



College of Policing

Title: College Board meeting
Date: 13 May 2020
Time: 10:00 – 13:00
Venue: Teleconference

Board members	
Christine Elliott	Interim Chair
David Bamber	Police Federation of England and Wales
Mike Cunningham	CEO & Chair Professional Committee
Paul Griffiths	Police Superintendents' Association
Ian Hopkins	National Police Chiefs' Council (NPCC)
Clare Minchington	Chair Audit & Risk Committee & Independent Director
Stephen Mold	Association of Police & Crime Commissioners (APCC)
Dr Robina Shah	Board Advisor - Diversity, Equality and Inclusion
Jackie Smith	Independent Director
Robin Wilkinson	Chair Members' Committee & Police Staff Association
Ian Wylie	Interim Chair Nominations and Remuneration Committee & Independent Director

Executive in attendance	
Nick Bayley	Director of Enabling Services
Jo Noakes	Director of Workforce Development
Bernie O'Reilly	Deputy Chief Executive
Rachel Tuffin	Director of Knowledge and Innovation

Staff members in attendance	
Isla Campbell	Staff Officer to CEO
Oliver Cattermole	Chief of Staff
Kate Fromant	Interim Head of Governance
Camille Giffard	Governance Manager
Nic Pole (Item 6)	Principal Analyst (Futures)

PART ONE – PRELIMINARY ITEMS

1. Welcome and administration

- 1.1. The Chair welcomed everyone to the meeting. She noted that the meeting had been duly convened and a quorum was in attendance. The meeting was being run as a Skype teleconference and she asked participants to identify themselves before speaking. All participants consented to the discussions being recorded for minuting purposes. The recording would be disposed of once the draft minutes were complete.
- 1.2. No apologies for absence were received but Ian Hopkins, Clare Minchington and Robin Wilkinson had each indicated they would be absent for part of the meeting due to competing commitments. Clare had provided written input for the items that would be heard in her absence.
- 1.3. No declarations of interest were raised.
- 1.4. No items were raised for discussion under Any Other Business.

2. Minutes of the meeting on 18 March 2020

- 2.1. The draft minutes were considered and accepted as a true and accurate record of the discussions that took place on 18 March 2020.

Decision

The Board resolved to:

- (i) **Approve** the minutes of the meeting held on 18 March 2020.

3. Matters arising and actions from the meeting on 18 March 2020

- 3.1. The Board was asked to note the Chair's Action to co-opt Dr Robina Shah and Professor Philip Treleaven onto the Board as advisors on Diversity, Equality and Inclusion (DEI) and Digital and Data respectively.
- 3.2. The Chair invited Board members to raise any comments on the remainder of the action log.
- 3.3. Ian Wylie noted that no update had been given regarding action 6, the College People Survey, where consideration of external benchmarking had been proposed. Mike Cunningham confirmed he would raise the matter with Nick Bayley and Judith Whitaker to ensure the action was captured.
- 3.4. Clare Minchington requested an update on action 61 on visual identity. The final communications strategy had been due to be approved in May. Bernie O'Reilly advised that the date of the website launch had been postponed from April and provisionally timetabled for August. He was reviewing all relevant dates with Nick Bayley, including the website launch and physical branding of the Ryton site. He explained that they had not wanted to launch during the pandemic with everyone in crisis but needed a date to work towards. They wanted to launch the website and branding concurrently. It was requested that the action be updated to clarify whether the strategy would return to the Board or be dealt with by email. It was key to connection and the update wording should appropriately reflect the situation.
- 3.5. It was questioned whether the circumstances would change sufficiently by August, and whether significant postponement of the launch would matter. Bernie advised that it could not be left open-ended but that it could be pushed back

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further if there was a clear rationale. The Chair indicated it would be useful for the Board to understand the criteria being used to decide and whether the entire communications strategy was linked with the launch or whether elements could be taken forward separately. In the event of a second spike, the situation could continue for some time and consideration should be given to taking some of it forward independently. Mike advised that he would give this consideration. He was keen to get the new brand launched and acknowledged that optimal circumstances may not present themselves in the current year. They would work towards the August date.

- 3.6. It was noted that Matt Peck had advised the communications strategy needed updating to reflect the changes to learning due to the lockdown and the final strategy would incorporate the new order. A soft launch of the branding in August would be welcomed.
- 3.7. There were no further comments and all actions listed as 'suggested complete' could be closed.

Action

External benchmarking for HR (IIP or British Standard of Wellbeing) to be considered.

Judith Whitaker/Nick Bayley

Action 61 to be further updated. **Matt Peck/Camille Giffard**

Consideration to be given to how the communications strategy implementation can be progressed pending a full launch. **Mike Cunningham/Bernie O'Reilly/Matt Peck**

Actions marked as suggested complete to be closed. **Camille Giffard**

Decision

The Board resolved to:

- (i) **Note** progress made with the actions agreed at the previous meetings
- (ii) **Agree** to close all actions recorded on the rolling actions list as suggested complete.

