

**Minutes of the meeting of the
Board of Directors of the College of Policing
held at The Kia Oval
on 22 September 2021 at 10:30**

Present
**Attendance
2020/21**

Nick Herbert	Chair	4/4
David Bamber	Non-Executive Director	3/4
Neil Basu (via Teams)	Non-Executive Director	1/1
Paul Griffiths	Non-Executive Director	3/4
Andy Marsh	Chief Executive Officer	1/1
Stephen Mold	Non-Executive Director	3/4
Alexis Poole	Non-Executive Director	4/4
Jackie Smith (via Teams)	Non-Executive Director	3/4
Professor Robina Shah (via Teams)	Adviser to the Board on DEI	3/4
Ian Wylie	Non-Executive Director	4/4

Apologies

Clare Minchington	Non-Executive Director	3/4
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Executive in attendance

Nick Bayley	Director of Enabling Services
Jo Noakes	Director of Workforce Development
Bernie O'Reilly	Deputy Chief Constable
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
James Walker	Staff Officer

Invitees in attendance for Item 7

Ally Brooks	Head of Business Services
Architects	

Part one – Preliminary items

01-COP-SEP21 **Welcome and administration**

- 1.1. The Chair welcomed everyone to the meeting, in particular Andy Marsh as the newly appointed CEO and Neil Basu as the board member in the seat reserved for a Chief Constable. He noted that the meeting had been duly convened and a quorum was present.
- 1.2. Apologies for absence were received from Clare Minchington.
- 1.3. Neil Basu, Robina Shah and Jackie Smith joined remotely.
- 1.4. There were no declarations of interest.
- 1.5. No items were raised for discussion under Any Other Business.

02-COP-SEP21 **Approvals**

Minutes of the meeting on 20 July 2021

- 2.1. No comments were received prior to or raised in the meeting. The minutes of the meeting on 20 July were approved without amendment.

Decisions under Urgency Procedures

- 2.2. Two decisions were noted as having been agreed by written resolution out of committee, namely WR001 (Approval of April and May 2021 minutes and noting of July items for noting bundle) and WR003 (Approval of appointment of CEO and Non-Executive Director in the seat reserved for a Chief Constable).

Decision: The Board resolved to:

- i. **Approve** the minutes of the meeting on 20 July 2021
- ii. **Note** the two approvals agreed by written resolution out of committee, namely WR001 (Approval of April and May 2021 minutes and noting of July items for noting bundle) and WR003 (Approval of appointment of CEO and Non-Executive Director in the seat reserved for a Chief Constable).

03-COP-SEP21 **Action points from the meeting on 20 July 2021**

- 3.1. Actions 1 and 2 were red, awaiting the conclusion of the Non-Executive Director recruitment. Action 3 awaited the Fundamental Review findings and an update would be provided in November. Action 4 awaited an update from Corporate Communications. Actions 5 – 7 were not yet due. Actions 8 – 20 were either closed or suggested complete. The outstanding actions were noted and it was agreed the remainder could be closed as complete.

ACTION: **Camille Giffard**

Update the action log as agreed.

Decision: The Board resolved to:

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

04-COP-SEP21

Chair's Report

- 4.1. The Chair welcomed the progress achieved with College appointments, noting the appointment of Andy Marsh to the Chief Executive Officer role and Neil Basu to the seat reserved for a chief constable. There had been over 100 applications for the Non-Executive Director positions. These were in the process of being sifted in an effort to stay on track to appoint prior to expiry of the current NED contracts. Further comments were reserved for the Fundamental Review emerging findings at Item 6.

Decision: The Board resolved to:

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

05-COP-SEP21

Chief Executive's Report

- 5.1. Andy Marsh (AM) thanked the Chair and Board for their show of confidence in appointing him, and Bernie O'Reilly (BR) and the rest of the executive team for their work to keep the College running smoothly in the interim. He was looking forward to adding value and contributing to the delivery of the College's vision.
- 5.2. AM described his fifteen years as chief constable with two forces, including delivery of digital and technological advancements, initiating Body Worn Video with Hampshire and data driven policing with Avon and Somerset. The Bristol riots had been a recent challenge. He had also been international lead for the NPCC and led the firearms licensing portfolio.
- 5.3. AM reported that he had led a session at the Police Superintendents' Conference, alongside the Chair, prior to formally joining the College. BR had chaired the Race and Inclusion Board the previous week as vice-chair, which AM would inherit going forward.

Decision: The Board resolved to:

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

AP-COP-SEP21

Current issues in policing

- AP1. Iain Raphael (IR) updated board members on four operational areas.

Hate Crime

- AP2. The Court of Appeal decision in relation to Harry Miller and two others remained pending. The outcome would shape the College's response to the Home Secretary's (HS) letter on hate crime recording.

- AP3. The HS letter had asked for credible options for reform of hate crime incident recording. A team was working on

potential changes, but legislative change would also be required.

