



JOINT AUDIT AND ETHICS COMMITTEE

MONDAY, 12TH OCTOBER 2020 AT **13:00**
VIRTUAL MEETING

JOINT AUDIT AND ETHICS COMMITTEE

MINUTES OF THE MEETING HELD ON THE 30TH JULY 2020

PRESENT

Ms Karol Sanderson (Chair)
Mr Stephen Dobson
Mr Paul Richardson
Mr Russ Weaver

IN ATTENDANCE

Mr I Cosh	
Mr S Freeman	Chief Finance Officer, OPCC
Mrs A Harrison	Director, OPCC (from Item 17)
Supt M Horn	Head of Operations, Lancashire Constabulary
Mrs R Lowry	Head of Internal Audit, Lancashire County Council
T/Supt Z Mainey	Head of Professional Standards (incoming), Lancashire Constabulary
Mr I Murray	Grant Thornton
Supt S Osiowy	Lancashire Constabulary
Supt R Robertshaw	Lancashire Constabulary
Mr D Rogers	Head of Finance, Lancashire Constabulary
Ms C Wilkinson	Lancashire Constabulary - Observer
Mr G Winstanley	Grant Thornton
Mrs J Nicholas	Business Support Officer, OPCC

1. Apologies for absence

Chief Supt Ian Dawson, Lancashire Constabulary
Mrs J Greaves, Head of Legal Services and Monitoring Officer, Lancashire Constabulary
Mr David Jones, Committee Member
Mrs J Taylor, Audit Manager, LCC

AUDIT Matters – Part I

2. Constitutional matters

Mrs Harrison had contacted the Chair to advise she would not be able to join the meeting at the start and as Joanne Greaves (Monitoring Officer) had presented apologies, the Chair asked if the meeting was able to continue. Mr Freeman confirmed it was.

3. Disclosure of members' interests

There are no Members' interests for disclosure.

4. Minutes of the meeting held on 9th March 2020

It was noted that Mr Stephen Dobson was missing from the attendance list.

The Chair asked that item 'Committee Members Report' be added on the Ethics Agenda section as well as the Audit section of the Agenda.

ACTION- JN to ensure the Minutes are corrected to include Mr Dobson on the attendance list and Committee Members Report item be added to the Ethics section of the Agenda.

RESOLVED: Committee noted and agreed the Minutes.

5. Matters arising

6. Committee Members Reports

The Chair had attended the Tactical Ethics Board meeting on the 5th June which featured the new triage system. The Chair found the meeting informative. Supt Stasia Osiowy updated the Committee that the TEC was currently reviewing force policy which would be presented to an upcoming TEC meeting and she would provide an update at the next meeting.

Mr Richardson advised that the dip-sampling had been put on hold during COVID-19. Mr Cosh expressed that the safety of the Members is paramount and there were strict policies around this. Both Mr Richardson and Mr Weaver are happy to resume if the Force deem it appropriate and all social distancing measures are in place.

The Chair queried the position regarding constabulary e-mail addresses for committee members. Mr Cosh advised that this would need members to attend at Police Headquarters to complete the necessary process. The Committee Members felt it important for this to be progressed, particularly with the dip-sampling in mind, and Mr Cosh agreed to take action to resolve this before the next meeting.

ACTION-: Mr Cosh to put in place a process to provide constabulary e-mail addresses for Members.

Arrangements were in place for the Committee's next meeting to take place on the 14th September 2020. However, it was felt that it should be moved to early to mid-October.

ACTION-: JN to determine the availability of Members and Committee attendees for a meeting date in October.

RESOLVED: Committee noted the reports

7. External Audit – Audit Plan

Mr Iain Murray introduced himself to the Committee explaining that he was currently standing in for Mr Baker as the Grant Thornton Audit Lead. He updated the Committee on the Audit Plan. He reported that the impact of COVID-19 pandemic had highlighted several matters, not least staff working remotely and the Value For Money conclusion was financial stability.

The impact of the pandemic had also affected existing timetables and extra time was now in place to align accounts with a new November deadline. The Committee queried whether these new deadlines are achievable and Mr Winstanley confirmed that Grant Thornton are in regular dialogue with the finance teams and they felt confident that they would be able to present to the Committee's December meeting.

Mr Richardson raised the Audit fee variations and both Mr Freeman and Mr Cosh confirmed they were comfortable with this and fully understood the reasons behind this part of the Audit Plan. Mr Weaver asked whether the Redmond Report had been delayed and what was the impact of that delay. Mr Murray advised that the Redmond Report raised two questions, are the accounts fit for purpose and is the local audit focussed where it can have the post impact. It was felt that it was more important that effort was focussed on challenges that the public sector would face.

