

**Minutes of the meeting of the
Board of Directors of the College of Policing
held via Teams
on 20 July 2021 at 10:00**

Present
**Attendance
2020/21**

Nick Herbert	Chair	3/3
Clare Minchington	Non-Executive Director	3/3
Bernie O'Reilly	Interim Chief Executive Officer	3/3
Alexis Poole	Non-Executive Director	3/3
Professor Robina Shah	Adviser to the Board on DEI	2/3
Ian Wylie	Non-Executive Director	3/3

Executive in attendance

Nick Bayley	Director of Enabling Services
Jo Noakes	Director of Workforce Development
Iain Raphael	Director of Operational Standards
Rachel Tuffin	Director of Knowledge and Innovation

Staff in attendance

Anna Douglas	Staff Officer
Kate Fromant	Head of Corporate Governance
Camille Giffard	Governance Manager
Martin Tunstall	Executive Policy Adviser

Apologies

David Bamber	Non-Executive Director
Paul Griffiths	Non-Executive Director
Stephen Mold	Non-Executive Director
Jackie Smith	Non-Executive Director

Part one – Preliminary items
01-COP-JUL21 Welcome and administration

- 1.1. The Chair welcomed everyone to the meeting, noting that the meeting had been duly convened and a quorum was present.
- 1.2. Apologies for absence were received from Dave Bamber, Paul Griffiths, Stephen Mold and Jackie Smith.
- 1.3. There were no declarations of interest.
- 1.4. No items were raised for discussion under Any Other Business.

02-COP-JUL21 Minutes of the meeting on 21 April and 26 May 2021

- 2.1. Due to administrative error, the minutes had not been circulated in advance. They would be approved out of committee by way of written resolution.

ACTION: CG

Circulate the minutes from 21 April and 26 May 2021 to invite comments and approval out of committee by way of written resolution.

03-COP-JUL21 Action points from the meeting on 26 May 2021

- 3.1. Actions 1 (Central Services Allowance (CSA)) and 2 (Digital Advisor) remained red. Nick Bayley (NB) advised that lengthy negotiations with associations had resolved the CSA action and this could be closed. The precise settlement arrangements would be shared via the Nominations and Remuneration Committee. The Digital Advisor action would be referenced at item 11 on the agenda.
- 3.2. Actions 3 to 5 were amber and not currently due as they were dependent on lockdown restrictions being lifted.
- 3.3. It was suggested that plans be made for virtual engagement to expedite matters. Alexis Poole offered to host a Tea and Talk and the Chair encouraged other board members to consider participating in a similar way. Action 3 could be closed and replaced with a new action incorporating the new engagement approach.
- 3.4. Actions 6 to 10 were green and suggested complete. Board members agreed they could be closed.
- 3.5. Thanks were expressed to NB for having incorporated board members' previous comments in the revised People Strategy.

ACTION: CG

Close the actions suggested complete.

ACTION: KF

Arrange for Alexis Poole to host a Tea and Talk, with other board members to follow as part of a board engagement strategy incorporating lived experience of staff.

ACTION: KF

CSA settlement arrangements to be shared via NRC.

Decision: The Board resolved to:

- i. **Note** the 'Action Points' template.

04-COP-JUL21 Chair's Report

- 4.1. The Chair reported that CEO recruitment had been expedited and completed since the previous meeting. The selection panel had met and made a recommendation for appointment to the Home Secretary, emphasising the urgency of the situation. Board members commended the speed of the recruitment process once authorisation had been granted. The Chair thanked Bernie O'Reilly for continuing in the interim role.

- 4.2. The Chair updated board members on his engagement activities. There was ongoing engagement with ministers and No.10 on current issues. PEQF was a live topic, as was hate crime. On the latter, he had written to the Home Secretary in relation to her request to review recording of non-crime hate incidents: a response was awaited. The outcome of the earlier Judicial Review proceedings was also expected.
- 4.3. An increased focus on reducing crime was anticipated in the Beating Crime plan. It was important for the College to remain mindful of the wider landscape to protect its position.
- 4.4. The Chair and CEO had attended a session of the All Party Parliamentary Group for policing and crime to present the College to Peers and Members of Parliament. Feedback had been obtained from frontline officers at a meeting with the Police Superintendents' Association in May. The Chair had also hosted an engagement session at the Federation Conference alongside the CEO in June. Virtual visits had been completed to two police forces. Visits would continue to be run virtually as well as face-to-face.
- 4.5. The Chair was unable to attend a meeting with PCCs due to a competing commitment, but the CEO and Executive Policy Adviser had attended. A further meeting would be sought.

