

1 October 2015

**MINUTES OF THE MEETING OF THE
MOD POLICE COMMITTEE
HELD ON TUES 1 SEPTEMBER 2015**

Present

Members

David Riddle
Sir Hugh Orde
Len Jackson
Anne McMeel
Jonathan Slater

Mark Preston
Justin Oliver

Chair
Police Adviser
Independent Member
Independent Member
Director General Head Office &
Commissioning Services
Director Business Resilience
for Head of Finance Head Office & Corporate
Services

Attendees

Dave Allard
David King
Paul McLaughlin
Dave Long
Daniel Applegate
Richard Medland
Harvey Moore

Richard Clancy
Supt Derry Montgomery
Eamon Keating
Karen Feather

T/Deputy Chief Constable MDP
Head Corporate Services, MDP HQ
T/ACC Operations MDP
T/ACC-OD&C
HRD-Strategy
DE&S (Customer representative),
AH-PSPP, Director of Business
Resilience, MOD
TACOS Review
DBR-Def Sy
Chair, Defence Police Federation
Clerk to the MOD Police Committee

Apologies

Alf Hitchcock

Chief Constable, MDP

OPENING REMARKS AND DECLARATIONS OF INTERESTS

1. The Committee noted the pending changes to the MDP Management Board which were due to take place over the next few weeks.
2. There were no declarations of interest from the independent members.

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

3. The minutes of the meeting held on 12 May 2015 (DBR-Def Sy 4-2-4 dated 27 May 2015) were agreed. All items on the Action Log were discharged, in progress or would be covered in the agenda for this meeting.

STRATEGIC ISSUES

Agenda Item 2: Chief Constable's Strategic Report

4. T/DCC Allard presented the Chief Constable's Strategic Report, highlighting the latest progress on recruitment, the work to reduce long term sickness and enhance capability, and the MDP's preparations for the Strategic Defence and Security Review (SDSR) which focussed around a new operational policing model.

Long Term Sickness and capability

5. MDP had recognised that a high percentage of officers that were currently classed as non-capable for firearms duties were performing police roles required by the Guarding and Security Statement of Requirement negotiated with their customers. As a result of this MDP were considering re-assessing these officers to capable which would then raise the force's effective strength to over 94%.

6. Anne McMeel said that it would be essential ensure MDP customers agreed with this since there may be an expectation that some of the non-firearms roles being performed at units still needed to be firearms capable. Mark Preston strongly supported this.

7. The Chair said it was important for the Committee to understand what checks and balances were in place where MDP officers were to be re-assessed as effective although they were unable to carry firearms. He suggested that the Committee should look more closely at the MDP's methodology in re-assessing capability and asked for a report explaining this to be tabled at the next meeting. **Action: CCMDP**

Terms and Conditions of Service

8. Mr Allard explained that while the DPF ballot had resulted in a rejection of the proposed TACOS package, CCMDP remained keen to press on with the introduction of fitness testing with effect from 1 Oct. The Committee supported this given it was an essential requirement for firearms licencing.

SDSR

9. One of the SDSR options that are currently under consideration was the introduction of a new operational policing model for the MDP, which aims to provide more officer capacity and capability at less cost across the Defence estate.

10. Mr Allard reported that the new operational policing model was currently under trial with Defence establishments based around the Aldershot area, with a further trial planned for the Clyde. The trial would enable some data to be collected to show the number of instances that the MDP got drawn into any local constabulary matters, since some customers were concerned there was a risk that MDP officers may be distracted from their core role of policing the defence estate. The Chair and Sir Hugh Orde planned to visit the trial at Aldershot.

Op Vintage

11. MDP had been invited to participate in a tender exercise for the continuation of the Vintage deployment, a role that had been carried out by the MDP since 2007. . The Chair stated that the Committee expected to be consulted on this tasking (and any other significant new tasking proposal) by the MDP in order that they could provide the Defence Secretary with independent advice to assist with his decision making. **Action: CCMDP**

QEC

12. Sir Hugh Orde asked for an update on the recruitment of officers in preparation for the the QEC.

Recruitment

13. Anne McMeel pointed out that the recruitment report continued to state that the strength aim was 97% rather than 100% as previously agreed. She also noted that the latest assessment for the MDP to reach full complement was now not until June 2016, and there were plans to increase recruitment again, from 300 to 360 per year. The Chair asked for an updated recruitment plan to be included in the papers for the Sub-Committee with an explanation of the rationale for the increase to 360 a year, affordability and the implications on trainer capacity. **Action: Hd CS**

Agenda Item 3: TACOS update

14. Daniel Applegate confirmed that the members of the Defence Police Federation (DPF) had rejected the Department's formal offer on changes to MDP revised Terms and Conditions of Service by a clear majority. The formal DPF response to the offer had been received on 10 Aug 15. The Chair expressed disappointment at this outcome on behalf of the independent members, given that it had already taken six years of work and effort to reach that position. He asked the DPF Chair what he considered it would now take to move forward.