4. Report from the Interim Chair

- 4.1. A report on the Chair's activities and intended action had been included with the Board papers to give members the opportunity to prepare questions and suggestions. Board members welcomed the report, which they considered self-explanatory.
- 4.2. Mike Cunningham remarked that it was apparent from the report there was a distinct change in approach to promoting the College. The Chair was very active in wanting to clarify its offer to stakeholder colleagues. This was proving very beneficial and productive meetings had been held with MOPAC and the Home Office. This was linked to the earlier discussion about communications and being more open and confident about the College's offer. All board members should reflect on the renewed energy and focus of the approach and take this on as a whole board.
- 4.3. The Chair added that both policing and lay board members brought strong and experienced voices and she was keen to see them deployed for different aspects of communications. There was a need to aim more widely than policing to enable connection with wider society also. She had specifically focused on maintaining communication with the Home Secretary's office and some elements of the Chair's report were being circulated to colleagues in the department and her

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office to make the College's contribution clear. This approach would be included in the wider approach to communications.

- 4.4. It was asked whether there would be an opportunity to discuss the complementary roles of the NPCC and the College. The Chair observed that some elements would naturally find their place, such as the leadership centre. She considered it important to have NPCC input and involvement in College work relevant to them but that the College role should be distinctive, not subsidiary.
- 4.5. Mike advised that the NPCC was developing a new operating model in parallel to the College's transformation programme for future operation. There was work to do to crystallise the complementary roles, with a few areas of potential overlap around issuing guidance and how this fits with the NPCC coordinating committees, as well as the futures work. Prior to lockdown, KPMG facilitated a session with some College executives and the NPCC around respective roles. This was currently on hold due to the pandemic but would be continued to ensure greater clarity for the service.
- 4.6. It was observed that the Chair's report, together with the College monthly updates and newsletters, helped to show how the Board could fit into strategy. College communications during the COVID-19 (C-19) pandemic had been noticeably well linked with other stakeholders, with more joint messaging and the College leading on some things and supporting on others. The work also appeared more joined up, for example the previous day's guidance which had the College and NPCC as joint authors. This was welcome, the crisis having led to an improvement which should be maintained afterwards.

Decision

The Board resolved to:

- (i) **Note and discuss** the Chair's update.

5. Chief Executive's Report

- 5.1. Mike Cunningham addressed board members on the C-19 situation and on the leadership offer.
- 5.2. In relation to C-19, he advised that all colleagues were working from home and that he had made it clear since the Prime Minister's 11 May announcement on gradual relaxation of lockdown measures that this would not change. Other work had been reprioritised and staff had been lost as operational secondees returned to forces. He spoke of his pride in the work that colleagues had produced during the crisis, in particular, Rachel Tuffin's team in developing guidance for operational staff and the public, and Jo Noakes' team in recruitment. There had been a lot of appreciation for the guidance, which made sense of unclear provisions, but also a lot of challenging questions. In relation to recruitment, there was both a political imperative to continue to bring people into policing with the 20k Uplift, and an operational imperative, with chiefs continuing to recruit in forces. College work included streamlining pre-employment checks, fitness testing and biometric tests, as well as the outstanding achievement of developing a virtual assessment centre in four weeks, which had been well received by stakeholders across the country. Hundreds were already going through those processes, with a number of forces having gone live. Hundreds of assessors were going through training and there was a clear implementation plan for other forces to come online in the coming months so as to meet their planned uplift intakes. The process would be iteratively reviewed, with a set piece evaluation in

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- December to see what elements the College wanted to retain after restrictions were lifted.
- 5.3. Progress was being made with the leadership work and a comprehensive lifelong approach, including issues such as bringing diversity into leadership and being clear how the College offer would complement work from other sectors. Deloitte had been engaged to help with scoping a number of options for board consideration. All board members would have an opportunity to be fully engaged in the programme.
 - 5.4. A concern was raised regarding attraction and the potential fall away in between being successful and taking up post. It was unclear whether this was merely anecdotal or the College should be reviewing if it was related to C-19 (for example people shielding, or people perceiving a risk and avoiding it). Mike advised that it was not proving to be an issue in early forces. He added that the economic crisis might increase numbers and richness of the pool.
 - 5.5. The guidance issued the previous evening was welcomed, enabling early circulation in forces. Having thousands of people working from home encouraged reflection on specific leadership issues raised by the situation: equality; leading a remote or hybrid team; difficulties both for those able to come into work and those not; health and safety implications and C-19 secure guidance around workplaces. It was queried if the College had considered developing a package on leadership at all levels in this very different context? Mike advised that he had personally considered this question when joining the College and acknowledged that the College should consider this alongside the NPCC, to look at the different approach to leadership. He undertook to pursue this.
 - 5.6. Continuing on a similar theme, the new digital and technical world would have implications for leadership roles. The College should not lose the opportunity to exploit the paradigm shift in technology and digitalisation for the future, linking to the later discussion on future operating environment. Interdependencies from existing leadership offers, like Fast Track (FT) and the Aspire programme, would need to be brought together in a route map for progress and development, and weaving all of these things together was key. Mike observed that the leadership offer was intended to bring all of those things together, keeping and amplifying the good things, but filling in the gaps.
 - 5.7. The advisor on DEI enquired how the recruitment process and the leadership offer would be aligned and how diversity would be achieved in the context of virtual assessment centres in terms of applicant numbers. She also asked how the leadership offer would embrace the talent pipeline lifelong approach in a sustainable way. Mike addressed this in two parts. First, from a leadership and development standpoint, this was what the work was intended to more completely address. There had already been some great achievements, such as FT and Aspire, and Ian Hopkins' work as NPCC lead was giving greater clarity. The leadership centre work was to make this much more compelling and the additional expertise on diversity was very welcome. Secondly, with regard to recruitment, the assessor pool required refreshing. This had already been achieved and the virtual assessment processes would be carefully evaluated to test the diversity element. There was potential for the virtual nature of the assessment to enhance diversity due to filtering out unconscious bias but this needed to be evaluated. Jo Noakes confirmed that a much bigger and more diverse pool had been recruited but there was more to do. The online assessor programme had been developed in the same way as Day One, with diversity at its heart and top of the list of key points in the evaluation.

