

MINISTRY OF DEFENCE POLICE AND GUARDING AGENCY
AGENCY MANAGEMENT BOARD MINUTES

20070925-AMB 13 2007 Final Minutes U

Business Development
Room 102 Bldg 1071

Distribution: AMB Members and Advisers

25 September 2007

MEETING HELD IN THE CONFERENCE ROOM MDPGA HQ WETHERSFIELD AT 14-00 HRS
ON 24 SEPTEMBER 2007

Present:	CC S Love DCC D Ray QPM ACC G McAuley Mr D Applegate Mr S MacCormick Ch Supt R Hoblin Det/Ch Supt G Nicholls Mr P Taylor Mr P Nealon Mr H Moore Mr D Farrow	Chief Executive (CE) - Chair Chief of Staff (COS) Director Divisional Operations (DDO) Director Resource and Planning (DRP) Director Regional Operations (DRO) Head of Business Development Head of CID & Representing Director of Operational Support (DOS) Head of HR & Representing Director Personnel and Professional Development (DPD) Head of Corporate Communications Representing Head of Finance Secretary
In Attendance Item 4 Item 5 Item 12 Item 12	Mr E Keating Insp N Stinchcombe Mr R Clancy Mr J Oliver	DPF Chair Div Ops CTG DRO
Apologies	ACC J Bligh QPM ACC R Chidley	Director of Operational Support (DOS) Director Personnel and Professional Development (DPD)

Item (a)	Discussion and Decision (b)	Action (c)
1 Opening Remarks and Apologies	1.	
2 Confirmation of Any Other Business	1. None	
3 Minutes and Actions arising from AMB on 04 Sep 07 20070905-AMB 12 2007 Draft Minutes U	1. Minutes were agreed for publication.	

