

MINUTES OF THE MEETING OF THE NOTTINGHAMSHIRE POLICE AND CRIME COMMISSIONER JOINT AUDIT AND SCRUTINY PANEL HELD ON MONDAY 24TH FEBRUARY 2020 AT COUNTY HALL, LOUGHBOROUGH ROAD, WEST BRIDGFORD NOTTINGHAMSHIRE NG2 7QP, COMMENCING AT 2PM

MEMBERSHIP

(A – denotes absent)

Mr Stephen Charnock (Chair)

Mr Leslie Ayoola **A**

Dr Phil Hodgson

Mr Peter McKay

Alan Franks

ALSO PRESENT

Rachel Barber	Deputy Chief Constable, Nottinghamshire Police
Neil Harris	EY
Helen Henshaw	EY
Mark Lunn	Mazars
Mark Kimberley	Head of Finance, Nottinghamshire Police
Noel McMenamin	Democratic Services, Nottinghamshire County Council
Charlie Radford	Chief Finance Officer, NOPCC
Paddy Tipping	Nottinghamshire Police and Crime Commissioner

1) APOLOGIES FOR ABSENCE

Apologies for absence were received from Kevin Dennis, NOPCC, Craig Guildford, Chief Constable, Nottinghamshire Police, and David Hoose, Mazars.

2) DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Dr Phil Hodgson declared an interest in item 6 'Audit and Inspection Update' as he was the Head of Law and Social Services, University of Derby who had the contract for apprenticeship training.

3) MINUTES OF THE PREVIOUS MEETING

The minutes of the last meeting held on 15 November 2019, having been circulated to all members, were taken as read and were confirmed and signed by the Chair.

4) **PROGRESS AGAINST ACTION TRACKER**

Action 027: list of Inspection Actions outstanding for more than 2 years to be compiled. This will form a basis for discussion between the Chair and DCC Barber, to take place before the May 2020 meeting (29 May 2020) – keep open.

Action 028: Information on detention times had been circulated to the Panel membership – completed, close.

Action 029: External Audit discussion overtaken by events – mark as completed, and close.

5) **POLICE AND CRIME COMMISSIONER'S UPDATE REPORT**

The Panel considered the report, which had been submitted to the Police and Crime Panel on 6 February 2020, providing an update on progress in delivering Police and Crime Plan 2018-2021.

The report also provided a summary of performance headlines for 2019, the current capital and revenue financial position, and a summary of key decisions taken by the OPCC and Force during the current planning period.

The Police and Crime Commissioner highlighted overall crime statistics showing a 1% increase in the County and 1% decrease in the City, with the reduction in knife crime statistics bucking the national trend. The recent staff survey also that showed positive outcomes for staff morale.

The following points were made during discussion:

- The Force view was that not every officer wanted or needed to be issued with a tazer. Tazers were not considered appropriate for effective policing in a variety of policing situations, and their overuse had the potential to be counterproductive. The issue of tazers and their use had not been covered in the staff morale survey;
- DCC Barber acknowledged that around 72% of anti-social behaviour (ASB) occurrences remained unreported to any agency, with some residents not believing action would be taken, and a misperception that 101 calls would not be followed up;
- The Force enjoyed a strong reputation as an open, transparent and fair organisation to work for, and this was reflected in growing numbers of BME and LGBT staff being recruited;
- The Police and Crime Commissioner pointed out that 80% of victims of crime were happy with actions taken by the Force, and performance was particularly strong in respect of dealing with hate crime. It was confirmed that the implications for addressing 'non-crime hate incidents' were being considered in the wake of the recent case involving Humberside Police;

- It was confirmed that a significant piece of work was under way to address domestic violence, with a focus on perpetrator programmes and repeat offending.

RESOLVED 2020/001

To note the update.

6) AUDIT AND INSPECTION UPDATE

Dr Phil Hodgson declared an interest in this item as he was the Head of Law and Social Services, University of Derby, the organisation with the contract for apprenticeship training.

The Panel considered a report of the Deputy Chief Constable, providing an update on progress against recommendations arising from audits and inspections during the final quarter of 2019/2020, and informing the Panel of upcoming audits and inspections.

The Panel had been due to receive a presentation on the Post-Implementation Review of the Force Restructure as part of its consideration of this item. Copies of the presentation had been circulated prior to the meeting. Unfortunately, Chief Superintendent Vicki White was unable to attend the meeting.

The Panel agreed that it be invited to Force Headquarters to receive the presentation, to take place before the May 2020 meeting.

During discussion, the following points were raised:

- As detailed at item 4 above, the Chair requested that a list of historical 'At Risk' actions highlighted at Appendix 1 be compiled for further consideration by the Chair and DCC Barber, and to report back to a future Panel meeting;
- It was explained to the Panel's satisfaction that the crime data integrity audit concerned itself with the appropriate recording of crime, whereas the internal audit considerations reported elsewhere on the agenda involved GDPR compliance;
- The Panel understood that the GDPR audit report was now available, and confirmed that this would be an item on the May 2020 agenda, in line with the work programme;
- DCC Barber expressed the view that HMIC would see significant improvement in respect of issues identified under the Force's most recent PEEL Review. She also supported the evidence-led approach to domestic violence, but cautioned that it was not appropriate to 'lean' on victims to secure prosecutions.

