

CNPA BOARD MEETING**Minutes of the meeting held on Wednesday, 26 July 2017****Venue:****Copeland Room, Sella Park Country House Hotel, Calderbridge, Cumbria CA20 1DW**

Present Vic Emery (Chair)
 Phil Craig
 Paul Kernaghan
 Kenna Kintrea
 Mark Neate
 Gwen Parry-Jones
 Neelam Sarkaria
 Rob Wright
 Mike Griffiths, CEO / Chief Constable
 Christopher Armit, Operations Director
 Simon Chesterman, Capability Director
 Kenneth Kilpatrick, Business Director
 Joyce Robertson, People Programme Director

Apologies

In Attendance Richard Cawdron, Head of Executive Office and Legal Advisor
 Catherine Pepler, Board and Committee Secretary
 Rosemary Powdrill, Board and Committee Manager
 Brian Rowles, Health, Safety and Environmental Manager (for Item 6.2)
 Rebecca Webber, Interim Head of Engagement and Communications
 Mike Wilkinson, Principal Staff Officer

Start: 09:00 hrs approx.**1 Chairman's Announcements**

The Chairman welcomed members to the Board Meeting.

No potential conflicts of interest were reported.

2 Minutes of the Board Meeting held on 31 May 2017

The minutes of the Board Meeting held on 31 May 2017 were accepted as a true record of the Meeting.

Updates on outstanding actions were detailed in the action list at the end of the minutes; action PAB310517 would be discharged by the Health Safety and Environmental Manager's update at Agenda Item 6.2.

3 Standing items**3.1 CEO / Chief Constable's Business Report May 2017 to 14 July 2017**

The CEO's Business Report had covered the period from 22 May 2017 to 14 July 2017 and had included the following details:

General – Strategic Engagement

The Department of Business, Energy and Industrial Strategy (BEIS)

The Chair and the CEO's introductory meeting with the new minister, Richard Harrington, MP, was scheduled to take place on 9 August 2017 – the primary focus would be Infrastructure Policing and Pension Age.

Infrastructure Policing (IP)

BEIS had met with the Home Office and reaffirmed its position that IP needs to be run as a fully-resourced project under the leadership of the Home Office. The IP Review body was still awaiting direction from the Cabinet Office as to the appetite for the work to commence.

General – Operations**Escort Operations**

Since the last Board, there had been one Dounreay Exotics Consolidation Programme (DECP) move, which had been observed by the new CEO of the Nuclear Decommissioning Authority (NDA). There had also been a successful air move as part of the Global Threat Reduction Programme Initiative.

Dounreay Site Restoration Limited (DSRL)

The transition to the future operating model was now being managed as a project in conjunction with DSRL.

On 28 June 2017, the Personnel Security Inspector, Office for Nuclear Regulation (ONR) – Civil Nuclear Security, had undertaken a Planned Intervention of the Unit.

Sellafield Limited

[REDACTED]

Emergency Responders Network

A weekly Sellafield 'Emergency Responders' meeting had been implemented with the SL Security and Resilience Department to help forge closer working relationships and to improve the understanding of priorities and working strategies in an incident.

EDF

A review of the MARSO Optimisation Options model was being undertaken.

[REDACTED]

Within the Headquarters

[REDACTED]

Dynamic Search capability (Sellafield)

A challenge panel had been planned for mid-August 2017, at which the CNC Executive would be joined by specialist advisors to consider outline plans for the further development of the Constabulary's specialist firearms capability.

Capability Improvement Programme (CIP)

[REDACTED]

New Capability**'Conventional'**

'Conventional' operational requirements had been established and business cases were in various

stages of development to address identified capability gaps [REDACTED]

The People Programme

Apprenticeship

A provider's day had been held to gather the information required to finalise the procurement specification relating to the leadership level three and five apprenticeships. This would be issued in July 2017, with a one-month timeline for the receipt of applications. A meeting had been held with the Royal Military Police, MoD and MDP, to continue to investigate opportunities to develop a joint standard aimed at a level three apprenticeship in policing.

TACOS

A written statement of intent in relation to the TACOS collective bargaining status had been signed-off by the Federation and the Capability Director. A similar document was in draft for the Superintendents' Association. The aim was to submit a formal TACOS proposal to the September 2017 Board meeting for approval.

Pensions

The UKAEA Combined Pension Scheme had remained the CNC's auto-enrol scheme for employees following the government's decision to delay the transfer of affected public sector bodies into Alpha in April 2017.

