

DBR-Def Sy-4-2-2

18 November 2013

MOD POLICE COMMITTEE
TUES 5 NOVEMBER 2013
VENUE: 3.2.HR27

MINUTES OF THE MEETING

Members

David Riddle

Sir Denis O'Connor

Dr Marie Dickie

Len Jackson

Jonathan Slater

Mark Preston

Heather Taylor

Chair

Police Adviser

Independent Member

Independent Member

Director General Transformation &
Corporate Services

Director Business Resilience

Head of Finance Head Office &
Corporate Services

Attendees

Alf Hitchcock

Gerry McAuley

Robert Chidley

Dave Allard

David King

Daniel Applegate

Richard Medland

Ch Supt Dave Long

Karen Feather

Chief Constable, MDP

Deputy Chief Constable, MDP

ACC Central Operations MDP

ACC Divisional Operations, MDP

Head Corporate Services, MDP HQ

Head of Terms and Conditions of
Service Review Team , MDP HQ

DE&S (Customer representative),

Head of Standards, MDP HQ

Clerk to the MOD Police Committee

Apologies:

Sara Parry

Harvey Moore

Eamon Keating

HR Business Partner, MOD

AH-PSPP, Director of Business
Resilience, MOD

Chair, Defence Police Federation

Chair's Opening Remarks

1. The Chair welcomed the new independent member, Mr Len Jackson to his first meeting, and Daniel Applegate, Head of the TACOS Review Team.

Agenda Item 1: Minutes of the last meeting and Action Plan

2. The minutes of the meeting (DBR-Def Sy 4-2-4 dated 20 Aug 13) were agreed as a true and accurate record with the exception of a small amendment on page 2, para 8 to "MDP can return to full licence status **forthwith**" rather than "next year". **Action: Sec**

3. All actions were complete or would be dealt with during the meeting.

Agenda Item 2: Chief Constable's Strategic Report

Service Delivery and contingency planning

4. CCMDP explained that the force remained under significant strain mitigating the effects of dislocation and officer shortfall that has impacted on some important sites and specialist groups. He was able to confirm that despite this the MDP continued to deliver its key taskings at critical sites to the satisfaction of all customers and most importantly DE&S.

5. ACC DO was responsible for managing the various contingency measures. Surge was provided by the OSU, CSG etc with weapon re-training where this was necessary. Officers in surplus DCPO and CID posts were now being re-trained to deploy to operational stations. MDP support to the UKBF had now been withdrawn. It was noted that overtime requirements and re-location was causing a degree of stress for some officers but this was being carefully monitored. The NEOF (New Entrants from Other Forces) intake from the ongoing recruitment campaign was to be brought forward to Mar 14, with the new recruits arriving in force by Jun/Jul 14.

Disposition of resources

6. CCMDP reported good progress on the transition to the new footprint and confirmed that 2,100 officers were now in the right posts and locations. Out of the 500 officers to be relocated, only 230 still need to be post-mapped. Moves to new locations are expected to take place between Dec 13 and Feb 14. CCMDP paid tribute to Ch Supt Dave Long, Ch Insp Pam Hewitt and their teams for their hard work.

.Recruitment

7. The recruitment process, which was being managed by DBS, was now underway with 100 applications received to date. CCMDP explained that training was expected to take place at MDPHQ and in Scotland, with a possible third site, which meant that 200 officers per year could be trained.

Weight of Equipment

8. CCMDP reported that some mitigations had been identified to help to minimise the weight of the equipment carried by officers. This would include a role for supervisors to make an informed judgement in the future on whether body armour should be available rather than routinely worn.

Equipment and infrastructure

9. DGTCS and HOCS were considering a business case for an additional spend on recruit and training accommodation and fitness facilities. Vehicle and body armour procurement had also been brought forward.

10. The future of the Central Control Room still needs to be confirmed and CCMDP intended to review the earlier decision to close it in 15/16, noting that if this is reversed equivalent savings will have to be identified.

11. The Chair invited questions from the members.

12. Marie Dickie asked whether it was possible at this stage to identify what proportion of the applications received were from women or ethnic minorities, so that early steps could be taken to address this if necessary. CCMDP explained that it was not possible at this stage and that most applications so far were from NEOFs (i.e officers seeking to transfer to MDP from HDPFs)

13. Mark Preston sought assurance that DBS was providing sufficient support to the recruitment process given that MOD did not envisage much recruitment when the DBS contract was drawn up. CCMDP confirmed there were no problems at present albeit that MDP had provided resource to support DBS in the process. MDPHQ was monitoring this in order to ensure that if there was a surge in applications that DBS would have sufficient capacity to deal with them.

