

**Minutes of the meeting of the
Board of Directors of the College of Policing
held at The Kia Oval
on 25 May 2022 at 10:30**

Present

		Attendance 2022/23
Nick Herbert	Chair	1/1
Neil Basu	Non-Executive Director	1/1
Lyn Carpenter	Non-Executive Director	1/1
Jaspal Dhillon	Non-Executive Director	1/1
Paul Griffiths	Non-Executive Director	1/1
Andy Marsh	Chief Executive Officer	1/1
Stephen Mold	Non-Executive Director	1/1
Alexis Poole	Non-Executive Director	1/1
Rosemary Scully	Non-Executive Director	1/1

Executive in attendance

Nick Bayley	Director of Enabling Services
Jo Noakes	Director of Leadership & Workforce Development Portfolio
Bernie O'Reilly	Deputy Chief Constable
Iain Raphael	Director of Public Safety & Risk Portfolio
Rachel Tuffin	Director of Professional Communities and Diversity Portfolio

Staff in attendance

Oliver Cattermole	Head of Corporate Development
Kate Fromant	Head of Corporate Governance
Camille Giffard	Governance Manager
Thomas Grove	Acting Staff Officer
Martin Tunstall	Executive Policy Adviser

Observer

Seb Adjei-Addoh	Metropolitan Police Service
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Apologies

David Bamber	Non-Executive Director	0/1
Suzanne McCarthy	Non-Executive Director	0/1

Part one – Preliminary items

01-COP-MAY22

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. Seb Adjei-Addoh from the Metropolitan Police Service was shadowing Alexis Poole in the context of an aspiring senior leaders mentoring programme.
- 1.2. Apologies for absence were received from Dave Bamber and Suzanne McCarthy. Neil Basu was delayed and would arrive late.
- 1.3. There were no declarations of interest.
- 1.4. No items were raised for discussion under Any Other Business.

02-COP-MAY22

Approvals

Minutes of the meeting on 23 February 2022

- 2.1. No comments were received prior to or raised in the meeting. The minutes of the meeting on 23 February were approved without amendment.

Decision: The Board resolved to:

- i. **Approve** the minutes of 23 February 2022 without amendment.

03-COP-MAY22

Action points from the meeting on 23 February 2022

- 3.1. The Chair noted that actions 1 and 2 required meetings to be set with the new directors so were not yet ready to be closed. Alexis Poole asked to be included due to having joined the Board early in the pandemic when induction was inevitably different. The remaining actions could be closed.

Decision: The Board resolved to:

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

04-COP-MAY22

Chair's Report

- 4.1. The Chair updated board members on three matters: the Public Bodies Review Programme, the Strategic Review of Policing and future appointments to the Board.
- 4.2. The review of Arms' Length Bodies had commenced, focusing on four elements: whether the function should be delivered by the State; achieving greater accountability and contribution to government priorities; reducing the burden on taxpayers; and achieving an efficient and transparent culture.
- 4.3. The Police Foundation Strategic Review of Policing by Michael Barber was launched on 8 March 2022. It contained some 20 recommendations relevant to the College's work, with good collaboration ensuring they largely aligned with the FR. The suggestions included the creation of a crime

prevention agency, moving digital policing functions to the College and the creation of a licence to practise.

- 4.4. The Chair advised that three Non-Executive Director appointments to reserved seats would be needed in the near future (Police Superintendents, APCC and Federation). The Home Secretary had made clear there must be a fair and open competition to fill the seats. Recruitment to the PSA and APCC seats would commence imminently, and to the Federation seat in the autumn.

Decision: The Board resolved to:

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

05-COP-MAY22

Chief Executive's Report

- 5.1. Andy Marsh (AM) advised that he had been invited to deliver the John Harris memorial lecture for the Police Foundation.
- 5.2. The joint College and NPCC Race Action Plan had been launched the previous day. It was initiated in autumn 2020 by chief constables. Its co-development by the College provided an opportunity to influence. There were mixed feelings toward it within policing. Media briefings were provided by AM at launch, alongside Dave Thompson for the NPCC. Two meetings were held with the Equalities' Minister. It contained 70 important actions and the focus was now moving to delivery.
- 5.3. In March, AM briefed Chiefs' Council on the College's leadership plans. These were welcomed but emphasis placed on swifter development and a stronger role for the College in delivery. The frontline supervisors' curriculum was launched on 3 May as the first element of the College's National Centre for Police Leadership, which would play a key role in delivering cultural change, beating crime and maximising the benefits of the Uplift Programme.
- 5.4. AM had planned to take a paper on leadership to the National Policing Board, but the Home Secretary instead requested a discussion on legitimacy. The College was now engaging with the Home Office on a Policing Legitimacy Plan.
- 5.5. Approximately £500k was awarded from the spending review bid to develop the Evidence-based Performance Improvement Project (EPIP). The College would work with force teams to apply a problem-solving approach to Home Office outcome measures. The involvement of senior officers would be sought.
- 5.6. AM had been undertaking activities to attract international business to the College, including the Dubai world policing expo in March, the launch of a new leadership academy for policing in the US and meetings with chiefs in Canada.
- 5.7. A good relationship was developing with Andy Cooke, the new chief of HMICFRS, and a joint inspection plan for

