

DSR-4-2-4

9 April 2018

**MINUTES OF THE MEETING OF THE**  
**MOD POLICE COMMITTEE**  
**TUES 27 MARCH 2018**  
*[Approved on 19 Jun 18]*

**Present:**

**Members**

|                     |                    |
|---------------------|--------------------|
| Sir Brian Burrridge | Chair              |
| Sir Hugh Orde       | Police Adviser     |
| Len Jackson         | Independent Member |
| Anne McMeel         | Independent Member |
| Moi Ali             | Independent Member |
| Alison Stevenson    | D-Head Office      |
| Harvey Moore        | DSR-Dep Hd Policy  |

**In attendance**

|                         |   |
|-------------------------|---|
| Andy Adams              | T/CCMDP                                     |
| Peter Terry             | T/DCC                                       |
| Justin Oliver           | MDP Hd Corporate Services                   |
| Paul McLaughlin         | ACC Operations                              |
| Dave Long               | ACC Organisational Development & Crime      |
| Gp Captain Kevin Bailey | Navy - Customer Rep                         |
| Chris Dawes             | DE&S Customer Rep                           |
| Adam Powell             | HOCS-Hd Defence Reform                      |
| Keith Meade             | DSR-Asst Hd Policing Policy & Physical Secy |
| Martin Molloy           | DSR - Asst Hd - Security Projects           |
| Ch Insp Fiona Kerr      | DSR- Policing Policy                        |
| Eamon Keating           | Chair, Defence Police Federation            |
| Karen Feather           | Secretary                                   |

**Apologies**

|                 |  |
|-----------------|--|
| Julie Taylor    | DGHOCS (represented by Alison Stevenson) |
| Vincent Devine  | DSR (represented by Harvey Moore)        |
| Richard Medland | DES-PSyA (represented by Chris Dawes)    |

**Agenda Item 1: Agenda and Chair's introduction**

1. The Chair welcomed all members and attendees to the meeting. No potential conflicts of interest were declared.
2. He confirmed that a new independent member, Mike Franklin, had been approved by the Defence Secretary to replace Len Jackson as the professional standards lead with effect from 1 April.
3. The recruitment campaign to select a Chief Constable was ongoing.

## **Agenda Item 2: Minutes of the meeting held on 12 Dec 17 and actions**

4. The minutes of the meeting held on 12 Dec 17 (DSR-4-2-4- dated 21 Dec 17) were accepted as an accurate record of the meeting. All actions had been discharged or would be reported on during the meeting.

## **STANDING ITEMS**

### **Agenda Item 3: Report of the Sub-Committee for Performance and Risk Management**

5. The Chair's report to DGHOCS confirmed that the SCPRM was held on 1 March 2018. This was the first opportunity to apply the Committee's new approach to risk identification and management that will be used to provide assurance to the Defence Secretary. His aim was to facilitate the convergence of the Statement of Requirement, the Policing Plan and the Strategic Risk Register such that they reflect a consistent list of Strategic Outputs.

6. The Chair and the Police Adviser had visited MDP HQ this month to assess MDP's progress in readiness for the College of Policing re-licensing audit on 30 April and reported their findings. The hard work of the Force's Firearms Officer and the Chief Firearms Instructor to prepare the force for the re-inspection were noted.

7. MDP Service Delivery levels at the end of Q3 had decreased. There was an increase in the number of officers who could not be deployed with a firearm which was up to 11.6% at Q3 (9.6% at Q2). This was the continued impact of the "with consequence" fitness testing. The independent members recognised that this was an unsustainable position. They also asked the COG to monitor any trends in stress related absences resulting from the high levels of overtime required of other officers to cover this deficit.

8. The current financial forecast was a £5M overspend with £1.4M arising from the change in pension age. ABC 18 financial allocations were still awaited. There remained longer term financial programme risks arising from the HQ relocation programme and the introduction of the Emergency Services Network to replace Airwave.

9. The Chair's report also updated DGHOCS on the Committee's planned work programme for 2018-19.

### **Agenda Item 4: Chief Constable's Strategic Report**

10. T/CCMDP presented his new style Strategic Report which was based around actions to improve performance both in mitigating the impact of identified risk and in managing the impact of the issues currently confronting the Force.

