



College of
Policing

Title: College Board meeting
Date: 18 March 2020
Time: 09:30 – 12:45
Venue: Teleconference

| Board | |
|-------------------|---|
| Christine Elliott | Interim Chair |
| David Bamber | Police Federation of England and Wales |
| Mike Cunningham | CEO & Chair Professional Committee |
| Paul Griffiths | Police Superintendents' Association |
| Stephen Mold | Association of Police & Crime Commissioners (APCC) |
| Clare Minchington | Chair Audit & Risk Committee & Independent Director |
| Robin Wilkinson | Chair Members' Committee & Police Staff Association |
| Ian Wylie | Independent Director |

| Executive in attendance | |
|--------------------------------|--|
| | |

| Staff members in attendance | |
|------------------------------------|----------------------------------|
| Oliver Cattermole (Item 13) | Chief of Staff |
| Harbinder Dhaliwal (Item 13) | Corporate Strategy & Policy Lead |
| Dominic Finigan (Items 9, 13 & 14) | Head of Finance and Performance |
| Kate Fromant | Head of Governance |
| Camille Giffard | Governance Manager |
| Sharon Harrison | Staff Officer to CEO |

PART ONE – PRELIMINARY ITEMS

1. Welcome and administration

- 1.1. The Chair welcomed everyone to the meeting. She noted that the meeting had been duly convened and a quorum was in attendance. The meeting was being

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run as a Skype teleconference and she asked participants to identify themselves before speaking. All participants consented to the discussions being recorded for minuting purposes. The recording would be disposed of once the draft minutes were complete.

- 1.2. Apologies for absence had been received from Ian Hopkins and Jackie Smith, who had provided written input which would be offered at the relevant points in the discussions. Executive team members had been called away to deal with the emerging Covid-19 situation and would be represented by Mike Cunningham.
- 1.3. One declaration of interest had been raised in relation to item 10, concerning remuneration for independent non-executive directors (NEDs) and a change in the number of days applicable. The declaration was pertinent to all independent NEDs. The Chair clarified that, as an independent NED, she would chair the discussion but not voice any opinion.
- 1.4. No items were raised for discussion under Any Other Business.

2. Minutes of the meeting on 29 January 2020

- 2.1. Feedback had been received from Oliver Cattermole regarding paragraph 7.14 of the minutes on the robustness of plans to reach the next phase of the transformation programme. Oliver recalled that it had been queried whether recommendation two was complete and he had confirmed that an integrated schedule was in place. It was agreed that paragraph 7.14 could be deleted.
- 2.2. The draft minutes were considered and accepted as a true and accurate record of the discussions that took place on 29 January 2020, subject to the amendment agreed at 2.1.

Decision

The Board resolved to:

- (i) **Approve** the minutes of the meeting held on 29 January 2020, subject to deletion of paragraph 7.14 of the final draft minutes.

3. Matters arising and actions from the meeting on 29 January 2020

- 3.1. It was noted that action 72/2019 was ongoing and actions 61/2019, 85/2019, 6/2020 and 10/2020 would be reported on at the May Board meeting.
- 3.2. The update provided with regard to action 2020/2 (consideration of the College's carbon footprint) suggested the action was complete. It was agreed the action would remain open until a new Head of Business Planning was appointed and developed an estate strategy.
- 3.3. All other actions listed as suggested complete could be closed.

Action

Actions marked as suggested complete to be closed, with the exception of action 2/2020.

Camille Giffard

Decision

The Board resolved to:

- (i) **Note** progress made with the actions agreed at the previous meetings
- (ii) **Agree** to close all actions recorded on the rolling actions list as suggested complete, with the exception of 2/2020 which would remain open.

4. Report from the Interim Chair

- 4.1. A report on the Chair's activities and intended action had been included with the Board papers to give members the opportunity to prepare questions and suggestions.
- 4.2. The Chair advised that the Home Secretary had suggested the College open discussions with ISD Global, which has expertise in digital and in learning and development, coupled with an understanding of policing and related systems. The Chair offered to share further information if requested.
- 4.3. Rohit Talwar, CEO of Fast Future, was working with various bodies in policing and is a potential collaborator in the Leadership Academy.

[Stephen Mold joined the meeting, following earlier technical issues. The Chair summarised business so far and gained Stephen's consent to record the meeting]

- 4.4. The Chair confirmed she had provided Board members with a full account of her meeting with the Home Secretary, who had given clear views of her expectations for the College, albeit this pre-dated the evolving pandemic situation.

Role of the Professional Committee

- 4.5. The Chair proposed that the Board should have ultimate approval for decisions on standards, which was common among other regulatory bodies.
- 4.6. Kate Fromant advised that the Board Terms of Reference (ToR) were clear that Professional Committee (PC) could approve exceptional matters in-year but that the PC ToR were less clear and did not contain the same statement. She expressed the view that the Board should approve PC's recommendations and the PC's powers of approval were limited.
- 4.7. The Chair advised that the Protocol with the Home Office permitted the Board to delegate decisions to the PC but did not require it to do so. She believed approval of standards would give the Board a more complete set of levers and confirmed that PC members could be invited to attend Board meetings to provide specialist advice.
- 4.8. Mike Cunningham, as Chair of PC, confirmed his support for the proposal. Mike stressed the College's unique role as the standard setter for policing. He noted that PC could be the forum to debate issues with the relevant people so that products would have proper challenge before reaching the Board. The Board's role would be to ensure due process had been followed. Breadth of experience and the potential for expert briefings meant that gaps in knowledge at Board level would not be an issue. Technical standards being scrutinised by non-technical people could also add value. In terms of timing, the NPCC was similarly going through changes in their operating model and clarity was needed between the College role and the NPCC role.
- 4.9. Board members were generally supportive of the proposal, raising the following points:
 - PC had over the past few years become a constructive forum and provided an operational viewpoint on standards/regulation, but the ultimate decision for College activities should sit with the Board.
 - Connection with the service and workforce remained an issue and PC played an important role in the consultation process. Consultation by the College was often inconsistent in approach and concern was expressed that radical

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change may be better delayed until there was a consistent approach to consultation and information gathering outside the PC forum.

