

15 October 2014

MOD POLICE COMMITTEE
TUES 2 SEPTEMBER 2014
[approved on 4 Nov 2014]

MINUTES OF THE MEETING

Present

David Riddle	Chair
Dr Marie Dickie	Independent Member
Len Jackson	Independent Member
Mark Preston	for Director General Transformation & Corporate Strategy
Heather Tayler	Head of Finance Head Office & Corporate Services

Attendees

Alf Hitchcock	Chief Constable, MDP
Dave Allard	T/Deputy Chief Constable CC MDP
John Fletcher	ACC Central Operations (Desig)
Dave Long	T/ACC Central Operations, MDP
Paul McLaughlin	T/ACC Divisional Operations MDP
David King	Head Corporate Services, MDP HQ
Richard Medland	DE&S (Customer representative),
Harvey Moore	AH-PSPP, Director of Business Resilience, MOD
Ch Insp Robbie Robbins	Staff Officer/Chief Constable
Eamon Keating	Chair, Defence Police Federation
Karen Feather	Clerk to the MOD Police Committee (Sec)

Apologies

Sir Denis O'Connor	Police Adviser
Jonathan Slater	DG HOCS
Gerry McAuley	DCC, MDP
Daniel Applegate	MDP-Hd TACOS Review Team

Chair's Opening Remarks and declarations of interest

1. The Chair welcomed John Fletcher and Robbie Robbins, who were attending the Police Committee meeting as observers.
2. He announced it was Marie Dickie's last meeting, and that the selection panel's recommendation for a successor had been agreed by the Defence Secretary that morning following interviews the previous day.
3. He also informed the Committee that sadly Sir Denis O'Connor planned to stand down as the Police Adviser by the end of the year for personal reasons. An appointment process to nominate his successor would begin shortly.

4. Finally, he reported that, accompanied by the Chief Constable, he had just met with Anna Soubry, Minister (DPWV) to discuss the Committee's Annual Report to the Defence Secretary. The main focus of the meeting was a discussion on MDP sickness levels, since the Rt Hon Michael Fallon had asked the Minister to oversee progress. CCMDP took the opportunity to ask for specific assistance from HR-D and DBS to address case management, occupational health, and fast track exits for those officers whose health issues meant they would be unable to return to their roles.

5. The Minister confirmed that she was committed to improving MDP sickness levels with the MDP Management Board, but understood that MDP needed support from DBS and HR-D to be able to deliver the reductions. She asked CCMDP to take this forward and to be updated by a joint progress note by 18 September. The Chair and CCMDP agreed that it was a very productive meeting.

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

6. The minutes of the meeting held on 2 June (DBR-Def Sy-4-2-3 dated 8 July 2014) were agreed.

7. The Chair drew the Committee's attention to the outstanding matters on the action log and noted:

30 July 13 meeting

Serial 12 – action to be delayed until Mar 15

5 Nov 13 meeting

Serial 4 - remove from log due to the delay of the Better Risk Management Work. Heather Tayler should advise the Committee when the work resumes.

Serial 11 – action to be delayed until Mar 15

4 Feb 14 meeting

Serial 1 – the exercise at Glen Douglas took place on 27-28 Aug and a report was provided. Marie Dickie confirmed she was content.

8. The Action Log should be updated accordingly. **Action: Sec**

Agenda Item 2: Chief Constable's Strategic Report

9. CCMDP presented his Strategic Report covering recruitment, talent management, Command and Control, and Fitness and Capability. He also announced that several of the OP Granite projects had now been delivered, or the work was sufficiently mature to be treated as routine business (including firearms licensing, weight of equipment and recruit and firearms training. Also, the MDP specific survey was launched on 1 Sep (in place of the wider MOD Your Say survey) which would also be used to inform the Police Committee's Culture Review.

10. Len Jackson asked whether any targeted recruitment was planned for geographical areas. CCMDP confirmed that he had asked the recruitment agency HAVAS to focus on Scotland which remained a challenge. Following MDP's recent initiative to participate in careers forums, 50% of people who attended the MDP stand went on to apply.

