

## Joint Audit and Standards Committee Meeting Minutes

Date:	Tuesday 28 <sup>th</sup> July 2020
Time:	14:00
Location:	Conference Room, Leek Wootton
Chair:	John Anderson
Vice Chair:	Gavin McArthur
Minute Taker:	Nargis Begum

### Attendees

#### Audit Committee Members

	Name:	Capacity:	Dial In
<b>Expected Attendance:</b>	John Anderson	Chair	X
	<b>David Carter</b>	<b>Chair of today's meeting</b>	
	Helen Knee	Member	
	Alistair Murdie	Member	X
	Gavin McArthur	Vice Chair	X

#### Offices of the Police and Crime Commissioner

	Name:	Capacity:	Dial In
<b>Expected Attendance:</b>	Philip Seccombe (PS)	Police & Crime Commissioner	X
	Neil Hewison (NH)	Chief Executive, OPCC	X
	Sara Ansell (SA)	Treasurer, OPCC	

### Force

	Name:	Capacity:
<b>Expected Attendance:</b>	Richard Moore (RM)	Deputy Chief Constable
	Jeff Carruthers (JC)	Chief Finance Officer
	Wendy Knox (WK)	Head of Accounting & Financial Control
	Debbie Tedds (DT)	Assistant Chief Constable (Agenda Item 4 present until 15:06)
	Steve Russell (SR)	Head of AS & I

### Internal Audit

	<b>Name:</b>	<b>Capacity:</b>
<b>Expected Attendance:</b>	Paul Clarke (PC)	Head of Internal Auditor, Warwickshire County Council

### External Audit

	<b>Name:</b>	<b>Capacity:</b>	<b>Dial In</b>
<b>Expected Attendance:</b>	Laurelin Griffiths (LG)	Grant Thornton	X
	Alex Walling (AW)	Grant Thornton	X

### Public Attendees

	David Reilly	Chair of the Police & Crime Panel Chair
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	<b>Name:</b>	<b>Capacity:</b>
<b>Apologies:</b>	Martin Jelley (MJ)	CC Warwickshire Police
	Debbie Mullis (DM)	Development Lead for Standards & Integrity, OPCC

### Items for Discussion

No	Item	Actions
01/28/07/2020	Welcome and Apologies	
02/28/07/2020	There were no declaration of personal prejudicial interests	
03/28/07/2020	Minutes of the open meeting dated 23 <sup>rd</sup> January were agreed as a true and accurate record.  Feedback from Committee members following the cancelled meeting of 17 <sup>th</sup> March 2020 was noted with all actions discharged/included in the Agenda items to this meeting.	
04/28/07/2020	<b>Ethical Policing – Covid-19 – Presentation</b>  A Comprehensive Presentation on Covid19 and police ethics was given by the Assistant Chief Constable  Throughout the COVID period Warwickshire Police have adapted our Policing, engaged with the Community and partners, ensured internal and external communications	



are effective and timely, ensured officer and staff H&S is managed, enhanced ICT, tested for C19 and adapted policies and procedures.

Joint Audit and Standards Committee (JASC) Members thanked the ACC for a detailed informative presentation. Members raised the following ethical questions in relation to policing the pandemic.

**Q: Has there been an increase in any ethical issues caused by Covid19, such as dealing with the public in emergency situations i.e. road traffic accidents**

*The Force have always continued to have a two way conversation with officers to encourage the raising of any concerns. The Force has adopted NPCC and PHE PPE guidance which is very specific and deals with a number of scenarios. The guidance is designed to ensure the ongoing safety of officers whilst dealing with incidents and reduce the risks of any transmission of the virus. There does have to be some acceptance that we are an emergency service which the public rely on.*

**Q: Where it is apparent that a member of the public is vulnerable, how do the police officers react ethically in these circumstances?**

*Unfortunately we do see a high demand in respect of incidents which involve members of the public who may be suffering either a mental health crisis or episode. As a matter of course we provide our officers and staff a degree of training and inputs in how to identify mental health and how to support the individuals concerned. During COVID the situation has not changed. The adopting of the 4Es – Engage, Explain, Encourage, and Enforce, with enforcement only to be used as a last resort is fully supported by the force which has been observed within the low enforcement rate the force has experienced. Coupled with the public confidence survey that we employed at the early stages of the pandemic we have seen high levels of compliance from our communities which supports the low FPN and enforcement rate.*

**Q: What is the level of whistleblowing the Force is receiving into Covid19 breaches?**



*We have taken the decision to record all contacts/calls for service to the Force. Our ability to respond to the lower level breaches of guidance has been balanced against the demand levels that we have seen particularly as we have moved out of lockdown and seen the easing of restrictions and guidance. All calls are subject to a risk assessment and responded to accordingly or referred to other agencies such as Trading Standards who are leading on some of the guidance elements of the legislation.*

**Q: What is the ethical approach being taken to breaches of Covid19 social distancing that may be creating a barrier to victims reporting other offences such as sexual violence?**