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- 5.8. It was asked how Police and Crime Commissioners (PCCs) were being involved in the process, to help them understand what to look for when appointing chief constables. Mike advised that the process for developing the leadership offer would be very inclusive and involve speaking to PCCs, the Home Office and Home Secretary, as well as beyond policing, so PCCs would have a say in how the offer was developed.
- 5.9. It was observed that the pandemic provided an opportunity to do things differently in the future. This should be captured for the future and board members should discuss what this would mean for the College and its services, as no organisation would return to previous ways of working. Mike confirmed that this would be considered by the Board in due course as the learning must not be lost.

Action

Consider developing a package on leadership at all levels in a pandemic context. **Mike Cunningham**

Decision

The Board resolved to:

- (ii) **Note and discuss** the Chief Executive's update.

PART TWO – STRATEGY DISCUSSION

6. Future Operating Environment 2040 (FOE2040)

This was taken out of order, after Item 8.

- 6.1. The Chair introduced this session as an important item with which board members had already had some involvement, in particular Paul Griffiths.
- 6.2. Mike Cunningham indicated that he saw this area as a principal role for the College. There was an acknowledged gap in policing in the area of horizon scanning, resulting in a lack of robust planning and ability for the service to approach the HO and Treasury with a clear plan of resource requirements for policing. It also reduced the ability to develop meaningful future proof capability. The Ministry of Defence (MOD) was an acknowledged public sector leader in this domain and the College had utilised some of their methodology. Mike was keen to strongly position the College in this area of policing. It was well suited to a lead role as it concerned sharing policing knowledge. A number of people, including the Permanent Secretary, were very interested in the approach. It could be a big news story for the College, integral to Plan on a Page, and should receive serious consideration. Nic Pole would present and Rachel Tuffin would facilitate the subsequent discussion.
- 6.3. Nic Pole explained that the paper sought to describe how the operating environment might change for policing over the next 20 years, to provide the service with a resource for thinking strategically about the future. The gap found in relation to futures work and long term strategic thinking during the Plan on a Page consultation hindered the ability to respond quickly to emerging issues and new developments. Many stakeholders considered the College well placed to fill the gap and this was now central to the College's strategic plan. Two programmes had been established: cross sector horizon scanning for policing for the near term, 0-3 years, due to report its first findings in July; and Future Environment 2040 looking at the longer term future to enable policing to think and

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invest now, not to attempt to predict the future or offer solutions, but to start a conversation about what policing needs to do now to be better prepared for the future. Metal theft, the detective shortage and county lines drugs dealing were examples of developments which had caught policing out but were foreseeable from social and technological trends.

