



**Report of the Chief Constable to the Chair and Members of the Audit Committee
30th March 2023**

Executive & Presenting Officer: Ian Wright, Director of Finance and Assets

Status: For information

Annual Governance Statement 2021-22 Update

1. Purpose

- 1.1 This report reviews the Action Plan for 2022-23 that was included within the Annual Governance Statement 2021-22.

2. Recommendations

- 2.1 It is recommended that Members note the actions taken throughout 2022-23 to address the issues raised.

3. Issues/Areas for Concern

- 3.1 There was one significant governance issue and one non-significant governance issue outlined in the Annual Governance Statement as at 31st March 2022, and five issues for continued focus from previous years governance issues. These issues and the most recent update on progress to address them can be seen at Appendix 1.

4. Implications

4.1 Finance

There are no financial implications arising from the content of this report.

4.2 Diversity and Equal Opportunities

There are no diversity or equal opportunity implications arising from the content of this report.

4.3 Human Rights Act

There are no Human Rights Act implications arising from the content of this report.

4.4 Sustainability

There are no sustainability implications arising from the content of this report.

4.5 Risk

All of the issues that have been identified have been risk assessed and if required will be included in the risk register of the Force.

5. Conclusions

- 5.1 The update provided should provide members with the assurance that the identified areas of weakness have been managed effectively throughout the 2022-23 financial year.

Mark Webster
Chief Constable

Appendix 1

Significant governance issue 1

Adverse Opinions from Audits

Actions remain outstanding from audits conducted in 2020-21 from which negative opinions were issued for ICT and Domestic Abuse. The six remaining medium actions for ICT remain work in progress. Domestic Abuse will be audited again in 2022-23 as part of RSMs wider Vulnerable People audit.

Update: February 2023

The remaining actions from audits conducted in 2020-21, where negative opinions were issued, ICT and Domestic Abuse; were closed during the 2022-2023 Follow-up audits. Audits are likely to be repeated in future schedules, although the terms of reference may not necessarily be identical, as they are identified from risks and concerns raised at the time. Vulnerability was inspected extensively in the 2021 – 2023 HMICFRS PEEL Inspection, report to be published March 2023.

Governance issue 1

Ongoing changes in Chief Officer Team

In September 2021 the Chief Officer Team identified a series of actions to improve the stability and resilience of the Executive and Senior Management team. This was as a consequence of vacancies at ACC rank and above, resulting in the appointment of new staff to these posts. This may result in a period during which the new staff will need to be familiarised with the governance structures and processes of the Force, and the interdependencies of the decision making and assurance structures, particularly the CC and Director of Finance and Assets.

Update: February 2023

The new Chief Constable joined the Force in April 2022 and has worked to ensure the Force will be led by a stable, resilient team of substantive chief officers. Despite a number of issues with the national pipeline of suitable candidates, following a series of recruitment campaigns, by the end of March 2023 the Force will have a full complement of substantive Chief Officers for the first time in several years. Each recruit has passed high levels of scrutiny and rigorous assessment to ensure they demonstrate the standards and behaviours required to lead the Force. From April 2023 all new Chief Officers will be briefed on the governance structures and processes of the Force, as well as having significant input into current strategic reviews operational and governance structures.

Issue for continued focus 1

Police service funding

Following CSR 2015 and the 'protection' of police service funding, the Force has worked with the PCC to agree a level of funding that will sustain the operating model over the lifetime of the plan. Consequently, the Force is projecting a break-even position for each year of the plan subject to a small cashable savings target of £382k for 2022-23. The financial balance is dependent upon aligning our work streams with the agreed establishment. The Force predicts a break-even position for 2022 onwards using the assumption that the establishment stays within agreed limits. Should this not be the case it will present a potential financial risk to the Force.

Update: February 2023

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Issue for continued focus 2

Historical investigations

The Force has been awarded a special grant for its Historical Investigation Unit (HIU). This funding is provided on an annual basis. The work is likely to continue over the next two years but should the funding cease then further savings will have to be made for the Force to continue to allocate resources to this operation.

Update: February 2023

The Force has been awarded a special grant for its Historical Investigation Unit (HIU). This funding is provided on an annual basis. The work is likely to continue over the next two years and funding has been agreed in principle by the Home Office. Should the funding cease then further savings will have to be made for the Force to continue to allocate resources to this operation.