14. Mark Preston pressed for confirmation when the correct police numbers would be in place at DE&S sites. The lack of this information from MDP HQ continues to cause problems in reassuring DE&S establishments and senior officials that there was a viable plan, and an understanding of the level of risk that they were expected to carry at each site through this transition period.

15. CCMDP explained this would be dependent on the completion of the post-mapping process which will then highlight any gaps that will need to be filled by the NEOFs and new recruits.

16. Richard Medland confirmed that he had been promised figures by David King by 18 November. **Action: MDP Hd CS**

17. Len Jackson asked whether the current stress and uncertainty for officers was a contributing factor to the high levels of sickness that are reported. Dave Allard confirmed it was, and this had in fact been impacting on sickness levels for the last 4 years. Other factors were the age profile of the force and continuous overtime requirements along with and under-bearings at some stations.

18. The Chair asked how the issue of fitness impacted on the firearms licence. CCMDP said that it was important for MDP to have a plan for introduction, and that to match Home Office forces it needed to be addressed by Sep 14.

Agenda Item 3: Terms and Conditions of Service (TACOS) Review

19. Daniel Applegate briefed the Committee on the work being taken forward by the TACOS Review Team.

20. Their main focus was currently on the report to Parliament on the Normal Pension Age for MDP which was due in December in response to the requirements of the Public Sector Pensions Act. He explained that the Act required MOD to set out the effect of the NPA set out in the Act on three issues: the health and well-being of officers; the MDP's ability to meet its operational requirements, and the likelihood that officers would take early retirement as a result. The paper would be structured in accordance with the requirements of the Act.

21. On the pay relativity issue, he explained there were two key documents: the Wright report of 1979 which had originally recommended the 95% relativity and the Blelloch report of 1994 which had reviewed Wright, noted the MDP's move towards niche capability roles, and had confirmed that 95% of HDPF pay (set by the Wright report in 1979) was still appropriate for the MDP.

22. MDP's Net Pay Deduction had not been addressed for some time. Since both police and civil service pension schemes had now changed, a formal review was required. Advice had therefore been sought from the Government Actuary's Department.

23. The Chair recognised that it was relatively easy to change HOPFs terms and conditions since officers did not have a contract of employment unlike MDP officers. He asked whether the TACOS review would provide any opportunity to deal with this. Daniel Applegate confirmed that the team was actively considering opportunities. Possible options might be either inserting a flexibility clause into contracts, or to have a Statutory Instrument which gave the MOD an entitlement to mirror HOPF arrangements.

24. CCMDP noted that the timeline to conclude the review by July would be particularly challenging.

25. The Chair placed on record the Committee's support for CCMDP's approach to fitness through the introduction of the bleep test, until an alternative to this was available to the force.

Agenda Item 4: Business Plan 13-14

26. David King explained the amendments made to the Business Plan that had originally been presented to the Committee in July.

27. Jonathan Slater asked how the statistics from individual sites were consolidated as an overall score.

28. David King confirmed there was going discussion with DE&S over performance measurement, which would be further matured in next year's plan.

29. Len Jackson felt that KP5d (Complied with application of the police unsatisfactory performance processes) could not be measured in the context described since it was a supervision matter. This was accepted and will be addressed in next year's plan.

30. The Committee endorsed the plan, while also noting and supporting the direction of travel. The chair suggested the Sub Committee for Performance and Risk Management might take a closer look at the approach to the plan for 2014/15. **Action: SC P&RM**

Agenda Item 5: Proposals for 14-15 Defence Internal Audit Programme

31. David King presented the MDP's list of proposed audits for 2014-15 following agreement at the Management Board.

32. The Committee approved the programme. The inclusion of the MDP Change Programme for Qtr 2 14-15 was noted. This would enable the DIA's assessment to be reconciled with CCMDP's planned Programme Implementation Review (due to take place a year after the closure of consultation)

