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Board Meeting Minutes

Date & Time: Wednesday 28th February 2024 at 9:0hrs

Venue: IOPC Cardiff Office

Members Present:

Kathie Cashell	Acting Deputy DG (Strategy & Corporate Services)
Christine Elliott	Non-Executive Director (via Teams)
Catherine Jervis	Non-Executive Director
Rommel Moseley	Non-Executive Director
Julia Mulligan	Senior Independent Director (SID)
Steve Noonan	Director of Operations
Tom Whiting	Acting Director-General

In Attendance:

Katie Aston	Strategy and Planning Manager (Items 10-13)
Cath Baldwin	Welsh Language Development Manager (Item 14)
Rob Barnes	Head of Business Development (Items 10-13)
Mike Benson	Head of Finance
Margaret Bruce	Governance Secretary
David Calvert-Smith	Independent Reviewer (Item 9)
David Emery	General Counsel
Lindsay Harvey	Strategy Unit Manager (Items 10-13)
Holly Marshall	Strategy and Planning Manager (Items 10-13)
Marie Morrissey	Head of Private Office
Stephen Oakley	Head of Policy and Public Affairs (Item 13)
Amanda Rowe	Director of Operations

1. WELCOME AND INTRODUCTIONS

The meeting commenced at 09:00hrs and was quorate. The Chair welcomed members and attendees.

2. APOLOGIES

There were no apologies received.

3. DECLARATIONS OF INTERESTS

- The SID declared an interest as Chair of the Gangmaster and Labour Abuse Authority (GLAA).
- The Chair and General Counsel both declared an interest under item 9.

Agreed: That the Chair and General Counsel will recuse themselves during the discussion under item 9. The SID, will chair that item.

4. MINUTES OF LAST MEETING HELD WEDNESDAY 24TH JANUARY 2024 (PAPER REF IOPC 02/24/04)

The Board considered the minutes of the last meeting held on Wednesday 24th January 2024.

Agreed: To note and approve the minutes (for signature) as an accurate record of the meeting.

5. MATTERS ARISING/ACTION LOG (PAPER REF IOPC 02/24/05)

The Board considered the action log on matters arising from the last/previous meetings.

Actions:

- Meeting with Baroness Casey – a date has been agreed.
- Special meeting on independent review report/recommendations – the independent reviewer’s report is an item on this agenda.
- Succession plan for ARAC Chair – NED recruitment is in progress.
- Conduct strategy stocktake facilitated by independent consultants. This is addressed as an item on this agenda.

Agreed: To note the document.

ACTION: AG DEPUTY DG (S&CS)

6. ACTING DIRECTOR GENERAL – UPDATE (PAPER REF: IOPC 02/24/06)

The Acting Director General spoke to the circulated report. He highlighted the quoracy challenges and the impact on the March Unitary Board meeting. In view of this, he noted that meeting is likely to focus on briefing, with decisions deferred to the April meeting. The Board noted it is permissible, provided due process is followed, to amend the quoracy rules in the Standing Orders

The Board discussed:

- The continuing challenges of meeting quoracy given the imminent departure of some (NED) members and the timing of NED recruitment. It noted that Rommel Moseley (NED) will be abroad at the time of the March meeting and advised exploring the possibility of facilitating his on-line attendance to address quoracy for the March meeting. **(ACTION)**
- The legislative position set out in the Police Reform Act around quoracy and that provided a NED majority is maintained, detailed quoracy arrangements may be determined by the Board/Office).
- The principle established at the previous meeting to stand down an executive member to address quoracy given the current circumstances and for business exigency.

Agreed:

- That the process for amending the Standing Orders (around quoracy) be activated/implemented. **(ACTION)**.
- That the Home Office would be informed should the Board decide to amend the Standing Orders to lower quoracy.
- To note the quoracy challenges around the March meeting.