Work was ongoing with BEIS to present the case for retaining a pension age of 60 for operational officers to the new Minister and to explore the options for presenting the case to HM Treasury.

Security Breaches

There had been two security incidents since the previous report. The breach originators had self-reported and had been given advice and guidance. Discussions had also taken place with their Line Management to reinforce learning in respect of personal responsibilities.

Section 90 Memorandum of Understanding agreements

A meeting had taken place with BEIS and ONR [on 18 July 2017] in respect of Section 90 memorandum of understanding agreements.

CHALLENGE:

[REDACTED]

It was observed that the IP strategic context would be set by the Cabinet Office and that, unless instructed otherwise, the Constabulary's primary function was to protect civil nuclear material. It would not be appropriate for the Constabulary to allocate resources to the IP project or to carry out further work until clarity had been received regarding Cabinet Office objectives.

Griffin Park Tactical Training Centre – facilities management contract

It was reported that a paper had been submitted to the Authority meeting on 26 July 2017 (immediately before the Board meeting), for the endorsement of the award of a five-year Facilities Management (FM) contract to the preferred bidder for the Griffin Park Tactical Training Centre (Griffin Park), with an option to extend the contract for an additional two years. [REDACTED]

CHALLENGE:

It was queried and confirmed that the use of Griffin Park would be primarily focussed on the training requirements of Sellafield officers and those of the wider Constabulary, before that of external organisations.

AGREED:

- (i) The CEO / Chief Constable's Business Report 22 May 2017 to 14 July 2017 was noted.
- (ii) The CNPA Chair was authorised to sign the award for the Griffin Park five-year Facilities Management contract, subject to prior satisfactory consultation with the CEO regarding the contract details,

3.2 Audit, Risk and Governance Committee (ARGC) Chairman's Report

An ARGC Meeting had taken place on 27 June 2017, draft minutes for which had been circulated as part of the Board meeting documentation. It was noted that references to July 2017 in paragraph 4.1 should have referred to June 2017 [*the ARGC minutes were subsequently amended accordingly*].

It was advised that feedback on the draft CNPA Annual Report Accounts (ARA) had been appreciated. The ARA had been signed-off by the National Audit Office (NAO) on 10 July 2017 and laid in Parliament on 19 July 2017. The document had subsequently been uploaded onto the CNPA website and hardcopies had been made available.

AGREED:

- (i) The Audit, Risk and Governance Committee (ARGC) Chairman's Report was noted.

4 Items for approval

There were no items for approval.

5 Items for discussion**5.1 Operation Tempered Debrief**

Following the terrorist attack in Manchester on 22 May 2017, the Constabulary had been notified of the requirement to mobilise armed resources as part of the national Strategic Armed Policing Reserve (SAPR). This had been increased to a full mobilisation of the Constabulary's national commitment after Operation Tempered had been declared, which had also led to the deployment of military assets to CNC sites (to provide the 'back-fill' required to maintain the integrity of Nuclear Site Security Plans). With effect from 1 June 2017, all CNC officers had returned to duty. A comprehensive de-briefing process had taken place and lessons learnt were being adopted.

The Constabulary had deployed a higher number of AFOs than specified in its commitment under SAPR and timescales set in the national plan had also been met. Very positive feedback had been received from the Police Forces in which the Constabulary's AFOs had been deployed and a

positive social media campaign had been managed. The measures that had been put in place to receive briefings from, and to deploy military assets, had worked exceptionally well and these had drawn very positive comments from Standing Joint Command (on behalf of the Ministry of Defence), industry stakeholders and ONR.

The Constabulary had taken a number of feedback points to the national debrief held on 19 July 2017 and internal learning outcomes would be prioritised and managed through the respective plans which collectively support the overarching mobilisation plans. [REDACTED]

[REDACTED] feedback had been predominantly positive.

CHALLENGE:

The recuperation of costs incurred under Operation Temperer was queried, as the Constabulary was funded by the site licence companies. It was confirmed that expense details were in the process of being collated

AGREED:

- (i) The report on the Operation Temperer debrief was noted.

5.2 Infrastructure Policing update

Infrastructure Policing had been covered under Item 3.1 above.

Business Updates

6.1 Consolidated Performance Report for the three months to 30 June 2017 and Strategic Objective 2 (SO2) presentation

A consolidated performance report for the three months to 30 June 2017 had combined performance against the key deliverables contained in the Strategy and Business Plan 2017-20, financial performance against budget and a report on the management of Constabulary's strategic risks, with a view to providing a more detailed analysis and coherent narrative.