- A step change was needed to ensure absolute clarity of roles, but there was a concern that attendees at PC may change if it was perceived as an influencer rather than a decision maker.
 - The College had been questioned in public affairs briefings several times in recent weeks for a position on various standards in policing. If the Board did not have complete sight on these, it was in effect abrogating responsibility.
 - The Board needed confidence that PC had properly considered draft regulations/guidance, particularly for issues such as firearms APP. The service must see PC as a critical connection point, with credible senior voices on the committee. It would be key to portray this change as a further strengthening of the importance of PC, engaging with very senior and important members of the sector, working through standards and making clear recommendations to the Board. It must not appear as a weakening of PC's role. The ToR must be carefully constructed to emphasise the importance of PC.
 - The role of the Board was to ensure standards had gone through due process with proper consultation and the role of PC would be to ensure the standards were fit for purpose. In the event of a technical dispute, the Board would call on experts in the field to provide opinions.
- 4.10. Mike observed that listening to the discussions it was apparent there would be a step change in the role of the Board and the development work would continue. There would be new ways of working, change in how information was received and how the Executive and Committees related to the Board, really strengthening the role of the Board.
- 4.11. The Chair invited members to confirm there was agreement to the proposal, which they did.
- 4.12. In the course of the discussion, Kate Fromant had advised that the College was required to consult on draft regulations and determinations with the National Crime Agency. The College Regulatory Consultative Group (CRCG) had been created to widen the consultation process beyond that requirement. It was noted that the relationship between the CRCG, PC and the Board was indistinct. The Chair observed that she had attended the most recent PC as Chair of CRCG and noted that there was duplication in attendance and subject matter.
- 4.13. The reservations in respect of the consultation process were maintained, emphasising that a narrower focus on statutory obligations to consult would risk a move away from what was right for the organisation. The Chair acknowledged the concern, giving an example from the health care sector of a statutory consultation which had followed the correct process but had to be redone because of the level of public reaction.

Purpose and function of the Members' Committee

- 4.14. Robin Wilkinson reminded the Board that the Members' Committee (MC) was set up at a time when people in policing were being encouraged to join the membership scheme. Committee membership had varied over time, but there was a core of six to eight advocates of the College who enjoyed debating issues. Over time, there was a move to obtaining individual views on policy issues, which was closer in nature to CRCG consultation without being representative. The College should now take the opportunity to consider how to use the platform to

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develop stronger and wider connection to engage on policy issues through, for example, digital solutions.

- 4.15. Mike indicated his support of the development and concurred that MC had not extended the College's reach. He suggested he work with Robin to develop a mechanism that allowed for broad connection which would be presented to the Board for approval.
- 4.16. Board members were strongly supportive of the proposal. It was suggested that the future incarnation of MC could be part of strengthening the College's communications function, in light of recent internal audit recommendations. It was key not to lose the enthusiasm and knowledge of current participants.
- 4.17. The Chair widened this observation to note that it would be important not to lose the enthusiasm and knowledge of people not represented on PC or CRCG and to answer the general question of how to consult with and engage with them. She asked for suggestions for how to take this forward.
- 4.18. Robin indicated he would be happy to engage with a member of the executive team to help co-ordinate a more formal proposal for next steps. Paul Griffiths and Dave Bamber also offered to contribute staff association perspectives.

Co-opting onto the Board

- 4.19. The Chair advised she had discussed with the Home Secretary how to quickly gain expertise on the specific areas of diversity and digital so these key topics could be discussed in Board meetings. The suggestion was to co-opt people to the Board for these two areas. The Chair met with Dr Robina Shah, a potential candidate who had done work with GMP and was introduced by Ian Hopkins. Robina's extensive CV had been circulated to Board members in advance. The Chair invited views on the principle of co-optee appointments to the Board in relation to digital and diversity.
- 4.20. Board members agreed that this approach made sense when looking for specific expertise and supported Robina as a candidate, having considered her CV.
- 4.21. The Chair indicated that she would approach Robina, who was minded to join.
- 4.22. The Chair was also exploring options for digital expertise, including the Chief Executive of BT Digital. She would write to Board members outside the formal Board meeting to decide how to proceed. Board members were content with this course of action.
- 4.23. Confirmation would be sought from the Home Office that they were content with recruitment to co-optee posts for the Board, as these had previously only been recruited to committees.