Decision: The Board resolved to:

- i. **Note** the Chair's update.

05-COP-JUL21

Interim Chief Executive's Report

Action 8 – Workforce issues

- 5.1. Bernie O'Reilly (BoR) addressed the Board on the first part of Action 8, understanding workforce issues facing the College. The People Strategy had been developed and must now be supported with action. Organisational capability had been uncertain and understanding the new structure around the skills framework and professionalization was key to understanding the OD gap.

Surveys

- 5.2. Numerous surveys had been conducted. Results had just been returned from the main Your Voice survey, which was generally positive with some areas for improvement, especially around recognition. Since the survey was conducted, commendation ceremonies had been held for about 150 colleagues. BoR assured the Board that the survey findings would be acted upon. NB clarified that the survey results would be discussed at SMT to develop an action plan. It was agreed the results and action plan would be brought to the next board meeting. There were some concerns around set-piece surveys marking a moment in time, but the Hive platform enabled ongoing dialogue. NB indicated the Your Voice survey would be annual, while smaller surveys could be held in between for specific issues.

- 5.3. Board members queried whether Hive could be used to do weekly pulse surveys with two or three questions, as was being done in many other organisations. BoR indicated that the benefits of pulse surveys would be reviewed in light of other organisations using them, while remaining mindful of balancing any benefits against the potential for survey fatigue and a corresponding reduction in response rate.

Diversity, Equality and Inclusion (DEI)

- 5.4. As the standard-setter for policing, the College must be an exemplar in respect of DEI. It had not previously invested enough internally. Additional measures had been taken in relation to staff networks, recruitment, talent development and progression. Externally, there was a confidence deficit around the balance between hate crimes and hate incidents, with the police challenged for their handling of the latter. High profile events where people were attacked because of who they were, such as the murder of Sarah Everard and the Euro 2020 racist abuse of England footballers, tended to slow down the rhetoric, but the overarching concern was for people not to be put off from reporting on account of thinking the service would not act. The service looked to the College, as its professional body, for guidance on what to do around hate incidents.
- 5.5. BoR advised that he co-chaired the Race and Inclusion Action Plan, including chairing, with six colleagues, interviews for the chair of the Independent Scrutiny and Oversight Board (ISOB), the body that holds policing to account on DEI. This was high-profile, giving the College relevance and impact.
- 5.6. The Adviser to the Board on DEI acknowledged the College's efforts to invest and embed principles, but emphasised the importance of action over words. The internal narrative had strengthened since she joined the Board but the challenge was external impact. Indicators and evidence on playing a leadership role would provide external impact. She also suggested the College reflect on whether it could be described as a great employer around DEI, looking at the current workforce and what aspirations there were for five or ten year on, including looking at retention rates for new starters. Could the reporting framework integrate DEI principles in terms of actions and evidence? Successful organisations put in place the right policies and processes, but were also able to evidence transition and change with external stakeholders. She offered to assist with this, which BoR welcomed.
- 5.7. BoR observed that external engagement on DEI had previously been stronger than internal engagement, which needed to be rectified and explained the recent internal focus. With the 20k Uplift, the service was nervous about achieving a balance between positive action and positive discrimination, and were looking for leadership from the College around this.

The outcome from the hate crime guidance judicial review was awaited, as was any further response from the Home Secretary on the College's response to her initial letter regarding the recording of hate incidents.

Pay

- 5.8. There were a number of legacy issues in this area, with the recently resolved CSA issue being just one of several. The link between pay and reward and development needed careful consideration, with more reflection on the longer term implications of decisions made now.

Attraction and recruitment

- 5.9. The College operated in a competitive marketplace and wanted to attract the best. A strong survey theme, from both secondees and staff, was that it was a good, flexible and caring employer. It was attractive due to the spread of sites. A strong focus was needed on fair and effective recruitment.

Secondees

- 5.10. The use of secondees was a significant focus of the Fundamental Review. There were approximately 70 secondees in the College, who should be its best advocates. Their voice should be further amplified.