11. He answered questions from the Committee on the following issues:

## Firearms Training Licence

12. T/CCMDP reported on the significant work and progress made in preparation for the College of Policing (COP) re-inspection visit on 30 April. In particular, effort has been directed to the CHRONICLE management information system which has been populated with officers' training, qualifications, medical and fitness capability.

13. The COG assessment was that the MDP was ready for the COP re-inspection on 30 April.

## National Fitness Standards Harmonisation

14. The Chair asked T/CCMDP to update the Committee on MDP's progress to achieve 7.6 fitness level by 2020.

15. T/CCMDP explained that whilst there was no requirement in law for the MDP to follow COP standards to lawfully carry firearms (that was met through the Firearms Act) doing so ensures standards of interoperability with HO Forces. Having signed up to COP standards it would be hard to argue removing that requirement now (and could create legal challenge if there were an incident).

16. Interoperability was a requirement for the MDP in Statement of Requirement both on day to day matters as well as in response to terrorism, public order or other critical issues. TEMPERER is a specific operation, MDP officers can find themselves working with HO colleagues at any time (for example RAF Mildenhall late last year). Annex B of the MDP Statement of Requirement will set out the need to maintain the COP firearms licence, meet role profiles and meet the extant COP fitness standard.

17. Whilst TACOS was negotiated at a standard of 5.7 this was not later accepted by the COP and this position is only accepted by the COP because MDP is in the process of negotiating harmonisation to 7.6 by 2020. Since 2014 all new recruits have been employed (including those transferring from other forces) at 7.6. The introduction of best effort testing has increased the number of officers at 7.6.

18. While the MDP Firearms Training licence remains suspended a restriction has been placed on officers attending incidents outside of establishment to mitigate any short-term risk and following NPCC legal advice. DACTSO has also confirmed that only officers at 7.6 will be taken to support the Strategic Armed Policing requirement. Should TEMPERER be called, and the risk to the public is greater, then she will take officers of lower fitness standards.

19. Whilst an argument is being made that COP standards were not required behind the wire it would be inconceivable to see how that might be defended should an incident occur which was not responded to appropriately by an officer of a lower standard unless there is a defensible justification. It is logistically challenging to operate with different standards and there would be an impact upon the national demands.

20. Whilst there is a requirement to review the MDP role profile following the Peer Review this will not automatically result in an adjustment to fitness requirements and any Role Profile with a lesser fitness level will need to be agreed with the National Lead for Armed Policing and COP.

#### MDP complement re-set

21. T/CCMDP reported that MDP has identified up to £9M savings whilst sustaining the current security service levels agreed with TLBs and to improve the efficient and effective management of the organisation.

22. The issue of the additional posts required at Portsmouth needed to be confirmed between the MDP and the Navy. MDP remained committed to fulfilling the new armed stand-off task subject to confirmation of additional funding by the Navy.

23. The Chair said that this matter needed to be urgently resolved and offered to liaise with 2SL if this was needed. **Action: ACC Ops/Navy Customer Rep**

#### Promotions

24. T/CCMDP reported that internal promotion processes and external recruitment had seen over 20 new Sergeants and over 20 new Inspectors promoted throughout the force. Despite this there was still a challenge to fill the vacancies at Sergeant rank and the HR Dept may now consider recruiting from external forces to address the current gap.

25. LJ asked if the force could deliver against any training requirements identified through the Performance Assessment Review process. MDP Hd CS said there were still challenges due to the training school capacity and the requirement to meet the force's operational requirements.

#### Ranges

26. T/CCMDP reported that the AWE range had been repaired and was awaiting the necessary safety inspection. MDP had approved £66K for repairs to Wethersfield ranges that would commence shortly but issues remained with Coulport ranges which were incurring substantial T&S costs as a result. The Chair said that, given the substantial overtime costs being incurred in using external ranges, the matter should be placed on the agenda of the SCPRM meeting on 15 May and asked for a position report to be provided. **Action: ACC ODC**

#### Non-Capability of Officers

27. T/CCMDP reported that there were now 300 non-capable authorised firearms officers within the operational delivery area. This represented almost 14% of the Force's total AFO requirement. In addition, MDP was losing over 10,000 hours through short term sickness which generally needed to be covered by overtime.

28. The Committee recognised this was a considerable risk for the future with the move to align the force to the national police fitness standards and the impact on further undermining security risk mitigation levels.

T/CCMDP confirmed the COG was directly focussed on the issue. Unsatisfactory Performance Procedures were being used to manage the officers towards the appropriate outcomes.