- 6.4. The MOD's Global Strategic Trends (GST) programme was established in 2001 and provided a strategic context for those in MOD involved in developing long term plans. It had been relied on due to its reputation across government for making most progress in bridging the gap between futures work and decision making, and because of the overlap between defence and policing. The College process was designed by building on GST work from a police perspective.
- 6.5. The work was done in four phases. First was scoping and engagement, using an interviewing technique called seven questions to engage chiefs, PCCs, heads of national policing bodies, academics and technologists in a strategic conversation about the future of policing. The second phase looked at literature on the key themes from the interviews to help with understanding developments like artificial intelligence (AI), climate change and the role of non-state actors. The third phase used the interview data and the literature reviews to generate four scenarios to 2040. The fourth phase was to connect the ideas and insights for the future back to the present, by exploring implications and challenges to understand what they meant for policing in the present. The work had produced a set of trends, scenarios and future challenges.
- 6.6. There were ten trends, each presented as a summary, a short description of what was changing, and the implications for policing. One example was the evolving response to climate change and likelihood of new crimes in the next 10-20 years, such as ecocide.
- 6.7. Four scenarios were developed, each having key features and implications for policing. One example was Pandora's Box, a shock-prone world in which the effects of economic and environmental disasters compound to push the economy into disaster, the social contract under strain and create favourable conditions for criminals. Developed between November 2019 and February 2020, it predated the current pandemic. The scenarios considered the full spectrum of how things might get better, worse or stay the same. Two forces had already used early versions of the scenarios in their own strategic planning, to stress test assumptions behind their workforce planning and to identify potential tests and challenges, and potential corresponding responses. This included in the context of the current pandemic and how it might act as a trigger event to lead into one of those four futures.
- 6.8. Five future challenges were also identified, having stood out from the data and drawn a degree of consensus. Board members were asked to consider the potential intersection of challenges two and four – policing disinformation and the future workforce. Disinformation had evolved from something that was state led, resource intensive, required technical knowhow and was quite crude, to something widely available, easily done on a smartphone and highly convincing in its quality. Implications for policing were greater volumes, greater harm to victims, challenges to trust and integrity and the need to develop new skills in response. There were three aspects to this from a future police workforce perspective:
 - the convergence of next-generation technology, eg AI, biotechnology and genetic editing, which could create novel and complex problems for policing requiring new skill sets;

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- with policing unable to solve many of these problems on its own, its ability to orchestrate partners towards collective action and social capital; and,
 - the importance of a workforce where humans and machines could work effectively together due to an increase in automation within policing, raising a question about the balance of skills required, as well as wellbeing.
- 6.9. Rachel noted that this work had been produced by a very small team with virtually no budget, requiring creativity on their part. She also emphasised that it was crucial to actually utilise the work produced. The College could most obviously use it in its business planning processes, but it also provided an opportunity to work with colleagues in the officials' group in other policing organisations, to discuss its use for collective strategic planning. She invited board members to comment on their support for the process, as well as any reflections they had on the intersection of these issues in terms of policing and implications for the College.
- 6.10. Board members were unanimous in their support and praise for the quality of the work, which they hailed as ground-breaking and a game changer for the College. The following points and comments were made:
- Funding should be identified so it could become ongoing work of which the College took ownership.
 - Examples were given from their own experience of the issues raised: the role of technology; state tensions in a devolved context, with Welsh forces trying to manage differences in lockdown guidance; regulated information space and the impact of misinformation; and changes in equality and wealth.
 - Caution should be exercised in how the work was presented to the wider membership of the police service, with a need to acknowledge the importance of historic work that remained important to avoid a disconnect with some people in the service. It was important to be proactive in linking the futures work with workforce planning without losing sight of the work already being done, particularly around equality and diversity. Rachel remarked that practical examples of foreseeable issues not acted on, like the detective shortage and metal theft, would help with story-telling when launching to operational audiences.
 - The current pandemic was an example of the consequence of failing to take futures work seriously. A pandemic had been envisaged ten years previously in future planning for health but was not followed through with investment in capacity to deal with it. The lack of tests and contact tracing were consequences of not acting.
 - Establishing a contact tracing system would be key to exiting the pandemic before a vaccine. Local resources like PCSOs should be used, as they knew their patches of the community and could close down pockets of infection.
 - 2040 policing could not stand alone, it should link up with other futures work. Future police work might be closer to a general welfare force, looking at health and social care as well as law and order, leaving the highly specialised work to national expert teams.
 - This work was relevant to the leadership centre, as the next generation could not be trained without knowing the direction of travel.
 - The work pointed to a critical need for digital literacy for all police, and cyber expertise amongst many. Consideration should be given to whether there might need to be the same basic training for everyone, and specialist cyber

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training for some, with a further question around whether cyber-crime needed to be dealt with by officers or if police staff undertake some of it. Forensic capabilities and the degree to which police investigate digital misinformation were further considerations.

- The big IT providers like Google and Facebook had responsibilities in all of this. The College was in discussions with Google about a potential project and how the police interact with private organisations. It was likely legislation would change significantly in the area of information management and the College would have a role in developing new guidance.
- 6.11. Rachel advised that a full report would be made available in due course.
- 6.12. Nick Bayley commented that the three key areas that needed looking at were people, technology and information. Inspiring the next generation of police members would depend on encouraging them to develop the right skills and experience in STEM subjects. Companies and sectors were already engaging with school children to try and develop them as the next generation. This would be key to ensuring the right skills were coming into the sector and needed action now to make the sector future-proof.
- 6.13. Mike thanked board members for their enthusiasm for the work. He agreed that the work should not be done in isolation but should link with similar work in other parts of the Home Office and cross-sector. He emphasised that careful consideration was needed of how to socialise and launch the work across policing. He encouraged board members, particularly those working in policing, to be supportive of this in their dealings with chief constables, staff associations and PCCs, as this would be key to landing it across the wider sector and other parts of the environment. This would be as important as the product itself and was the next phase of the project.
- 6.14. The Chair remarked that this was a stunning piece of work and picked out the points she felt had stood out from the comments: history and having connectivity with history as well as everyone in policing; workforce; technology; devolution; information and information regulation; inequality; climate change; using PCSOs so it was about everyone in policing; and policing not standing alone. She noted the request for board members to be supportive of the work. She concluded that, given the level of enthusiasm, the Board had signed off on the approach, the content and, in principle, how it might be used, though they would like to see further detail on the latter. It was essential that the product be used to inform College decision making, that it had a practical purpose as well. She assured board members that she and Mike would ensure it was taken to all relevant places in the civil service, at the relevant levels and in the right order, as it was very important for it to be warmly received with an understanding of the depth of preparation, thought and consideration that had gone into the work. Board members would like to see plans on how to successfully launch the work as soon as possible. The Executive could be assured that board members would be appropriately supportive and involved.