The Acting DG further briefed as follows:

- **Public affairs** – The executive team held a Press Briefing for crime reporters from all major media outlets, with positive feedback and an apparent shift in perception of the IOPC. There was also a briefing from the Productivity Review Stakeholder Engagement Group, looking at areas such as efficient use of police time, custody and use of technology.
- **Meetings with**
 - Dawn Butler (MP) – discussion included changes to the police misconduct regime, dismissals review and support for a fitness to practice regime. There are plans to brief/address London Labour MPs.
 - Mayor of London, Sadiq Khan and Sophie Linden, Deputy Mayor for Policing and Crime – discussion included the current Accountability Review, use of force and response to the recent statements from the Metropolitan Police.
 - His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) and College of Policing (CoP) – This trilateral meeting (with the IOPC) was reinstated to promote collaboration in areas of joint priorities. Recent collaboration includes the complaints in Nottinghamshire and Leicestershire following the Nottingham murders.
 - Phil Golding, Chief Executive, The Association of Police and Crime Commissioners (APCC) and Donna Jones, Police and Crime Commissioner for Hampshire and Chair of the APCC – discussion included pressures around funding and backlog of cases. There was positive/supportive feedback.
- **Force visits** – undertaken in North Wales, Devon and Cornwall – there was good feedback and positive view of IOPC work/investigations, oversight work.
- **Executive Recruitment** – a fixed term Director of Finance and Corporate Services has been appointed. Recruitment of a Head of Finance (to replace the incumbent due to retire shortly) is underway.

- **Budget** – the letter sent to the Permanent Secretary setting out the challenges we face and the efficiency programme developed in response. A reply is yet to be received.
- **Permanent DG Recruitment** – No timeline on when an appointment will be made is available.

The Acting Deputy DG (S&CS) updated on the Accountability Review, including our own submission. She also updated on the Cabinet Office review/recommendations.

The Board commended the comprehensive report. It recommended adopting a proactive (rather than responsive) approach to shaping the narrative on public affairs. It noted the ongoing work with external consultants in this area.

Agreed: To note the report.

ACTION: HEAD OF PRIVATE OFFICE

7. HEADLINE RESOURCES REPORT (PAPER REF: IOPC 02/24/07)

The Head of Finance highlighted as follows:

- The forecast at the end of January remains at £0.67m overspend.
- It reflects an increase totalling £0.34m on estates, consultancy and staff costs (offset by a reduction on travel, ICT, legal fees and Hillsborough exits).
- There is likely to be a CDEL (£0.15m) underspend. Discussion has been held with the Home Office and the intention is to bring forward a planned ICT equipment refresh to reduce pressure on CDEL for the next Financial Year (2024/25).

Agreed: To note the report.

8. HEADLINE PERFORMANCE REPORT (PAPER REF: IOPC 02/24/08)

The Board noted the circulated report and was briefly updated on the following:

- The work being done to ensure better data entry for the most accurate picture possible towards the end of the year.
- The 12-month KPI is under significant pressure (and below target) – there are some cases already over the 12-month limit – and likely to close before the end of the year, bringing us nearer the target.
- Regional Directors are reviewing all data to ensure TEDs are recorded accurately with better understanding of the potential final impact. They are also working to close cases under 12 months to offset the impact of those already over 12 months.
- In terms of cases opened, significant work has been done and productivity has improved but still more to be done.
- National Operations – Referrals/demand increased in January but average time to complete referrals continued to improve (to 3.28 Working Days (WDs) from 3.30 Working Days in December). Performance has also improved given the impact of the efficiency work packages and improvements made to the MOI process. The full benefit should be evident next year.

- Requests for reviews of locally investigated DSI referrals remains high, with 100 received in January. Between October 2023 and January 2024 (with a 93 average received per month). The number of reviews completed in the month exceeded demand, resulting in a modest reduction of the active caseload. There are challenges around timeliness, but work is ongoing to manage the increased demand and improve timeliness. The National Ops Turnaround Plan (NOTP) is progressing in line with projection.

The Board discussed:

- Reasons underpinning the demand in referral and reviews. It noted that this could be attributed to a variety of reasons including resource pressure on forces and more people willing to complain.
- Developing a holistic performance story (reflecting efficiency and productivity).
- Clarity and better understanding of the implication of not meeting the 12-month target (around communications/perception). Also, the impact of conducting fewer investigations and resources. It recommended sharing experience of the Parole Board (which undertake similar work) around the use of AI.
- Distinguishing between reviews and appeals work (given the difference in process).

Agreed: To note the report.

9. INDEPENDENT REVIEW COMMISSIONED BY UNITARY BOARD (IOPC 02/24/09)

The Chair (i.e. Acting DG) and the General Counsel recused themselves during the discussion of this item. The item was chaired by the SID.