### **Agenda Item 5: Revised Assurance Monitoring Processes and Work Plan**

29. The Chair presented the Committee's work programme for 2018-19 which was based on the MDP workforce life cycle and the revised Strategic Risk Register.

The plan was subject to a couple of adjustments and would be finalised during the Committee's forthcoming visit to Menwith Hill.

### **Agenda Item 6: HOCS/DSR update**

#### HOCS

30. AS announced that the Chief Operating Officer (COO) would be the HOCS TLB holder with effect from 1 Apr 18. He would also be the Chief Constable's Reporting Officer.

31. The HOCS Risk Register remained work in progress and would be owned by the COO.

32. AS said that she expected the ABC18 settlement to be confirmed within 2 weeks.

#### Peer Review

33. Harvey Moore confirmed that DGHOCS had now agreed the Action Plan to implement the 9 recommendations made in the Peer Review. Martin Molloy, who was working on several security projects in DSR until the end of June, has been asked to look at the two recommendations concerning the Police Committee with independent oversight being provided by a SCS2 outside of DSR.

#### Service Justice Review

34. HM said that the Service Justice Review was unlikely to impact significantly on the MDP. The report may recommend more collaborative working between the MDP and the Service Police where they share specialist capabilities and the creation of a combined Defence Organised Crime Unit. The Chair noted that this may have some impact on the plans being taken forward between MDP and DIO for a de-centralised MDP HQ.

#### Project Jute

35. The Chair reported that members of the Committee were briefed by the officials leading on Project Jute on 21 Mar 18. The project would now consider and cost a

de-centralised HQ with training, Crime Command, equipment stores and lodger units based at different locations: the option to locate the HQ element (with command and control) at Bassingbourne or Lyneham would be included.

36. T/CCMDP confirmed that MDP was now actively exploring alternative training delivery solutions that may maximise training capacity through the use of the wider Defence training estate and police partners.

37. The Chair asked MDP Hd CS to report to the Committee on the outcome of the next project board meeting which was due to take place on 24 April. **Action: MDP Hd CS**

### Review of Enabling Organisations

38. Adam Powell briefed the Committee on the work that is being led by COO to review the Department's relationships with its 12 Enabling Organisations (of which the MDP is one) as part of the Modernising Defence Programme. The work will be conducted by a joint MOD and UK Government Investments (UKGI) team lead by himself and James Pfeffer. The overall objective for the review was to determine the optimum relationship for the MOD to have with each of its Enabling Organisations, the best governance structure to underpin this, and the enduring function required in Head Office to support such a system. It was planned to look at the MDP in September 2018, and AP confirmed that the team would be keen to speak to the Committee to inform their work. It was noted that the review would not address governance resources.

39. The Chair highlighted the Peer Review which had made two recommendations about MDP governance and the role of the Police Committee, membership and its relationship with Head Office. Work to address these recommendations was already in hand and expected to report by the end of June (see para 33).

40. AS confirmed that the work to address the recommendations in the Peer Review should not be delayed. **Action: DSR**

### ITEMS FOR ENDORSEMENT

#### Agenda Item 7: Draft MOD Statement of Requirement for the MDP

41. The new SOR would replace the 2012 version which establishes the MOD's strategic requirement for the MDP. The new SOR needed to take into account the significant changes and resource pressures, and the different operational environment since the earlier version was produced.

42. The Chair noted that the latest draft had taken account of the Committee's feedback from the December meeting. However, he suggested that it may further benefit from a re-ordering of MDP outputs to be consistent with the Strategic Objectives that will be presented in the Policing Plan. It was also suggested that the issue of resources might be reflected in an Annex. **Action: T/CCMDP/DSR**

43. The Chair thanked officials for their work on the document.

## **Agenda Item 8: Draft MDP Policing Plan 2018-19**

44. The Committee had originally wanted the CCMDP to have opportunity to take ownership of plan for 2018-19, but the selection panel will not sit until 1 May 18 which meant a risk of delay beyond Q1. Since the Strategic Objectives had been re-defined with support from the COG team, the Committee agreed that the Strategic Objectives should now be published so that they are in place when Q1 performance is reported. **Action: MDP Hd CS**

45. MA suggested that the accompanying Business Plan would benefit from some smarter objectives and stretch targets to demonstrate quality improvement and efficiency. T/CCMDP agreed to consider this. **Action: T/CCMDP**

