

**MINUTES OF THE MEETING OF THE NOTTINGHAMSHIRE POLICE AND CRIME COMMISSIONER JOINT AUDIT AND SCRUTINY PANEL HELD ON WEDNESDAY 15<sup>TH</sup> NOVEMBER 2019 AT NOTTINGHAMSHIRE POLICE HEADQUARTERS, SHERWOOD LODGE, ARNOLD, NOTTINGHAMSHIRE NG5 8PP, COMMENCING AT 10AM**

**MEMBERSHIP**

(A – denotes absent)

Mr Stephen Charnock (Chair)

Mr Leslie Ayoola

Dr Phil Hodgson

Mr Peter McKay

Alan Franks

**ALSO PRESENT**

Duncan Collins	Nottinghamshire Police
Paul Cook	Nottinghamshire Police
Craig Guildford	Chief Constable, Nottinghamshire Police
Neil Harris	EY
Mark Lunn	Mazars
Mark Kimberley	Head of Finance, Nottinghamshire Police
Noel McMenemy	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 David Hoose, Mazars.

**2) DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS**

Dr Phil Hodgson declared an interest in item 8 'Force 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 24 July 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 024: to be addressed at February 2020 meeting – keep open.

Action 025: to be addressed at February 2020 meeting – keep open.

Action 026: Scheduled for November 2019 – complete and close.

## 8) **AUDIT AND INSPECTION UPDATE**

The Committee agreed to amend the agenda order to consider the above item.

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 and received a presentation from Paul Cook, attached as Appendix A to these minutes. The presentation highlighted the rationale and principles of the National Crime Recording Standard (NCRS), as well as summarising governance arrangements, in-year compliance across a range of indicators and indicating future external scrutiny of the NCRS.

Mr Cook confirmed that the Force had moved from requiring improvement to the point of the internal auditors having significant assurance in respect of the NCRS process.

During discussion, the following points were raised:

- It was confirmed that there was specialist support on hand to help victims of on-line fraud who felt embarrassed at having fallen for on-line scams;
- The view was expressed that it would take up to 2 years for the new Command and Control model to become fully embedded. It was important to balance 'getting it right' with keeping frontline staff engaged, informed and on board;
- The point was made that the variance between the initial HMIC and the current Mazars assessments might be down to differing approaches and methodologies as well as to improved compliance. In response, Mr Cook explained that the Force had made significant changes to its practices in order to deliver NCRS more effectively, which he believed was reflected in the current Mazars assessment.
- Concern was expressed that there were several audit/inspections at Appendix 1 to the report that were ongoing or outstanding for a period of more than 2 years. The Chair undertook to speak to the Deputy Chief Constable about how best to bring these to a close.

## **RESOLVED 2019/051**

- 1) that the Chair of the Panel raise with the Deputy Chief Constable the issue of audits/inspections being open or outstanding for more than a period of 2 years.
- 2) To note the update and to thank Mr Cook for his attendance.

## **5) PROGRESS ON THE NEW CUSTODY SUITE**

Inspector Duncan Collins provided an update on the new custody suite, highlighting the following points:

- Planning permission for the facility was now in place, and the final design had taken into account feedback from a wide range of stakeholders;
- The innovative design ensured co-accused were held separately, and that juveniles and vulnerable people would not come into contact with other detainees;

During discussion, the following points were made:

- The original business case was for 40 cells, but this had increased to 50 cells in the latest plans, in line with projected demand;
- The current Bridewell facility was no longer fit for purpose, and in time would be sold, possibly for hostel or student accommodation use.

## **RESOLVED: 2019/052**

To note the update and to thank Inspector Collins for his attendance.

## **6) STAFFING LEVELS IN NOTTINGHAMSHIRE POLICE CUSTODY SUITES**

The Panel considered the report, which highlighted concerns expressed about the levels of staffing in police custody and resulting findings following further investigation.

The Panel commented that raising concerns via the Independent Custody Visitor process was unorthodox, given the established chain of command already in place. It was assured that no further action was required in view of the positive outcomes arising from data sampling in the first half of 2019, as detailed in the report.

