

**Minutes of the meeting of the
Board of Directors of the College of Policing
held by Skype
on 27 January 2021 at 10:30**

Present

		Attendance 2020/21
Nick Herbert	Chair	1/1
David Bamber		6/6
Bernie O'Reilly	Interim CEO	1/1
Paul Griffiths		6/6
Clare Minchington		6/6
Stephen Mold		6/6
Dr Robina Shah		4/4
Jackie Smith		6/6
Ian Wylie		6/6

Executive in attendance

Nick Bayley	Director of Enabling Services
Jo Noakes	Director of Workforce Development
Rachel Tuffin	Director of Knowledge and Innovation

Staff in attendance

Kate Fromant	Head of Corporate Governance
Camille Giffard	Governance Manager

Apologies

Iain Raphael	Director of Operational Standards
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Part one – Preliminary items

01-COP-JAN21

Welcome and administration

- 1.1. The Chair welcomed everyone to his first meeting of the Board as Chair. He noted that the meeting had been duly convened and a quorum was present.
- 1.2. Apologies for absence were received from Iain Raphael.
- 1.3. No declarations of interest were made.
- 1.4. No items were raised for discussion under Any Other Business.
- 1.5. The Chair requested, for future meetings, that declarations of interest and AOB be notified in advance where possible.

- 02-COP-JAN21 **Minutes of the meeting on 18 November 2020**
- 2.1. No comments were received prior to or raised in the meeting.
- Decision:** The Board resolved to:
Approve the minutes of the meeting on 18 November 2020.
- 03-COP-JAN21 **Matters arising and actions from the meeting on 18 November 2020**
- 3.1. Action points were either not due or suggested complete.
- 3.2. Item 1: Central Services Allowance for secondees - RAG-rated red, due by 31 January following a Home Office meeting. Nick Bayley provided an update indicating that the College was in discussions with the Police Superintendents' Association and the Police Federation of England and Wales and progress was being made, with a pay advisory board considering the matter that morning.
- 3.3. Item 2: College carbon footprint - RAG-rated amber. The team considering the Estates Strategy was due to conclude its work at the end of March. It was anticipated that a paper would be brought to the May board meeting.
- 3.4. The two items suggested complete could be closed.
- ACTION: CG**
Close the actions suggested complete.
- Decision:** The Board resolved to:
Note the 'Action Points' template.
- 04-COP-JAN21 **Chair's Report**
- 4.1. The Chair indicated that he wished to raise two items: the status of board appointments and the timeliness of a fundamental review of the College.
- Status of board appointments**
- 4.2. The Chair advised that Home Office approval for the recommended appointment to the seat reserved for police staff, which had been approved at the November board meeting, was still awaited. The appointment of a replacement for Ian Hopkins to the seat reserved for a Chief Constable was underway, with panel dates to be agreed imminently prior to writing out to Chief Constables.
- 4.3. In relation to the police staff seat, the Chair of the Nominations and Remuneration Committee remarked that candidates had now been waiting for three months without notification, which risked their having been offered other appointments in the meantime. It should be stressed that this was a straightforward, like-for-like replacement.
- 4.4. The Chair indicated that the Chief Executive Officer position was still subject to delay. The proposed salary had been signed off by the Home Secretary but treasury approval remained outstanding. In addition, discussions were ongoing as to where authority lay to run the appointment process. The Chair had written to the Home Office advocating the position

that, as it was a College appointment, the College should run its own campaign with a view to recommending a candidate to the Home Secretary for approval. A response was awaited.

- 4.5. Board members expressed disappointment, emphasising that there was now little prospect of a replacement taking up post any earlier than June 2021, a year after Mike Cunningham had given notice. Appointment of a CEO should be done at pace and this was not acceptable. A pragmatic solution should be sought to accelerate the process. In light of the delay, the Interim CEO should be fully supported and appointment to the seat reserved for a Chief Constable should be made a priority.