RESOLVED: Committee noted the report

8. Internal Audit – Annual Report and Audit Charter

Mrs Lowry presented the Internal Audit Annual Report and Audit Charter and advised the Annual Report detailed a favourable result giving a 'moderate' assessment. .

Following a question from Mr Weaver, Mrs Lowry explained that Mrs Judith Taylor and Mr Cosh will review the Audit Plan for this year. Mr Cosh advised there was some work to be done around, for example, injury awards.

The Chair commented that Members receive additional Internal Audit Reports which contained valuable information. Mrs Sanderson felt that these reports should be included in the Agenda Pack. Mrs Lowry confirmed these were all in the public domain and she was happy for the reports to be included. Mr Cosh was also content with this suggestion.

ACTION-: JN to include these reports in the full distribution papers for all future meetings.

With regard to the Audit Charter, Mrs Lowry confirmed that this document sets out the framework which Internal Audit operates to.

RESOLVED: Committee noted the report.

9. Draft Statements of Accounts

Mr Freeman and Mr Cosh presented the draft Statements of Account for 2019/2020 and Mr Freeman advised the Committee should they have any questions on the content of either Statement, please raise any issues with Mr Cosh, Mr Freeman or the external auditors (Gareth Winstanley). Reserves have decreased and this will impact on financial planning for the next, and future years. It was noted that COVID-19 has, and may further, impact on every aspect. Mr Dan Rogers expressed his thanks to Gareth Winstanley and Neil Longland for the extensive work they had undertaken so far. The Chair added her thanks for this piece of work and felt it was a great achievement in very difficult times. Mr Winstanley confirmed that collaboration had worked really well and felt that the Force's finance team should be applauded.

Mr Cosh supported the committee's view that the teams working together to deliver the Accounts had been a success during a very challenging year for the Constabulary.

Mr Weaver raised a query regarding the Emergency Services Network (ESN). Supt Richardson explained the current position and confirmed it would be delivered but not in the original format previously agreed. Mr Cosh confirmed it is a concern financially but officer safety is the main priority. He offered Members a session on this issue to explain the issues thoroughly. The Chair confirmed this would be helpful and passed the Committee's thanks for the ongoing work on this matter. A scheduled training session had been postponed due to COVID so Mr Cosh will risk assess how these training sessions can be put in place.

ACTION: Mr Cosh to progress the training sessions.

RESOLVED: Committee noted the report

10. Joint Audit & Ethics Committee – Annual Report

Ms Sanderson presented the Committee's Annual Report.

RESOLVED: Committee approved the report which will now be presented to the Commissioner as the work of the Committee for the year 2019-2020.

11. Business Continuity Update

Supt Matt Horn presented a verbal update.

He advised the Committee that there had been an impact on business continuity as a result of the pandemic however there was a dedicated member of staff (Ronnie Webb) in place who works alongside ACC Jo Edwards as Head of Operations.

Mr Richardson advised that concerns had been raised at the last meeting however, he was assured that practice on the ground has gone in the right direction. He commended the force on the work undertaken during the pandemic.

Mr Dobson asked how Custody and ICT had dealt with the changes required due to COVID and whether there had been any supply chain issues. Supt Horn confirmed that the Constabulary had strong plans in place which were well documented and Custody, ICT and the Control Room had all dealt with issues very well. Supt Horn reported to Members that there had been real early successes with Personal Protective Equipment (PPE) and Information Technology (IT).

Supt Horn advised the Committee that nationally the NPCC had different leads for themes and this had helped with continuity. The Constabulary had continued with the firearms training although not all the Forces within the North West region had done so.

In response to a query from Mr Dobson regarding Track and Trace, Supt Horn advised that they had received Test, Track and Trace very early on. The Constabulary had not experienced any difficulties arising from abstraction of staff and they had a firm eye on this and staff were being reminded routinely about their own personal responsibility.

RESOLVED: The Committee noted the update.

12. Urgent Business

None.

13. Dates of future meetings

Noted.

Audit Matters - PART II – PRIVATE AND CONFIDENTIAL

The following matters will be discussed in private as it involves the likely disclosure of exempt information as defined in the Freedom of Information Act 2000.