Action

Develop a more formal proposal for next steps in repurposing the Members' Committee.
Robin Wilkinson / Mike Cunningham

Write to Board members under the urgency procedures regarding identification of a digital co-optee. **Chair**

Seek confirmation from the Home Office that they are content with recruitment to co-optee posts for the Board. **Kate Fromant**

Decision

The Board resolved to:

- (i) **Note and discuss** the role of the Professional Committee

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- (ii) **Approve** a change in the approval process for standards, with the Board taking responsibility for decisions on standards and Professional Committee ensuring the standards are fit for purpose and making clear recommendations to the Board
- (iii) **Note** a requirement to expand the role of Professional Committee to formally encompass the consultative functions of the College Regulatory Consultative Group to reduce duplication and streamline the consultation process
- (iv) **Note** a requirement to repurpose the Members' Committee into a mechanism allowing for broad connection across the service
- (v) **Note and discuss** the appointment of potential co-optees onto the Board in relation to digital and diversity
- (vi) **Approve** the appointment of co-optees to the Board in relation to digital and diversity, subject to confirmation from the Home Office that they were content for this to be done at Board level
- (vii) **Approve** an approach to Dr Robina Shah as diversity co-optee.

5. Chief Executive's Report

- 5.1. Mike Cunningham addressed the Board primarily on the impact and implications of COVID-19 on the College. Executive colleagues had been excused from the Board meeting to deal with immediate consequences.
- 5.2. The most significant decision taken to date was not to proceed with the sergeants' exams on 17 March 2020. It had been hoped they could go ahead as some 8,000 people would be affected, and set up arrangements continued until the Prime Minister's 5pm statement on 16 March 2020. It was felt there was no option but to postpone as it would be impossible to manage social distancing requirements. It was a difficult decision but chief constables were very supportive on social media and the Police Federation of England and Wales (PFEW) was fully engaged throughout the decision making process, for which the College was extremely grateful. The exams would not be rescheduled until more was known about the duration of the restrictions on public gatherings.
- 5.3. Dave Bamber, speaking in this instance on behalf of the PFEW, expressed thanks for the constant communication and liaison with College senior management in the run up to the exams. It was hugely positive to be able to talk it through so that policing organisations could be united in the decision.
- 5.4. Clare Minchington, Chair of BPP University, advised that a similar situation had arisen for the university, with 1000 solicitors poised to take the Legal Practice Course on 16 March 2020. The decision was taken as late as possible but it had also been to cancel in light of government advice. The university was exploring mitigation options if the exams were postponed for a significant amount of time. Mike agreed there was a need to explore mitigation in light of the knock-on effect of the delay.
- 5.5. Mike advised that the Senior Command Course had been cut short to free up command capacity to return to forces to deal with the crisis.
- 5.6. The impact on the 20k uplift would be significant as there was an increased political and operational imperative to bring people into the service. Assessment centres would need to continue in one form or another and proposals were being discussed with the Home Office and Martin Hewitt (NPCC Chair). It was very fast changing with some assessors pulling out and likely to continue doing so. There was huge uncertainty but the College would continue to support forces as much as possible.

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- 5.7. Four associates abroad were being repatriated and no further associates would be deployed for the time being. College staff were being given as much support as possible. A large proportion of staff were already home based but there would be an increased requirement for flexibility as schools started to close.
- 5.8. Forces were asking for operational guidance, particularly in relation to officers requiring accreditation for technical roles. The College was investigating temporarily extension of accreditation, so no reaccreditation process would be required during the crisis. Guidance was in the process of going out to all chiefs.
- 5.9. Board members welcomed this initiative, but suggested that joint messaging with the Independent Office for Police Conduct (IOPC) should be sought on this point, as officers would be concerned about compliance. It was noted that the NPCC had approached the IOPC for advice on whether accreditation lapses would be permitted due to the extraordinary circumstances, but extensions would be reassuring.
- 5.10. It was asked what impact the return of seconded officers to force would have on the College, noting that Her Majesty's Inspectorate of Constabulary was in a similar situation. Mike advised that he had written to all chiefs asking them to let him know if individuals were wanted back in force, as operational policing took priority in a national emergency. The College would ask individual chiefs to retain some roles for national resilience purposes. Colleagues would be lost back to forces but as the situation was still in its early stages and fast moving an impact assessment was not yet available although work was ongoing.
- 5.11. In light of the fast paced situation, it was observed that Board members needed to give the Executive the flexibility to respond. The continuation of assessment centres was welcomed as an operational critical service. There was a need for breathing space to think collectively about how to do things differently.
- 5.12. It was also agreed that there was opportunity in crisis and opportunities should not be lost to change things for the better long term after the crisis was over. For example, sergeants' exams might be conducted differently in the future. As issues arose and were worked through, they should be logged and rethought for the future. The MPS was considering how to operate the senior team, and would be happy to share any learning from a leadership perspective.
- 5.13. The Chair took an action for the next Board to work out an approach for capturing things that might be done differently, to start a process of thinking about the future and how the College might become more flexible.
- 5.14. The Chair queried if Board members could do anything to support the Executive, either individually or collectively. Mike indicated there was a focus now on how the Board could be more constructively engaged in the life of the College in between formal meetings. Some challenging decisions would need to be made going forward. It would be incumbent on the Executive to ensure Board members were aware and could provide public support where possible. Executive team members were aiming for visibility across the estate, as some staff were working from College buildings. It was important for the leadership team to remain visible if they could do so. If there were opportunities for Board members to be safely visible to staff, this would be well received. The Chair observed that this could be done in different ways.
- 5.15. Mike updated the Board on the issue of digital. The Police Reform Transformation Board had closed down and new government arrangements were being set up which would sit below the National Policing Board. There would be a Police Investment Board and a Police Performance Board, with the College represented on both. Both would be chaired by the Policing Minister. The Police

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Transformation Fund had been wrapped up, with a significant amount dedicated to digital transformation. The College had received £5m to pay for a number of staff to explore how to prepare the workforce for digital transformation. The best way to spend this across policing was currently being considered and would be shared once a plan was in place.