Agenda Item 6: Corporate Risk Register

33. David King continued to lead on the compilation of the risk register which was still evolving with scorings remaining under consideration. Specific risks have now been allocated to individual Management Board members. Sir Denis O'Connor suggested that the Sub Committee for Performance and Risk Management could examine this more closely. **Action: SC P&RM**

Agenda Item 7: CNC/MDP Strategic Alliance

34. Karen Feather said that MOD and DECC officials and members of both forces met on 30 Oct for an update on the Strategic Alliance work. All parties agreed that the forces had addressed the opportunities for efficiencies in the areas of training, intelligence training and joint procurement. A Ministerial Submission next April is likely to recognise the work has brought the two forces closer together, the Strategic Alliance may be terminated in favour of a partnership arrangement between the MDP and the CNC. CCMDP confirmed he had arranged for regular liaison with CC CNC.

35. The Chair felt it would be helpful if the Committee continued to receive reports on the MDP/CNC relationship twice a year. **Action: Sec/CCMDP**

36. Sir Denis O'Connor emphasised it would be important to maintain links so that work could be shared where appropriate, including matters like the insider threat.

37. Mark Preston briefed the Committee about some assurance work he has directed on the personal integrity of security personnel (including police, guards and military personnel) who were responsible for protecting MOD establishments, and which would help to address concerns about the insider threat.

Agenda Item 8: Sub Committee for Performance and Risk Management

38. The Committee approved the draft Term of Reference and Jonathan Slater welcomed the Committee's engagement in this role. The Sub-Committee is due to meet for the first time on Tues 10 Dec. **Action: Sec**

Agenda Item 9: Performance Report 13-14 Qtr 2

39. Sir Denis O'Connor noted that sickness remained worryingly high and that MDP would fail to meet its target to reduce this by 10% this year. He also recognised the cost of this to the MOD.

40. CCMDP explained that the figures also included short term sickness which supervisors needed to address.

41. Jonathan Slater recognised that some of the departmental policies underpinning the management of sick leave can hinder progress (ie. Discounting) and said that some of them were currently being examined.

42. Gerry McAuley highlighted the lack of Occupational Health support currently available to officers.

43. Sir Denis O'Connor suggested that the Sub Committee for Performance and Risk Management might consider the sickness data in more detail. CCMDP confirmed the detail was available to do this. **Action: SC P&RM**

Operational Report

44. The DCC highlighted some of MDP's recent and ongoing operations including the ongoing policing of protestors at AWE sites, a CID investigation on the Clyde and the continued substantial support to DE&S for Op REEL

45. Robert Chidley reported that 7 MDP officers had returned from Afghanistan on 30 Sept marking the conclusion of their mentoring and advising role to the Afghanistan National Police for the past 5 years. Seven MDP officers remain in Afghanistan in other roles.

46. Mr McAuley also drew the Committee's attention to the requirement for CID officers to undertake sensitive investigations on behalf of the MOD, and explained that this was increasingly challenging as the significant staff reductions take effect.

47. The Chair noted the CID activity contained in the report and asked whether the newly created Counter Fraud and Loss Department was effective. ACC CO said it was, mainly because DG Finance continued to be engaged and articulate his requirements. Due to unforeseen circumstances (early departure of the newly appointed head of the unit), progress was probably 12 months behind where it should be at this stage.

Agenda Item 10: CC's Diversity Strategy

48. CCMDP presented the first draft of his Diversity Strategy to the Committee. He recognised that, while the MOD has a centralised strategy, the MDP was in a unique position in the Department to have its own strategy in parallel. He thanked Marie Dickie for her support and contribution to the recent meetings held to develop the strategy and accompanying Action Plan. The Action Plan was based on Operational Delivery, People and Culture and Organisational Processes, which was in line with the national Equality and Diversity Strategy for policing although amended to be MOD/MDP specific.