Daniel Morgan Enquiry Panel

AP4. The College was working with the Metropolitan Police Service on the multiple recommendations of the Enquiry Panel, and held a seat on its Strategic Delivery Board. A request had been made to hold a round table event on the response.

Hillsborough

AP5. The College and NPCC signed a Charter for Bereaved Families on 13 September 2021 pursuant to Bishop James Jones' report. A deliberately low-key approach had been adopted outlining what had changed since Hillsborough. More publicity would take place later in the year. The Terms of Reference for the Code of Ethics review had been consulted on, to include a review of the duty of candour.

AP6. It was clarified that the review of the Code of Ethics was being managed as a programme over a 12-month period. It was asked why the duty of candour had to be part of the Code of Ethics when it already existed in policing. BR indicated that it had first been described some 20 years previously, but it was felt it would carry more weight if formally included in the Code of Ethics.

Plymouth Shooting

AP7. Jake Davison shot and killed five people on 12 August 2021, having been granted a firearms licence. The College set the standards around licensing, alongside Home Office (HO) guidance. The College would attend a meeting on 8 October 2021 with the NPCC and the Home Office.

AP8. The Chair emphasised the importance of the Board being informed on Current Issues in Policing and board members agreed it was essential to retain it as a standing item. It was agreed an update on the ongoing climate change protests would be provided at the next meeting to understand how the College could support this policing activity.

AP9. Good work was ongoing with individual forces regarding the Daniel Morgan Enquiry and Hillsborough, but the commentary could be interpreted as applying only to those individual forces rather than more widely.

AP10. The Board discussed the extent to which the College should hold and express views on operational issues. It was agreed that as the professional body it should hold clear views, but it was not appropriate for the College to provide running commentary on operational issues as they unfolded. It was appropriate to have views on relevant legislation, with concerns being raised during the legislative process if relevant, but this should generally take place during the consultation stage to avoid being drawn into political conversations. The Bristol riots had shown the difficulty of

achieving a balance, with police on the receiving end of violence but also criticised for their tactics, highlighting the importance of transparency and explanation.

Decision: The Board resolved to:

- i. **Note** and **discuss** the operational updates on current issues in policing

Part two – Items for decision and discussion

06-COP-SEP21 **Fundamental Review – Emerging Findings**

- 6.1. The Chair explained that the session was to provide an opportunity for a collective discussion on the direction of travel emerging from the Fundamental Review, which was not yet fixed. The review involved extensive stakeholder consultation on what the College was currently doing and what it should do in the future from a strategic standpoint. It would be for the Executive to operationalise and implement any new strategic direction, advising on feasibility. The review was prompted by a sense that the College was not living up to expectations as viewed by ministers and stakeholders. Chief officers had been frank about the College's shortcomings and welcomed the review.
- 6.2. Preliminary findings were presented and discussed extensively by board members and the Executive. *[As the Fundamental Review has not yet concluded, the details discussed remain commercially sensitive at this stage and have been removed from this version.]*

Decision: The Board resolved to:

- i. **Discuss** and **comment** on the emerging findings

07-COP-SEP21 **College Business Plan 2021/22**

- 7.1. Nick Bayley advised that the Business Plan had been previously signed off in April 2021 but there had been a request from ministers to further emphasise crime reduction. This provided an opportunity for the new CEO to introduce the plan. The Board was asked to note and agree the changes.
- 7.2. It was noted that a more formal photo of the CEO would be appropriate on page one, and that more space should be dedicated to digital ambition.

ACTION: KF

Feedback to be passed on.

Decision: The Board resolved to:

- i. **Approve** the revised version of the Business Plan 2020/2021

Part three – Items for decision and discussion

Ally Brooks and architects joined the meeting.

08-COP-SEP21 **Estates Visioning**

- 8.1. Nick Bayley recapped that the Board had in May 2021 requested that two options be explored further, with architects commissioned to develop the vision. They presented the options for board members to consider.

Ally Brooks and architects left the meeting.

- 8.2. Board members discussed the options presented. *[As the details discussed are commercially sensitive, they have been removed from this version.]*

Decision: The Board resolved to:

- i. **Consider and discuss** the PWF and PWF+ visioning options [concept designs].
- ii. **Note** the requirements and resource implications for the development of an Outline Business Case (OBC).
- iii. **Decline** to approve the completion of a future Estate OBC from October 2021 to September 2022.

09-COP-SEP21 **Comprehensive Spending Review**

- 9.1. The Chair advised that there had been no opportunity to collectively discuss the Comprehensive Spending Review (CSR) bid prior to submission, but that there had been discussions with individual board members.