The Review Team (comprising the SID and ARAC Chair) introduced the report and noted the background. They also noted a version control issue had meant that some factual inaccuracies, corrected by the Independent Reviewer (IR), as a result of checking comments attributed to specific individuals relating to the chronology of events in the report had not been reflected in the circulated version of their report. This meant the Board was not in a position to discuss the report as planned.

The IR appeared before the Board to explain the error. The Board noted some of the areas affected and agreed that a list of the outstanding areas would be produced for consideration/confirmation of the Review Team before working with the IR to revise the report. **(ACTION: Head of Private Office).**

The Board expressed frustration with the delay. It agreed to convene a task and finish group to undertake a preliminary discussion on the final report and recommendations before further consideration by a full Board meeting as part of a broader discussion on governance.

It also discussed the impact of the process on the Acting DG and General Counsel and commended their ongoing patience, commitment and professionalism during a challenging period.

Agreed:

- To defer consideration/discussion of the report pending amendment to ensure factual accuracy.
- That the Review Team (supported by the Head of PO/Acting DG (S&CS) will consider the issues outstanding and liaise with the IR to support him to finalise his report. **(ACTION)**
- That a task and finish group meeting will consider the report AND the communications plan around the report. **(ACTION)**
- The final report will be presented to a future Board meeting for consideration/discussion. Also, to consider the checks and balances in place to ensure alignment with other processes. The discussion will form part of broader governance discussion.
- To publish a summary and recommendations of the report.
- To recognise and thank the Acting DG and General Counsel for their patience and professionalism throughout the process.

ACTION: SID/ARAC CHAIR/HEAD OF PRIVATE OFFICE/AG DEP DG (S&CS)

10. STRATEGY STOCKTAKE ((IOPC 02/24/13)

The Chair noted the preceding work undertaken on the strategy stocktake with the support of external consultants (PA Consulting). PA Consulting representative further highlighted as follows:

- The work undertaken on the senior management structure review and pause built in around December last year to partner and support the business development team to support a strategy stocktake facilitated by PA Consulting.
- PA Consulting's contribution to the papers circulated before the meeting reflecting the outcome of the workshops. The two key areas around trade off (investigation/regulation) reflecting stakeholders views. Also, the questions around efficiency savings and opportunities to address the changing context and how this is reflected in the stocktake/review.
- Some of the actions taken from the workshops such as developing innovative ways to address/reduce demand. This is part of the next steps

The Head of Business Development also noted key areas such as:

- The preferred way forward – based on the outcome of the work done on stocktake. Among others, noting the balance between investigations and regulation. Also, around thematic learning and case/regulatory learning, noting the importance of tradeoff.
- Budget - impact on the financial context (item 11)
- Feedback from the Board around emerging priorities for business planning in readiness for the next financial year (item 12) Coordination of the stocktake, the budget, and the Medium Term Financial Plan (MTFP). Also, the Efficiency Plan and the effect on teams (whether through turnover or exits) which means financial and human constraints in the next financial year.
- The changed context since the development of the strategy – the changes in operational context impacted by financial/budget pressure, more adversarial policing context and increased stakeholder challenges. Also, underperforming complaints system (from user perspective) among others.
- Proposals for responding to the changing context noted in the document. Board support to agree amendment to the current strategic documents.

- The way forward – noting the IOPC statutory functions and discretion on delivery and proposing seven focus areas as a way forward to address the changed context around the areas of discretion including culture and leadership in key areas, more focus on the complaints system and managing demand.
- Implications around the focus areas which informs priorities for next year's business plan. Also, implications on the operating model/change portfolio for consideration.
- Areas for immediate action and areas for trade off.
- Next steps including developing a communications plan and engagement with the Home Office. Also, updating the operating model and resume work on the senior structure review.
- Minimising the deficit in-year and positioning for future years (such as reducing investment and implementing additional savings, and prioritising essential recruitments etc. The Permanent Secretary has been informed of the proposal/plan, options and highlighting the best value for money for the exchequer.
- Risks around efficiency plan and mitigating measures developed to address them.
- Key priorities for business planning for the next financial year including embedding the revised senior management structure and driving operational efficiency, productivity and performance through the NOTP and the IOD programme. Also, noting the key challenges such as making the right investment, and the speed of changing direction with available resources and skills.