Action

Nic Pole's slides and notes to be circulated to board members. **Camille Giffard**

Plans for launching the futures work to be presented to board members as soon as possible. **Mike Cunningham**

Decision

The Board resolved to:

- (i) **Note** the findings from the work
- (ii) **Discuss** the following questions:
 - a. What issues are created for policing in England & Wales in the years to 2040 by the intersection of 1) online 'disinformation' skills being available to all with 2) future workforce changes to accommodate AI, genetic editing and biotechnology?
 - b. How can the issues created be addressed? What is the role of the College in addressing them?

PART THREE – ITEMS FOR APPROVAL

7. Governance Update

- 7.1. Kate Fromant advised that several matters had been approved under urgency procedures since the last meeting by way of written resolutions and Chair's actions which would provide a reliable audit trail for decisions regarding the appointments of Dr Robina Shah and Professor Philip Treleaven, Terms of Reference (ToR) for the Board, Audit and Risk Committee (ARC) and Nominations and Remuneration Committee (NRC). Submission of Board ToR to the Home Office would be delayed until all committee ToR were approved.
- 7.2. Kate asked board members to delegate to the Chair the ability to make minor amendments to the Board ToR without returning to the Board. There were no questions and the proposal was agreed.
- 7.3. Kate confirmed that the Chair's action to appoint Dr Robina Shah as an advisor to the Board for Diversity, Equality and Inclusion (DEI) had been noted under matters arising so it could be properly recorded in the minutes as required.
- 7.4. Kate introduced a proposal regarding payment for co-optees. With the appointment of Dr Shah and Professor Treleaven, an apparently unequal situation had arisen as the co-optee on ARC was unpaid. Kate sought the Board's approval to harmonise remuneration of co-optees so all would be remunerated. Board members had a number of concerns.
- 7.5. The ARC Chair advised that the ARC co-optee position had previously been paid but the appointee had never taken up the remuneration. When it was re-advertised, it was as a non-remunerated position in the knowledge there would be applicants not requiring payment. This may prove complicated to change, as the appointee's organisation was unlikely to permit her to personally accept the money. It was less onerous than being on the main Board and fulfilled a different role. If it was remunerated, the payment should be less than for Board co-optees. Although it appeared unfair, it was the basis on which the appointee was recruited.
- 7.6. A number of board members reinforced this view, adding that it could be problematic for individuals if forbidden from taking a payment and this may create unnecessary issues. It was suggested to enquire whether it was possible and take a pragmatic view.
- 7.7. Potential implications for future appointments were also raised. If payments were harmonised, would they be offered to committee members in the future or if there was lay involvement in other committees? Board members had a legal

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responsibility which committee members did not and this was reflected in the remuneration available. It was not really the amount that was in question, but the principle that exercising good will on a committee was not equivalent to taking legal responsibility at Board level.

- 7.8. Dr Shah, in her role as advisor on DEI, observed that it was important for the offer to be made in the context of equality and fairness, and a matter for the committee member whether to claim it. The College could be challenged if the ToR reflected payment for some co-optees but not others, as they would not be treated the same. If a person was appointed to a committee in a representative role, that would be clear, but if the person was doing the role in their own time and payment was available but the option not offered, this would be problematic.
- 7.9. The Chair summarised the general view that a way should be found for the ToR to differentiate between different roles, meaning it may not be necessary to make a payment, bearing in mind the responsibilities and nature of participation were different. The difference was not just about the time required. She requested that a more nuanced proposal be brought back to the Board.
- 7.10. The recent use of urgency rules was raised. There had been quite a few uses, at least one of which could have been foreseeable. More clarity was needed as to why the rules were being used in the absence of normal processes. The Chair of NRC advised that this was being further considered. With three NRC meetings a year, and operational matters moving at pace, it would be concerning for all issues to be dealt with under urgency procedures. This would be discussed at the next NRC meeting and proposals brought to the Board to clarify the process and avoid board members feeling rushed into making decisions without due process and scrutiny.
- 7.11. Kate advised that it was the Board's responsibility to approve committee membership and asked board members to approve Ian Hopkins' resignation from ARC, which has been recommended by NRC to the Board. The Chair of ARC was content with the recommendation. The resignation was agreed.