Hybrid working

- 5.11. Hybrid working was being considered as part of wider workforce planning. Fifty five percent of College staff were home workers, with the remaining 45% working from home during COVID-19. It was key to achieve the right balance for the future. There were advantages to being physically present for set-piece meetings and staff should meet the requirements for attendance. Return to site would not take place before 16 August and would remain aligned with policing. Availability of the Ryton site for critical police training continued to be a top priority and should not be shut down due to staff attendance on site due to COVID. Hybrid working would be considered at the September board meeting, along with the latest impact assessments.

CEO stakeholder engagement**Police Covenant**

- 5.12. BoR attended the Police Covenant Oversight Group, which would be chaired by the Policing Minister. It was about recognition and value and, as the Terms of Reference referred to long term success, it was not personality driven. The College had a significant role to play, already hosting the National Wellbeing Service (NWS). Wellbeing, resilience and mental health were incorporated in PEQF training design and the 20k Uplift programme focused on tutoring and supervision as key to wellbeing. BoR had discussed with the Director General the possibility of chairing a delivery group.
- 5.13. The possibility of the College owning the Police Covenant was discussed. It could sit alongside the NWS and contribute

significantly to connection with the frontline through more prominent relevance and value. However, no funding was as yet attached to it, in contrast to covenants in other areas, which would provide few levers to gain added value for policing by working across other covenants. It would therefore attract significant risks of being unable to deliver or require forces to spend money. A notable outcome would be to secure fast-track pathways into NHS services so police employees who experienced extreme trauma would not have to meet the existing threshold of being at the point of taking their own lives. Building on its wellbeing role was key for the College.

Chief Constables' Council (CCC)

- 5.14. BoR attended Chief Constables' Council, accompanied by Jo Noakes (JN) for a discussion on **workforce planning for chief officers** due to the ongoing issue with supply and demand. The College owned the Strategic Command Course (SCC) and the Senior Police National Assessment Centre (PNAC). PNAC did not run in 2020 and a record number had applied in 2021 but pass results were quite low. By the end of the year there would be approximately 70 vacancies with 47 qualified. Regulations required passes in both to be a chief officer. About half of the vacancies were to be advertised in December. As a compromise, the 2022 cycle of SCC and PNAC would be brought forward by four months to manage the risk. This was universally supported by chief constables.
- 5.15. Ideally, a diverse pool of applicants would apply for each vacancy but this was rarely the case. SCC and PNAC were still valid, but an independent review would consider whether they still met the needs of policing in the medium- to long-term. This was also supported by chief constables. JN confirmed that police staff would be included in the review, which would look primarily at the pipeline to senior leadership and the development of feeder ranks.
- 5.16. The 2019 HMICFRS Leading Lights report suggested the College should play a central co-ordinating role in the appointment of chief officers. This was agreed at the time but not progressed due to COVID-19. It was raised again at this CCC meeting but was not supported as a priority by chief constables at the current time.
- 5.17. Concerns were raised at the CCC meeting, in relation to **PEQF**, that the new training was deterring recruitment from the military, with a question being put directly to the Police Minister. BoR wrote a factual letter to the minister stating that there was no evidence to support the assertion. The new entry routes showed positive results for diversity and satisfaction, attracting a diverse pool of applicants. Strong communications would be needed for the final 11 months.

Police and Crime Commissioners (PCCs)

- 5.18. BoR and Martin Tunstall attended an engagement session with PCCs which received positive feedback. The College presentation of its work was tailored to what it could do for PCCs, focusing on the PCC review, performance, support with chief constable appointments and if a force was at engaged status with HMICFRS.

Action 8 – Interlinked strategies

- 5.19. Nick Bayley (NB) addressed the Board on the second part of Action 8, **coherence of multiple interlinked strategies**. He presented a pictorial representation of the relationships, with the corporate function as the hub of a wheel and the various subordinate strategies as spokes. The 3-year strategy work was paused pending the findings of the Fundamental Review but would also sit in the centre.
- 5.20. Board members sought reassurance that the strategies taken as a whole would ensure the organisation achieved its objectives and that there was a mechanism to ensure each strategy was compatible with the others. NB clarified that the outputs of the strategies were linked through College governance and discussed at SMT and Executive Committee, ensuring there were no unanticipated knock-on impacts to earlier strategies. They were living documents and would be updated as required to reflect external and internal changes. JN added that there was a governance board, chaired by BoR, at which all internal strategies were considered. Currently, governance was managed through the change programme, but proper governance would be built into the new structure. It was suggested that ‘Governance’ be added to the central strategy in the diagram.