The Board expressed satisfaction with the direction of travel and noted the three recommendations around the strategy stocktake, the changed context, impact on operating environment, preferred way forward including prioritising 'regulation' of the complaints system and the next steps including recommencing the review of senior structure etc. It discussed as follows:

- Trade-offs identified and the effect on colleagues given the somewhat pessimistic picture around resources/change. It recommended providing more context around this. It was explained that given all the changes, the aim is to focus on IOPC's unique areas of strength around oversight of the police complaints system, noting upcoming work such as the accountability review. It also noted that there are areas (such as investigations and thematic learning work/areas of key community concerns) where trade-offs cannot apply, given the need to maintain credibility.
- Adopting a holistic approach to change to ensure that the change is part of the overall change programme.
- Distinction between 'reviews' and appeals given the investigative content in 'reviews'. Recommend clarity around the language given that investigations are part of regulations. Also, the effect on the ability to use the available data differently in public affairs in order to impact those able to effect change politically and across the system, as well as achieve the desired impact.
- Clarity (to avoid negative perception) around charging for services and emphasising that the focus is to improve investigation. Also, manage the narrative for clarity around investigations and the IOPC powers/role in this area.
- Support the proposals as a way forward and note the importance of timing as part of the closer focus on performance and improving the police complaints system which is the core remit of the IOPC as a regulator.

The Chair briefly summarised and noted the consensus on the direction/approach, with language adjustment recommended. Also, the focus on undertaking high quality investigations and getting complaints handling right. The Board further noted.

- The significant work to be done to coordinate all the changes with clear feedback and plan on the way forward. Also, to communicate to colleagues on the way forward, with leadership providing certainty on direction.
- The possibility of undertaking further strategy stocktakes based on changes in the political landscape and in future on a yearly basis.
- Future work to be done around change delivery and management of the workforce, managing change and other areas arising from the staff survey etc. Also, classification of the work into 3 oversight areas for the respective committees to provide clear priority and assurance for the Board on delivery and embedding change.
- Clarity in identifying, understanding and implementing related action. Also, the 'Change Group' communicating (at different layers) across the organisation.
- Emerging priorities and the related challenges. To recommend amendment to the 1 priority to be more explicit on the numbers and provide evidence based 'regulation'.

Agreed:

- To approve the three recommendations around change to the strategy, the way forward to address the changed context and the next step to communicate the focus areas widely. Also, to proceed with the work around senior management review.
- The next step conversation including what the strategy looks like and what this means for the senior management structure.
- To commend the Ag. Deputy DG (S&CS) and her team and PA consulting for their intellectual/practical flexibility reflected in the work done, capturing key areas at the core of (and fundamental to) IOPC existence.

11. BUDGET UPDATE (PAPER REF: IOPC 02/24/11 & 12)

The Head of Business Development noted the previous discussion, the need for additional budget decisions, further budget savings, reduction in the investment pot and freeze on essential recruitment going forward into the next financial year.

The Board discussed the financial context and the proposed budget option. Also, the letter written to the Permanent Secretary (PS) (copy circulated to members) setting out the budget position and the proposed action for the coming financial year (2024/25) which offers the best value for money for the exchequer.

It noted the 2 scenarios presented (recommending scenario 1 agreed by the Board in November) and the proposed recommendations around reducing planned investment, implementing additional savings and freezing all but essential recruitment (noting the criteria for essential recruitment). It also discussed clarity around the pay assumptions and Home Office support. It was explained the Home Office has noted the variation including the fall in inflation which is likely to impact on pay rise.

Agreed:

- To approve the recommendations which builds on efficiencies agreed in November 2023, continues recruitment freeze for all but essential posts and takes some further budget savings.
- That this is subject to the feedback from the PS.

12. ANNUAL BUSINESS PLAN/DELIVERY PLAN (IOPC 02/24/12)

Noting the previous discussion on stocktake, funding and recommendations around priorities for the next financial year (2024/25), the Board also considered the related recommendations/proposal for the (2024/25) business plan.

Agreed: To approve the recommendations flowing from the stocktake to enable finalisation of the business plan for 2024/25.