46. The remainder of the Policing Plan could be finalised in slower time and presented at the June meeting when there should be confirmation of the CC appointment. **Action: T/CCMDP**

## **ITEMS TO NOTE**

### **Agenda Item 9: Professional Standards Report**

47. LJ reported that he had carried out his final PSD audit on 6 March 2018. He looked specifically at complaint files. Most were comparatively low level complaints involving demonstrators and all appeared to be well handled and fully recorded. However, of note were three recent appeals from complainants following local investigations that were upheld by the IOPC and re-investigations ordered. DCC confirmed that the action had been taken and decisions from the IOPC were now awaited. These would be reported to the next meeting. **Action: T/DCC**

48. LJ said that he had again encountered several conduct matters involving speeding fines whilst off duty and reiterated his suggestion that a bulletin be issued across the Force reminding officers of their responsibilities both on and off duty. The Committee agreed there was a requirement to ensure the PSD input to their initial training course was robust. T/DCC thought this may also be due to robust supervision of the new recruits by their Sergeants. **Action: T/DCC**

49. T/DCC reported back to the Committee on the reasons why 9 complaints cases had taken over 120 days to conclude. He said that 3 were IOPC referrals; 2 were members of the public appealing against the decisions; 2 were due to poor housekeeping (and should have been closed sooner); one was a complicated case and the time frame was considered acceptable and one was a difficult case but could have been dealt with faster.

50. AS suggested it would be helpful if future reports showed the trends over several quarters. **Action: T/DCC**

### **Agenda Item 10: Diversity and Inclusion Action Plan Q3 progress**

51. The Committee noted the D&I Action Plan for Q3. MDP Hd CS explained this was being reviewed and next year's plan would address effect. He also said that the Ambassador's programme had not been successful due to the level of commitment required over officers' primary roles. **Action: MDP Hd CS**

52. AM agreed with this summary and suggested the Action Plan now needed to be aligned to the Life Cycle Dashboard. Her main concern continued to be over the diversity of recruitment and the number of exits by officers in the 25-29 age group.

### **Agenda Item 11: Operational Delivery and Use of Force Q3**

53. The Committee noted the Operational Delivery report and the delivery of customer taskings. Challenges for Q4 included resistance from customer TLBS to implement MDP's proposals for the force complement re-set, taking forward changes to the shift rosters, reducing the number of non-capable officers, and addressing the escalating overtime costs due to range closures in Scotland.

54. AM asked if the officers transferred to assist UK Security Vetting would be permanent. T/CCMDP explained that he was exploring opportunities for some of the non-capable officers to be transferred to UKSV on Civil Service broader banding arrangements.

55. The Committee noted the use of force report, which included an instance of a firearm being drawn during an operation at RAF Mildenhall.

56. KB raised the matter of joint exercising on the Clyde. There remained a deficiency in the opportunities for integrated Royal Marine training with the MDP. T/CC believed that it was possible to improve this situation and undertook to re-examine the problem. **Action: T/CCMDP**

### **Agenda Item 12: HMICFRS CT Report**

57. HMICFRS conducted their inspection of Home Office and Reserved police forces in 2017 to review the national police response.

58. [redacted]

### **Agenda Item 13: Investigatory Powers Commissioner's Office Report**

59. ACC ODC reported that the formal inspection of the MDP's processes to acquire communications data under the Regulation of Investigatory Powers Act (RIPA) had taken place on 4 Jan 18.

60. The IPCO report issued on 27 Feb 18 confirmed that the MDP acquires this data lawfully and for the correct statutory purposes. Overall there was a good level of compliance with RIPA and the Code of Practice. No formal recommendations were made and the previous recommendations arising from the 2016 inspection had been discharged. HO welcomed this outcome.



**ANY OTHER BUSINESS AND DATE OF NEXT MEETING**

61. The Chair thanked Len Jackson for his service to the Committee over the last five and a half years. He paid tribute to Len's excellent contributions, especially as the professional standards lead and his work looking at the outcome of OP PEASE and the Culture Review. On behalf of all the colleagues around the table he wished him a very happy retirement.

62. In closing the Chair wished the COG good luck with the COP re-inspection on 30 April.

63. The date of the next meeting is Tues 19 June at 1400.

*[signed]*

**KAREN FEATHER**  
**Secretary**