Performance

Performance across all of the four Strategic Objectives had remained stable across the three-month reporting period.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

Key future issues

A strategic planning workshop had been scheduled in August 2017, which would support delivery of the first draft of the Strategy and Business Plan 2018-21; this would be presented to the September 2017 Board meeting. A financial horizon scan would be prepared for September 2017's ARGC meeting and then forwarded to Board, with indicative budgets for the next three years.

CHALLENGE:

The consolidated performance report was considered much more readable than the previous (individual) performance, expenditure and risk reports but the inclusion of data from the previous quarter was suggested for comparison purposes.

[REDACTED]

CHALLENGE:

Consideration was requested in connection with the need for visibility regarding increases in the risk profile and changes in risk from quarter to quarter.

[REDACTED]

AGREED:

- (i) The Consolidated Performance Report for the three months to 30 June 2017 was noted.

[The presentation on Strategic Objective 2 was provided after Item 7.1.]

6.2 Health, Safety & Environmental Report to 30 June 2017

Key findings presented in the Health, Safety and Environmental Report to 30 June 2017 were that:

- to this point of the reporting year, the Constabulary had received the lowest number of injury reports for the five years that the current reporting methodology had been in place;
- five events had been reported to the Health and Safety Executive under Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) and if this rate continued, the estimated total for the year would be approximately half that of the previous year; and
- two civil claims had been received in the current reporting year. The claims had concerned historic events and liability had been accepted in both cases.

It would appear that the management measures that had been reinforced after the review of RIDDORS during the last reporting year were being effective.

[The Health, Safety and Environmental Manager joined the meeting.]

[REDACTED]

CHALLENGE:

The annual health and safety unit / location audits had indicated that there had been a marked downturn in the score at [REDACTED]

[REDACTED] A detailed remedial action plan had been compiled and the situation was being monitored. It was queried and confirmed that appropriate support was being received from the associated site licence company.

CHALLENGE:

Thirty-one RIDDOR incidents had taken place during 2016/2017, in comparison with 19 incidents during 2015/16. The Health, Safety and Environmental Manager explained that a number of years ago, Force personnel had met, but had not been able to develop, a national injury scoring system for benchmarking purposes. Training injuries had proved the most difficult area to score. The CNC had nevertheless maintained its own scoring records to assist in the identification of trends. Every incident was investigated in an attempt to learn lessons for the future and there was a continued focus on preventable injuries. [REDACTED]

The Health, Safety and Environmental Manager was thanked for his advice *[and left the meeting]*.

AGREED:

- (i) The Health, Safety and Environmental Report to 30 June 2017 was noted.

[REDACTED]

[REDACTED]

The Executive Team and senior managers had visited Griffin Park on 12-13 June 2017 and Her Majesty's Inspector of Constabulary (HMIC) had visited on 29 June 2017. Arrangements were in progress in respect of a formal opening ceremony.

AGREED:

- (i) The update on Griffin Park was noted.

6.4 General Data Protection Regulation (GDPR)

It had been reported that the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) was a regulation by which the European Parliament, the Council of the European Union and the European Commission intend to strengthen and unify data protection for all individuals within the European Union (EU), to give people more control over how their personal data was used.

The GDPR would apply in the UK from 25 May 2018 and the Government had confirmed that the UK's decision to leave the EU would not affect the commencement of the GDPR. Post-BREXIT, the Regulation would be replaced by an Act of Parliament, which would replicate the same provisions.

In general, any instance of action that utilises personal data would need to comply with GDPR regulations. The key issue for CNPA/CNC would be to recognise the steps that would need to be taken to evidence GDPR compliance.

It was advised that key changes were that :

- a Data Protection Officer (DPO) with an expert knowledge of data protection law must be appointed for public sector organisations;
- the Regulation would require "privacy by design" in information management systems - security measures to match the risk of data breach and resulting harm to the data subjects;
- Data Privacy Impact Assessments would be required when proposed data processing activity posed a 'high risk for the rights and freedoms of individuals';
- there would be a new two-tier regime of fines. The maximum fine for the most serious infringements (such as not gaining sufficient consent for processing) would be up to 4% of annual global turnover or €20 million (whichever was greater). Administrative failures (such as failing to report breaches) could result in a fine of up to 2% of annual global turnover or €10 million (whichever was greater);
- GDPR would place statutory obligations on data processors. Further requirements would also be directed towards the controllers, who would need to ensure that contracts that had been completed by processors would comply with GDPR law;
- data processors would be required to report all breaches to the data controller without undue delay and data controllers would be required to report all breaches to the Information Commissioner's Office within 72 hours of becoming aware of the breach (subject to some exceptions); and
- the enhanced rights of individuals, including the right to rectification, the right of erasure ('right to be forgotten') and the right to withdraw consent would create the requirement for a much more proactive approach to managing personal data.