13. CABINET OFFICE COMMISSIONED REVIEW RECOMMENDATIONS (PAPER REF: IOPC 02/24/13)

The presentation team was led by the Acting Deputy DG (S&CS) who introduced the paper on the proposed approach for taking forward the recommendations of the Cabinet Office commissioned review and reporting on progress against delivery. The meeting noted the variety of recommendations and the related assessments. It noted that there are 72 recommendation for the IOPC to review/consider. Many of these are already in planning/implementation/completed. There are only two recommendations (ie. Recommendation 2 around thematic work and 27 around independent investigations) outstanding and of concern. It was proposed that the Board endorse the proposal to:

- partially accept recommendation 2 and reject recommendation 27. The rationale for both are set out in the circulated report.
- agree the assessment of recommendations to accept/reject.
- agree the proposed approach to implementation, monitoring and reporting on progress.

The Board discussed the planning aspect, noting that the majority of the recommendations are already in progress or incorporated in work plans such as the Improving Operational Delivery (IOD) programme. Further work is being undertaken to consider capacity, priority and the timing of delivery, envisaged for the next financial year and beyond.

The Board discussed as follows:

- Clarity and better understanding of the meaning of thematic work to enable better articulation of IOPC's thematic work. It was explained that the Home Office understands the distinction and supports the IOPC position, hence the proposal for partial acceptance of Recommendation 2.
- The benchmark which already exists. It noted that the IOPC thematic work is an 'addition' to the benchmark, focussing on public/stakeholders priorities.
- Recommend focussed/dedicated discussion on the full recommendations. Also, the linkage to the IOPC commissioned review (discussed under item 9).
- Recommend learning from the GLAA approach.
- Support and agree with the rationale/proposal around Recommendation 2.
- Support and agree with the rationale/proposal around Recommendation 27.
- Home Office position on the recommendation around the duty of candour.
- The importance of capacity and prioritising.
- Recommend identifying and clustering key areas. Also, clarifying (and report to the Board) where respective recommendations are reflected in the business plan and implementation/delivery (for assurance). **(ACTION)** Also, identify those

relating to governance (for Board discussion and to inform amendment of governance documents as necessary).

- Commend the good job being done in distilling the recommendations and identifying/taking the necessary actions.
- The responsibilities arising from the Cabinet Office review and the need to support this with strong advocacy for the organisation to ensure adherence to policing standards. It noted the challenges of getting advocacy support for the organisation under the current political/policing climate. It encouraged more advocacy to develop understanding of the complexity of IOPC work.
- Understanding the concerns of real victims of policing, some of the prevailing attitudes and how the changes affect them. Also, reiterating the message that the IOPC is sensitive and operates through the prism of victims.

The Board also noted and supported the recommendations around governance including those around the Chair (subject to proper implementation of the recommendation). It agreed:

- That a Board position letter would be sent to the Home Office.
- To support the proposal to convene a task and finish group to consider the governance recommendations (alongside the Board commissioned review under item 9 above).

The Board also discussed and recommended

- IOPC leading in sending out core messages in key areas. Noting the challenges facing the organisation such as under-resourcing, it underscored the importance of identifying the 'right voices' and applying them as a strong communication tool with emphasis on public need. It noted that the Cabinet Office recommendations acknowledge the significant progress made within a challenging environment and has called for Home Office support. It recommended adopting a proactive approach noting the risks around getting core messages out through various media.
- Using data to support the IOPC position and strong track record through public affairs briefing. Also, consider the nature of the message/narrative, areas of emphasis (from complainant perspective), the tactics to be applied (before the report is published) and identifying possible advocates.

Agreed:

- To support the proposals on the recommendations.
- To convene a task and finish group meeting (for focussed discussion at the March meeting) on the recommendations and report to the next/April UB meeting. **(ACTION)**
- That a letter would be written to the Home Office (along the lines recommended above).
- To support the arrangements around the Chair as noted above.