RESOLVED 2020/002

- 1) that the status of audits and inspections carried out report be noted;
- 2) that a list of 'At Risk' actions be compiled for further consideration for further consideration by the Chair and DCC Barber;
- 3) that the Panel be invited to Force Headquarters to receive the presentation on the Post-Implementation Review of the Force Restructure, to take place before the next scheduled Panel meeting.

7) ASSURANCE MAPPING 2020-2021

The Panel considered a report of the Deputy Chief Constable, providing an overview of assurance levels against each business area of the Force.

The Panel requested that information on assurance ratings be provided over a period of several years, so that it was clearer to the Panel where progress had been made, and where weaker assurance persisted. The Panel also requested an update, focussing on measures taken to improve the current limited assurance ratings for Information Governance and Information Services, and on progress to improve these ratings.

RESOLVED: 2020/003

- 1) That the inclusion of the following in the Internal Audit Plan 2020-2021, as outlined at Appendix 1 to the report, be approved:
 - Finance;
 - Workforce Planning;
 - Information Governance;
 - Information Services;
 - Buildings/Asset Management;
 - Ethical Standards and Conduct;
 - Project Management/Programme Management;
 - Risk Management.
- 2) That future reports include assurance ratings information for each business area over several years, so that it was clearer where progress had and had not been made over time;
- 3) That, in view of the current limited assurance ratings for Information Governance and Information Services, the next report provided an update on measures taken to improve these ratings, and their impact.

8) DRAFT INTERNAL AUDIT PLAN 2020-2021

Mark Lunn of Mazars LLP introduced the report, which set out the proposed OPCC Internal Audit Plan for 2020-2021. Mr Lunn highlighted ongoing risks and mitigations with the Multi-Force Shared Services – Oracle Cloud Operation as

the key significant risk, with seized property, GDPR Follow-up and Collaboration also identified as priority areas for 2020-2021.

The following points were raised during discussion:

- It was explained that the 10 Plan Days identified under the Collaboration audit area referred to Nottinghamshire Plan Days – each of the 5 Forces involved were to assign 10 Plan Days, and Nottinghamshire preparations compared favourably with those of other Forces;
- The Police and Crime Commissioner advised that HMICFRS had recently produced a report on Collaboration, and he undertook to provide a copy to the Panel administrator for circulation to Panel members. He also undertook to share with Panel members a report, currently at the draft stage, on delivery vehicles.

RESOLVED: 2020/004

- 1) That the draft OPCC Internal Audit Plan 2020-2021 be approved;
- 2) that the recent HMICFRS report on Collaboration and draft report on delivery vehicles be circulated to Audit and Scrutiny Panel members for information.

9) INTERNAL AUDIT PROGRESS REPORT 2019-2020

Mark Lunn, Mazars introduced the report which provided an update on progress against the Internal Audit Annual Plan for 2019-2020, and the findings from the audits completed to date.

During discussion, Mr Lunn confirmed that the publication of the IT Security and GDPR audits were imminent, following the exit meeting with the IT auditor while the fieldwork for the core financial audit had been completed

The Panel was advised that a new Health and Safety Officer was now in place, and that the Force had increased confidence that it was getting to grips with Business Continuity and Health and Safety issues.

RESOLVED: 2020/005

To note the update.

10) EXTERNAL AUDIT – SUMMARY PLAN

Neil Harris of EY introduced his colleague, Helen Henshaw, and explained that Ms Henshaw would be attending future Panel meetings as the EY engagement lead.

Mr Harris introduced the External Audit Summary Plan, making the following points:

- Many significant areas of audit work had been substantially completed. Work in several areas had commenced, but was not yet complete. These areas included:
 - Property, plant and equipment (depreciation, assets held for sale);
 - PFI Schemes (specialist expertise required, so is resource-intensive);
 - Pension testing and adjusting in the wake of the McCloud judgement;
 - Creditors and debtors sample testing;
 - Remuneration and exit packages;
- It was confirmed that amendments/adjustments to accounts would be recommended;
- The Value for Money (VFM) work identified in the summary was largely complete. Weaknesses had been identified and reported as regards controlling expenditure;
- EY expected issue an 'except for' conclusion in respect of the significant overspend on Project Fusion in 2018-2019;
- A key and ongoing concern, covered under the 'Control Environment' section of the summary, was a continued lack of permanent resource responsible for the preparation of annual accounts. In particular, working papers to support financial statements were not readily available, while multiple versions of accounts and confused version control had led to a lack of clarity in respect of the final version of accounts
- More positively, the EY assessment of the Reserves Position indicated that there was sufficient budgetary 'headroom' should the worst-case budget gap scenario materialise.