Next Steps to Compliance

It was advised that a gap analysis would be undertaken to assess GDPR compliance, including an assessment of what privacy compliance framework and governance the CNPA/CNC should have moving forward and how to discharge the function of DPO. A project management approach to compliance would then be adopted.

Failure to comply with the GDPR would be included as a potential risk on the CNPA's risk register and appropriate control measures would be applied.

AGREED:

- (i) The General Data Protection Regulation report was noted and progress regarding compliance would be monitored via the Audit, Risk and Governance Committee.

6.5 Emergency Services Mobile Communications Programme

The purpose of the report was to provide the CNPA Board with an update on the Emergency Services Network (ESN) and the ongoing challenges and implications. It was reported that the ESN would replace the current Airwave emergency communications network, delivered via a Home Office-led programme. The transition to ESN would present operational and financial challenges to the Constabulary and, by funding association, to BEIS and civil nuclear site duty-holders. These challenges would include:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

The CNC project manager had been actively representing CNC and nuclear industry interests within police forums and the Home Office and would continue to provide regular and comprehensive reports to the CNC Executive and CNPA.

**AGREED:**

- (i) The Emergency Services Mobile Communications Programme update was noted, including the challenges and associated implications of replacing the Airwave emergency communications network with ESN.

7 AOB**7.1 September Board Meeting**

No objections were expressed regarding the proposed attendance of Karen Feather (MDP Clerk to the Police Authority) at the September 2017 Board meeting, although it was challenged whether, and confirmed that, this would be a reciprocal arrangement.

[The presentation on Strategic Objective 2 was then delivered by the Capability Director.]

Strategic Objective 2 (SO2) – presentation

Strategic Objective 2 - *To develop and maintain our capability as a lead organisation for the delivery of armed protective security in the UK.*

The Capability Directorate, comprised of the Capability Division, Capability Improvement Programme, Human Resources and the People Programme, was working on 21 key deliverables across five themes, namely:

- the implementation and embedding of the Constabulary's recovery capability;
- the implementation of effective command, control and communication systems;
- the development of a firearms centre of excellence, to deliver effective training, testing and exercising;



- the maintenance of the Constabulary's tactical advantage by the use of technology.

The Capability Directorate's supporting role within the Constabulary and coverage of a wide range of topics was observed. It was explained that the Capability Improvement Programme co-ordinated / was involved in the delivery of projects and programmes including Griffin Park, ESMCP, the Incident Management System (IMS), the Sellafeld Main Site Command Facility and BPVs. Procedural and efficiency review work had been progressed in the Human Resources department and the People Programme was involved with TACOS, pensions and talent management.



The Constabulary had achieved a major shift forward from the vision of being a lead organisation for the delivery of armed protective security in the UK, to one that had been able to professionally support and enhance the wider policing community through the high level of professional interoperability demonstrated in the May 2017 deployment under Operation Temperer.

**CHALLENGE:**

It was queried and explained that body-worn video was not mandatory for the Constabulary's officers, but as a non-Home Office Force, the Constabulary had been invited to consider its use, which was work in progress.

AGREED:

- (i) The presentation on Strategic Objective 2 was noted.

7.2 Board Meeting self-assessment

On reflection on the conduct of the Board Meeting, it was felt that the arrangements had been good and that more interaction and challenge had taken place both at the Board dinner the previous evening and at the Board. The seating arrangements were questioned, with some members advising they had found it somewhat difficult to catch the attention of the Chair, so a change in alignment for the next Board was suggested. It was also suggested that the more empathetic recognition of any personnel invited to speak to a particular item on the agenda might be appropriate.

7.3 Next Meeting

The next Board Meeting was scheduled to be held on Wednesday, 27 September 2017 in the Zeta and Cleo Rooms, Culham Conference Centre, Culham Science Centre, Abingdon OX14 3DB.

As there were no further items of business, the meeting closed at approximately 11.00 hrs and was followed by a site visit to Griffin Park, the CNC's Dog Kennels and Sellafield Ltd, including the MSCF construction site and the CNC's Firearms Training Unit.