<p style="text-align: center;">4</p> <p style="text-align: center;">MDP Overtime Limits</p> <p>20070823-AMB 13 Paper DDO Overtime Limits U</p>	<p>1. CE opened by welcoming Mr Keating, the DPF Chair, to the meeting for this item as this issue was originally raised by the DPF.</p> <p>2. DDO outlined the historical position of overtime within the MDP and how these have been impacted by various Health and Safety and other legislative measures, most notably the Working Time Regulations. DPF have proposed a relaxation of the current regulations so that overtime is better available to those who wish to do it and less is forced up on those who would rather not do it, i.e. smooth the effect of overtime over the whole complement of a station. DDO said that he supported many of the proposals and thought that they would help to support recruitment and retention and roster management whilst meeting the criteria of aiming for overtime to be voluntary. On the downside was the issue of “Z Days” and overtime being paid at time and a third compared to time and a half. He also said that there were moral concerns over supporting officers with financial “issues” who had become reliant on overtime rather than using other management/welfare means. There were also concerns where overtime was carried out by firearms officers and possible contraventions of the working time regulations for night workers as well as other health and safety issues. Since the issue was originally raised, STP07 initiatives have stopped the majority of non-nuclear overtime and there is now a presentational issue for the AMB to consider with officers wishing to do overtime and being unable to yet at the same time the limits could be raised by the Board. The issue of work/life balance also needs to be considered.</p> <p>3. A general discussion then followed during which COS stated that he felt that the 32 hours as recommended as a maximum by the MoD’s Occupation Health Advisor seemed to be an odd figure and that his view was 36 hours, or 3 complete 12 hour shifts, would be a better solution for the MDP. DDO explained that care needed to be taken so as not to breach the Working Time Regulations and that 32 hours seemed to have been set as a “safe” level. However, the process of officers signing Working Time Regulation waivers was still in place particularly for specialist posts. DRP felt that the Occupational Health expert shouldn’t be countermanded and that the figure should be 32 hours whilst both Hd BD and Hd CID pointed out the potential of vicarious liability applying if the 32 hours was increased against the expert advice. Mr Keating stated that the advice from the Occupation Health expert was just that, “advice” and not law but the Working Time Regulations were. He explained that the DPF may challenge this advice and he fully understood that the AMB had a very difficult decision to make.</p>	
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	<p>4. CE summarised the discussion thus and concluded that the evidence and advice was clearly against a rise to 48 hours or over but not necessarily 36 hours and so it appeared that a decision needed to be made between 32 and 36 hours. To this end he asked all present for their final view:</p> <p>COS - 36 hours would be a reasonable but minor increase.</p> <p>Hd BD – 3 working days, in most cases 36 hours but could be as much as 3 and ¾ hours due to “arming up” time.</p> <p>Hd CID – Did not wish to go against the Occ Health advice and questioned if it should be revisited in the light of the current debate.</p> <p>Hd HR – A case by case approach could be considered and travelling time was something that had to be taken into account.</p> <p>Mr Moore – Raised the question of whether a change was actually necessary.</p> <p>DRP – Abide by the Occ Health advice, 32 hours.</p> <p>DRO – Whilst the Agency should be trying to drive down overtime he felt the Occ Health advice shouldn’t be breached.</p> <p>DDO – Agrees on 32 hours although operational requirements could take the figure well over this.</p> <p>Mr Keating – The DPF’s aims are for its members to be able to chose not to have to do overtime if they so wish. The DPF would also prefer that the Occ Health advice was re-visited.</p> <p>CE – There were strong cases put forward for 3 options, staying at 32 hours, increasing to 3 full shifts and also for the Occ Health advice to be re-visited.</p> <p>5. In summing up CE stated that there is unlikely to be sufficient justification to extend the limit beyond 3 full shifts in a 28 day period but before coming to a final conclusion expert advice should be sought on the Occupational Health impact between 32 hours and 3 full shifts that could amount to 36 ¾ hours. Therefore, no decision was made at this meeting.</p>	<p>DPD</p>
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<p>5 Marine Firearms Policy</p>	<p>1. Inspr Stinchcombe introduced the paper by explaining that it was a “mission statement” that, if accepted, would</p>	
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<p style="text-align: center;">Statement</p> <p>20070914-AMB 13 Paper DOS Marine Firearms Policy U</p>	<p>drive the doctrine and training plan to support the full policy.</p> <p>2. DDO offered his support of an armed role on boats but reminded the Board that there was still a debate to be had on the type and calibre of weapon(s) to be used and also consideration of less-lethal options.</p> <p>3. COS explained that the carrying of firearms on-board boats was a deterrent but his main concern was over the safety equipment/body-armour available to crews. DRO also expressed concern over the safety of the individuals concerned but Hd BD that the full policy document would have to contain a complete and acceptable risk assessment.</p> <p>4. AMB endorsed the Policy Statement and noted the supporting documentation. In addition CE thanked Inspr Stinchcombe and others for their work on the subject and also Hd BD for shaping the policy into the new format.</p> <p>5. An action was placed on DOS to bring a target date for the completion of the doctrine and training requirements to the next AMB.</p>	<p>DOS</p>
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<p style="text-align: center;">6</p> <p style="text-align: center;">External Crime Recording Audit</p> <p>20070831-AMB 13 Paper DOS External Crime Audit U</p>	<p>1. HD CID explained that the results of the three tests in the audit, carried out by Norfolk Constabulary, were gradings of “excellent” (95% + compliance). HE also explained that on investigation the implication that there may be over-recording of crime was unfounded.</p> <p>2. The papers recommendations were accepted by the Board and CE asked for thanks to be expressed to the Crime Registrar’s team, Inspr Ken Thompson and Mrs Helen Wright for their efforts.</p>	
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<p style="text-align: center;">7</p> <p style="text-align: center;">Sergeant Senior Police Officer (SPO) Status</p> <p>20070620- AMB 13 Paper DDO Sergeant SPO Status U</p>	<p>1. In introducing the paper, DDO emphasised that its contents and proposals only referred to those Sergeants who were in a post that had Senior Police Officer (SPO) status already. He explained that the issue revolved around the issues of the rank of Sergeant SPO not always being given due recognition as the Senior Police Officer and local Agency representative by the military due to their own understanding of the rank of Sergeant. Simply re-badging Sergeant SPOs as Inspectors with no other change in their duties or terms and conditions would resolve the issue.</p> <p>2. Hd BD sought clarity with regard responsibilities of the officer under PACE. DDO explained that in all respects other than being badged as an Inspector, the Sergeant SPOs would have no changes to their terms, conditions or responsibilities. DRO added that there was plenty of</p>	
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	<p>precedent in the military for NCOs to be locally promoted in this way for specific similar purposes and it was considered perfectly acceptable as a solution.</p> <p>3. The AMB accepted the recommendations and COS thanked the DPF for their pragmatic approach to the whole issue. Although the recommendations were accepted it was felt that a policy document followed up by a Force Order was required to expressly set out what was “in” and what was “out” of scope and that DPD/HR should prepare the policy and Force Order working alongside DDO’s area.</p>	<p>DPD</p>
<p>8 AWE Firearms Capability Review and Training Update</p>	<p>1. DDO gave a verbal update.</p>	
<p>9 Agency Performance Pack</p>	<p>1. A rising trend of sickness in the MGS was highlighted and CE actioned Hd HR to analyse the issue, i.e. the changes on the levels in the different regions, the types of illnesses involved and the balance between long and short-term absences.</p> <p>2. The figures for Crime Asset Recovery were a long way from the target although Hd CID explained that there are assets in the process of sequestration which would raise the numbers significantly.</p> <p>3. MDP overtime was systematically falling, in line with the embargo on non-nuclear overtime. MDP taskings were stable but MGS taskings were slightly down – this figure will be monitored over the forthcoming months.</p> <p>4. There was some dispute over the numbers of female MDP officers and the accuracy of the chart showing these figures may need to be checked.</p>	<p>HD HR</p>
<p>10 Financial Performance Report 20070912-AMB 13 Paper DRP AP5 Finance Report U</p>	<p>1. Mr Moore introduced the paper by explaining that the forecast had been reduced by £840k in AP5 and highlighted the key risks as being the USVF MOU, Op Layer and more for the future, DII(F).</p> <p>2. DRP commented that neither the Americans nor ACPO were expecting to pay for the Host Nation responsibilities which is a major problem. An action was placed on DRP to write to D DEF SY to highlight this issue.</p> <p>3. COS explained that the DII(F) costs were reliant on the outcome of the scaling exercise being carried out under the IKM Programme and would not be a significant in the current year although it could well be in future.</p>	<p>DRP</p>