49. Len Jackson thought this was a very good first draft and mentioned the importance of including Equality Impact Assessments which were currently not referred to in the strategy. CCMDP agreed and was clear about the importance he attaches to EIAs. **Action: CCMDP**

50. The Chair noted there was a requirement to confirm the Police Committee's minimum equality data and information requirements by 31 Dec 13 and would ask Marie Dickie to take this forward with other members of the Committee. **Action: Marie Dickie**

Agenda Item 11: Professional Standards and Compliance

a) Use of Force and Powers

51. The Committee noted the table and the Chair reminded MDP of the requirement to bring the statistics into line with the quarterly information presented in the other papers. **Action: ACC DO.**

b) Professional Standards Audit

52. Sir Denis O'Connor reported on his PSD Audit on 23 Oct which had included a review of files and new policies (e.g. Whistleblowing) and other developments, including the publication of Business Interest Standard Operating Procedures. He had also been updated on PSD's progress with the Committee's findings on Police Integrity and Misconduct Outcomes. There was clearly evidence of a lot of work being addressed by PSD. He was also aware of some staffing issues and pressures that will impact on PSD and will need to be carefully managed.

c) PSD Qtr 2 Report

53. Dave Long explained there were resource challenges in the PSD due to VERs exits and replacements needing to be recruited. The number of new conduct allegations continued to rise, and appeared to be more prevalent in stations where MDP's future role was confirmed rather than those which were subject to greater transition.

54. Hd Standards highlighted a "with cause" intelligence led drugs test that led to an officer resignation. Six other officers had resigned whilst under investigation for Gross Misconduct.

55. 23 officers were subjected to a firearms restriction as a result of psychological fitness issues which are subject to PSIU overview and specific risk assessments through line management checks. This control measure was essential to mitigate some of the risks associated with officer welfare during the Force transition.

56. DCC briefed that the IPCC had approached the Department about MOD civilians under the operational command of the MDP being subject to IPCC jurisdiction in the event any IPCC investigation takes place following a serious incident. Colleagues in MDP, DefSy and HRD were working together to assess the implications and consider the request.

57. Mark Preston asked whether the Whistle-Blowing Policy (confidential reporting) was explicit that MDP officers could use the MOD process instead of the MDP one. Sir Denis O'Connor confirmed it was. This Whistle-blowing SOP concerned breaching of police professional standards only.

58. The Committee also discussed the consequences of officers resigning before gross misconduct hearings and the implications for them with regard to pensions and future employment.

59. Sir Denis said that the handling of cases taking over 120 days needed to be kept under review, and support to misconduct investigations needed to be secured and ready to surge.

60. Len Jackson recognised that PSD would have a role to play in the training of new recruits given the importance of social media awareness etc.

61. The Chair welcomed the update and progress in all areas. He recalled that the Committee were due to undertake some further work on misconduct outcomes from early next year. **Action: Sec/Sir Denis O'Connor/Len Jackson.**

Agenda Item 12: HMIC Reports and Investigations

a) Update of progress of Stop and Search findings

62. ACC DO briefed the Committee on the MDP's work to date to address HMIC's findings. This had included producing a Force Order nominating ACC CO as the force lead for S&S activity, and an interim policy was issued with details on how to conduct and record searches. S&S is now a standing agenda item at the TTCG and local guidance had been issued to tactical commanders.

63. The Chair was impressed with the actions to address the HMIC findings. However, he cautioned that MDP's response should be proportionate to its S&S role which is recognised as not a significant priority for this force.

b) Inspection of Firearms Command and Control

64. HMIC officers had de-briefed the Chair, Police Adviser and CCMDP on their findings. The report was due in December and significant recommendations for action were anticipated, especially for TD. The report would be included on the agenda for the next Police Committee meeting, and HMIC representatives may attend. The Chair recommended that the MDP's Action Plan to address the recommendations was also available for the February meeting. **Action: CCMDP/Sec**

Agenda Item 13: State of the Force visit Report

65. The Chair highlighted an issue raised with Marie Dickie by the HOE at Glen Douglas concerning emergency responses to any large scale accident or emergency on site. MDP were relied on as part of that response since it was clear the local force would not be able to respond quickly. However, they had concerns that the revised MDP complement was not be adequate to allow for this.

66. Richard Medland explained that MDP's primary role was the protection of the site and accepted that safety measures did not form part of the new GSSOR. CCMDP and Richard Medland agreed to engage directly with Marie to speak about this issue. ACC DO agreed that there should be engagement with Police Service Scotland to test a response to an incident once the correct MDP complement was in place at the base. **Action: CCMDP/DE&S PSyA**

Agenda Item 14: Any other business

67. None.

Agenda Item 15: Date of the next meeting

68. Tues 4 Feb 2014 at 1400.

[signed]

KAREN FEATHER
Clerk to the MOD Police Committee
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