The Chair reiterated the Panel's disappointment, previously expressed at its November 2019 meeting, about the lack of robust, accurate and definitive documentation available in order to conduct and complete the 2019-2019 audit.

Several points were made in the discussion which followed:

- Recruitment of suitably qualified accounting staff remained a significant challenge, while existing resource had had to be diverted to deal with issues caused by MFSS shortcomings;
- As matters stood, it was hoped that final audited accounts would be available by end March 2020. The Chair strongly urged all parties to make every effort achieve the end March 2020 deadline;
- In the circumstances, the Panel agreed to delegate authority to the Chief Finance Officer, in consultation with the Chair of the Audit and Scrutiny Panel to recommend for approval the final audited accounts for 2018-2019

- In view of the significant unresolved issues with the 2018-2019 audit, there was no prospect of delivering the audit for the period 2019-2020 by the existing deadline of 31 July 2020. The Home Office and National Audit Office were being lobbied by a number of organisations in the sector to relax current deadlines.

RESOLVED: 2020/006

- 1) that the External Audit results progress report be noted;
- 2) that the Panel agree to delegate authority to the Chief Finance Officer, in consultation with the Chair of the Audit and Scrutiny Panel, to recommend that the audited accounts and ISO 26000 for 2018-2019, once finalised, be submitted to the Police and Crime Commissioner for approval and subsequent signature by both the Police and Crime Commissioner and Chief Constable.

11) PRECEPT AND BUDGET REPORTS 2020-2021

The Panel noted the report and appendices, which provided for information several strategic finance reports approved by the Police and Crime Commissioner, as well as the Precept report for 2020-2021, which had been approved by the Police and Crime Panel on 6 February 2020, without substantive discussion.

RESOLVED: 2020/007

To note the reports.

12) OPCC PUBLICATION SCHEME MONITORING, REVIEW AND ASSURANCE

The Panel considered the report, which provided assurance that the OPCC was working in full compliance with the Freedom of Information Act 2000 and the Elected Local Policing Bodies (Specified Information) Order 2011.

The Panel congratulated the OPCC on it's being granted the Transparency Quality Mark Award by CoPaCC, the body responsible for monitoring Police governance.

RESOLVED: 2020/008

That the update be noted.

13) NOTTINGHAMSHIRE POLICE INFORMATION MANAGEMENT – FREEDOM OF INFORMATION AND DATA PROTECTION INFORMATION REQUESTS UPDATE FOR CALENDAR YEAR 2019

The Panel considered a report, providing data on the legislative compliance for Information Requests made under the Freedom of Information Act and Data Protection Act legislation for the calendar year 2019.

DCC Barber provided the following comments:

- It was acknowledged that previous approaches taken to deal with both resourcing the Information Management function and managing workflow had been neither effective nor appropriate;
- While Force performance was not where it wanted to be, and challenges were ongoing, the current direction of travel remained positive.

In the brief discussion which followed, it was confirmed that increased requests in respect of Court Orders did generate income for the function, but this was designed to cover additional costs, rather than provide a net income stream.

RESOLVED: 2020/009

That the report be noted.

14) FORCE REPORT ON MONITORING, REVIEW AND ASSURANCE OF THE PUBLICATION SCHEME 2019-2020

The Panel considered the report, updating the Panel on the current position of Nottinghamshire Police in respect of its Publication Scheme requirements.

The Panel welcomed the steps being taken to improve performance, notably the resumption of routine publication of Freedom of Information responses temporarily suspended in 2018 due to demand and resource issues.

RESOLVED: 2020/010

That the report be noted.

15) JOINT AUDIT AND SCRUTINY WORK PLAN 2020-2021

RESOLVED: 2020/011

Subject to removing reference to considering the Internal Audit Plan 2020-2021 at its May 2020 meeting, that the Work Plan for 2019-2020 be noted and approved.

16) SUMMARY OF ACTIONS

RESOLVED 2019/062

To agree that the following actions be added to the action tracker:

Audit and Inspection Update: A list of Inspection Actions outstanding for more than 2 years to be compiled, to form a basis of for discussion between the Panel Chair and DCC Barber, to take place before the next Panel meeting.

Audit and Inspection Update: the Panel be invited to Force Headquarters to receive the presentation on Nottinghamshire Police Force Restructure.

Audit and Inspection Update: That the GDPR audit report be considered at the May 2020 meeting.

Internal Audit: that the Police and Crime Commissioner make available a MHICFRS report on Collaboration to Panel members, and to circulate to Panel members a draft report on delivery vehicles.

External Audit: To delegate authority to Chair and CFO to recommend approval of 2018-2019 final statement/ISO 26000 and report to the May 2020 meeting.

Work Programme: Remove reference to New Internal Audit Plan 2020-2021 from May 2020 meeting entry.

The meeting concluded at 4.00pm