- homicide was being developed, an exciting approach with the College as a systems leader.
- 5.8. The College ran a joint stand with Oscar Kilo at the Police Federation Conference, receiving positive feedback.
 - 5.9. Board members joined the CEO commendation awards in April.
 - 5.10. The College continues to support the Home Office with the recruitment of the Metropolitan Police Service (MPS) Commissioner.
 - 5.11. The policing response to the Hillsborough report, which would include the College's approach to the duty of candour, would be published later in the year.

[Prior to discussing the leadership work, Alexis Poole declared an interest on behalf of Seb Adjei-Addoh as a potential senior leadership candidate.]

Discussion

- 5.12. It was asked what engagement there was with APCC on leadership. A government white paper on fire reform also focused on leadership which might provide opportunities. AM advised that the leadership work was about a pipeline of talent and service-long development with CPD at every level. At the senior leadership level, there were concerns around volumes and diversity. The Strategic Command Course was regarded as the flagship course yet more was needed, hence the need for wider CPD opportunities. Jo Noakes (JN) advised that a previous review had considered the processes the College was responsible for, but the current review was considering the system as a whole, including development for those not going into senior leadership roles. The APCC would be contacted as part of this. Board members noted that CPD work with superintendents would be well received.
- 5.13. Board members raised whether global recessionary concerns would affect the College's income generation targets. Nick Bayley advised that a strong latent demand had built up internationally during the pandemic period. Income levels were up 4% on 2019-20.
- 5.14. Board members discussed whether the College could capitalise on international markets and whether there was a coherent strategy bearing in mind forces may also seek to exploit those markets. AM advised that he had been the NPCC international lead for 6 years in his previous role. The College's international model consisted of a small team, AM as spearhead, associate members and secondments, which could represent a CPD opportunity for individuals. The real issue limiting opportunities was the inability to cut across financial years due to Treasury rules. The absence of a centre to bring people to was also a factor.

- 5.15. There was general agreement that the College should develop its own overall systemic plan, to consider more dynamic options for income growth.
- 5.16. During his update, the CEO advised that news had just come in that the Policing Minister had approved the regulations regarding the new entry routes. The old routes would close on 31 March 2023.

Decision: The Board resolved to:

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

06-COP-MAY22

Current issues in policing

- 6.1. Iain Raphael (IR) updated board members on a number of operational areas. All of these areas were relevant to legitimacy and to the College's ambition to be dynamic, relevant and connected.

Violence against Women and Girls

- 6.2. The College was co-leading on the VAWG national programme of work. It had developed a performance framework for forces to evaluate their progress and develop action plans. The College was reviewing force plans to identify what works. Updated outcomes guidance for gross misconduct hearing chairs was due to be published and a national problem profile for VAWG was being created with the College's support. The first VAWG conference would take place at Ryton on 17 October 2022.
- 6.1. Board members welcomed the work on VAWG across the wider criminal justice system.

Stop and Search

- 6.2. Stop and search featured in the Police Foundation's Strategic Review 'Inclusive Britain' and in an IOPC report with six recommendations for the College. Relevant College engagements included: commitments in the Race Action Plan to develop new monitoring processes for the use of police powers, revisions to the Authorised Professional Practice (APP) on stop and search, joint work with HMICFRS and the IOPC on a super-complaint about section 60 CJPOA searches and joint work to review practises following the Child Q case.

Protest

- 6.3. The College Public Order Public Safety (POPS) team ensures support is available to command teams where required, including being embedded in a force operations room during an environmental protest.
- 6.4. Developments were being monitored in the MPS appeal against the court decision in the Sarah Everard vigil case, with a view to amending the public order guidance if required.

Live Facial Recognition

- 6.5. The College issued Authorised Professional Practice (APP) in March 2022 to guide forces wishing to use Live Facial Recognition (LFR) on the processes and safeguards they should apply. It established a framework for decision making, using existing law and practice. The media response had been muted but concerns had been raised by David Davis, MP, and a House of Lords Select Committee about its risks and limitations. The Surveillance and Biometric Commissioner was pleased to see its publication but raised concerns about use of the technology to locate witnesses and the ability to eradicate bias in the use of algorithms.
- 6.6. Board members welcomed the developing framework for emerging technology. Police Digital Services (PDS) could assist with this. There could be more communications on legitimacy. IR clarified that there was regular contact with PDS on this. The College would help to set the framework itself, not the detail for its application.