ACTION: NB

The results of the Your Voice survey and consequent action plan to be brought to the next board meeting. (para.5.2)

ACTION: NB

Benefits of pulse surveys to be reviewed in light of widespread use by other organisations. (para.5.3)

ACTION: RT/FE

Liaise with RS in relation to integrating DEI principles into the reporting framework in terms of actions and evidence. (para.5.6)

ACTION: NB

Add ‘Governance’ to the central strategy hub in the interlinked strategies diagram.

Decision: The Board resolved to:

- i. **Note** the Chief Executive’s update.

06-COP-JUL21

Current issues in policing

- 6.1. This new standing item was requested by the Chair, on the basis that it was part of the College's role as a professional body and standard setter to be informed of topical areas.

Daniel Morgan Independent Panel Report

- 6.2. The Chair indicated that this was an important moment for the Metropolitan Police Service (MPS) and, as the College held responsibility for standards and professionalism in policing, its response would be closely scrutinised. The paper circulated set out the College's activities in terms of the issues raised but it was also important to consider:
- Whether the College's response should be distinct from that of the service and
 - Board members' views on the report and the issues raised regarding corruption.
- 6.3. Bernie O'Reilly (BoR) noted that the overall finding was of institutional corruption, clearly relevant to the College's role. There had been a great deal of engagement with the MPS. The Panel recommended that HMICFRS conduct a thematic investigation around policies, procedures and investigative capability for whistle blowing. The importance of the duty of candour was emphasised and, although this might become a general duty underpinned by legislation, it could immediately be absorbed into the College's Code of Ethics review. A comprehensive briefing was provided on the College's role around recruitment, vetting, counter-corruption and the barred list. A press statement was issued but received little attention.
- 6.4. Board members commended the annex setting out the College's activities and observed that:
- The report was more nuanced than the headline of institutional corruption suggested. The conversation could have been about historical failures and how the police was reforming, and this was the point the College should pursue if it had an opportunity to input into the crime and policing agenda.
 - The urgency of filling the Ethics Adviser role and the work on the revised Code of Ethics was intensified as tools for the College response.
 - The institutional aspect of corruption was challenging for policing, with the duty of candour needing to be thought of for the organisation as a whole, not just individuals.
 - The College should define what was meant by institutional corruption, with mitigation against it anchored in professionalism and standards.
 - There should be a focus on what could be evidenced already around disciplinary procedures and suspensions, bearing in mind the inclusion aspect, and what could be done to strengthen the approach.

- More could be done to protect the wider workforce in relation to the barred list, which was inconsistently applied in relation to police staff who resigned.
 - The duty of candour was being increasingly recognised by senior leadership, including in SCC sessions.
- 6.5. Iain Raphael (IR) remarked that College guidance and standards set a clear structure for policing. There was a leadership role for the College in relation to the duty of candour. The Code of Ethics incorporating the duty of candour should apply to policing, with a general duty of candour for organisations.
- 6.6. The Chair enquired whether the report was discussed at Chiefs' Council and whether there was any insight into the government response. BoR advised that it tended to be seen as specific to the MPS rather than a wider issue. HMICFRS had been asked to look specifically at the MPS. The Home Secretary had written to the MPS Commissioner.
- 6.7. Board members observed that this narrow focus was unhelpful and should be seen as part of a wider picture. A narrative was developing around the 20k Uplift and PEQF about anyone being able to get into the MPS due to a drop in standards, which had to be challenged.

Taser

- 6.8. The Chair advised that there were calls for restrictions in the increasingly widespread use of Tasers and it would be helpful to consider the College's stance.
- 6.9. BoR advised that it was right for Taser use to be scrutinised because, although it was a less lethal weapon, it could result in death. It should be noted that drawing a Taser to red dot a suspect counted as a use even if it was not discharged, which was not always made clear in media reports referring to thousands of uses. The Dalian Atkinson criminal case had brought renewed focus. Independent Office for Police Conduct recommendations were being worked through, with further recommendations likely following the inquest. More Chief Constables wanted to issue Taser to all officers, but with restraint in its level of use, as a tactical option rather than a leading one. The focus was on Taser training, achieving consistency in how it was trained and when to use it. Funding was being sought to develop accreditation in a similar way to firearms.
- 6.10. Rachel Tuffin (RT) advised that, as part of the Race and Inclusion programme, Lucy D'Orsi (NPCC lead for less lethal weapons) had already commissioned a programme of work around race disproportionality in the use of Taser. This was being chaired by Junior Smart, with Paul Quinton leading College support for the programme.