Issue for continued focus 3

CDSOU withdrawal

The Chief Constable gave notice in May 2021 that the Force will be withdrawing from the Cleveland and Durham Specialist Operations Unit (CDSOU) collaboration, but stated an intention to remain within the training collaboration (subject to terms being agreeable to both forces). Following negotiations and planning, the withdrawal took place in May 2022. Governance structures have been addressed to ensure compliance with the Code of Practice on Armed Policing and Police use of Less Lethal Weapons. Governance of finance, HR and fleet have been enhanced. Increased levels of supervision have been added to the Cleveland operational and training structures, with further additionality agreed. Policies, procedures and plans have been updated and will be implemented incrementally.

Update: February 2023

Despite withdrawal from the operational CDSOU collaboration in 2022, Cleveland and Durham have remained in a collaboration for all armed policing training. This training is delivered to both forces from the Tactical Training Centre at Uxley Nook under the supervision and direction of the Cleveland Police Head of Specialist Skills who reports to the Armed Policing portfolio holder (ACC Theaker).

To ensure compliance with relevant legislation, policy and practice, in particular the Code of Practice on Armed Policing and Police use of Less Lethal Weapons, a quarterly Joint Operational Group (JOG) continues to provide governance for armed policing matters. The meeting is chaired by the Durham Constabulary Deputy Chief Constable and the agenda covers areas such as:

- NPCC Correspondence
- Policies/Standards/Guidance
- Finance Issues
- Operational Issues/Organisational Learning
- Weapons systems
- Training Issues

Relevant strategic matters can be referred from JOG to the Cleveland and Durham Collaboration Board.

Following de-collaboration the Cleveland operational teams were renamed Specialist Operations & Planning (SO&P) and are now part of the wider Local Policing Command (soon to be Operations Command). The Head of SO&P is a member of the Local Policing senior leadership team and is responsible for all operational matters as well as issues relating to HR, Finance, Fleet etc.

The Head of SO&P has also taken the lead on ensuring that relevant policies and procedures are updated to reflect the de-collaboration. As an example, this included changes to the scrutiny and governance of police pursuits.

To support enhanced governance and accountability an additional ARV/RPU Inspector post was introduced into the SO&P following de-collaboration.

Issue for continued focus 4

In September 2019, Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) graded the Force as 'inadequate'.

During the 2019 IPA (PEEL) inspection, HMICFRS identified 6 causes of concern which have resulted in the Force being issued with 30 recommendations. The Force has also been given 7 new areas for improvement and have a further 10 which remain outstanding from previous inspections - a total of 17. In addition to this, the Force also has 9 national recommendations to deliver on that relate to a national cause of concern for 'all forces' - a total of 56 individual elements of service improvement to deliver relating to the IPA inspection.

The causes of concern are in the following areas:

- Prevention and problem solving;
- Protecting vulnerable people;
- Understanding demand and strategic planning;
- Public engagement, communication and scrutiny;
- Ethical behaviour and culture;
- Workforce engagement and communication/treating the workforce fairly.

The Force has therefore embarked upon a Service Improvement Programme and has established a dedicated service improvement team to lead on the delivery of six identified projects. The Force has also developed a robust monitoring and evidencing process to ensure that progress is being made in those areas of service delivery identified by HMICFRS as causes of concern.

Update: February 2023

Awaiting publication of the HMICFRS inspection report. Once received an update will be provided.

Issue for continued focus 5

Alignment of operational, workforce and financial planning cycles

Following a period of significant change in leadership and approach to planning, the established Force process for strategic and operational planning have been eroded as highlighted by HMICFRS. The Force has re-established a robust and structured approach to strategic planning to ensure that the various elements are in alignment and intrinsically linked. This is reliant on the continuation of a detailed understanding of demand, capacity and capability across the Force.

Update: February 2023

The Force now has a substantive Chief Constable and Deputy Chief Constable in post and has recently appointed two substantive Assistant Chief Constables who will be in post by the end of March 2023. This will provide a stable base for the strategic planning process going forward. The FMS process has been further embedded in the annual planning process with the inclusion of the annual training needs analysis and equipment replacement being considered during the data gathering process. Further alignment of the financial and workforce planning processes is underway as part of the structural change programme currently being undertaken and a senior leadership planning day has recently been helping to discuss proposals and allow decision making on priorities and resourcing to take place. The demand analysis programme is further developing to support this decision making process with the demand team undertaking major model rebuilds with limited support from Process Evolution for the first time, providing detailed understanding of demand and capacity within IRT in the first instance. Positive feedback from senior leaders on the quality and robustness of the work has been received and planning for the demand analysis work plan for 23-24 will commence in line with the priorities identified in the organisation restructure plan.