Action

Develop an approach for capturing learning from the COVID-19 crisis with a view to increasing flexibility for the future. **Chair – May Board meeting**

Consider how Board members could support the Executive and College staff during the COVID-19 crisis. **Mike Cunningham**

Decision

The Board resolved to:

- (i) **Note and discuss** the Chief Executive's update.

PART TWO – STRATEGY DISCUSSION

6. College Business Planning

Item to be rescheduled

PART THREE – ITEMS FOR APPROVAL

7. Regulation 10 – Age Change Amendment

- 7.1. Mike Cunningham advised that amendment to Regulation 10(b) had first been requested by chief constables as the regulation prevented applications from being submitted before reaching the age of 18, putting policing at a disadvantage relative to other employers recruiting this age group. In the context of Operation Uplift this was considered a potential inhibitor of recruitment. The proposed age change amendment was discussed and supported at Professional Committee (PC) with a number of observations. It was emphasised that applicants would not join before turning 18 but would be able to apply prior to that with a view to joining on reaching that age. Observations had been made by the Police Federation of England and Wales in relation to the College's duty of care along with issues of consent by minors to drugs testing. Guidance would be required for the service regarding what could and could not be done before the applicant reached 18. This regulation change would allow for a wider recruitment net. It was supported by PC, which recommended its approval.
- 7.2. While supportive of the regulation change, concerns were raised regarding the timescales for the change, and the absence of clarification of the legal implications of sampling of under 18s and retention of juvenile samples taken during the recruitment process. It was clarified that these reservations had been raised and noted at the PC but approval was recommended.
- 7.3. It was observed that safeguarding issues in relation to under 18s was not explicitly mentioned but that it was important from a Board perspective. Mike clarified that it had been discussed in PC. It was also clarified that the data from the trials in 4 forces mentioned in the papers was not available in a usable form so professional intuition and anecdotal feedback were being relied on.

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- 7.4. The Chair summarised that there appeared to be consensus for approval. Board members approved the proposed amendment for recommendation to the Home Office.

Decision

The Board resolved to:

- (i) **Approve** the proposed amendment to Regulation 10(b) around the age requirement for appointment to a police force – to allow applications from candidates under the age of 18 years (and over the age of 17 years) in order to take up appointment on reaching the age of 18 years.

8. Inclusion and Diversity Update

Item to be rescheduled

[Dominic Finigan joined the call]

9. Board Financial Responsibilities

- 9.1. The Chair advised that the Board was being asked to approve the respective financial accountabilities of the Board and Mike Cunningham as the Accounting Officer (AO). Dominic Finigan advised that he had set out a balance between central government directions and responsibilities, and those set out in the Companies Act, as these were not always complementary, with government guidance applicable to Arms' Length Bodies (ALB) not being designed with a company in mind. Under Managing Public Money, the AO was accountable to Parliament in relation to probity and direction, while the Board had an oversight and assurance role to make sure the AO was managing appropriately. This did not conflict with the Companies Act. In summary, the recommendation was to recognise the AO as having that accountability, the Board as having the oversight, with an opportunity for some of the responsibilities to be delegated by the AO to the Board as appropriate. A discussion may be required around decision making and whether it would make the Board's assurance functions more difficult if it was also involved in decision making.
- 9.2. It was observed that the issue of financial responsibility had arisen in the context of decision making and estates. It was asked if the College had a schedule of financial delegation and what the procurement policy was. Dominic confirmed that there was a delegation framework but Board members were not implicated, it was a matter for Mike as Accounting Officer. He could sign off any amount without secondary oversight by the Board. It was clarified that the National Audit Office effectively assured accountability, and oversight would be through the Accounts Committee in Parliament. It was felt this left Mike exposed and would be further reflected upon.
- 9.3. Kate advised that she was writing a governance framework as part of her audit actions and different delegations could be included if the Board and Mike were so minded.
- 9.4. It was felt that it should be a matter for Mike to consider the type of delegation framework he would like in the College. This could include expenditure over a set amount, novel or contentious expenditure or the end of year budget.

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- 9.5. Mike agreed with this proposal to clarify the terms of his statutory responsibility and practical decision making as Accounting Officer. He would discuss with Dominic how to take this forward.
- 9.6. The Chair summarised that the responsibilities set out were noted but the Board would like to see further development of the specifics of delegation so was unable to agree the accountabilities at this stage.

Action

Discuss with Mike Cunningham an appropriate delegation framework to clarify the terms of the Accounting Officer's statutory responsibility and practical decision making. **Dominic Finigan.**

Decision

The Board resolved to:

- (i) **Note** the respective accountabilities
- (ii) **Declined** to agree the respective responsibilities.

[Dominic Finigan left the call]

10. Governance Update

Decisions under urgency procedures

- 10.1. Kate Fromant advised that there was currently no process to take decisions outside the committee cycle and it was proposed to include a process for emergency decision making in all of the Terms of Reference (ToR). There were three possible routes.
 - **Chair's action:** The Chair of the Board or committee would consult with another committee member, reach agreement, approve a decision and report to the next meeting
 - **Written resolution** of all members of the Board or committee
 - **Extraordinary meeting** convened to consider a very important matter needing to be addressed.
- 10.2. The choice of which action to take would be made by the Chair in consultation with Mike Cunningham and the Head of Governance. This was standard practice used in other organisations and permission was sought to include this in the Terms of Reference.
- 10.3. A number of supportive comments were made and all were content for this to be included.