- 6.11. IR advised that the College was developing a two year programme of work around the use of force, including Taser, handcuffs and firearms.

Decision: The Board resolved to:

- i. **Note and discuss** the findings of, and College response to, the Daniel Morgan Independent Panel and the wider implications for College work and policing in general.
- ii. **Note and discuss** the update on Taser.

Part two – Items for approval

07-COP-JUL21

Guidelines on recognising and responding to vulnerability-related risk

- 7.1. Rachel Tuffin (RT) explained that these evidence-based guidelines were the latest in a series modelled on the NICE guideline development process. The first three published guidelines focused on selected priority topics. Subsequent guidelines, including the current one, were based on ten core systemic issues which had been identified as recurring. The process involved a systematic review of research evidence, alongside a practice review, overseen by a guideline committee (GC) composed of specialists and generalists. The process was fully evaluated and feedback sought from GC members, who felt the committees led to greater connection, a feeling of making a difference, and that the process was transparent and rigorous.
- 7.2. Three specific issues had emerged from the current practice review: officers struggling to find time to debrief incidents, variation in development on vulnerability, and concern around scripted processes which could de-skill officers from being able to have conversational discussions, which was a critical element of the response constable's role. Common messages emerging across the body of guidelines focused particularly on procedural justice and active listening skills. These had been picked up in the new curriculum.
- 7.3. The Chair of the Risk Guideline Committee, Louisa Rolfe, was keen to convey that vulnerability risk assessment was not just a police role, but also dependent on other agencies. She wanted to develop practical measures. There had been a good response to consultation on the guidelines, with some forces already incorporating the learning. RT invited the Board to approve the guidelines as recommended by the Professional Committee.
- 7.4. Board members fully supported the guidelines and guideline process moving to a more rigorous approach assessing type and quality of evidence, delivering greater transparency. They commended the cross-directorate work achieved, particularly that of Nerys Thomas' team. They noted that

NICE guidelines took an average of two years to develop and over ten years to be adopted by the frontline. They requested an opportunity to more closely consider the process and how it differed from previous processes. Evidence-based practice guidelines were central to the role of a professional body in promoting best practice and developing professional leadership teams for the next generation.

- 7.5. One board member had sat on a guideline committee and praised the process. The output from the current guidelines might be viewed as basic in nature but they were core principles which were not being consistently followed. Reflective practice was one of the best but most poorly developed capabilities in policing.
- 7.6. The Adviser to the Board on DEI, as lead psychologist on clinical communications for undergraduate and postgraduate courses, offered to provide professional expertise in this area. She observed that reflective practice linked to active listening was key in the context of vulnerability. A lack of opportunities for debriefing could lead to compassion fatigue. Trauma-informed communication acknowledged that some may not recognise they had been harmed, particularly in the context of disability hate crime. Department of Health documents on violence against women and girls, and learning from the Fiona Pilkington case, could help strengthen the evidence.
- 7.7. Board members remarked that they could not comment on the substance of the guidelines but would focus on whether the stated process had been followed. This should therefore be included in any accompanying paper. The Police Federation of England and Wales (PFEW) and the Police Superintendents' Association (PSA) had raised some challenges in the Professional Committee meeting, and it would be useful to understand the extent to which there was engagement with the associations prior to the Professional Committee stage. Greater political engagement at an earlier stage should result in smoother deployment.
- 7.8. Specific comments were made as follows:
- Page 26: Reference was made to being honest about what happened next. This should refer to being clear, or transparent, rather than implying there may be dishonesty.
 - Page 20: Reference was made to abuse being seen as acceptable in some cultures. This should be carefully reviewed and reworded. Cultural sensitivity should be encouraged without promoting cultural bias.
- 7.9. The Chair enquired to what extent guidelines were road-tested outside the PC, to gain a sense of how workable they were. RT advised that the draft guidelines were widely circulated. The GC was composed of a range of individuals

from various backgrounds, including frontline practitioners. The PSA and PFEW were not specifically involved currently, but a formal targeted briefing could be prepared for them in future. Committee representation incorporated the user perspective, as did practitioner evidence and case studies. The content could be tested further bearing in mind some group think was inevitable and a separate frontline user may notice additional points. She welcomed the suggestion of providing a summary of the consultation process in the covering paper accompanying future guidelines.