Fundamental review

- 4.6. The Chair advised of his intention to conduct a fundamental review of the College, a decade on from its conception, and in light of changes in other parts of the policing landscape. He had raised this in the course of his recruitment and in his statement on appointment. The review would look at the College's role, mission, effectiveness and place in the policing landscape. The aim would be for it to launch in the first quarter of 2021, with a view to completing within a matter of months. The review would be conducted by the College, if possible involving the new CEO. It would consider all aspects of the College's activity and link in with the three year strategic review currently being undertaken. The process would involve extensive engagement with internal and external stakeholders. Formal aspects to the consultation may include opinion research and a call for evidence. Staff should be reassured that the review would be positive rather than disruptive. The Chair would prepare a paper for the March board meeting and an Away Day to discuss the findings would be arranged.

- 4.7. Board members were generally supportive of the review, raising the following points:
- It could be used to further encourage swift recruitment of the CEO.
 - The Chair's paper and Away Day were supported.
 - Finding capacity to support the review may be challenging considering current activity levels.
 - As the Transforming our College (ToC) programme was at a pivotal point, careful communications would be required to highlight that the review would be working alongside ToC and adding to its momentum, rather than recommencing the process.
 - The ToC work had made great progress towards developing the operating model, but more was needed on the what, why and taking more of a leading role in the debate.

- The College had already evolved relative to its initial conception, showing flexibility in response to external pressures, but it tended to be reactive rather than proactive.
- 4.8. It was agreed to hold an Away Day, with time for one-to-one meetings ahead of it.

ACTION: CHAIR

Circulate a paper on the review ahead of meeting.

ACTION: KF

Identify a date for the Away Day, with one-to-one meetings with board members to take place ahead of it.

Decision: The Board resolved to:

Note the Chair's update.

05-COP-JAN21

Interim Chief Executive's Report

- 5.1. Bernie O'Reilly commended the relationship between the Executive and the Board was open, supportive and challenging in equal measure, and confirmed he was keen to build on this momentum. He was grateful to board members, executive colleagues, NPCC and HO colleagues for their support since the start of the year, noting that demand and expectations of the College had continued over the holiday period.
- 5.2. Bernie provided some context to introduce the Chair to the work of the College.

Nick Bayley's area – Enabling Services Directorate

- 5.3. Nick Bayley would present proposed strategies for wider markets and digital. The former had initially been discussed as a prospective international strategy 12 months previously and had been rationalised to encompass all potential revenue-generating wider markets. In relation to digital, there was a gap between the College's current situation and its ambitions. Affordability was inevitably raised but there were options to support being market leaders.

Jo Noakes' area – Workforce Development Directorate

- 5.4. Jo Noakes would introduce the College's key role in the Uplift programme, which was subject to unrelenting scrutiny. At Chiefs' Council the previous week, Jo addressed concerns regarding the potential for discrimination in the online process by describing the quality assurance process and the gains made in diversity outcomes. Jo's team had also delivered online exams, which would carry on in 2021.
- 5.5. A diversity and inclusion plan had been developed, with a leadership role and actions attributed to the College. The SCC, the UK's most senior command course and internationally renowned, had to take place in 2021 and was being redesigned to blend digital and face-to-face learning.

New entry routes into policing had faced challenges but had been landed now, with 30 forces currently implementing and the Metropolitan Police Service (MPS) about to come onside. New entry routes were raised as a cause for the detective shortage but the problem existed before the entry routes were introduced and it was important to work on evidence rather than anecdotes.

- 5.6. GMP was under pressure from HMICFRS to turn around its performance, particularly on crime recording. Meetings had been held with HMI, senior leaders and the College, with the College to support GMP with peer support and peer review. The College should also support and facilitate the process for the recruitment of the new GMP Chief Constable.

Iain Raphael's area – Operational Standards Directorate

- 5.7. The College's hate crime guidance was receiving some negative press coverage in the context of the free speech debate. The guidance had already been upheld following Judicial Review and was due at the Court of Appeal in March. There were reputational issues for the College, particularly in its relations with universities.
- 5.8. There was pressure to deliver the Vetting Code of Practice for new recruits and serving staff and officers.
- 5.9. As a result of the Hillsborough inquiry, there was a push for policing to take on the duty of candour. It had been decided at Chiefs' Council the previous week that it would form part of the refresh of the Code of Ethics, with pressure for short timescales of six months.
- 5.10. Resources for the accreditation of undercover policing units had been diverted to deal with COVID-19 regulations. As the margin for error in this area was extremely small, there was pressure to restart accreditation. As capacity issues had not yet been resolved, discussions would take place with Chief Constables to progress this in the coming days.