Emergency Services Network

11. At the Chair's request, CCMDP had provided a brief on the MDP's plans for the replacement of Airwave with the new Emergency Services Network (ESN).

12. CCMDP explained that the Home Office requirements were currently assessed in 2 tiers. Tier 1 was HO forces and would be funded through the HO. Tier 2 was the National Crime Agency, BTP, CNC and MOD users (including the MDP) who were required to self-fund. CCMDP said that the Army (Land) were leading for the MOD because the Army was the highest volume users in the department (due to Military Assistance to Civil Powers (MACP), the Royal Military Police and Special Forces). MDP was the highest daily user. MDP was forming a dedicated project team for the introduction of the ESN which would maintain close links with the Land team and the Home Office leads.

13. The Chair was clear that this project carried significant risk for the force and he recommended that the SCPRM should carry out a Deep Dive on this at their meeting in Oct. **Action: CCMDP**

Agenda Item 3: MDP Terms and Conditions of Service Review

14. David King explained that a Ministerial decision was awaited before negotiations could begin. A full update would be provided at the next meeting. **Action: MDP-Hd TACOS RT**

Agenda Item 4: Report on Occupational Health issues

15. David King presented the paper on Occupational Health and explained that the MDP approach was based around Awareness, Support and Remedy, followed by the need to ensure that Line Managers and HQ can rely on OH arrangements. He outlined some success measures that needed to be in place in order to achieve this. The Committee recognised that it would take some months to achieve significant progress.

16. The Chair referred to the work plan that had been presented to the SCPRM (Sub Committee for Performance and Risk Management) last month which had timelines of Nov 14 for most actions to be implemented. He also reminded the Committee of the earlier conversation with Min(DPWV) (see paras 5-6), which provided a helpful basis of Ministerial support for spending money on Occupational Health for recovery, where this would cost less than maintaining an officer at work.

17. The Chair said that at the SCPRM Sir Denis O'Connor had asked for a future paper to provide a sense of outcomes and benefits after the work plan was implemented (i.e. quantifying reduced sick levels and quicker returns to work).

18. The Chair asked for a progress update for the November meeting, in the light of the Minister's direction earlier that day and engagement with DBS and HR-D. **Action: MDP-Hd CS**

Agenda Item 5: HMIC Firearms Command and Control Inspection – Action Plan update

19. Dave Long provided an update on the Force's progress to implement the 13 HMIC recommendations. Six were considered complete, and others on track for delivery, although two recommendations still needed to be fully resolved.

20. HMIC had recommended that all MDP firearms officers be equipped with Taser. MDP proposed to ensure that all officers are trained in Taser, but only those deployed in public facing roles would be deployed with Taser. While the Committee recognised the benefits of a non-lethal option, the members queried the force's proposal to train all officers in the use of Taser given the issues with the training capacity at present. While this was an operational matter for the Chief Constable, the members' view was that this should be a lower priority for the officers in non-public facing roles than other tactical firearms training. Mark Preston confirmed that appeared to be a proportionate response that would satisfy the Department, while noting that MDP and MOD would need a clear defence if there was ever a situation where a less lethal option was not available to be used.

21. The Chair asked whether MDP now had sufficient trainers to deliver its training plan. Dave Long confirmed the force could meet this through secondary duties and some additional resources.

22. The Chair said that he and Sir Denis O'Connor would visit MDP HQ on 29 September to consider all the HMIC recommendations and make an assessment of MDP's actions to implement them. He therefore accepted the paper presented to the Committee subject to any views raised after this visit.

Agenda Item 6: Corporate Risk Register

23. Some issues with the construction of the MDP Risk Register had been recognised by Committee since it expanded its role to look at risk management in April 2013. However, it was agreed that a thorough review of the register should await the outcome of the Better Risk Management work that was being led by MOD Head Office. Given the update from Heather Tayler at Agenda Item 1, the Chair recommended that the MDP Management Board should now begin a formal review of the register to ensure that it is fit for purpose. **Action: CCMDP**

a) Risks 2a and 8: As also discussed at the recently SCPRM, the Chair asked MDP to re-visit the post-mitigation risk scoring which remained high. The target date for Risk 8 had now passed. **Action: MDP-Hd CS**

