

**MINUTES OF THE MEETING OF THE NOTTINGHAMSHIRE POLICE AND CRIME COMMISSIONER JOINT AUDIT AND SCRUTINY PANEL HELD ON FRIDAY 27<sup>TH</sup> NOVEMBER 2020 COMMENCING AT 2.00 PM VIA MS TEAMS**

**MEMBERSHIP**

(A – denotes absent)

Mr Stephen Charnock (Chair)

Mr Leslie Ayoola

Dr Phil Hodgson

Mr Peter McKay

Alan Franks

**ALSO PRESENT**

Rachel Barber	Deputy Chief Constable, Nottinghamshire Police
Neil Harris	EY
Gary Morris	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 (item 7 onwards)

**1) APOLOGIES FOR ABSENCE**

Helen Henshaw, EY, Kevin Dennis, OPCC, Chief Constable Craig Guildford.

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

Dr Phil Hodgson declared an interest in item 10 '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 MEETING HELD ON 30 SEPTEMBER 2020**

The minutes of the last meeting held on 30 September 2020, having been circulated to all members, were taken as read and were confirmed and signed by the Chair.

**4) MINUTES OF THE MEETING HELD ON 27 OCTOBER 2020**

The minutes of the last meeting held on 27 October 2020, having been circulated to all members, were taken as read and were confirmed and signed by the Chair.

## 5) **PROGRESS AGAINST ACTION TRACKER**

Action 032: Multi-year information on assurance mapping now provided – complete and close.

Action 034: External Audit - Delegation of approval of 2018-2019 final statement/ISA260 – considered at item 6 below, close.

Action 035: Consideration of MFSS transfer back in-house – deferred.

Action 036: Force restructure Feedback – now received – close.

Action 037: BAME refined statistical analysis shared with Panel – complete and close.

## 6) **EXTERNAL AUDIT OF THE ACCOUNTS 2018-2019 (ISA 260) COMMISSIONER'S UPDATE REPORT**

The Panel considered the report of the Chief Finance Officer, which provided the Committee with the results of the Statement of Accounts and supporting documentation for the Financial year 2018-2019.

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

- Neil Harris of EY advised that, subject to final consideration at this meeting and to signature by the Chief Constable and Police and Crime Commissioner an unqualified opinion on the financial statements at Section 3 of its Audit Results Report would be issued. However, a qualified opinion in respect of Value for Money/MFSS risks would be included in the final report;
- The Chair, on behalf of the Panel, expressed disappointment and frustration that it had taken so long to get to this point. There had been significant issues, which had fallen to a greater or lesser extent to all parties involved. These had been rehearsed at length at previous Joint Audit and Scrutiny Panel meetings but had remained inadequately addressed over a prolonged period, despite their having been highlighted consistently;
- The Panel also expressed frustration in respect of the knock-on impact on the external audit process for subsequent years, which in turn had been delayed. The view was also expressed that the delays had had a negative reputational impact.
- It was reported that more rigorous procedures and additional capacity were in place in respect of the 2019-2020 external audit, building on the lessons learnt from the 2018-2019 exercise.

### **RESOLVED 2020/043**

To agree that the report of the External Auditor for 2018 -2019 be recommended to the Police and Crime Commissioner and Chief Constable for approval/sign-off.

### **7) FINAL STATEMENT OF ACCOUNTS AND ANNUAL GOVERNANCE STATEMENTS FOR 2018-2019**

Note: At this point, Paddy Tipping, Nottinghamshire Police and Crime Commissioner, joined the meeting.

The Panel considered the report of the Chief Finance Officer, which provided the audited statement of accounts and annual governance statements for 2018-2019.

### **RESOLVED 2020/044**

- 1) that the Statement of Accounts and Annual Governance Statements for 2018-2019 be recommended to the Police and Crime Commissioner for approval;
- 2) that the Statement of Accounts and Annual Governance Statements for 2018-2019 be recommended to the Police and Crime Commissioner and to the Chief Constable for signature.