- 7.10. The Chair confirmed that the recommendation was approved.

ACTION: RT/CG

Consider the guideline development process in more depth at the November board meeting.

ACTION: RT/SR

Consider the specific comments for possible amendment at para.7.8.

ACTION: RT/SR

Liaise with RS on reflective practice and trauma-informed communication (para.7.6)

Decision: The Board resolved to:

- i. **Note** the development of the guidelines on recognising and responding to vulnerability-related risks
- ii. **Approve** release of the guidelines to the service as recommended by the Professional Committee
- iii. **Discuss** the approach to:
 - a. gaining support from chief officers and senior leaders who are crucial to the acceptance and implementation of guidelines
 - b. reaching the officers and staff who we want to implement and use them.

08-COP-JUL21

Amendment to the Police Regulations 2003 (Annex BA (Regulation 10)) ('the PEQF amendment')

- 8.1. Jo Noakes (JN) advised the Board was being asked to approve an amendment to Regulation 10 from July 2022, so the new PEQF entry routes would be the only ones available for forces to deliver. The new routes were originally approved in September 2017. Implementation first started in November 2018, with 33 forces now using one new route, 28 using two routes and 31 having ceased IPLDP. All forces were on track to implement by the cut-off date.
- 8.2. The priority area was now communications. There was a lot of negative commentary on social media which was not backed up by the evidence. The entry routes continued to attract candidates from diverse backgrounds and there were no concerns regarding applicant numbers. Evaluation had been ongoing from the outset, with a recent large survey taking place with new recruits and tutors on content,

- workloads and support. Workload had not so far emerged as an issue through the evaluation channels. Uplift satisfaction survey results were higher than with IPLDP. The Learning to Date report was published in 2020, with another due in 2022. The College was working with the NPCC communications lead and force communications teams, including monthly meetings with force leads. There was a need for positive stories about the new routes, including increased diversity.
- 8.3. In terms of the regulation change, an initial proposal was made to the HO in July 2020 and notice given to all stakeholders, including staff associations, in November. Formal engagement commenced in April 2021, with responses going to the Professional Committee (PC) in June. There was one response regarding an Equality Impact Assessment. The PC was satisfied this was appropriately covered and recommended approval to the Board.
 - 8.4. The Chair remarked that communications on PEQF continued to be challenging, with some chief constables and the Federation raising the issue of excessive burden. It was agreed that communications could be more forthright and proactive.
 - 8.5. JN clarified that the College set the curriculum but forces made their own contractual arrangements with Higher Education Institutions (HEI), which varied between forces. The College could support forces with either aspect. With twelve months to go, communications would be more proactive.
 - 8.6. Board members were supportive of the change. They remarked that the current situation was uncomfortable, with dual standards for constables. This caused uncertainty from a disciplinary standpoint.
 - 8.7. They observed that it was the most significant change in recruitment since the creation of the police, and it was easy to lose sight of the context. Support would flow once success stories began to emerge. There was also some confusion between PEQF and the Uplift programme, and care should be taken not to let PEQF feedback be given via Uplift, which would detract from the formal PEQF evaluation.
 - 8.8. It was noted that there were similarities to when the nursing qualification was brought in, with push back because it was new. It would be important to look after the new recruits, particularly those from diverse backgrounds, as they were entering a culture that was undergoing change but had not yet achieved it. This could knock their confidence and understanding of progression going forward.
 - 8.9. It was agreed that a new approach was needed to communications and a campaign would be developed. The challenge was ideological and the new approach should

capture people's imagination, draw chief constables onside and present good case studies. It should not be a knee-jerk reaction to criticism but seek to address it more proactively.

- 8.10. The Chair confirmed that the recommendation was approved.

ACTION: BoR/JN

Consider development of a new proactive campaign to address negative messaging on PEQF.