Rachel Tuffin's area – Knowledge and Innovation Directorate

- 5.11. Rachel Tuffin had overseen the production of guidance on the COVID-19 regulations for thousands of police officers to balance enforcement against public goodwill. This was ongoing, with new guidance each time the regulations changed.
- 5.12. Essential training continued to be delivered including for firearms and public order, balancing online elements and face-to-face in a COVID-secure environment.
- 5.13. Rachel also chaired the Systems Working Group on greater efficiency across the wider system.
- 5.14. With expectations and demand from policing continuing undiminished, prioritisation had never been more important to understand what could be stopped or slowed down. The

College was rising to the challenge but would have to be able to say no to manage capacity.

- 5.15. The Chair thanked Bernie for the useful view of the breadth of work going on in the College. Prioritisation would be taken account of in the review.
- 5.16. Board members observed that:
- They were pleased to see an emphasis on implementation as opposed to policy and procedures.
 - The diversity gap was not yet good enough but it was improved. It would be helpful to see data regarding pre- and post-sift within the gift of the recruiting organisation.
 - Prioritisation needed to be seen in the context of the College's current state and ambition. New priorities should not diminish or damage what the College needed to deliver.
 - Diversity was a golden thread throughout all of the College's work and essential to get right from a leadership point of view. The College would be judged on how it evidenced outcomes against the processes put in place and mitigation against the risks identified.
- 5.17. The Chair thanked Bernie for stepping into the Interim CEO role and thanked staff for their work under difficult circumstances during the lockdowns and throughout the pandemic, working at pace and attracting very good feedback from stakeholders.

Decision: The Board resolved to:
Note the Chief Executive's update.

Part two – Items for discussion

06-COP-JAN21

20K Uplift

- 6.1. Jo Noakes set out the key work being delivered to support the Uplift programme achieve its target of 6k officers in year 1.
- 6.2. A significant achievement had been moving assessments online after face-to-face assessments stopped in March 2020. Learning from previous processes and diversity best practice were used to develop the process and train hundreds of new assessors. More than 27k candidates had taken part since May, with numbers now at 1k per week. 16k had already received their results, with many having started their careers. All forces were now using online assessment. This had been fully centrally delivered until December when the MPS became the first force to be supported to deliver it themselves. Other forces would be supported to do the same over the coming months.
- 6.3. Moving assessments online was an emergency interim measure delivered at pace out of necessity, making it

important to evaluate and monitor diversity outcomes. Evaluations produced in the autumn showed success rates for white males and white females very similar to previous processes. For minority ethnic candidates, online assessments achieved significantly higher pass rates than all previous processes, with an increase of approximately 8%. A full breakdown of protected characteristics would be made available in February. An independent peer review considered it a valid and objective assessment, with no areas of unfair discrimination impacting on underrepresented groups. It recommended minor amendments which were being actioned. Overall evaluation findings indicated the process was fit for purpose for diverse recruitment compared to previous processes, with some disparity remaining which the College was working to understand. An improvement plan included additional support and training for assessors and further quality assurance.

- 6.4. Forces, policing stakeholders and staff associations recognised that the College's work had enabled recruitment to continue throughout pandemic, delivering Uplift programme ambitions. It had been a cross-College undertaking only possible through the hard work and dedication of staff in difficult circumstances. The online assessment would stay in place until at least the end of June 2021, with a review at the end of March 2021.
- 6.5. The assessment stage being only one part of the overall process, the College was also working to support forces to make improvements at the other stages owned by them. Tools and guidance had been developed and workshops delivered, including upskilling force recruitment teams to understand if any part was having an adverse impact.
- 6.6. In increasing the number of constables, the Uplift programme created a corresponding need for supervisor ranks. Part of the COVID-19 response was to ensure forces could continue to promote officers to leadership and specialist detective roles. The College developed an online solution from September to deliver promotion and specialist exams from home. Twelve thousand constables, sergeants and inspectors sat exams in 2020. A review of promotion processes would be conducted, during which online exams would continue. The flexibility of the process received good feedback.
- 6.7. Further support for those in supervisory roles included the development of programmes for tutor constables, sergeants and senior leaders.
- 6.8. PEQF had already increased accessibility, and access programmes were being developed for people who did not meet the entry criteria. A further entry route was being developed for Special Constables having already demonstrated competence in the role.