[Ian Hopkins left meeting]

- 7.12. Kate sought the Board's views on taking an oversight and scrutiny position on large investment decisions and proposals over £1m. Mike had responsibility as Accounting Officer and this would support him and the Executive in making those decisions in an advisory capacity, extending the risk management of large proposals over £1m. The Chair of ARC welcomed the proposal. She observed that these things were always more complicated than they appeared, for example if it was a multi-year contract or multiple related invoices, so requested that a paper be submitted to ARC to show how the proposal would fit into the scheme of financial delegations and procurement policy, to ensure clarity on the matters covered. She felt that £1m was the right threshold, provided there was that added clarity.
- 7.13. It was noted that the College did not have a finance committee so it would be useful to understand the mechanism for doing this and for ARC to help with identifying how the process would work.
- 7.14. There was some discussion about possible delegation of the matters to ARC, bearing in mind ARC membership had just reduced. The ARC Chair clarified that her suggestion was for ARC to scrutinise the proposed process and how it would be embedded into normal working processes, but that delegation to ARC would blur its remit and could lead to conflicts in audit responsibilities. This could be discussed further once the process was developed. Board members agreed the division should remain clear.

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- 7.15. The Chair summarised that there was support for the proposal, but more work was required to clarify the accompanying process. Kate confirmed that a paper would be brought to ARC.

Action

A more nuanced proposal to be brought back to the Board on the matter of remuneration of co-optees, to reflect the difference in role, responsibility and nature of participation, as well as time. **Kate Fromant**.

Further clarity on decisions under urgency procedures to be brought to the Board following consideration by the Nominations and Remuneration Committee. **Kate Fromant**

A paper to be taken to September ARC setting out the process for Board oversight and scrutiny of large investment decision and proposals over £1m. **Kate Fromant/Dom Finigan**

Decision

The Board resolved to:

- (i) **Note** the approval of revised TOR for Board, ARC and NRC
- (ii) **Note** a delay in submission to the Home Secretary of the revised Board TOR.
- (iii) **Approve** delegation of authority to the Chair to make minor amendments to the Board TOR.
- (iv) **Note** Chair's Action to co-opt an advisor to the Board for Diversity, Equality and Inclusion
- (v) **Declined** to agree the harmonisation of remuneration to co-optees at this stage but requested that a more nuanced proposal be resubmitted
- (vi) **Approve** the resignation of Ian Hopkins from ARC
- (vii) **Agreed in principle** to provide oversight and scrutiny of significant new investment decisions/proposals and the provision of an advisory opinion to the CEO, subject to additional clarification of the matters covered.

8. Independent Ethics Panel

This was taken out of order, after Item 9.

- 8.1. Mike Cunningham reminded Board members that they had previously agreed in principle to the establishment of a College ethics committee but that more work had been needed on how this could be achieved. The paper set out principles for an Independent Ethics Panel (IEP) reflecting two principal changes: the new interim Chair; and the current fast moving operating environment. These principles included an emphasis on the independence of the panel from the College and policing, and the fact that it would provide advice and recommendations to the Board. Agreement to the principles was sought so progress could be made with establishing the IEP.
- 8.2. Board members were strongly supportive of the establishment of an ethics panel, raising the following points and queries:
- How would the IEP interlink with existing groups like the Police Ethics Governance group (PEG) and force ethics committees? Clarity would be important on this, as the College was represented on the PEG. Mike confirmed that connection with the PEG and other force ethics groups was a central consideration and already being built into the Terms of Reference (ToR).

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- Board members were keen to see the ToR. Kate Fromant advised they were already in draft form and would be further developed once the principles were agreed.
- It was remarked that some of the language appeared undermining to the Board by implying it was not already making robust decisions. It was agreed that the wording should be reviewed and alternative wording used as appropriate, for example 'even more robust' instead of 'more robust'.
- It was suggested that the strength of the panel would lie in acting as a first layer of scrutiny for papers coming to the Board for decision, reporting to the Board in an advisory role and enabling it to make an informed decision. This would need to be reflected in the ToR.
- The principles proposed that membership consist of a chair and up to four independent members. It was observed from experience in other sectors that large ethics groups could be difficult to manage and that in comparison the audit and risk and nominations and remuneration committees had recently been streamlined to three members. If the ToR included a liaison role, advice could be taken from other committees, and specific expertise brought in as and when required for a particular issue rather than having more standing members. The Chair commented that this would fit with the prevailing ethos of acting nimbly, building consensus, and synthesising and learning from developments elsewhere. These were important points of refinement that should be incorporated in the principles.
- The fact that the panel would be an advisory group for the College regarding the ethics of policies and decisions should not be lost sight of. Too many links with other ethics groups could dilute the importance of its role. More consideration was needed as to where the panel would sit and how it would function.
- It was asked how others in the sector, like the NPCC, were viewing the establishment of a College ethics committee. Mike advised that he was aware the NPCC was actively considering establishing their own ethics panel in parallel and he was keeping them informed of what the College was doing in this respect.
- It was noted that the ToR referred to the ethics panel being able to set their own plan as well as being directed by the College Board. Was it envisaged that the ethics panel would have a public voice and be in the public domain as an advisory body to the Board? If the ethics body was to explore controversial issues or make recommendations contrary to practice, the College could find itself at odds with other bodies in policing, so the Board would need to make a decision as to whether it was comfortable with this. If it was in the public domain, this would have the effect of showing the College agreeing or disagreeing with its own ethics committee. The Chair indicated that it would be a decision for the Board whether to follow the panel's advice but reasons should be given if not. Mike compared Her Majesty's Inspectorate reports which are in the public domain to peer reviews which offer private advice to forces and observed that reports are written differently if for the public eye or private advice. His sense was that, in order to maintain a degree of caution in its early stages, the panel should be offering private advice to the Board, allowing the Board to make decisions which are then public. He advised that this be kept under review, bearing in mind the importance of transparency. Board members agreed it would be preferable to have a sense of how the ethics panel was working and its nature, before opening up to public