Decision: The Board resolved to:

- i. **Approve** the proposed amendment to the determination under Regulation 10 (Annex BA) as recommended by the Professional Committee.

09-COP-JUL21

Ethics Adviser

- 9.1. Martin Tunstall (MT) indicated that board members had raised specific issues regarding status and governance at the last meeting, to be addressed prior to approval. These were addressed in the covering note following further conversations with individual board members. MT clarified that the Ethics Panel was not discontinued but the Ethics Adviser should have the opportunity to contribute to its role and membership. In the context of Fundamental Review discussions, Chief Constable Craig Guildford, NPCC lead on ethics, supported the College having a stronger role, with work needed on developing a community of practice and direction setting. It should work alongside activity already taking place, providing welcome extra capacity. The Morgan report gave this even greater urgency.
- 9.2. The NRC Chair advised that persons shortlisted for the Ethics Panel had been provided with an update on the situation.
- 9.3. The Chair agreed that the Ethics Adviser should be appointed before the Panel.
- 9.4. Board members approved the Ethics Adviser proposal.

Decision: The Board resolved to:

- i. **Approve** the creation of, and appointment to, the role of Ethics Adviser to the College Board, with a view to reconsidering the plans for an Independent Ethics Panel following appointment.

DP-COP-JUL21

College People Strategy

- DP1.1. Nick Bayley (NB) advised that the People Strategy had been revised to reflect board member comments from the previous meeting, with further feedback given directly.
- DP1.2. The Chair confirmed that there were no further comments. Board members approved the revised People Strategy.

Decision: The Board resolved to:

- i. **Approve** the revised People Strategy

10-COP-JUL21

Wider Markets Approach

- 10.1. Nick Bayley (NB) advised that the wider markets business plan had been prepared following the Board's review of the wider markets approach in January 2021. The strategy was being approached in two phases, foundation, and develop and grow, with this business plan addressing the first phase. Activities so far included some market segmentation, identifying domestic and international customers, and starting to develop products and services. The wider UK law enforcement market was already established, with the focus on improving accessibility. The general public sector and international markets needed more development. There had been some work already, but there was a need to build general awareness of what the College did. It had joined the knowledge pool procurement framework run by Capita to enable public sector advertising. It was also attending a number of international and national expos to showcase its work. Product development for the international market so far included leadership and investigation products, with more to come. The College was on target financially to meet its domestic targets but the international market was more challenging due to COVID-19 restrictions. There was a strong backlog of demand.
- 10.2. NB confirmed that the intention was for face-to-face delivery, subject to restrictions, as this was particularly valued by international customers. A COVID-safe environment was integral to this and contingencies were in place in the event of a positive COVID-19 test.

Decision: The Board resolved to:

- i. **Note** the Business Plan supporting 'Phase 1' of the Wider Markets Strategy.

11-COP-JUL21

Governance Update

- 11.1. The NRC Chair advised that the three independent Non-Executive Directors had been renewed until the end of December 2021. None of them would be available for further renewal after that date so there would be an urgent need to recruit to their positions and the vacancy being held over following the departure of Christine Elliott. One would need to be financially qualified to chair the Audit and Risk Committee (ARC), and legal, commercial and digital expertise would also be desirable. Expertise in diverse board recruitment would be sought, given the need for the future College Board to be an exemplar in its identity. Comments were invited on the recruitment pack, which would be issued imminently
- 11.2. The Chair asked board members to reflect on the desirable skills, which were being based on preliminary findings from the Fundamental Review, as well as the diversity aspect. He advised that support may be available from the Cabinet

- Office and No.10 business unit, which could be used in parallel to other expertise.
- 11.3. The NRC Chair observed that parallel schemes seemed sensible.
- 11.4. Board members agreed with the list of desirable skills but observed that skills in evidence based standard setting, law, and learning and development, were being lost with the departing non-executive directors, which would need to be replaced.
- 11.5. Kate Fromant (KF) advised that there would be a separate pack for the chair of the ARC due to the differing essential criteria. Reference to the Senior Independent Director role would also need to be included.
- 11.6. The Adviser to the Board on Diversity Equality and Inclusion advised that the NHS Confederation had conducted a recent review of agencies recruiting for diversity. She agreed to forward details to the NRC Chair.
- 11.7. The Chair requested that the independent non-executive directors be formally thanked for their contributions and willingness to extend their terms until December.
- 11.8. It was confirmed that exit reviews for the independent non-executive directors would be conducted alongside this year's appraisals to debrief on their experience of working with the College.
- 11.9. The Chair noted that a response to the recommendation made for appointment to the Chief Constable seat remained outstanding.
- 11.10. KF noted that the first draft of the ARA had been circulated and comments received, including from the National Audit Office.