Terms of Reference

- 10.4. **Board Terms of Reference:** Kate advised that the Board ToR would be further amended to include the previously agreed changes regarding Professional Committee (PC) and co-opted members. Co-opted members had previously been allowed on committees but not on the Board so this would need to be amended. Also included in the ToR were a number of matters the Board could not delegate. This did not include matters for which Mike had responsibility as Accounting Officer, but standard matters that could be delegated such as corporate

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governance, strategy, financial management and controls, probity and performance monitoring. Each of the drafts had been sent to Legal Services to review against the Protocol. The Board was asked to consider if they were satisfied with the ToR as drafted, subject to legal review, or would like further amends to be made. The Board ToR would also require Home Office approval in due course.

- 10.5. Board members were supportive. It was noted that the paragraph on the relationship with the PC could be inserted into paragraph 3.1, matters the Board could not delegate. It was agreed instead to have a dedicated sub-section to define the level of advice expected from PC to ensure there was absolute clarity on the relationship.
- 10.6. Subject to revisions being made and HO approval received, agreement was given to proceed. The ToR were to be redrafted and circulated to all directors under the new Board decision making process to gather responses individually to ensure directors remained content.
- 10.7. **Audit and Risk Committee (ARC) Terms of Reference:** The ARC Chair advised that the draft ToR had been considered by ARC and it was happy to recommend approval. The Board was content to confirm approval.
- 10.8. **Nominations and Remuneration Committee (NRC) Terms of Reference:** Ian Wylie as acting Chair of NRC explained that the ToR had been reviewed several times by the committee. He drew attention to two points of note.
- 10.9. In relation to remuneration, the ToR stated that the committee was to determine remuneration of the College Chair, non-executive directors and the CEO, but as the latter was a Home Office function, it was therefore limited. It had been retained in the ToR as NRC could form a view for recommendation to the Home Office.
- 10.10. The second point was in relation to paragraph 3.1 on membership of NRC. It currently required at least four members, the majority of which were to be independent NEDs. Subject to approval of the nominations later in this item, there were currently only three members, Ian Wylie, Christine Elliott and Paul Griffiths. If the ToR were to remain the same, the only options for additional membership would be Jackie Smith and Clare Minchington. The purpose of requiring a majority of independent NEDs was unclear as there did not appear to be a conflict of interest and the requirement seemed overly limiting. It was suggested that it may be linked to the fact that police officer pay was regulated.
- 10.11. A pragmatic view was discussed on the basis that ARC membership required only three members and it was unclear why NRC would require four. The independent majority requirement was also found in the ARC ToR. It was emphasised that independent director representation was important, but suggested that instead of requiring a majority of independent members, the ToR could require that the committee chair be an independent member, while being more flexible regarding the other members. It was agreed in conclusion that the requirement for each committee would be for a minimum of three members, with the Chair being an independent NED.

Committee roles

- 10.12. It was noted that Paul Griffiths and Ian Wylie had an interest in this item and should not be involved in the discussion. It was proposed that Ian Wylie be

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confirmed as Interim Chair of NRC and Paul as third member. Board members were content with the nominations and approved the appointments.

Interim arrangements for the Senior Independent Director

- 10.13. The Chair advised that in light of her appointment as interim chair, interim arrangements should also be made for her substantive duties as Senior Independent Director (SID). As the interim chair appointment was specifically for six months, some arrangements may revert at the end of the period, though she would be content for Ian Wylie to continue as Chair of NRC.
- 10.14. Kate Fromant summarised the role of the SID as being to act as a conduit between directors, executive and CEO for any issues that needed addressing. The SID was also responsible for appraising the Chair of the Board. Clare Minchington had offered to act as SID for the duration of the interim Chair appointment. Board members were content to note these interim arrangements for the role of the SID.

Increase in the number of days on which independent NEDs are engaged

- 10.15. The Chair invited Board members to give views on the increase in the number of days on which independents were engaged to 24 days per annum. Independent NEDs withdrew from the discussion.
- 10.16. Mike Cunningham indicated that he was very supportive of the proposal. If the development day the previous day had gone ahead, part of the discussion would have examined ways of working between the Executive and the Board, and the greater engagement of independent NED in the life of the College. This change would reflect and recognise the increased time commitment provided by the independent NEDs.
- 10.17. The remaining Board members were also supportive, with the view expressed that the evidence base was there to show the independent NEDs were doing significantly more work. All agreed to approve the proposal.

Action

Discuss with Mike Cunningham how to reflect the revised Professional Committee role in the amended Board Terms of Reference. **Kate Fromant**

Redraft and circulate the Board Terms of Reference to all directors under the new Decisions under Urgency procedures, to gather responses individually to ensure directors remain content. **Kate Fromant**

Decision

The Board resolved to:

- (i) **Discuss** and **approve** the inclusion of Decisions under Urgency Procedures within the Terms of Reference
- (ii) **Review** the draft Board Terms of Reference and **discuss** any further revisions or amendments
- (iii) **Approve** the Board Terms of Reference, subject to the following:
 - a. agreed revisions being made in relation to co-opted members and Professional Committee, including a dedicated sub-section to define the level of advice expected from Professional Committee

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- b. redrafted Board Terms of Reference being circulated to all directors under the urgency procedures to ensure they remain content
- c. Home Office approval being received
- (iv) **Review** and **discuss** any further revisions or amendments to the ARC and NRC TOR
- (v) **Approve** the Audit and Risk Committee and Nominations and Remuneration Committee Terms of Reference, subject to the following amendment in respect of each committee:
 - a. the committee is required to have a minimum of three members, with the Chair being an independent NED
- (vi) **Approve** the appointment of:
 - Ian Wylie as Interim Chair of NRC; and
 - Paul Griffiths as a member of NRC
- (vii) **Note** the interim arrangements for the responsibilities and duties of the SID
- (viii) **Approve** an increase in the number of days on which independent NEDs are engaged to 24 days per annum

PART FOUR – ITEMS FOR DISCUSSION

11. 20k Uplift Programme Update

Covered in CEO update.