*What we have seen throughout the restrictions and in particularly the lock down period is a slightly reduced number of calls in respect of domestic related incidents and sexual violence. This has been a common picture across the country and is probably due to limited third party opportunities to report. It is important that we continue to ensure those who are or likely to be victims of such offences are aware that we are maintaining services and encourage reporting. We have benefitted from being able to conduct direct messaging and leaflet drops to all homes within the county and particularly those who are clinically vulnerable. This is also supported by our focus on community engagement and being highly visible within our communities.*

**Q What is the proposed approach to the new rules about face coverings and the approach to large gatherings going forward.**

*At the current time face coverings within outdoor public places is guidance only and therefore not enforceable. We have seen over the past few months an increase in protests and large gatherings in line with the rest of the country. This does include Black Lives Matters movement protests and HS2 activity. All of the BLM movement protests have been very peaceful, the Force have engaged well with organisers and built some new relationships. Warwickshire Police is constantly dealing with HS2 protests throughout this period and have disrupted a couple of unlicensed music events. We have a high level of compliance in*

	<p><i>Warwickshire to guidelines and are continuing to have twice weekly calls with Warwickshire County Council to update on any non-compliance and activity that can be put in place in order to reduce the risks.</i></p>	
<p>05/28/07/2020</p>	<p><b>2018/19 External Audit Findings Report, including the draft opinion – summary by Grant Thornton</b></p> <p>Staff from Grant Thornton (GT) introduced their External Audit report which contained their findings and audit opinions in respect of the draft 2018/19 Statements of Accounts for the PCC and CC. It also contained their opinions on whether each entity had proper arrangements in place to achieve Value for Money (VFM) in the use of resources. They concluded VFM had been achieved except for the arrangements of both the PCC and CC in relation to the dissolution of the Strategic Alliance where no plans were initially in place at the time of the service of notice to deal with the termination.</p> <p>The PCC and Deputy Chief Constable, Richard Moore, then provided the committee with further background information on the dissolution of the Strategic Alliance. This covered the service of notice by West Mercia to Warwickshire in October 2018, the ensuing complex and difficult negotiations between the parties, Warwickshire contacting the Home Office (HO) who appointed a financial settlement team to assist and also arranged a financial review by CIPFA. This resulted in the Alliance separation, a financial settlement of £10.77m from West Mercia to Warwickshire in March 2020 and revised service delivery collaboration and partnership arrangements for Warwickshire which will become a stand-alone force.</p> <p>The PCC stated that revised terms for the Alliance agreement had been reached by the parties in July 2018, barely 3 months before the service of notice by West Mercia on Warwickshire and hence was not anticipated. Richard Moore stated that lessons had been learnt from the whole experience and these would be fed into the governance arrangements for other current and all new collaboration and partnership agreements.</p>	<p><b><i>RM to provide report at next meeting on the safeguards for future partnerships (including monitoring arrangements, dispute resolution procedures, exit provisions and contingency plans) to cover all critical partnerships and the proposed arrangements with West Midlands Police, the transition from West Mercia and commercial partnerships, e.g. ICT contracts.</i></b></p> <p><b><i>GT to provide effective and sufficient written reports to JASC in future and a report on their relationship with the JASC.</i></b></p> <p><b><i>SA to provide JASC with public statement on VFM opinion.</i></b></p>

Members were then asked for questions and comments.

Committee Chair John Anderson noted:-

- It was a significant issue for GT to qualify their Value for Money (VFM) audit opinion in their report as follows “The overall VFM conclusion was that there were weaknesses in proper arrangements to ensure Warwickshire took properly informed decisions and deployed resources to achieve planned and sustainable outcomes”.
- However, no recommendations were included in the GT report to address the gaps in VFM arrangements and weaknesses in control and were any going to be provided? GT confirmed none were going to be provided.
- The issuing of a letter serving notice for the Alliance separation was a decision taken by West Mercia alone. Arguably, Warwickshire did not take a decision on the separation until March 2020 by which time alternative plans were in place.
- GT state in their report that in the letter serving notice by West Mercia it was their intention to redesign the collaboration agreement, but have seen no evidence to support this claim. Have GT seen any evidence of the “inefficiencies and reduced effectiveness of the Alliance” as this appeared to be a subjective statement?
- GT also state “consequently there were no plans initially in place to deal with the termination”. Surely a 1-year notice period (as required by the Alliance agreement) is “an appropriate initial arrangement” to allow time for an alternative business plan and arrangements to be prepared. GT stated they were content with their opinion.
- Following this audit report, all Partnership and Collaboration agreements should be reviewed to ensure that initial contingency plans, or rather exit strategies, are in place to deal with any early termination as required by the Governance Framework document.

Committee Member Gavin McArthur noted: -

- He accepted that Grant Thornton’s (GT) role was to independently reach their opinions and was

pleased to hear it had been subject to a thorough internal quality assurance process.