15. Mr Keating explained that the main reasons his members had rejected the TACOS proposition were the offer on effective pension age (i.e. a 3 year actuarial reduction from the state pension age), and the omission of the new Unsocial Hours Allowance. However, in his view the situation was recoverable and a meeting to discuss next steps was planned with the TACOS Review Team later that day.

16. While the Committee accepted the concerns about the future pension age for the MDP, they understood this was a Government matter and was not therefore within the MOD's own remit to deliver. Mr Keating explained that approximately a third of the force had protected pension rights under the previous Principal Civil Service Pension Scheme which meant they would still be able to leave at age 60 if they so wished. Jonathan Slater noted that in the absence of an agreement on changes to MDP TACOS those MDP officers without protected pension rights would retire at the state pension age, which in his view was the least attractive position from an operational perspective. He was not optimistic that Government would change its position on earlier retirement arrangements for MDP. It was also likely that the Department would wish to take forward the implementation of other individual elements of the TACOS proposition where possible even without agreement.

Agenda Item 4: Culture Review – update on progress of recommendations

17. Dave Long provided an update on the progress of recommendations. The Chair noted that the Sub-Committee had an opportunity to look at this in more detail on 13 Oct since a Deep Dive on the Organisational Development Strategy was on the agenda.

18. Len Jackson remained concerned at the lack of progress to address the IT issues (specifically the dual systems DII and MDPNet). He suggested this could have morale and operational risks, especially as transition to DII had not been implemented in the Nuclear Division where the largest percentage of officers was based. David King

explained that the transition remained a slow and difficult process but he assessed operational impacts as slight.

Occupational Health Services

19. Richard Clancy provided an overview of the work that had been carried out over the summer to consider and take forward the Police Committee recommendation on possible in-house provision of Occupational Health (OH) services to the MDP. The emerging findings were summarised in the paper that had been provided to the Committee. The MDP experience of the service currently being provided by OH Assist had been mixed, but some previous service delivery concerns had resulted from the Force not properly articulating its' requirement. Much work had been done to clarify the MDP requirement for OH services and the level of service provided by OH Assist in recent months had generally been satisfactory. However, it was imperative for the Force to clearly articulate its requirement for OH services (together with volumes) given the imminent introduction of annual medicals and fitness testing as this would inevitably result in an increase in referrals for OH advice.

20. The Force was the largest user of the MOD contract with OH Assist, which was due to expire in Oct 16. A new MOD-wide contract for HR service provision was currently being scoped by Civilian HR in MOD Head Office. In addition, it was likely that a separate Employee Assistance Programme will be available from Oct 16 that will include counselling and critical incident support. This would be of direct relevance to the MDP.

21. On the basis of the evidence available, and the resource constraints that the MDP was working within, the concept of meeting the MDP requirement for OH services from an in-house team was not feasible. If managed properly, the provision of OH services to the MDP by an external provider under a central contract should provide an acceptable level of service. However, it was important to note that the Force was now in the process of augmenting its OH team with the addition of several additional posts. These had been funded by re-prioritising the existing civilian staff budget.

22. The Chair said that MDP had to be clear about their service requirement or specification and be assertive to ensure that is reflected adequately in the MOD wide service contract. He asked for a progress update for the next main Police Committee meeting in December. **Action: Hd CS**

Agenda Item 5: Home Office Review of Infrastructure Policing

23. Harvey Moore briefed the Committee about a Home Office led review to consider how to improve the efficiency and effectiveness of policing the national infrastructure.; There were also Cabinet Office drives for other efficiency measures to be taken outside of policing. Both work streams had short timescales for producing reports and recommendations.

24. The Chair asked that the Committee be kept updated on developments by both DBR and MDP. **Action: DBR/CCMDP**

Agenda Item 6: Strategic Defence and Security Review 2015 – Policing and Guarding Options

25. Mark Preston updated the Committee on the department's SDSR work, and the 4 main policing and guarding options (although one of these solely relates to the MOD Guard Service) that were considered. He underlined the importance of the MDP's

operational policing model trial that was currently underway because this would help the TLBs to assess the impact of this option.