### **8) INTERNAL AUDIT PROGRESS REPORT**

The Panel considered a report of the Chief Finance Officer, providing an update on progress against the Internal Audit Annual Plan for 2020-2021, and the findings of audits completed to date.

Mark Lunn of Mazars LLP advised that a residual 2019-2020 report on Health and Safety Collaboration had now been completed. 2020-2021 audit reports had been issued on Victims Code of Practice and Estates Management, as detailed in the published report. Mr Lunn confirmed that he was working with both the Force and OPCC to prioritise outstanding audits, so that these were addressed if it did not prove possible to fully deliver the audit plan by the end of 2020-2021.

During discussion, DCC Barber expressed the view that the audit findings were a fair assessment, and that they captured the complex environment within which the Force had to operate. She also shared the Chair's frustration and disappointment that Victims' Information Packs were not always made available at the appropriate time, and that the message needed reinforcing among frontline staff.

The Panel was also advised that in respect of Estates Management that it was now a CIPFA requirement to have a long term estates strategy in place, to account for the replacement of buildings with a limited life-span.

**RESOLVED: 2020/045**

That, in view of the wide range of issues covered by the 3 audits, the Panel requested an update report on progress against recommendations for the **Collaboration: Health and Safety** and **Victims' Code of Conduct** audit, and on **Estates Management**, for an update on meeting the CIPFA requirement for having appropriate estates strategies in place.

9) **STRATEGIC RISK MANAGEMENT REPORT FOR FORCE AND NOTTINGHAMSHIRE POLICE AND CRIME COMMISSIONER QUARTER 3 – 2020-2021**

The Panel considered the report, which updated it on strategic risk management issues across the Force and OPCC.

The following points were raised during discussion:

- It was explained that interventions had taken place to address SR9A 'limited inhouse accounting expertise' and it was felt that the risk was now being mitigated;
- the Police and Crime Commissioner acknowledged that financial uncertainty arising from Covid-19 was a major concern. Council Tax collection rates had reduced there would be a funding gap. It was unclear at this stage what mitigating action might be taken by central government to address the shortfall. It was reported that several English Police forces were considering introducing redundancy measures;
- MFSS would remain an ongoing major risk while the transfer of data from old to new systems remained outstanding.

**RESOLVED: 2020/046**

- 1) That the assurance had been provided on the effectiveness of current strategic risk management approaches and measures;
- 2) that the two very high strategic risks on the Force's Register – Multi-Force Shared Service transfer to the new Fusion System, and Compliance with new General Data Protection Regulations – be noted;
- 3) that the very high risk rating for the OPCC in respect of Covid-19 Impact on Council Tax be noted;
- 4) that Appendix 3 to the report, detailing risk and mitigations, be noted.

10) **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 the report, which provided an update on progress against recommendations arising from audits and inspections conducted in the quarter to end September 2020, as well as highlighting upcoming audits.

During discussion, it was confirmed that the HMICF&RS Covid-19 Inspection had been completed and that the report was awaiting publication.

**RESOLVED: 2020/047**

To note the update, having reviewed Appendix 1 to the report.

**11) POLICE AND CRIME COMMISSIONER'S UPDATE REPORT TO OCTOBER 2020**

The Panel considered the report, which provided an update on delivering the Police and Crime Plan 2018-2021, as well as an update on performance in Quarter 2 to end September 2020, financial outturns and key decisions taken.

During discussion, the following points were highlighted:

- Operation Reacher was performing really well, with the benefits of early intervention reducing costs elsewhere within police and crime budgets;
- A focussed, collaborative approach to dealing with Missing from Home episodes had seen an 18% reduction among children and 12% among adults;
- Both major capital projects – the new Headquarters and Custody Suite – were both running to schedule were on or under budget;
- While numbers of Stop and Search incidents had increased significantly, the proportion of positive Stop and Search outcomes at 40% was the highest in England;
- In response to Panel members' questions, it was confirmed that levels of knife crime had reduced by 11%, bucking the national trend. It was acknowledged that focus had been on reducing knife crime in public places, but with lockdown giving rise to increased domestic violence, there was strong collaboration with the Violence Reduction Unit to reduce instances in a domestic setting;

**RESOLVED: 2020/048**

that the Panel had scrutinised and received assurance in respect of the performance and delivery against the Police and Crime Plan and of the Police and Crime Commissioner in fulfilling his core statutory duties.