- 6.9. The Diversity and Inclusion team provided support across Uplift programme work-streams. This included developing consistent, accurate and inclusive national data collection, practical guidance, support to conduct equality impact assessments and developing reasonable adjustments. A leaders' programme delivered a peer support capability for supervisors on diversity and inclusion.
- 6.10. The College was, in summary, a prominent delivery partner for the Uplift programme, with a key role in meeting its aims.
- 6.11. Board members raised a number of points and queries:
- In light of the improved success rates for ethnic minority candidates of online assessment, should it be considered a more appropriate means of assessment than previous systems going forward? Jo advised that there was no appetite to return to any of the previous processes. Work was ongoing to develop the right process going forward, which some would prefer to be blended in nature, but they would not move to a new process without being confident it would not deliver inferior diversity outcomes. It would be piloted with a small number of forces in due course.
 - The limit of pay offered in the context of PEQF may be having an impact on the age of candidates. Younger people joining increased diversity but appeared to result in higher turnover due to a lack of life skills and resilience. This should be captured in the analysis. Jo confirmed that pay was determined by forces and that research was ongoing in the context of Uplift to see if it was an actual lowering of age or merely perceived. Data coming from the assessment process was not yet showing significant difference. Attrition rate was being measured to allow comparison with previous routes.
 - The Uplift programme would provide a base for evidencing positive change in diversity and inclusion.
 - The recruitment of assessors for the online assessment should be done prudently to monitor impact on diversity.
 - Diversity data from online exams would be welcome, as would data on a force-by-force basis. Jo confirmed that the exam data had not yet been fully reviewed but would be made available in due course. Comparative data on specific forces was part of the NPCC's role in the Uplift programme so not managed by the College.
 - The level of turnover over the next five years would be significant. Jo confirmed that, by the conclusion of the Uplift programme, 40% of officers would have been in post for less than 5 years, which was why leadership and support would be key.
 - Exams generally were moving to being on demand with remote invigilation, which would help limit extraction rates. The College' ambitions in this respect were queried. Jo confirmed that the coming year would deliver exams in the

same way as 2020 but a wider review of probation processes was being conducted to determine the best format for assessing knowledge to make it useful in the field. There were no parameters for this to widen the range of ideas sought. Exams may no longer be the most appropriate form of knowledge assessment, with options like simulations available.

- The focus on data collection was welcome, as was better access for those not meeting current criteria. Some individuals would require significant support due to potential for them to be treated differently creating barriers.

Decision: The Board resolved to:

Note the substantive update on the national Police Officer Uplift Programme and the College's role as a key delivery partner as we approach the end of Year 1 of the programme (2020/21).

Acknowledge this as a Strategic Priority within the College's Business Plan for (2021/22) which is Year 2 of the 3 year Police Uplift Programme (2020 – 2023).

07-COP-JAN21

Op Talla – Support to Policing

- 7.1. Rachel Tuffin introduced the cross-College work to support Op Talla, the policing response to COVID-19. This involved input from the legal team, Marcomms, Subject Matter Experts providing operational advice, and those involved in research and evaluation, as well as standards. The newly tested ways of working were of significant value to the Transforming our College programme.
- 7.2. Rachel set out the College's responsibilities, alongside those of NPCC, for the development of briefings on legislation. This involved providing what officers needed on the front line, at speed. The pace required exceptional sustained effort from College staff out-of-hours due to the need to respond immediately to last minute announcements of legislative changes. This necessitated regular resilience reviews because of the small number of people involved and further lessons learned for the future.
- 7.3. The products were primarily operational briefings based on legislation rather than evidence based guidance due to the short time scales, with an emphasis on making it easy for the frontline to access and use through the COVID-19 hub. Operational policy was led by Op Talla and forces, with legal experts checking that nothing had been unintentionally changed in translation. The College also developed a list of criteria to determine what it was appropriate for the College to release as guidance.
- 7.4. The scale of demand was significant, with 116 changes in legislation, principally producing legislative briefings, but also interpretation with scenarios and more extensive guidance with increased consultation on areas like PPE.