12. Proposal for a Leadership Academy

- 12.1. Mike Cunningham introduced this as an exciting proposal for which he was seeking Board support. The College Leadership Hub had led some good work to promote leadership development across policing. A more coherent cradle to grave approach is now required to take officers and staff from junior levels to the most senior positions. There had often been emphasis on senior leadership development but there was a need to engage with leadership much earlier to widen the pool of people available.
- 12.2. Mike explained it was clear from his work on the board of the National Leadership Centre for public sector leaders that police leadership development had some good aspects but more could be done, for example by engaging more coherently with academic institutions and management schools, and enhancing diversity. There was a need to bring together existing initiatives, identify the gaps and review what was required for a step change. This included developing a coherent approach to CPD to persuade the service of its importance. Consideration was needed as to how to position leadership development in policing alongside the public, private and voluntary sectors to develop a world class approach to leadership development for UK policing, bringing in the best of England, Ireland, Scotland and Wales. Some informal soundings had been taken across the Home Secretary, Home Office, Association of Police and Crime Commissioners and Chief Constables and the general view was that it was an important concept with broad support across policing and should be funded. It would represent a move away from a series of good ideas to a comprehensive and coherent package of

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development opportunities. It could position the College centrally and serve the service well.

- 12.3. Board members were supportive of the proposal and interested in whether existing initiatives like Fast Track would be incorporated into the academy proposal.
- 12.4. Board members all had concerns related to the name Leadership Academy and whether naming it an “academy” would create the idea of a separate entity from the College. It would need to be integral to the College and embedded in its DNA. This was not to detract from support for the idea in any way. A comparison was made to the NHS having set up a separate leadership academy which had been a mistake and had to be reintegrated. It would need to be inclusive, for everybody not just senior leadership.
- 12.5. Mike agreed it had to be seen as part of the College and the name was not yet set. The balanced approach would be for it to strike its own identity within the College.
- 12.6. Ongoing development for Chief Constables should be built in when designing the academy. It should create an environment to support a move from good to great chief constables. Development for Police and Crime Commissioners should also be considered for inclusion.
- 12.7. Mike agreed it would be for all leaders in policing and that development would be ongoing at all levels. The services the College could provide for PCCs would need to be discussed as it was not something the College was initially resourced for, but it was right that it should be considered. A representative from APCC had made a valuable contribution attending the Senior Command Course this year.
- 12.8. It was noted that Continuous Professional Development (CPD) was an area where policing did not appear fully engaged. This was in marked contrast to how CPD was seen in the health sector, when CPD was considered on a weekly basis. The Chair added that the Home Secretary was very supportive of CPD and had asked for a draft standard on national CPD standards to be sent to her and officials.
- 12.9. It was asked whether there would be accreditation for any of the training, linking in with formalising CPD and Recognition of Prior Learning. It was recommended that badging and micro credentials be considered as this worked well to coherently link different CPD activities. Block chain technology allowed the learning to be broken down into small parts. On achieving competence in that part, a person could be awarded a digital badge which could then be stacked with other badges to gain a larger award. This had been picked up by universities and could link across organisations and with academics. Longer term, it could have international appeal and provide a College offering for international audiences. Mike endorsed both points for further consideration.
- 12.10. It was asked whether the College would look outside policing to lead the process or identify someone to pull together all the strands in the first instance. It was observed that this initiative had to be a priority for the College and that it would need to reach into and outside policing. Learning from previous initiatives, it was noted that stakeholder expectations would need to be managed throughout the development process.
- 12.11. Mike thanked Board members for their support and emphasised that Board members would be fully involved throughout the development of this flagship

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project. He shared the view that stakeholder expectations should be carefully managed and that they would be looking for the best person to lead it. He saw this as an opportunity to reinvigorate ongoing fast track and accreditation processes by making them part of a more coherent whole, building on and improving what was already available.

- 12.12. The Chair summarised that board members fully endorsed the proposal. They were keen to remain involved, providing support as required, and saw it as a flagship Board project.
- 12.13. Mike updated the Board briefly on the direct entry (DE) programmes. A decision had previously been taken to suspend the DE Superintendent programme due to lack of demand but to continue with the DE Inspectors programme. However, this had not been resourced in the funding settlement currently so it would need to be paused until funding allowed it to restart. The best way of communicating this to the service was under discussion, while making it clear that this would not be the end of the DE Inspectors programme.