b) Risk 3: Marie Dickie thought that the risk of fatigue as a consequence of excessive overtime should be added. The Chair agreed, and stipulated that overtime that exceeded 60 hours should be reported to HQ. Richard Medland also recognised the concerns being expressed about use of overtime to enable the force to deliver effective security. Dave Allard confirmed that Divisional Commanders already refer overtime time of over 60 hours to HQ in order that welfare implications can be considered. The DPF Chair confirmed that any overtime in excess of 60 hours was being carried out on a voluntary basis, but acknowledged that if officers were doing it for financial reasons there may be a health risk. He confirmed that the DPF would work with the force to help address this but there was no solution until the force was up to full complement again. Paul McLaughlin explained that Operational Standards department was currently looking at whether the overtime roster was sufficiently efficient and effective. **Action: ACC-CO**

Agenda Item 7: Report from the Sub-Committee for Performance and Risk Management

24. The Chair invited the Committee to receive the report from the SCPRM held on 19 Aug (DBR-Def Sy 4-2-3 dated 27 August 2014).

25. He added that both he and Sir Denis were encouraged that performance information was now being presented to the Sub-Committee and Committee (including statistics on Long Term Sick and Effective Strength) in a form that provided much better evidence for the Committee to consider the MDP's performance.

Agenda Item 8: Performance Reports

a) Qtr 1 14-15 Financial Report

26. David King presented the Qtr 1 report. The Chair noted that the overtime spend was predicted to be £16M against a budget of £8M. David King explained that an under-spend on pay due to the gaps in the complement should re-balance this. CCMDP added that the gaps along with sickness and non-capable officers was having a significant impact on the use of overtime.

27. The Chair asked whether the Annual Budget Cycle (ABC) 15 submission anticipated MDP in a steady state or subject to budget reductions. Heather Tayler explained that the budget included reductions for civilian manpower

savings which had been applied across Defence. It was expected that MDP would meet these through TACOS reform.

b) Qtr 1 14-15 Performance

28. Performance had been discussed at length during SCPRM on 17 August. The Chair welcomed the station performance report for July, but suggested it would be helpful if the report could show which stations had benefited from the overtime worked given resources were deployed from L2 stations to ensure L1 stations were sufficiently covered.

c) Operational Report

29. Dave Allard presented the Operational Report for Qtr 1 14-15, and highlighted, a protest involving the Special Escort Group (SEG), MDP assistance to the NATO Conference in South Wales, and various examples of CID activity.

30. The Chair had requested an update on the Marine Funding issue that was raised at the last meeting. It was explained that this now appeared to have been resolved; the reductions will not now take place and the vessels will remain in service until replaced.

31. [Redacted]32. The Committee wished to place on record its appreciation of the action taken by the officers at Easington and an officer at Fylingdales who received an ACC's Commendation for their involvement in life-saving situations.

33. The Chair asked for a report to the next meeting on the Control Room trials in preparation for the closure of the Central Control Room at MDP HQ in April 2015. **Action: CCMDP**

34. CCMDP highlighted the update in the Threat Assessment on 29 August which had resulted in a large increase in MDP reporting of suspicious activity.

35. Mark Preston emphasised the importance of a visible security presence in this climate and asked CCMDP to make as much use as possible of mobile resources, including deployments outside the wire. **Action: CCMDP**

Agenda Item 9: Diversity Action Plan

36. CCMDP presented the 1st Quarter Progress report and highlighted the Diversity Goal to ensure that all staff undertaken mandatory training, which was currently rated at "Amber" but due for review at the end of October. The plan was to reduce the length of training for offers from 2.5 hours to 30 mins to provide them with an understanding of the need to act legally and morally to meet the statutory requirements of the Equalities Act.