Operation Soteria

- 6.7. Operation Soteria was a Home Office funded initiative with MOPAC to improve the quality and effectiveness of rape investigations. IR attended the joint operational improvement board. It was being piloted by five forces initially, expanding to a further 14 in the second phase.
- 6.8. Initial findings were that investigators were often not specialists and lacking training in this type of investigation. The normal agreed pathway for rape investigators was the PIP2 investigator qualification, followed by specialist training on serious sexual assaults, which took time. Due to the immediate need to fill the gaps, the College agreed to develop an interim rape investigator product aimed at those undertaking rape investigations without the specialist investigator training.
- 6.9. It was asked whether there was a risk of the interim rape product becoming the norm. It was clarified that the interim product had a 3-year shelf life, with PIP2 being the routine product in normal times. AM had received good feedback on the bite-sized products.
- 6.10. Board members asked if the College had a way of protecting its branding from being removed. Bernie O'Reilly indicated that it was his responsibility to ensure the College brand was not diluted. Nick Bayley advised that College branding was now being used on the Oscar Kilo website. Rachel Tuffin clarified that there was a process for requests to use the logo and Oliver Cattermole specified that there was a defined point in the new governance framework for logo approval.

Hate Crime

- 6.11. IR advised that the Home Office (HO) had received Royal Assent to develop a Code of Practice, due in late 2022/early 2023. The College had published interim APP, which would be further updated in June 2022, with guidance on handling of existing records. IR noted that the College was working closely with the Home Office and the interim guidance would be consistent with the content of the Code.

Decision: The Board resolved to:

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

Part two – Items for decision and discussion

07-COP-MAY22

Corporate Strategy, Business Plan 2022/23 and Performance Framework

- 7.1. The Chair remarked that board member input had been reflected in the final draft of the Corporate Strategy and the format modified to better distinguish between what was for the College to achieve and what was an ambition for policing. Board members were being invited to approve the strategy. The Business Plan was still in development. Publication would take place following approval of both.
- 7.2. Bernie O'Reilly (BoR) advised that the Corporate Strategy was for four years, and its ambitions reflected the findings of the Fundamental Review, as well as the Future Operating Environment 2040 (FOE 2040), the deficit in public confidence, the Beating Crime Plan, innovation and What Works, and perennial problems recurring in HMICFRS reports. The College's purpose and mission remained to support policing to fight crime and keep the public safe, but it often had to justify its work. He invited board members to approve the strategy and provide feedback on the Business Plan (BP). The BP set out what the College did as an organisation and what it aimed to deliver and was proposed over two years subject to Home Secretary approval.
- 7.3. Board members unanimously agreed the Corporate Strategy could be approved and commended the quality of the work and ambition. Specific comments included a suggestion to reference the recent Michael Barber Police Foundation report, and to clarify which meaning of the word 'systems' was being used. The Chair suggested that, instead of referring specifically to climate change in the bullets on challenges, the wording could instead be rephrased to refer to resilience in the face of external events, as this would cover all eventualities such as a pandemic and external wars. This was noted, and clarified that the wording was drawn from FOE

2040 and that there was an obligation to report on the green agenda.

- 7.4. *[As the Business Plan and Performance Framework discussion related to draft documents which would be brought back to the Board at a later stage, the details of the discussion have been removed from this version.]*
- 7.5. It was agreed that a revised version of the BP would be made available to board members, along with costings.
- 7.6. The Chair formally recorded his thanks to Bernie O'Reilly, Oliver Cattermole, Julia Morris and Teresa McKee for their work on the Corporate Strategy, Business Plan and the Performance Management Framework.

ACTION: AM

Check if the College does any training to support partnership working.

ACTION: BoR/OC

Make revised version of the Business Plan available to board members, along with costings.