PERFORMANCE

Agenda Item 7: Subcommittee for Performance and Risk Management

26. The report of the meeting held on 30 June 15 was noted.

Agenda Item 8: Chief Constable's Performance Report

Finance Report – Jul 15

27. The Committee noted the finance report had not yet taken account of the recently imposed HOCS in-year saving measure and asked MDP to explain more fully how it would identify savings to bring the forecast in line with the revised budget. Hd CS explained that the overtime element of the budget remained at risk despite steps being imposed to attempt to reduce this. The position was expected to improve as new recruits continued to arrive, absence levels reduce and some tasking relief is negotiated with customers. HOCS had directed that any expected overspend is highlighted in risk registers. **Action: Hd CS**

28. The Chair said that he had written to Jonathan Slater to relay the Committee's concerns that the in year savings may impact adversely on security, highlighting that savings did not appear achievable without drastically cutting or eliminating overtime.

29. Mark Preston reminded everyone that the MDP had to meet certain policy requirements for policing and guarding and failure to meet these standards would increase security risks for Heads of Establishments.

30. Justin Oliver said that MDP needed to urgently articulate their position now to DGHOCS, Director of Resources and DBR, especially given it was probable that even more savings could be sought from MOD (and MDP). **Action: Hd CS**

31. Dave Allard confirmed that engagement with MDP customers was on-going, while the longer term strategy involved the introduction of the new operational policing model.

Station Performance Report

32. Richard Medland reported that the DES Heads of Establishment remained content with MDP performance levels, which currently continued to be maintained through the use of overtime.

33. The Committee noted the variance in pre-mitigation performance levels at the different CNI sites and asked if this information was shared with DECC. Supt Montgomery confirmed DECC were fully aware of recruitment issues and overtime requirements as a consequence of this.

Operational Report

34. Mr McLaughlin briefed the Committee on MDP's operational performance, which was duly noted.

Agenda Item 9: Report on reducing LTS and Non-capability and Occupational Health Arrangements

35. The Committee noted the latest update on the MDP's work to reduce long term sickness and non-capability. (See also Agenda Item 2 para 5-7).

Agenda Item 10: Diversity & Equalities

Action Plan – Quarter 1 2015-16 update.

36. The Committee noted the progress against the Action Plan.

37. Anne McMeel took the opportunity to re-emphasise the MDP's once in a generation opportunity to improve the recruitment of women and BAMEs into the force.

POLICING POWERS AND DUTIES

Agenda Item 11: HMIC Firearms Command and Control arrangements

38. The review of the recommendations by the MDP Operational Assurance team was noted by the Committee. A copy of the report had been sent to the Chair and the Police Adviser in June and they had complimented the team on their thorough and well presented work. The Chair proposed that the Committee should review the recommendations that were annotated as Limited or No assurance following the CC's session at the National Police Chiefs' Council. **Action: CCMDP/Sec**

Agenda Item 12: Use of force and powers – Qtr 2 2015-16

39. Sir Hugh Orde noted that the statistics recorded no use of Taser despite the huge costs of supplying Taser to officers in the force's public facing roles following the HMIC recommendation. Mr Allard replied that the new operational policing model may affect this if it is adopted in future and MDP increased its operations outside the wire.

Agenda Item 13: Professional Standards Report and Audit – Qtr 1 2015-16

40. The PSD quarterly report was noted and Len Jackson reported that the PSD audit had gone well and he had carried out the six-monthly of business interests, and the gifts and hospitality registers.

41. Since all investigations concerning the conduct matters at Burghfield were now complete, Len Jackson would begin his work to review the role of the PSD investigation and planned to report to the Committee in December with his findings and any lessons to be learned for PSD and the wider MDP. **Action: Len Jackson**

42. The Chair asked for a short report on the Employment Tribunal case that had resulted in a payment of £20K. **Action: Hd CS**

CLOSING REMARKS

Agenda Item 14: Any other business

43. The Police Committee Work Programme for 15-16 was noted. The review of the Operational Capability Centre and the Burghfield Misconduct investigations were now being taken forward by the independent members and both reports expected for the December meeting. **Action: Len Jackson/Sir Hugh Orde/Sec**

44. The Chair noted that this would be the last meeting attended by David King who was due to retire later in the month. He thanked him for his contribution to the Committee over the last few years and his service to the MDP, and sent the Committee's best wishes for a long, happy and healthy retirement.

Agenda Item 15: Date of next meeting

- MOD Police Committee – Tues 8 Dec (papers due cop 26 Nov)
- Sub-Committee Performance & Risk – Tues 13 Oct (papers due cop 1 Oct).

KAREN FEATHER

Secretary MOD Police Committee