- 7.5. Feedback on the College's operational advice products had been generally positive from across the policing landscape, the public and public bodies. The College had also contributed in other ways to the Op Talla response, with operational guidance being the most high-profile area. Rachel invited board members to reflect on how this response could inform future work on standards, whether the College should be doing more on setting minimum standards, given the value placed on consistency in this context.
- 7.6. The Chair confirmed that he had received positive feedback from ministers on the College response.
- 7.7. Board members commended the pace and scale of the work and the challenge of communicating it. The impact of the pace of change on wellbeing of staff and officers should be considered, as should ways of supporting them and their families. Those using and experiencing the guidance should be listened to. Consideration should also be given to using the opportunity to communicate positive messages to staff and officers in forces to express the College's thanks.
- 7.8. It was clarified that the COVID-19 hub could be found on the College's main website, which had been developed for easy access from a smart phone. The access figures could not yet be broken down into groups of users.
- 7.9. In terms of implications for standards, it was observed that in healthcare the emphasis had long been on excellence as the only acceptable standard. This had evolved since the start of the pandemic, where behaviours that had previously been deemed dangerous, such as remote consultations, were now considered the only safe way. On that basis, the 'new normal' may well require a split into 'good enough', aspirational and perfect, with each having its place on a continuum depending on the circumstances, rather than demanding the gold standard.

Decision: The Board resolved to:

Note the update on Op Talla.

08-COP-JAN21

Finance Update

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

Decision: The Board resolved to:

Note the forecast financial position for the current financial year (2020/21) and the proposed high level budget allocation for next financial year (2021/22).

09-COP-JAN21

Governance Update

- 9.1. The Chair of the Nominations and Remuneration Committee (NRC) reported on a number of governance matters.
- 9.2. He advised that the prospective Chair of the Independent Ethics Panel had formally withdrawn from the role and invited the Board to provide a steer on its preferred next steps.
- 9.3. Board members discussed the matter in light of the imminent review of the College and its priorities. The Board had unanimously supported the creation of an ethics panel as essential to the College and it still favoured proceeding with it. However, the review would provide additional demands on the College's limited capacity, and board members considered on balance that the process should be paused for a limited period of time. Careful communications should be issued to potential panel members to ensure the work completed on panel recruitment was not lost.
- 9.4. The College Chair remitted the matter back to NRC for further consideration.
- 9.5. The Chair of NRC invited the Board to approve the following:
 - The appointment of the College Chair as a member of NRC, as per the usual practice.
 - The Independent Ethics Panel Terms of Reference
 - The Professional Committee Terms of Reference
- 9.6. In relation to the latter, there had been some concern around the consultation process, but correspondence had been exchanged which addressed the concern. All three items were approved.
- 9.7. The Chair of NRC advised that there was a vacancy for an independent NED board member to replace Christine Elliott following her resignation in December. This would be kept on hold pending the fundamental review but would be revisited at the next NRC meeting. The replacement for Ian Hopkins in the seat reserved for a Chief Constable was in progress.

Decision: The Board resolved to:

Approve the appointment of The Rt Hon the Lord Herbert of South Downs CBE PC (Nick Herbert) as a member of Nominations and Remuneration Committee.

Note the withdrawal of the prospective Chair of the Independent Ethics Panel from the role

Remit consideration of Independent Ethics Panel recruitment to the Nominations and Remuneration Committee.

Approve the Terms of Reference for the Independent Ethics Panel

Note outstanding approvals from the Home Office.

Approve the Terms of Reference for Professional Committee

Part three – Items for Decision

10-COP-JAN21

Wider Markets Strategy

10.1. Nick Bayley advised that he was looking for approval of the approach to wider markets.

[As the details discussed are commercially sensitive, they have been removed from this version.]

10.2. The Chair concluded that the Board was in favour of proceeding with the wider markets approach but it should be translated into a business plan, to include potential return.