## 12) **FORCE COMPLAINT AND MISCONDUCT INVESTIGATIONS**

The Panel considered the report, which provided an update on recent reform to police complaints and misconduct legislation, which commenced in February 2020. The report also provided performance data across a range of parameters for the period March to September 2020.

Several points were made during discussions:

- It was explained that a number of complaints during the reporting period were Covid-related, and it was considered that these had been addressed appropriately;
- The Panel acknowledged the need to build up one year's data in order to establish a new baseline for complaints and misconduct investigations, and that the parameters for reporting these to the Panel should change in line with new legislation;
- It was confirmed that the National Police College had oversight of best practice for dealing with complaints and misconduct, and that learning was cascaded via Heads of Professional Standards. The Panel requested that best practice updates from the College be appended to future update reports.

### **RESOLVED: 2020/049**

To agree that the title/purpose of future reports be revised to ensure that scrutiny is provided to the complaints and misconduct system in line with 2020 legislation.

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

The Panel considered the report, which informed it of the complaint and conduct matters referred by Nottinghamshire Police to the Independent Office for Police Conduct (IOPC) between March and September 2020.

The Panel agreed the recommendations without substantive discussions.

### **RESOLVED: 2020/050**

That the Panel was assured that:

- 1) Nottinghamshire Police acted transparently in referring itself to the IOPC in relation to all instances meeting the criteria;
- 2) Nottinghamshire Police considered and responded to IOPC recommendations.

**14) PROFESSIONAL STANDARDS CONFIDENTIAL REPORTING PROCEDURE (WHISTLE-BLOWING)**

The Panel considered a report, providing information specifically on how the Professional Standards Directorate supported those coming forward with reports of breaches of professional standards.

During discussion, the point was made that it was important for managers not to use the professional standards function as a performance management tool. Professional standards intervention had to be at the appropriate level.

It was also pointed out that misconduct and gross misconduct charges and investigations did not always lead to dismissal from the Force, but not being transparent and co-operative when under investigation had serious consequences for those involved.

**RESOLVED: 2020/051**

That

- 1) the Panel was assured about the processes in place relating to confidential reporting as detailed in the report;
- 2) The Panel was assured that the Professional Standards Directorate actively sought information and intelligence from a variety of sources in order to prevent corruption.

**15) CUSTODY RECORD REVIEW QUARTERLY REPORT**

The Panel considered the report, providing details in respect of 48 custody record reviews conducted during the second quarter of 2020-2021 to end September 2020.

The Panel commended the strong collaborative work undertaken to ensure that that Force was performing much better in respect of record keeping, and welcomed the review of custody records for vulnerable adults being undertaken.

The view was expressed during discussion that there was a need for further clarity from the Home Office on the purpose of custody inspection reviews.

**RESOLVED: 2020/052**

That:

- 1) the report be noted.
- 2) the continuation of custody reviews and the publication of their results be endorsed.

16) **JOINT AUDIT AND SCRUTINY WORK PLAN 2020-2021**

**RESOLVED: 2020/053**

that the Work Plan for 2020-2021 be noted and approved.

17) **SUMMARY OF ACTIONS**

**RESOLVED 2020/054**

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

Arising from Internal Audit Report - **Collaboration: Health and Safety** – Update check on progress against recommendations

Arising from Internal Audit Report -**Victims Code of Practice** - Update check on progress against recommendations

Arising from Internal Audit Report -**Estates Management** - Update on meeting CIPFA requirement to have 25-30 year strategies on estates

Arising from Force Complaint and Misconduct Investigations Report - Future Force Complaints and Misconduct reports to have an appendix on best practice from Police College/ resume of lessons learnt in respect of complaints/misconduct.

The meeting concluded at 3.45pm