Decision: The Board resolved to:

- i. **Approve** the Corporate Strategy (**Appendix A**)
- ii. **Note** the draft Business Plan (**Appendix B**)
- iii. **Note** progress with development of the Performance Management Framework (**Appendix C**)

08-COP-MAY22

Use of Handcuffs during Stop and Search – Proposed update to APP

- 8.1. Iain Raphael explained that this amendment to the existing APP was requested by HMICFRS. Consultation had taken place with targeted stakeholders. It had been recommended to the Board by Professional Committee, with all having been supportive of the amendments, though expressing concern at the time taken for the amendments to be developed.
- 8.2. Board members asked how assurance would be gained that it would be implemented. AM observed that the College had to strike the right balance in terms of degree of prescriptiveness. How it would be received depended on the subject matter, for example being very prescriptive on VAWG would be welcomed, but less so on stop and search. De-escalation training was another contentious issue with chiefs, where discussion was welcome, but reluctance remained. The Chair observed that this was fundamentally about the status of APP.
- 8.3. Board members from reserved seats observed that the APP was a reiteration of the PACE Code of Practice and the content itself not contentious, but it was HMICFRS' role to remind of guidance where it was not being followed consistently.
- 8.4. Officer safety training was making officers nervous, resulting in force being used unnecessarily. This was exacerbated by

the Uplift Programme, with an issue around expectations as officers were starting from a place of fear. Research was needed into how this approach developed, as it had never been policy to protect yourself at all costs. Personal safety training should be fixed into the curriculum so it could not be taught differently.

- 8.5. AM indicated that the College's position was for Stop and Search to be intelligence-led. The debate about de-escalation training centred on the amount of time required to ensure it was taught correctly, for which there was little support. The change would need to be delivered through the Race Action Plan.

Decision: The Board resolved to:

- i. **Approve** the proposed amendment to Stop and Search APP

09-COP-MAY22

Finance Report

- 9.1. Nick Bayley (NB) provided a summary of the year-end financial position. *[As the details discussed are commercially sensitive, they have been removed from this version.]*

Decision: The Board resolved to:

- i. **Note** the full year financial position for FY2021/22.

10-COP-MAY22

Performance and Risk Report

- 10.1. Oliver Cattermole (OC) advised that the bi-annual risk review had taken place, with the strategic risk register being revised. There was a reduction of one risk from eight to seven, with three risks being closed and two new risks added. A conversation was underway around affordability and how the Fundamental Review work could be prioritised.
- 10.2. The Chair queried why SR7 Finance was still showing as red in spite of not being overbudget. Nick Bayley (NB) advised that the red rating reflected the financial limitations of Home Office funding and being bound by Treasury rules. Andy Marsh (AM) remarked that the decision to charge for College products, albeit at varying levels depending on the product and the recipient, was causing dissatisfaction. There was a balance to achieve between effectiveness and level of ambition. The key to changing the red rating was to secure more financial freedom.
- 10.3. Board members remarked that the digital strategy had to be a priority. Resourcing in this area was a concern. It was queried why the new resourcing risk was rated green while a plan was still in development. NB indicated that a plan of action would be developed for the next 12 months.
- 10.4. Board members noted that when Uplift funding ended, policing would be left with thousands of officers in a twin-track system, where some had been trained through IPLDP and others PEQF. This created inequalities and

consideration should be given to CPD for those trained through IPLDP. There was a risk that this situation would be blamed on the College once funding was no longer available. AM indicated that this would be considered as an added layer. Jo Noakes agreed that the current twin-track system was exacerbating the difficulties, but these were being monitored and addressed, for example by making frontline leader programmes available to all constables, not just those seeking promotion. JN confirmed that the principle underpinning the new routes was for every police officer to be trained as a leader. An equivalent approach was needed for those entering policing by other routes.

Decision: The Board resolved to:

- i. **Note** the updates to performance and risk.

11-COP-MAY22

Governance Update – Annual Committee Reports to the Board

- 11.1. Kate Fromant introduced the annual committee reports as the year-end formal reports feeding into the Annual Report and Accounts 2021/22. She clarified that it was a matter of good governance to have them on the main agenda, rather than in the Items for Noting bundle, as they were relied upon for the Annual Report and Accounts.

Decision: The Board resolved to:

- i. **Note** the reports to the Board on activity for the year 2021/22 by the:
 - a. Audit and Risk Committee
 - b. Nominations & Remuneration Committee
 - c. Professional Committee
 - d. Senior Management Team

Part three – Conclusion of business

12-COP-MAY22

Items for Noting

- 12.1. Items for Noting circulated consisted of:
 - a. Committee updates (Senior Management Team, Audit and Risk Committee, Nominations and Remuneration Committee and Professional Committee.)
 - b. NED Handbook (**Annex B** of NRC update)
 - c. Stakeholder Information Bulletin.
- 12.2. The items were noted without issue.

Decision: The Board resolved to:

- i. **Note** the Items for Noting bundle.

13-COP-MAY22

Any Other Business

- 13.1. Board members noted that a form of national vetting would make recruitment easier, as it currently varied between forces.

13.2. No other business was raised.

14-COP-MAY22 **Review of the meeting**

14.1. Board members provided feedback on meeting logistics.

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: 20 July 2022