## **RESOLVED: 2019/053**

that no further dip samples of data in respect of staffing levels in Nottinghamshire Police Custody suites were required.

7) **STRATEGIC RISK MANAGEMENT REPORT FOR FORCE AND NOTTINGHAMSHIRE POLICE AND CRIME COMMISSIONER (NOPCC) QUARTER 2 2019-2020**

The Panel considered the report, which provided an update on strategic risk management across the Force and the Nottinghamshire Office of the Police and Crime Commissioner. The risks identified as most critical were for Multi-Force Shared Service (MFSS) business continuity, the building of the new Bridewell custody suite and non-compliance with GDPR requirements.

The following points were raised during discussion:

- The Chair accepted that senior officers were fully focussed on resolving the key issues highlighted above, and that the origin of the difficulties with MFSS in particular lay primarily elsewhere;
- However, he expressed the view that the Risk Register mitigation commentary on MFSS that there was 'ongoing oversight' of the issues with a review date of 'ongoing' did not capture the urgency and importance of addressing the issue;
- The Force had managed to make emergency payments and had put in place interim payroll measures, but the fact remained that resource was being diverted from other tasks, the Force was in effect paying twice for a service. The point was approaching that a decision on the future viability of MFSS would need taking;
- It was confirmed that GDPR issues were being addressed as part of an action plan to address wider information management, and that the Force was due to be audited on GDPR compliance in December 2019
- The Police and Crime Commissioner advised that a final grant settlement was not expected until mid-January 2020, and the implications of the establishment of 20,000 extra Police officers in England and Wales on budgets remained unclear.

**RESOLVED: 2019/054**

To note the following:

- (1) the current approach to strategic risk management and considers the assurance that this report provides as to the effectiveness of those arrangements within the Force and NOPCC.
- (2) the three very high strategic risks on the Force's risk register namely, Multi-Force Shared Service (MFSS) transfer of payroll system to the new Fusion solution, compliance with the new General Data Protection Regulations (GDPR), and the building of the new Bridewell custody facility.

- (3) In relation to the Force's Strategic risk register, the reduction in the level of risk for the Bridewell custody facility.
- (4) the high risks relating to the NOPCC, Multi-Force Shared Service (MFSS) transfer of payroll system to the new Fusion solution and the uncertainty in relation to the announcement of the comprehensive spending review and the police funding formula.
- (5) Appendix 3 of the report, which outlines more in-depth explanations of the mitigation in place in relation to the Force's very high level strategic risks.

## **9) INTERNAL AUDIT PROGRESS REPORT**

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.

The Panel noted the update without substantive comment

**RESOLVED: 2019/055**

To note the internal audit progress update.

## **10) EXTERNAL AUDIT – VERBAL UPDATE**

Neil Harris of EY provided a verbal update on the current position in respect of the External Audit, making the following points:

- EY had experienced resourcing constraints, which were being addressed through additional recruitment. The wider sector was also experiencing significant disruption because of increasingly complex local authority audits, which, because of increased commercialisation, required more specialised audit skills;
- There had been a number of issues with the accuracy, readiness and availability of the documentation received once the audit started at end October 2019, but these were being resolved and the audit was progressing, with no significant issues arising to date;
- The McLeod judgement in respect of age discrimination had meant that significant changes to the accounts was required;
- Field work was expected to conclude by end December 2019, with an audited version of the accounts available by mid-January 2020 for use for budget setting;
- Despite the issues and delays described above, all statutory obligations had been discharged to date. However, Mr Harris did not believe that the current audit schedule for sign-off by 31 July was sustainable

During discussion, a number of issues were raised and points made:

- It was acknowledged that there had been a rocky start to the audit process, but a solid rapport was developing. The operation of the portal still proved problematic, but staff were bypassing the portal to provide the required information directly to the appropriate contacts;
- EY sample testing differed significantly to that under the previous audit regime, and was much less 'light touch' than was previously the case;
- The Panel expressed its disappointment that documentation was not sufficiently robust and accurate at the outset of the audit process, but noted the progress being made;
- The Chair agreed to meet Mark Kimberley, Head of Finance at Nottinghamshire Police and Charlie Radford, Chief Finance Officer NOPCC to discuss what the Panel should have for consideration at its next meeting in February 2020

**RESOLVED: 2019/056**

To note the verbal update and supporting comments.