<p>11 CTLB Issues</p>	<p>1. The issues to take forward to CTLB were agreed as The Gap between inputs and outputs, MGS Issues and DII(F) Funding.</p>	
<p>12 Closing The Gap 20070917-AMB 13 Paper COS-DRP Closing The Gap Restricted - Management</p>	<p>1. CE thanked COS, DRO, Richard Clancy and Justin Oliver for their efforts in drawing up the paper and its recommendations.</p> <p>2. The AMB was asked to agree:</p> <p>a.</p> <p>That the following MDPGA work strands from the CTG Action Plan are likely to make the biggest contribution to CTG, and that work between now and 31 Mar 08 should focus on these issues:</p> <ol style="list-style-type: none"> 1. Complete the review of the existing MGS supervisory and management structures and of operational roster management/ service delivery across the MGS organisation. DRO to commence the planning and implementation of the recommendations arising from the review that are shown at Annex B. Approved – DRO to produce target dates for each element in plan format by 28th Sept 2007. 2. TLB's to review and re-evaluate their future requirements for MDPGA services by 31 Mar 08. Approved. 3. Examine the feasibility of establishing a mobile MDP Patrol capability. This work links with and informs TLB implementation of the Armed Guarding Review. Approved 4. Review operational roster management across the MDP organisation. Approved – Replace with intended position statement. 5. Complete a review of the structure and role of all Agency HQ departments. Approved – Replace with intended position statement. <p>b. The Project Unity recommendation to establish an “aspirational” MGS complement is no longer justified and should not be pursued, thus removing up to £6.5M from the funding gap with immediate effect. However, it must be recognised that the current MGS complement only has limited flexibility in terms of being able to respond to unforeseen abstractions. As such there will inevitably be a requirement for some overtime working within the MGS, which would offset some of the savings associated with moving away</p>	

	<p>from the aspirational complement. Approved subject to marginal review of £6.5M figure.</p> <p>c. Based on a review of overhead expenditure in 2006/07, the funding requirement for MGS (and therefore the gap) is reduced by £1M. Suspended – mini review of MGS implementation costs to be carried out.</p> <p>d. The CTG Project Risk Register attached at Annex D. Approved – added: MPGS Issue, risk of external event(s) widening the Gap as it is otherwise being closed.</p> <p>e. The Terms of reference for Richard Clancy as Head of the CTG Project at Annex E. Approved.</p> <p>3. The AMB was also asked to note the following:</p> <p>a. That the total MDPGA funding gap to be closed by 2010/11 is £27M (at PR08 economic conditions) with the required savings to be delivered on a scaled approach. Noted.</p> <p>b. That the element of the funding gap relating to under funding of the annual police pay award is now being pursued through the PR08 process, which could reduce the gap by £3M. Noted.</p> <p>c. That the Land TLB has agreed to transfer £1.5M to cover MGS SCAPE costs and that this will be used as the precedent to obtain transfers from the other TLB's. Collectively this would reduce the gap by £3.5M a year over the life of the PR08 process and DRP will pursue this by submitting a paper to the OAB in Nov 07. Noted: £1.5M will reduce the Gap to £25.5M.</p> <p>d. That the STP07 savings measure relating to MGS premium payments and overtime has now been added to the total gap. Noted.</p> <p>e. That DIA will conduct an assurance audit of the CTG programme and supporting processes during the autumn. Noted.</p>	
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<p>13 Any Other Business</p>	<p>1. None.</p>	
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<p>14 Next Meeting</p>	<p>1. The next AMB will be on Mon 29 Oct 07 at 14-00 hours in the Conference Room, Building 1070 to consider:</p>	<p>CE</p>
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	<ul style="list-style-type: none"> a. SHE 1st Quarter Report b. AWE Firearms Capability Review and Training Update c. Agency Performance Pack d. Financial Performance Report e. Closing The Gap f. Policing Protocol – Discussion Paper 	<p>DPD DDO</p> <p>Hd BD DRP COS/DRP CE</p>
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