Decision

The Board resolved to:

- (i) **Note and discuss** the concept and proposal to set up a Leadership Academy
- (ii) **Approve** the proposal for a Leadership Academy

13. Transforming our College update

- 13.1. The Chair summarised that the Board was being asked to comment on the six month delivery plan and approve the proposal for revised reporting arrangements for the programme. The latter would involve continuing to report to each Audit and Risk Committee meeting and reporting on a six monthly basis to the College Board. She invited Oliver Cattermole to explain what had changed since the last Board meeting and what they were hoping to achieve over the six month period.
- 13.2. Oliver explained that the update was based on the previous week's situation and that COVID-19 had developed since. Work would not stop but the team would need to rethink its approach in some areas. The paper focused on aspects to be delivered at pace in the following six months. A new transformation map had been developed to provide an at a glance view. The procurement request for the external delivery partner had been submitted to the Home Office so the process was underway, though it was not known how COVID-19 would affect timescales.
- 13.3. Oliver reported on progress with each of the work streams (WS).
- WS1 was well into the delivery phase. It included project 1, which focused on establishing fixed deliverables, ie, non-negotiable products and services the College had already committed to delivering and their associated resources, and project 2 which focused on the design of a strategic planning capability to set up and scope priority areas of work.
 - WS2 would be designed and structured but external capability would be required to support transition and roll out across the organisation.
 - WS3 on the development of organisational capabilities would focus initially on the development of a force liaison capability to strengthen connection with policing.

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- WS4 concerning people development would initially focus on introducing the values, behaviours and competencies required to support new ways of working.
- 13.4. Alongside this there would also be a roll out of the new brand and website to demonstrate visible signs of change.
 - 13.5. The COVID-19 implications were considerable. The launch of the brand and website had already been postponed. Early understanding was that it would be possible to progress WS1 where an element of the design included innovative use of digital technology, depending on the availability of key people. WS2 should be able to progress in relation to identifying options for managing priorities, subject to external support. WS3 could progress on design. In relation to WS4, values and behaviours could be agreed. When roll out was reached, there would be a need to progress with care due to the difficulty of doing things face to face and potential saturation of people's ability to absorb change. It was an ambitious plan which would move the College to a different place in the next six months, most significant would be the ability to grip priorities, capacity and demand in a way the College was not doing currently, subject to COVID-19 affecting delivery.
 - 13.6. The Chair invited Harbinder Dhaliwal to clarify how the College was going about assessing demand. The Board would seek to be involved in prioritisation of College activities and would need to understand the baseline of what was essential and not.
 - 13.7. Harbinder explained that this area of work was being led by the research team under Julia Morris. They were focusing on how the College defines its priorities, split into two elements.
 - 13.8. The first aspect was to gain a clear understanding of core deliverables, things the College had a legal obligation to deliver, for example exams and assessments. Telephone interviews were being held with all Tier 2s to develop a catalogue of what was core, including robustly filtering out what should not be there. Once this was complete, it would be clear what the College really needed to deliver and the associated resources required.
 - 13.9. Second was the work on strategic planning capability, which also linked in with the work on behaviour change and smarter systems. This included horizon scanning, diagnostic scoping and a response design capability to develop holistic solutions to address the underlying cause of a problem. Responses would typically involve programmes of work beyond the development of training and guidance to draw on the full range of levers available to the College.
 - 13.10. The Chair invited questions and comments from Board members.
 - 13.11. A concern was raised that the view of the College's core key questions should not be just internal but also external. The College's core function seemed to be being identified by talking to College staff only. Reassurance was sought that this was also being viewed from an external delivery perspective.
 - 13.12. Oliver agreed that the external perspective on what was core was key. The internal exercise related to the things the College had a statutory obligation to do as a professional body, rather than things it wanted to prioritise. These were the non-negotiables and the aim was to identify remaining capacity to prioritise activities that would make an impact on policing. This would involve conversations with policing more broadly than NPCC.

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13.13. It was asked whether there was certainty in relation to having sufficient funds to pay for the consultants.

[Dominic Finigan joined the call]

13.14. Oliver noted that the Board had previously decided the change programme was a priority so the budget would be set accordingly. Dominic added that as part of budget setting for the coming financial year, £800k had been earmarked to cover consultancy and the ongoing project and programme team. This would be prioritised over other pressures in the College and was already allocated and affordable.

13.15. It was asked how the work linked in with other aspects of digital, the new ERP system in particular, as this would be important.

13.16. Oliver advised that there were numerous interdependencies with digital transformation systems. This was being monitored using the Programme Board to capture interdependencies and understand their effects. The new ERP would be very significant as it would underpin ways of working. It did not appear on the team map as it was unclear if it would be taken forward at this stage. Dominic would prepare a paper on this in the near future.

13.17. Board members were interested to know how engagement and enthusiasm would be maintained over the 12 months before transition to new structure.

13.18. Oliver acknowledged this was a challenging area as there was a degree of change fatigue. It would be important to start to deliver by identifying some quick wins, like the focus on force liaison, to produce visible signs of change. The ways of working would drive cultural change and make it visible, to emphasise genuine change, not merely cosmetic

13.19. Board members emphasised that the end point vision should be simple and accessible so people could feel the difference and chiefs could articulate it. What would convince those inside and outside the College was to keep articulating what people would see and feel at the end and what it would mean for them.

13.20. Oliver agreed that accessibility and simplicity were key. This was a constant challenge when so close to the subject. There was a good communication and engagement plan in place. An external speaker programme would start to roll out over the next few months to make it real for people in the organisation.

13.21. Oliver was encouraged to test things with the Board informally to counter the challenge of being too close. The Chair emphasised that Mike wanted the Board and Executive to work together differently and that board members had more distance while being aware of the pain so could help to articulate the gain.

13.22. Board members were supportive and complimentary of the increased pace. They agreed to approve the revised arrangements.

Decision

The Board resolved to:

- (i) **Discuss and comment** on the six month delivery plan set out in the paper and approach for implementing change going forward
- (ii) **Approve** revised reporting arrangements for the programme as set out in paragraph 7: reporting to continue to ARC through the programme dashboard, and a progress update for the full College Board to be brought forward in six months

[Oliver Cattermole and Harbinder Dhaliwal left the call]

14. Management Updates

(a) End of Year Report

14.1. The Chair explained that she had asked for a specific report on the year end situation, particularly in light of COVID-19.