14. HMICFRS Inspection Reports

Superintendent Richard Robertshaw provided the Committee with a verbal report. He confirmed that back in mid-March, HMIC had advised that they were suspending inspections. Although the Inspections are now being rescheduled although a lot of Inspections will have slipped between 9-12 months.

Chris Wilkinson (HMICFRS Liaison Officer) had received lots of requests for information from HMIC including a request for views on a change of inspection methodology. There had been two types of rolling inspections and at the beginning of 2020 the Force had received grades of outstanding for Efficiency and good for Effectiveness and Legitimacy

Superintendent Robertshaw further advised that there had been a proposal to include a 'fair' grading in the new process which the Constabulary felt was a good suggestion. Other issues arising:

Supt Robertshaw felt that Lancashire may well be chosen for an inspection around COVID.

Members thanks Supt Robertshaw for his update.

15. PCC Risk Register

Mr Freeman advised that the main changes are contained in the covering Report, particularly the creation of a Combined Authority in Lancashire which will clearly impact upon the police service.

The issue of persistent complainers was also highlighted and the Committee discussed if they were in a position to assist with this. Mr Freeman advised that it is an increasing issue for the OPCC. Mr Cosh reported that complaints will sometimes fall to the Chief Constable and the Commissioner. It appears to be a low number of individuals making lots of complaints and he felt that this was something the Committee could connect with a have a step in the process.

RESOLVED: Committee noted the report.

ACTION: Mr Cosh, Mr Freeman and Ms Sanderson agreed to discuss this further ahead of the next meeting.

16. CC Risk Register

Supt Robertshaw advised that the two red risks related to investigative capacity and child exploitation. There had been a genuine rise in complex murder cases combined with additional and complex legal requirements and the necessary investigative reports to ensure a positive result. Supt Robertshaw advised there was a need for additional resources.

He further explained that there was significant good news in that there were more people coming in to the Constabulary and PR had been a massive improvement thanks to the re-organisation.

Mr Rogers spoke to the Committee about the Capital Investment and Risk. There was a commitment to spend and invest in accommodation and kit. There was a significant challenge of making funds available and the Constabulary need to ensure they are fully in control of what they need and how to fund it. The Finance Team are working with the OPCC and Mr Cosh to ensure that, given the scale of the investment, they are all aware of the full picture.

Supt Robertshaw advised that work was ongoing to improve minority representation within the Force.

Mr Dobson expressed that he was happy to see COVID included on the CC Risk Register and Mr Cosh and Mr Freeman agreed that it sits within the Constabulary's responsibility as they have control of the risk management for operational policing.

RESOLVED: Committee noted the report.

Ethics Matters – Part I

Minutes of the meeting held on 9th March 2020

The Minutes were reviewed and cleared as an accurate record of the meeting.

Matters arising

Addition of an independent/academic member to the Ethics business

Superintendent Osiowy confirmed there had been actions relating to the Tactical Ethics Committee addition of a co-opted member however, the COVID-19 pandemic had also delayed progress to date. Supt Osiowy confirmed that she would now re-institute this work and will update the Committee at the next meeting.

ACTION: Superintendent Osiowy to update the Committee of progress at the next meeting.

17. Key Issues Update

Mr Freeman provided an update to the Committee predominantly regarding the impact of COVID-19 and finances on all areas of work and scrutiny: including:

- Longer term impact on the economy and from council tax receipts and the expected shortfall in collection in 2019/20 in Lancashire.
- The Treasury has committed to a huge spending programme which will mean a 'very tight' 3-year settlements for policing. This will clearly mean difficult budget decisions and impacts upon budget planning.
- The positive to take currently is that Government support for policing is high.

Both Mr Cosh and Mr Rogers echoed Mr Freeman's comments.

RESOLVED: Committee noted the update.

18. COVID-19 Fixed Penalty Notices

Superintendent Robertshaw provided a verbal report to the meeting.

He reported to the Committee that the technology available to officers meant they could issue Fixed Penalty Notices immediately although those powers were available, it was very clear that enforcement should be the last resort. Officers were very well aware of the Engage, Explain, Encourage and Enforce method.

Some of the data available had indicated that some areas were at a higher concern than others but it was felt it needed to be handled nationally.

RESOLVED: Committee noted the update.

19. Update on the Constabulary's Tactical Ethics Committee

Supt Osiowy presented the minutes of the Force TEC meeting held on 21st May 2020. The meeting had been observed by JAEC member David Jones who felt that the feasibility study was worthwhile and had been received positively by the staff and Mr Jones had no concerns.