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challenge. They referred to the importance of private ethics bodies in the healthcare sector. Mike commented that it was possible to move from taking private advice to making it public but a move in the other direction was not possible.

- 8.3. The Chair concluded that agreement on the principles was sufficient that they could be agreed with some editorial amendment, but that the Board would like the assurance of reviewing the ToR. There was definite support for the panel and for keeping the advice private so it could be robust, but with the possibility of making it public. An important point had been raised about reviewing the language used. She requested that the ToR be drafted, circulated and refined before the whole package was finalised. Board members were content with this summary and outcome.

Action

Terms of Reference to be drafted, circulated and refined before the whole package is finalised. **Mike Cunningham/Lucy Stewart Winters.**

Decision

The Board resolved to:

- (i) **Approve** the re-considered principles for the Independent Ethics Panel, subject to editorial amendment, to enable the establishment of the panel during 2020/21

9. ERP Replacement Project - Affordability Decision

This was taken out of order, after Item 7.

[Robin Wilkinson joined the meeting]

- 9.1. Nick Bayley reminded the Board of the reasons for the proposal and set out the outline case for affordability. The College needed to replace SAP, its existing system, due to the core system and functionality being out of date, with significant overhead costs due to its administration and processes. The system was also out of support. The business case set out the options, the preferred one being to implement Oracle Fusion in partnership with the Home Office (HO), which was already rolling out Metis. The main driver and benefit was not cost, but assurance of a fully supported system enabling better business processes. Nick had been asked to review the affordability of Metis and the impact on other priorities of proceeding with it.
- 9.2. He advised that Metis would represent a significant investment for the College at £2.2m over two financial years. The financial position was strategically uncertain, with the HO grant-in-aid allocation not being confirmed until later in the year, but the headline figure was that the investment was affordable. Any significant investment above current capacity, including the leadership centre, would require external funding.
- 9.3. The current financial year forecast was for a balanced budget with some surplus, so the year one Metis costs would be affordable. The following year was more uncertain due to the impact of C-19 on business income. However this was expected to be resolved with the HO, with early indications that it would be accepted as an allowable overspend at year end. Tax liability deductions and approved release write off actions were expected to free up some funds in-year. Other current year investments, such as Office 365, came to approximately

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£750k in total and were affordable within the year's budget. No explicit investment requirements had been identified at this stage in the planning cycle for the following year but if the Metis investment was agreed, there would be spare capacity next year to cover the costs.

- 9.4. The Chair noted that the Board must satisfy itself that the ERP investment represented good value for public money.
- 9.5. Board members were generally supportive of the investment, commending the clarity of the paper, with the following points and queries being raised in the course of their discussions:
- A group of forces had implemented an Oracle Fusion ERP system which had resulted in a large overspend and the need for a further procurement exercise due to ineffective implementation. It was suggested they be consulted to understand if the issue was Oracle Fusion itself or the integrator. Nick would welcome a conversation about this. He advised that the HO was already rolling out the project across their department with a prime contractor and some areas were already using it effectively. The College would slot in as part of that which should lower the risk.
 - When asked about his degree of confidence that the stated £2.2m cost would not increase, Nick clarified that the amount was in line with information provided by the HO. The figures had been scrutinised, and work would continue with them to understand the level of risk the College would be taking. Assurances from them, having already delivered the project in other parts of the HO in phases, was that the cost was firm.
 - Bearing in mind the need for £650k in the first year, the College having already suffered a loss of income, was it right that the money could be found by reprioritising so there would be no financial risk? Nick clarified that £4.5m was a projected loss of income over the whole financial year which was in its early stages. He confirmed there were sufficient funds in-year to cover both year 1 and year 2 implementation costs and £750k of other investment priorities. These were not as yet all committed to, with some being pre-business case.
 - Bearing in mind the unknowns surrounding public spending costs going forward, what level of grant income cuts, requiring greater efficiencies, would the College have to receive for this not to be viewed as a sound investment? Nick clarified that talks were ongoing with the HO to understand how the inevitable financial implications of COVID would be dealt with, but they were keen to get the College on board with Metis. There was the opportunity to phase elements of the on-boarding by delaying elements of the implementation and doing an incremental roll out to reduce up front cost. If significant financial pressures developed and the grant-in-aid settlement was insufficient, the project would be rolled out in phases.
- 9.6. The Chair summarised that in the event of cuts, the College would do a slower take up rather than stop. She indicated it would be helpful when considering investment decisions in future if the paper could address the implications of

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different levels of cuts. Board members were in agreement with the proposal on the basis that it could be phased over a longer period if necessary.