[Robin Wilkinson left the meeting due to a COVID-19 related commitment]

14.2. Dom Finigan advised that the financial position was moving fast. He would provide an update on three main areas: 1) immediate short term (cash flow) and day-to-day impact; 2) the next few weeks to the end of the financial year; and 3) potential implications into the next financial year.

14.3. **Immediate short term and day-to-day impact:** Dominic explained that, as both a company limited by guarantee and an Arms' Length Body of the Home Office, the College's cash-flow was effectively underwritten by Her Majesty's Government (HMG) so there would be no immediate cash-flow issues. The College was secure in the short term and staff and suppliers could be paid. There had already been immediate impacts, with course attendees withdrawing for operational and personal reasons at a rate of 76 cancellations to date, with numbers expected to rise and consequent financial implications in relation to chargeable courses. It had been decided to waive the cancellation fee as this was in place to discourage undue cancellation which did not apply in the current situation.

14.4. **To financial year end:** This was two weeks away. The College was just coming into budget the previous week, anticipating a £150k underspend. This was expected to increase to a £300-400k underspend on the current trajectory. Cancellation of courses would have some impact but also be balanced to a degree by an absence of course costs. Homeworking would also reduce travel expenses. Overall, the College should avoid a year end overspend, but in the event of a slight overspend Dominic was confident this would not cause undue concern to the Home Office.

14.5. **Potential implications for next financial year:** This area bore the highest level of uncertainty. A worst case scenario with no training, selection and assessment or business income without reducing the underlying cost base would lead to an up to £19m overspend. This was an unlikely development. Discussions were ongoing to continue with the most operationally important training. It was unknown how long the disruption would last. Some of the cost base was responsive, like associate costs, meaning that if the activity did not occur the corresponding costs would also not be incurred. There was a limited ability to reduce costs like contracts, permanent staff and sites and this would be worked through in the coming weeks and months. There would be a certain financial impact, likely several million. There could be a potential conversation with HMG and Treasury around expectations of what the College would do to negate that impact but Dominic thought it more likely that the conversation would focus on whether there was an expectation to manage the shortfall or whether it was being accepted by HMG and Treasury in the circumstances. Forecasting was currently difficult due to the uncertainty.

14.6. The Chair invited board members for their views, including on how the future might look different and how the College might adapt.

14.7. Board members once again commented on the opportunities created by crisis. There was an opportunity for a paradigm shift in thinking and to look at innovative

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ways of using technology to provide College services. Universities were switching to teaching online and it would be good to understand what capacity and capability the College would have to do this. The Chair commented that, in the context of the proposed leadership academy, this would probably become more of a mainstay.

- 14.8. The potential for some training to slow down or cease for the short to medium term was also raised and the consequent opportunity to reprioritise work and redeploy individuals to actively use those finding themselves with less work than anticipated.
- 14.9. The Chair asked Dominic if there was anything he needed from the Board. He declined at this stage and indicated that the possibility of redeployment and other responses were being discussed in Gold and Silver Groups. There were no solutions as yet but these would develop at pace while dealing with immediate business continuity.
- 14.10. Mike agreed this captured the situation well. In light of the uncertainty, planning had to remain as flexible as possible. It may become necessary to look for special support but this was not yet required. The Strategic Capabilities Board chaired by the Permanent Secretary of the Home Office would meet more regularly to discuss how funding should be allocated to policing during the crisis, including how the College might play its part.
- 14.11. The Chair thanked Dominic for his flexibility in producing a really useful targeted report.

Decision

The Board resolved to:

- (i) **Note and discuss** the end of year update.

(b) Key performance questions: Update

Removed from agenda.

PART FIVE – CONCLUSION OF BUSINESS

15. Any Other Business

- 15.1. No additional matters were raised for discussion.

16. Review of the meeting

- 16.1. The Chair invited Mike to reflect on behalf of his executive colleagues on decision making in the meeting. Mike observed that important business had been conducted, both in terms of the role of the Board and the College's ambition for how it positioned itself. There had been a big shift in particular in relation to standard setting and leadership. It was also the first time a Board meeting had been held via Skype and the chairing had been very skilful under novel conditions.
- 16.2. Dave Bamber commented on the unprecedented challenges posed by COVID-19 and how useful it had been to pick up on affected business areas over the previous weekend. He asked if there was any facility for board members to receive more frequent information in between meetings, or whether there may be a requirement for additional Board meetings during the crisis period.

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- 16.3. The Chair encouraged board members to keep up to date with their agreed areas of interest on a pragmatic basis. As interim Chair, she would aim to be in touch as often as needed and if a further call was required it would be set up. The next Board meeting was due to be in Manchester as an initiative to be less London-centric, but this would be COVID-19 dependent. She thanked everyone for the work that had gone into the meeting, especially the Executive, and asked Mike for his views on better communication day to day.
- 16.4. Mike indicated that the importance of communicating with the Board as priority stakeholder was fully recognised. The communications team was currently under a large amount of pressure trying to keep pace with communications across policing and to staff. They would seek to send regular communications to the Board but asked board members to please be mindful of the level of challenge they were currently facing.

17. Close of the meeting

- 17.1. There being no further business the meeting was closed at 12:32.

Date of next meeting: 13 May 2020

Name of Chair: Christine Elliott