ACTION: RS

Forward details of NHS Confederation survey on agencies recruiting for diversity to IW.

ACTION: CHAIR

Conduct exit reviews alongside independent non-executive director appraisals.

Decision: The Board resolved to:

- i. **Note** the content of the governance update report.

Alexis Poole and Robina Shah left the meeting.

Part three – Items for discussion

12-COP-JUL21

Finance Update

- 12.1. The Board received an update on the College's financial position. *[As the details discussed are commercially sensitive, they have been removed from this version.]*

Decision: The Board resolved to:

Note the forecast budget position for financial year (2021/22).

13-COP-JUL21

Performance and Risk Report

- 13.1. Nick Bayley (NB) referred board members to the report circulated and invited questions. The Chair requested that their focus be on red risks, ie, Connection with the Service, Finance and Delivery of the ToC Programme.
- 13.2. The ARC Chair requested that board members be involved in the Comprehensive Spending Review (CSR) submission. She also raised a point made at the ARC meeting on 9 June, that although a risk was accepted in placing exams online without remote invigilation, due to the particular circumstances at the time, consideration should be given to changing this longer term if online exams were to remain.
- 13.3. Bernie O'Reilly (BoR) confirmed that an action would be taken to involve board members in the CSR submission. Regarding exams, he advised that a review was taking place of promotions and processes, which may change the importance of exams, but the risk would be considered. It was an example of a matter where input from an Ethics Adviser would be welcome.
- 13.4. Concerning Connection with the Service, a great deal of engagement and interaction was taking place with the service, but this did not appear to be contributing to moving the risk from the red category. Was there a path to achieving a green rating in this area? BoR observed that this was unlikely to be resolved in the short term, but that the goal was to be valued and recognised. Martin Tunstall suggested, in the context of the Fundamental Review (FR), that this could form part of the clear strategic vision and be moved to being a strategic priority rather than a strategic risk.
- 13.5. The Chair enquired how attitudes of the service were measured. Rachel Tuffin (RT) advised that a survey was conducted on a biennial basis via the list for online learning, covering officers and staff nationally. The third survey had just been completed. The survey measured indicators in areas including evidence-based practice, perceptions and product use. There had also been surveys during COVID-19 on wellbeing and PPE. The survey results were tracked over time.

- 13.6. The Chair queried whether survey results may be different if individuals were contacted by an independent agency, as responders were in effect self-selecting, and whether another piece of work should be completed for reference in the FR. RT advised that there was unknown bias in the sample but that the underlying patterns appeared reasonably consistent. The survey was sent to the entire population, with 12-15,000 responses received this year. MT added that questions had already been included in relation to the Fundamental Review.

ACTION: BoR/AD

Consider how best to involve board members in the Comprehensive Spending Review.

Decision: The Board resolved to:

- i. **Note** the updates to performance, risk and internal audit.

Part four – Conclusion of business

14-COP-JUL21

Items for Noting

- 14.1. The Chair indicated that this would be noted out of committee in writing.

ACTION: CG

Circulate Items for Noting bundle out of committee by way of written resolution.

15-COP-JUL21

Any Other Business

- 15.1. There was no other business.

16-COP-JUL21

Review of the meeting

- 16.1. The current issues in policing item in the standing items section was welcomed. Although it had affected later timings, board members felt it was important to fit the time to the importance of issues and promote good discussion, which it had done.
- 16.2. The Chair indicated that the September meeting would be face-to-face subject to COVID-19 restrictions, but that it could be hybrid if needed to maximise attendance, in light of the important discussion on Fundamental Review findings.

ACTION: CG

Increase allocation of time for the current issues in policing item.

Camille Giffard, Governance Manager

Signed by the Chair as a true record of the meeting

The Rt Hon. the Lord Herbert of South Downs CBE PC (Nick Herbert)

Date: 22 September 2021