37. Marie Dickie noted that all Diversity Board members now undertake these roles as secondary duties since MDP lost their dedicated Diversity Officer in

the HQ re-structuring. She suggested that MDP might re-assess their needs and prioritise these in order to have the best chance of demonstrating some tangible progress. **Action: CCMDP**

38. The MDP Diversity Data Dashboard (Diversity Goal 3.1) which the Committee sees every 6 months is due to be presented to the next Police Committee meeting in November. **Action: CCMDP**

Agenda Item 10: Use of Force and Powers

39. The Committee noted the Use of Force and Powers report.

40. Dave Long presented the report following the annual inspection by the Interception of Communications Commissioner's Office (IOCCO). The Committee noted the report was very positive and that no recommendations had been made for the MDP to implement. The Chair placed on record the Committee's recognition of the MDP's efforts that had resulted in this outcome.

Agenda Item 11: Professional Standards

41. Dave Long provided an overview of the Qtr 1 PSD report. OP PEASE continued to consume PSD resources and had inevitably resulted in extended timelines for some cases. Some additional resources had been allocated to PSD which had positively resulted in a 50% reduction of the number of open complaints cases this quarter, but delays to conduct cases continued.

42. PSD was actively involved in presenting training sessions with the new recruits (on use of social media etc) and with future leadership and management courses.

PSD Audit

43. Len Jackson reported that he had carried out the Qtr 1 PSD audit on 21 Aug. He recognised that the timelines for concluding conduct cases would remain an issue while the AWE cases were being considered. He had inspected the Business Interest Register and the Gifts and Hospitality Register. Entries in the latter needed to be updated for the senior management. **Action: CCMDP**

44. He suggested that PSD should provide a selection of open cases that had stalled for future PSD audits. **Action: ACC CO**

45. He also strongly recommended that PSD should strive to bring the AWE investigations to an end swiftly.,

46. He was concerned to learn that, following advice from the MOD's Central Legal Services to the Chief Constable, that the MDP's new Conduct, Performance and Appeals regulations would be subject to further delay. The Chair agreed this was a concern, given the Police regulations have endured since 2008 without legal challenge. He therefore asked that the MOD Legal

Team should be made aware that the Committee believed there were clear benefits from having MDP Regulations that were consistent with HO Regulations and that any significant variances from the Home Office Police regulations following the proposed re-drafting process should be briefed to the Committee. **Action: Sec**

Code of Ethics

47. Dave Long explained that while the Code of Ethics published by the College of Policing in July 2014 for police forces in England and Wales was not legally binding on the MDP, the Management Board had agreed that the Code should be adopted throughout the force. The Code also applied to police staff, which meant that there were also implications for NUCS who supported MDP. HQ would need to consider how this worked with the Civil Service Code of Conduct and plan to consult with HR-D and Trade Unions.

48. The Code of Ethics is due to be formally launched for the MDP during the SLC Conference in October.

Agenda Item 12: MOD Police Committee Work Programme 14-15

Operational Capability Centre

49. Marie Dickie presented her report and recommendations on Phase 2 of the Review of the OCC which considered trainer capacity, development of an MDP policing diploma, management and leadership training, and taking the opportunity to improve force diversity. She wanted to ensure that she left a record of her work and guidance to possible future work with the MDP.

50. CCMDP confirmed that he had spoken to Marie and Len Jackson about this report and was content that the force should take these recommendations forward.

51. The Chair thanked Marie for her work and suggested that this should be taken forward by her predecessor as soon as practicable.

Culture Review

52. Len Jackson confirmed that the review had started and thanked the MDP for the very positive reception the team had received at the stations they had visited to date. A verbal report would be provided to the meeting in November with recommendations early next year.

53. Mark Preston reminded the Committee that the Nuclear Security Review commissioned by Min(AF) was now being led by Tom McKane, and this would also consider security culture. He was pleased to note that the MDP was ahead in the game by starting this review. An equivalent review for the MOD Guard Service, led by Harvey Moore, would begin over the next few months.

Agenda Item 13: Any Other Business

54. The Chair thanked Marie Dickie for her work since she was appointed to the Committee in 2007, and in particular the commitment and energy she had continued to show in the MDP's diversity programme. CCMDP echoed this with his thanks and appreciation. The Committee wished Marie every success for the future.

Agenda Item 14: Date of next meeting

- Police Committee – 4 Nov 14
- Sub-Committee for Performance and Risk Management – 14 Oct pm
[post-note: now cancelled]

[Signed]

KAREN FEATHER
Secretary
MOD Police Committee
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