The TEC meeting had discussed the Force's response to COVID. Superintendent Osiowy advised that this had prompted a full and frank discussion in which staff indicated that they had felt supported at the beginning of lockdown restrictions although some of the subsequent mixed messages from the Government had made it difficult. It was clear staff were affected due to identified shielding and caring responsibilities among others. There was a perception that staff had been prioritised in that available technology had been redirected to frontline staff and those who could work from home. Whilst staff felt that the Police Federation and Unions were included, the Staff Network groups had not been involved and Supt Osiowy agreed there was ongoing learning in this area.

The TEC meeting had requested that the Senior Officer Teams be made aware of this and, where possible, there should be consultation with other operational leads, such as the Black Police Association and that responses should be proportionate.

The Chair asked whether this information had been fed into the Business Continuity Plan and Supt confirmed it had and Supt Matt Horn had been involved.

Supt Osiowy had spoken to the TEC about the role of this Committee and the views of the Committee Members would be welcomed.

Items for discussion at future meetings included: COVID, Workforce Representation, Fraud Policy and Standards of Dress Policy.

Mr Cosh felt that TEC Committee was extremely worthwhile and it was important to get regular feedback from staff to ensure they were being looked after and their views sought, hence the Employee Wellbeing Survey

The Chair asked Supt Osiowy whether there was anything the TEC needed from the Committee. Supt Osiowy confirmed that there had to be a reason to hold the TEC and there must be a worthwhile outcome. She confirmed that the JAEC linking with TEC was very helpful and provides further integrity.

RESOLVED: Committee noted the update.

20. Professional Standards Update

T/Supt Zoe Mainey introduced herself to the Committee and advised that from Monday 3rd August she would be in post as Head of Professional Standards. She advised the Committee that the biggest change at the moment is regarding the Misconduct Hearings which Members were aware of.

21. Complaints Performance Report

T/Superintendent Mainey told the Committee there had been an increase in complaints received which stood at 731, up by 134. It was an improving picture however with 2.8% of complaints being upheld and taking an average of 84 days to resolve. The change in legislation meant that reviews would now be undertaken by the OPCC.

Mr Weaver and Mr Richardson noted that the new regulations had been in place for only a short time before lockdown and asked for an update directly from T/Supt Mainey so they could understand what changes have been implemented. Mr Richardson also asked whether the Committee will be sighted on the Independent Peer Review and ZM confirmed she would update the Members as appropriate.

ACTION: T/Supt Mainey to arrange a meeting directly with Mr Richardson and Mr Weaver. JN to facilitate.

ACTION: JN to liaise with T/Supt Mainey to arrange documentation to be shared with Members regarding the Independent Peer Review.

T/Supt Mainey updated the Committee on the VDI Board and Action Plan, which PSD had a role in and had provided good foundations to build on and a good starting point for the themed actions for this Committee.

Members commented on the Quarterly Newsletter and Mr Weaver said he thought it was a terrific document and asked T/Supt Mainey to pass on thanks to the team who created it, a comment which was echoed by both Mr Richardson and Ms Sanderson.

T/Supt Mainey thanked the committee for the feedback which she would pass on. She told the committee that it had received positive feedback from elsewhere and it was felt it had hit the right tone.

RESOLVED: Committee noted the report.

22. OPCC Complaints Performance Report

Mrs Harrison presented her report to the Committee including:

- Freedom of Information requests had reduced this year.
- A GDPR Audit was being undertaken by Forbes, Solicitors, including a review of the OPCC practices and procedures.
- A review of the 'user experience' of the OPCC complaints process was also being undertaken
- Complaints Reviews are now the responsibility of the OPPC and some work had been handed over by the Constabulary. There had been some technical difficulties due to this change but Mrs Harrison was confident that Reviews could be dealt with quickly once this new process had settled down.

The Committee noted Mrs Harrison's report.

23. Urgent Business

None.

24. Date of future meetings

Arrangements were in place for the Committee's next meeting to take place on the 14th September 2020. However, it was felt that it should be moved to early to mid-October.

ACTION:- JN to canvass the availability of Members and Committee attendees for a meeting date in October.

Ethics Matters - PART II – PRIVATE AND CONFIDENTIAL

There were no items for consideration or discussion under Part II of the Ethics Business.

Signed:
	Angela Harrison, Director, OPCC
	Dated the day of 2020

Signed:
	Karol Sanderson, Chair, Joint Audit and Ethics Committee
	Dated the day of 2020

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