, in staff, resources and maintaining the joint working arrangements will continue to ensure countywide capability and resilience.

ORDERED that:-

1. the report be noted.

399 **UPDATE ON CURRENT PERFORMANCE ISSUES**

The Strategy and Performance Manager updated Members on the issues regarding areas of performance emanating from the Governments Policing Green Paper.

The Government's response to the Policing Green Paper consultation exercise was expected to be published by the end of November 2008, with a Police and Crime Reduction bill to follow. This report provided an insight into the current status of policing performance issues.

ORDERED that:-

1. the report be noted.

400

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 7 of Part 1 of Schedule 12A to the Act.

401

PROTECTIVE SERVICES AND COLLABORATION REPORT

The Temporary Assistant Chief Constable (Crime Operations) updated Members on the position of Protective Services and collaboration.

Cleveland Police recently conducted a microanalysis of protective services which identified a range of options to bridge or reduce the gap, including staffing requirements and collaboration.

The development of Protective Services remains a key priority for the Force to ensure that it has the right staff mix to deal effectively with terrorism, serious crime and other major challenges to public safety. Progress in this area is being achieved.

ORDERED that:-

1. the report be noted.

402

PREPARATIONS FOR THE 2012 OLYMPIC & PARALYMPIC GAMES

The Assistant Chief Constable (Territorial Operations) updated Members on emerging issues in relation to the 2012 Olympic & Paralympic Games and their local implications.

Within Cleveland Police the Assistant Chief Constable (Territorial Operations) has been appointed the lead Chief Officer for Olympic planning. He is supported operationally by the Head of Specialist Operations & Communications.

The 2012 Olympics planning, both nationally and locally is at an early though rapidly developing stage and the Force is taking all necessary steps to ensure that the implications are comprehensively understood and effectively managed in good time to meet the challenges faced.

ORDERED that:-

1. the report be noted.

403

EXCLUSION OF THE PRESS AND PUBLIC

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

404

STRATEGIC PROCUREMENT UPDATE

The Chief Executive and the Chief Constable provided an update on the Strategic Procurement Review.

ORDERED that the recommendations be agreed.

405

CLEVELAND AIR OPERATIONS UNIT UPDATE

The Chair of the Strategic Air Support Panel and the Deputy Chief Constable provided an update to Members on the progress made towards the introduction of an independent Cleveland Air Support Unit from 1 April 2009, and the potential acquisition of a replacement helicopter in 2011.

ORDERED that:-

1. the progress to date towards the 1 April deadline for the new independent Cleveland unit be noted.
2. based on the confirmation of a successful bid for part-funding from the Home Office for the new helicopter (decision expected January 2009) and acquisition of the current T1 aircraft from the consortium, that plenary powers be agreed for the Strategic Air Support panel to place an order for a new helicopter.

406

PROCUREMENT OPTIONS REPORT FOR HELICOPTER POWER BY THE HOUR CONTRACT IN RESPECT OF CLEVELAND AIR OPERATIONS UNIT

The Temporary Assistant Chief Officer Finance and Commissioning presented the report to Members. A Power by the Hour (PBH) agreement covers the replacement of a number of major engine and airframe components, enabling maintenance costs to be spread evenly over the period of the contract. This contract is set up from day one of a helicopter being received by a force. In the first instance this would be the EC135 T1 Helicopter which is scheduled to be inherited from the North East Air Support Unit (NEASU) on 1 April 2009.

Payments are monthly and are based on the number of flying hours and the labour element is included within the Force maintenance contract.

PBH contract as seen as industry best practice and were recommended to all air support units.

ORDERED that:-

1. Option 1 to novate and extend the existing NEASU Power by the Hour Contract for reasons of cost effectiveness, efficiency of service and maintenance of positive contractor relations be approved.
2. the buy out of the existing PBH prepayment from other NEASU members at an estimated cost of £200k be approved. This is at a lower cost and risk than other options available to us.