Mr Ayoola left the meeting at this point.

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

The Panel considered the report, which had been submitted to the Police and Crime Panel on 23 September 2019, providing an update on progress in delivering Police and Crime Plan 2018-2021.

The following points were made during discussion:

- The Panel welcomed the future modelling work undertaken by Crest Advisory to identify future demand and help identify appropriate resource, but expressed concern that violent crime figures, particularly sexual crime, continued to increase;
- In response, the Chief Constable explained that while the number of incidents was stable, compliance with NCRS requirements meant incident recording had become more complex. Incidents of malicious communications and stalking/harassment had increased significantly and secondary investigations were taking up an increasing amount of time;
- The Panel commended the success of Operation Reacher in tackling knife crime, noting that the programme had been academically endorsed with a view to it being rolled out more widely;
- The Chair requested that the Panel receive a presentation on the joint new-build Headquarters at a future meeting.

**RESOLVED: 2019/057**

- 1) To note the update
- 2) To receive a presentation on the new joint-build Headquarters at a future meeting.

**12) COMPLAINTS AND MISCONDUCT INVESTIGATIONS**

**RESOLVED: 2019/058**

To note the update without substantive discussion.

**13) IOPC INVESTIGATIONS, RECOMMENDATIONS AND ACTIONS**

The Panel considered a report, informing the Panel of complaint and conduct matters that have been referred to the Independent Office of Police Conduct (IOPC) in the period 1 April to 31 August 2019, with recommendations and actions highlighted.

The Panel commended the Force for getting to grips in a pragmatic way with wellbeing issues, and for close partnership working locally and nationally.

**RESOLVED: 2019/059**

That the Panel was assured that Nottinghamshire Police:

- 1) was transparent in referring itself to the IOPC in relation to all instances which meet the criteria, as highlighted in the report:
- 2) considered and responded to IOPC recommendations.

**14) PROFESSIONAL STANDARDS CONFIDENTIAL REPORTING PROCEDURE ('WHISTLEBLOWING')**

The Panel considered the report, updating the Panel on the work of the Professional Standards Directorate and its Counter-Corruption Unit in dealing with suspected instances of corruption.

The Panel noted that in the period 1 April to 31 August 2019 only 2 of the 12 referrals were in accordance with National Counter Corruption categories as set by the National Crime Agency. The Chief Constable advised that he was to speak to all sergeants to make sure all were clear as to what constituted corruption, and the appropriate reporting routes for non-corruption categories.

**RESOLVED: 2019/060**

That the Panel was assured:

- 1) by the processes in place relating to confidential reporting of corruption;
- 2) that the Force Professional Standards Directorate actively sought information and intelligence from a variety of sources to prevent corruption.

**15) JOINT AUDIT AND SCRUTINY WORK PLAN 2019-2020**

**RESOLVED: 2019/061**

Subject to expanding GDPR as a key Theme for Risk at its May 2020 meeting to include wider IT considerations, to note and approve the Work Plan for 2019-2020.

**16) SUMMARY OF ACTIONS**

**RESOLVED 2019/062**

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

Action 027: Audit and Inspection Update: Chair to speak to DCC Barber about reviewing inspection actions outstanding for more than 2 years;

Action 028: Chief Constable to check average detention times and confirm;

Action 029: External Audit: Chair to meet Charlie Radford and Mark Kimberley to discuss report content for the February 2020 meeting from the Panel perspective.

Action 030: PCC Update Report: Request to have a presentation to a future meeting on the joint-build new Headquarters.

The meeting closed at 12.00pm