Action

Future papers on investment decisions to address the implications of different levels of cuts.
Nick Bayley/Dom Finigan

Decision

The Board resolved to:

- (i) **Note** the CEO's decision that the purchase of the ERP replacement is affordable and funds required to complete implementation are committed from the budget over the next two years.

PART FOUR – ITEMS FOR DISCUSSION

10. Management Updates

(a) Finance, Performance and Risk

- 10.1. Bernie O'Reilly addressed the Board with regard to risk and Nick Bayley on the financial position.
- 10.2. Bernie asked the Board to note the closure of Strategic Risk 2 on Brexit regarding the risk of protest and civil disorder, the impact on planning and delivery and the role of the College. This had previously been rated red but was now amber and green and would be kept under review. A recent internal audit on recruitment had received limited assurance. A report was being prepared for the Senior Management Team which would then go to the Audit and Risk Committee. He reassured Board members that work was underway to mitigate the risks. Some of these had already been known and the College had already invested in and commissioned the Civil Service Recruitment platform, invested in training and was developing an attraction and recruitment strategy.
- 10.3. Bernie drew attention to the COVID dashboard which was being used for planning purposes and set out how many staff were self-isolating, sick or infected. Board members noted that the report was comprehensive and the College should be commended on maintaining progress and momentum on so many priority projects, given the emphasis on the Uplift programme and C-19.
- 10.4. Nick Bayley advised that the College had ended the year in a favourable position with a net overspend of £0.5m against the forecast. This was broken down as an under-spend on non-pay costs of £2.1m offset by an over-spend on pay costs of £0.7m which resulted in an underspend of £1.4m. Balanced against this was a £1.9m income shortfall, resulting in the net expenditure position. The income shortfall was mainly due to a shortfall in international training delivery; the cancellation of training and recruitment delivery due to C-19 at the end of the financial year contributed further to the shortfall by £0.5m. This was within the acceptable variance limits set out in the College's letter of financial delegation. Full year actual capital spend was £2.2m higher than budgeted but this was approved by the Home Office prior to year-end. All of the major projects, such as AIMS, digital transformation and the estate programmes came in at the expected levels. Direct grants came in as expected over the full year, with one or 2 areas of underspend due to delayed confirmation of funding at the start of the financial year, with a knock on impact to delivery. This was particularly the case for Fast Track and Direct Entry, and the cyber and digital career pathway grants, but

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overall the available funding has been put to best use and all recoverable costs recouped.

- 10.5. Board members observed that the management report and financial information should be commended as their quality and clarity had significantly improved over the past few years.
- 10.6. A request was made for a finance paper to be brought to the next Board looking at a sensitivity analysis for the year 2020/21 and considering what measures may be needed to manage costs and income in a range of scenarios and variable circumstances.

Action

Finance paper to be brought to the July Board with a sensitivity analysis for the year 2020/21 and possible measures for managing costs and income in a range of scenarios and variable circumstances. **Nick Bayley/Dom Finigan**

Decision

The Board resolved to:

- (i) **Note** the closure of one strategic risk - SR2 Brexit.
- (ii) **Note** the internal audit updates

PART FIVE – CONCLUSION OF BUSINESS

11. Any Other Business

- 11.1. No additional matters were raised for discussion.

12. Review of the meeting

- 12.1. Mike Cunningham commented that the meeting had covered a lot of ground and thanked Board members for their support and positive comments on the quality of the papers. There was still a lot to do but good progress had been made.
- 12.2. The Chair noted that the technical issues experienced during the meeting underlined the essential nature of having the right digital technology going forward and this would be addressed. She had thought the meeting exciting, with great content and excellent Board input. Stephen Mold considered that the roll-out of Office 365 and Microsoft Teams would solve most of the problems experienced. Paul Griffiths agreed it had been a very good meeting apart from the technology. Robina Shah commented that she had enjoyed her first meeting, having found the conversation open and candid, and the flow and depth of discussion very high level. She appreciated the clarity of presentations and being able to comment and seek points of clarification, as well as the excellent chairing. Jackie Smith praised the excellent papers and good strategic discussion, which was supported by Ian Wylie.

13. Close of the meeting

- 13.1. There being no further business the meeting was closed at 12:59.

Date of next meeting: 8 July 2020

Name of Chair: Christine Elliott