10.3. Board members approved the proposal for developing the wider markets.

ACTION: NB

To translate the wider markets approach into a business plan, to include potential return.

Decision: The Board resolved to:

Consider and approve the outline Wider Markets Strategy and implementation plan.

11-COP-JAN21

Digital Strategy

11.1. Nick Bayley indicated that the recent changes in operating environment provided opportunities to connect with policing and innovate. The College would face being left behind if it did not meet the digital expectations of officers. A significant proportion of the 20k Uplift officers would be Generation Z digital natives, expecting to share knowledge and develop professionally in different ways. The Digital Strategy linked with the Plan on a Page objective to transform College digital and data capabilities. The pace of delivery and way in which policing engaged with the College's products had changed since the start of COVID-19. Innovations in online selection and exams reduced costs and disruption for policing. Changes to ways of working had occurred out of necessity. Digital maturity was unevenly distributed within the College. There was a need to focus on areas yielding most benefits to policing, while helping with efficiency within the College.

11.2. The strategy identified four main areas to improve the College's digital maturity.

- Defining the College's roles in the policing landscape
- Delivering new digital products and services, including learning, knowledge sharing, exams, assessment and recruitment
- Setting standards digitally for policing
- Transforming the College's ways of working

11.3. Next steps were to develop a delivery plan with a costs-benefits analysis. Affordability was a key issue, but some of it was already being delivered within the existing budget. Strategic choices would be provided to feed into the review

of College priorities. It was proposed that implementation be managed through short sharp sprints rather than all at once, with a focus on people, the right digital leadership and talent development. It would work to improve College processes while improving its connection with policing, and was an ongoing process rather than a programme with an end date. The strategy provided the methods and means to do so.

- 11.4. Board members raised the following points:
- The APCC should be included in the stakeholder network map as they were primary funders of key projects.
 - The Police Digital Service had received £18.1m, so there was money to unlock.
 - Use of technology was one of two current 'game changers' in policing.
 - The College could enhance its digital capability by partnering with someone else.
 - The market was saturated and the College should move swiftly to take control.
 - The ethics of big data could be explored in the context of a standard.
 - Careful language should be used around the concept of 24 hour digital delivery, to avoid comparisons with NCALT.
 - Every person in policing had the option of a digital portal into the College. There was no option for it but to take this forward if it was to survive.
 - Further work was needed to identify the College's unique selling point in the digital space.
 - Rather than the four key priority areas set out in the covering paper, the strategy should focus on just two: infrastructures and ways of working on the one hand, (including Metis and M365), and products and services on the other. Splitting standards and assessments would lead to different areas wanting different forms of technology, when in fact both were about delivering digital products.
 - The section on policing in a digital world did not appear to belong in a College digital strategy. The strategy should be a digital strategy for the College rather than a digital strategy for the police service.
 - Discussions with individual board members at an earlier stage of development had been beneficial and should continue. The Chair agreed that this was good practice.
- 11.5. Nick confirmed he would clarify that the focus was on setting the right framework and architecture to support policing, rather than delivering to policing.
- 11.6. The Chair emphasised that the College could not fulfil its roles without being cutting edge and digital by default. This would require a digital transformation programme and it

would be important to map out the College's role as opposed to others'. There was likely to be a new wave of digital reform within government which the College may be able to benefit from in terms of funding or partnerships.

- 11.7. The Board formally agreed the strategy and next steps: to produce detailed costings, a delivery plan and revised operating model, and proposed programme governance.

Decision: The Board resolved to:
Approve the Digital Strategy.

Part four – Conclusion of business

12-COP-JAN21 **Any Other Business**

- 12.1. There was no other business.

13-COP-JAN21 **Review of the meeting**

- 13.1. The Chair reflected that for his first meeting he had focused on gauging the balance of the discussion. He considered that, given the scale of some of the decisions taken, the discussion time had appeared short, but this may be due to not having been present in prior discussions.
- 13.2. It was suggested that strategy items be considered earlier in the agenda to avoid abbreviating the discussion.
- 13.3. The Chair requested that presentations be provided in advance where possible.

Camille Giffard, Governance Manager

Signed by the Chair as a true record of the meeting

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

Date: xx February 2021