14. WELSH STANDARDS – PRESENTATION

The Welsh Language Development Manager welcomed the Board to Wales. She explained some of her responsibilities/IOPC obligations under the Welsh Language (Wales) Measure 2011 and highlighted the following:

- The background to (and application of) the 2011 Measure which builds on previous legislation. This introduced the comprehensive Welsh Language Standards. Over 140 Standards relates to the IOPC business, covering areas such as service delivery, operational standards, policy making, supplementary and record keeping standards.
- The role of the Welsh Language Commissioner including ensuring compliance with the legislative requirements.
- The role of the Welsh Language Tribunal chaired by a judge whose decision is final.
- The principle of 'no less favourable' treatment between the English and Welsh language in Wales in the delivery of public service.
- Specific public bodies listed in the Measure (including the IOPC).
- Examples of requirements of Standards include the following:
 - Produce annual monitoring report (for the commissioner) on implementation of the standards. Feedback received for future action.
 - Publish document on compliance with standards.
 - Assess Welsh Language skills of employees (ensuring effective delivery of public service)
 - Produce public facing documents in Welsh.
 - Offer Welsh language as choice (for service users)
 - Provide a service in Welsh (CCC)
 - Reflecting Welsh and Welsh speaker impact in policy making – similar to conducting the Equality Impact Assessment
- Cost of non-compliance (including reputation, moral, ethical and human impact (given the nature of IOPC business). Also, Tribunal and financial penalty.

The Board commended the presentation and discussed the following:

- Data on the percentage of Welsh speaking staff in Cardiff.
- Young people and learning the Welsh language. It was explained that there are different levels of ability. Welsh is a compulsory subject in every school in Wales. It is taught as a second language in some schools whilst in others, all subjects are taught in Welsh. It noted the challenges of attracting employees with Welsh language skills.
- Encourage/creating bi-lingual ethos in the organisation. Also, encourage colleagues to use Welsh language in simple areas (such as greeting).
- Ongoing work on translation and supporting investigators as part of implementing the Welsh language in the IOPC.
- Percentage of users with a preference for Welsh language.

Agreed: To note and thank the presenter and look forward to future update.

15. REPORTS FROM THE PEOPLE AND CULTURE COMMITTEE MEETINGS (HELD 12/01/24 AND 17/01/24) (PAPER REF: IOPC 02/24/15A&B)

The Board noted that the People and Culture Committee meeting held on Friday 12th January and Wednesday 17th January 2024. The minutes had been circulated before the meeting.

Agreed: To note the documents.

16. REPORTS FROM THE AUDIT AND RISK ASSURANCE COMMITTEE (ARAC) MEETING (HELD 15/01/24) (PAPER REF: IOPC 02/24/16)

The Board noted that the ARAC meeting held on Monday 15th January 2024. The minutes had been circulated before the meeting.

Agreed: To note the document.

17. REPORTS FROM THE QUALITY COMMITTEE MEETING (HELD 12/02/24) (VERBAL)

The Board noted the meeting of the Quality Committee held Monday 12th February 2024. The minutes would be circulated in due course.

Agreed: To note.

18. BOARD MEETING ATTENDANCE (PAPER REF IOPC 02/24/18)

The Board considered the document presented by the Governance Secretary.

Agreed: To note the document.

19. FORWARD PLAN (PAPER REF IOPC 02/24/19)

The Board considered its Forward Plan. This is aimed at ensuring effective forward planning for Board meetings. It provides the opportunity for members to propose and discuss items for future meeting agendas.

Agreed: To note the document.

20. DATES, TIMES AND VENUE OF FUTURE MEETINGS (PAPER REF IOPC 02/24/20)

The Board considered and noted the document including the proposed meeting dates/venues for 2024/25.

Agreed: To note the document.

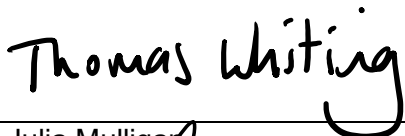
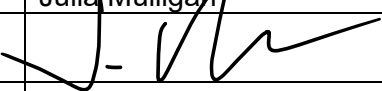
ACTION: GOVERNANCE SECRETARY/HEAD OF PRIVATE OFFICE

21. ANY OTHER BUSINESS

There was no other business.

22. MEETING REFLECTION – STAFF SESSION LED BY NEDS

Board members participated in staff sessions, led by NEDs.

NAME	Tom Whiting
	
NAME	Julia Mulligan
SIGNATURE	
DATE	27 th March 2024

Schedule of actions

Agenda Item	Action by
5	Ag. Deputy DG (S&CS)
6	Head of Private Office
9	Head of Private Office/Review Team