- 9.2. Executive directors presented on the elements of the bid relevant to their areas or work. Board members discussed and commented on the bid. All agreed that the College should stand shoulder to shoulder with policing, with the bid phrased around ministerial priorities for the Uplift programme. *[As allocations following the Comprehensive Spending Review are not yet known, the details remain commercially sensitive at this stage and have been removed from this version.]*

Decision: The Board resolved to:

- i. **Note and discuss** the CSR submission

10-COP-SEP21 **Review of Promotion and Progression**

- 10.1. In advance of a full report to the November meeting, Jo Noakes (JN) reminded board members of the background to the promotion and progression review. She recapped the aims, the need for a review of what works and where reform was needed, and the governance route for the review. Strategic working groups had been held with subject-matter experts, including on how frontline officers could feel included, with detailed findings in the process of being

finalised. The final report would set out short- and longer-term options, including a talent management strategy and a clear link from promotion to leadership, with PDR and CPD requirements for promotion. The intention was that the final report be presented to Chiefs' Council in early 2022.

- 10.2. JN clarified that direct entry (DE) was demand led, and although the DE superintendents' and inspectors' programmes had worked well at an individual level, there was insufficient demand for either, especially superintendents, now the programme was no longer HO funded. It could not be anything other than demand led because candidates were employed by forces. Andy Marsh (AM) noted that direct entrants had been subsidised when he was in his previous role. He suggested that Chiefs should be approached to consider further if a market was there and if approaches should be made for funding. The need for a focus on Uplift could risk the dilution of other promising programmes.
- 10.3. Board members noted that the DE review had shown the programme delivered operationally competent leaders into policing but had not demonstrated tangible benefits. Rachel Tuffin (RT) added that the evidence showed positive case studies but could not demonstrate impact on national culture. Board members observed that the promotion review could encourage chiefs to look beyond subsidised or free offers, and the PEQF narrative.
- 10.4. AM commented that incoming numbers of inexperienced officers under the Uplift programme emphasised the importance of growing police leaders and bringing in leadership talent.
- 10.5. The Chair remarked that more focus was required on this in conversations with ministers.

Decision: The Board resolved to:

- i. **Note** the summary of progress of the work to date
- ii. **Note** the planned schedule for presentation of the review report (October to December 2021), and
- iii. **Note** that the full report will be presented at the November meeting of the College Board.

11-COP-SEP21

Annual Report and Accounts 2020 / 2021

- 11.1. Nick Bayley (NB) indicated that approval was being sought for the text of the Annual Report and Accounts 2020 / 2021 only at this stage. A late issue had been raised by the National Audit Office in relation to valuation methods for the College estate. It would not have any material implications, but it was important for the issue to be clarified prior to finalisation.

- 11.2. Kate Fromant (KF) observed that the forward-looking section would also need to be aligned to the revised Business Plan.
- 11.3. It was noted on behalf of the Chair of ARC that the committee was content to recommend approval of the text pending clarification of the estates' valuation issue. The Board would have an opportunity to see the final product prior to final approval out of committee.
- 11.4. Board members approved the text subject to the above proviso.

Decision: The Board resolved to:

- i. **Approve** the text of the ARA, attached at **Annex A**, subject to completion of audit work on the estate valuation, to allow College Design and Publishing to set the document for publishing.

12-COP-SEP21

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:

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

13-COP-SEP21

Performance and Risk Report

- 13.1. Nick Bayley (NB) reported that Covid-19 continued to have an impact, but it was hoped delivery would improve in the autumn. Attendee and delegate numbers were higher than for the same period in 2020. There had been a 10% increase in forces accessing the Managed Learning Environment and online activity was growing. There was a backlog of demand for technical and training activities.
- 13.2. There were nine Strategic Risks, with one closed and one new, the latter being in relation to the appointment of Non-Executive Directors before expiry of the current incumbents' terms. Two were red – connection with the service and the limited ability for long term financial planning. Delivery of the change programme had reduced to amber as it moved into the implementation phase. It was clarified that the connection risk had not been superseded by the Fundamental Review as, although there had been a lot of communication, the risk was more around connection.
- 13.3. There were 14 open internal audit actions, two of which were red rated. The audit programme was on track, with the debt management audit receiving a substantial rating and the audit on secondees in progress. This would feed into the Fundamental Review.
- 13.4. There were two red Priority Initiatives, the ERP replacement which was delayed due to errors in the HO tendering process, and the M365 project due to difficulties in the

technical pilot. Migration would be speeded up to get back on track.

Decision: The Board resolved to:

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

Part four – Conclusion of business

14-COP-SEP21

Items for Noting

- 14.1. Committee updates were noted. The NRC Chair flagged the risk of non-appointment of Non-Executive Directors in time for them to take up post in the New Year. The process was on track, with a significant number of applications received, but there was little flexibility in the appointment process in terms of timings. On behalf of the ARC Chair, attention was drawn to the substantial rating for the debt management GIAA audit.
- 14.2. The Chair requested that a board member speak to each item in the noting bundle so that due consideration could be given, and relevant questions raised.

Decision: The Board resolved to:

- i. **Note** the items contained in the noting bundle.

15-COP-SEP21

Any Other Business

- 15.1. There was no other business.

16-COP-SEP21

Review of the meeting

- 16.1. As a new attendee, Neil Basu observed that the board dynamics were mature and constructive. The Items for Noting were important and should be expressly noted.
- 16.2. The Chair encouraged attendees to attend face to face where possible.

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: 17 November 2021