- However, he felt that the cited evidence of Warwickshire’s “surprise” at the termination notice and “further breakdown in relationship”, were outcomes rather than the proper arrangements for achieving VFM that were being assessed.
- JASC’s role includes consideration of internal control and risk management matters, and Richard Moore had noted how future collaborations would be dealt with in these regards, which is positive.

Committee member David Carter noted: -

- West Mercia instigated the dissolution of the Alliance, have paid compensation and it appears they did not give advance notice of their decision.
- Whilst recognising that this was a difficult and unusual situation the information flow from GT to JASC has neither been effective nor sufficient and he would expect this to improve going forward.
- However, GT’s report does not give Warwickshire a clean bill of health in relation to the dissolution and it is important to consider what can be learnt. Richard Moore outlined some points at JASC and will report to the next meeting. This should address the safeguards for future partnerships (including monitoring arrangements, dispute resolution procedures, exit provisions and contingency plans). It should cover all critical partnerships including the proposed arrangements with West Midlands Police, the transition from West Mercia and commercial partnerships, e.g. ICT contracts.

Committee member Helen Knee asked: -

- What the relationship was between GT and the JASC in terms of what the Committee can expect from GT in flagging concerns and reporting issues, whilst they are raising them with the management team. Her concern was that the GT reports to the Committee appeared to be when a resolution or impasse has been reached and not when the JASC could take action or help. GT

suggested that they would provide a short document or briefing at a future meeting setting out the governance relationship.

- HK noted that for this to work there would be a need for written reports from GT at each meeting.
- Whether a statement about the VFM audit opinion was being drafted should there be requests for clarification from the press or public. The Treasurer confirmed a statement was being prepared and would be sent to the JASC.

Committee member Alistair Murdie noted:

- Any relationship between two independent bodies is guaranteed to involve ongoing tensions, with each having differing perspectives on issues from time to time. It seems clear that the decision to terminate the relationship was a unilateral one of West Mercia which was not anticipated or capable of being anticipated. If Warwickshire had independently considered that the relationship was not working and could not be remedied, doubtless it would have considered how matters should proceed if the arrangement was terminated and then liaise with West Mercia to find out what their views were on the area.
- The year notice period in the agreement would have provided ample time to plan on the future arrangements, but only where there was full cooperation by both bodies. The unilateral notice combined with the absence of cooperation created the impasse which has taken so long to resolve.
- I agree that this experience will need to be factored into the structuring of any future partnership or collaboration with third parties.
- GT clearly decided that the termination of the arrangement between the two forces was justifiable reason to criticise the Warwickshire force because they were clearly unprepared for the consequences of a termination, albeit a unilateral termination. That seems wrong to me for the various reasons that all of you have set out. My view is that it is a very subjective approach based on a factual outcome ie the termination notice was given and it has taken a long time to resolve what approach to take in the future. Rarely in law is a subjective intention to be



	<p>inferred based on factual information. That is why there are relatively few cases of it being decided that a fraud on the Revenue has taken place as in order for fraud to be established it has to be proved that there is an intention to deceive. It is also why other than in obvious cases convictions for murder relatively rarely arise because of the intention required to be established by such an offence; hence the more common conviction for manslaughter.</p> <ul style="list-style-type: none"> <li>• It was not anticipated that the arrangement would be terminated unilaterally and without prior notice and when the notice was served it will not have been anticipated that there would not be active cooperation from the other force as to the way forward. It seems harsh therefore to qualify the report.</li> </ul> <p>The committee's comments, questions and views, the responses of Grant Thornton staff, the explanations of the PCC and management on the matters raised in the External Auditors report and VFM opinions are recorded in detail above to create a full record in the JASC minutes.</p> <p>Some of the views of the members were expressed by email in subsequent communications between them and the Chair but are included above as an agreed collective record on the content of the External Auditor's report their opinions and conduct during their audit.</p> <p><b>In conclusion, the JASC are of the opinion that the information flow from GT to JASC on the 2018/19 audit progress has neither been effective nor sufficient and expects this to improve going forward. Based on the contents of their audit report the qualified Value for Money opinion is harsh.</b></p> <p>The JASC Committee noted the External Auditors report and their opinions on the Statement of Accounts for 2018/19 and Value for Money arrangements.</p>	<p><i>GT to be advised of JASC conclusion</i></p>
06/28/07/2020	<b>2018/19 Letters of Representation</b>	



	JASC considered the 2018/19 Letters of Representation in advance of PCC and CC sign-off.	
07/28/07/2020	<p><b>2018/19 Audited Statement of Accounts – CC and PCC -</b></p> <p>The Statement of Accounts for 2018/19 have now been fully audited by Grant Thornton, external auditors for the PCC and Chief Constable.</p> <p>JASC considered the Statements and had nothing further to add to them.</p> <p>The detailed work gone into the reports was acknowledged by the JASC.</p>	
08/28/07/2020	<p><b>2018/19 Audited Annual Governance Statements CC and PCC – summary given by the Force Chief Finance Officer and OPCC Treasurer</b></p> <p>New governance arrangements are in place since the termination of the Alliance which include weekly holding to account meetings of the Chief Constable by the PCC and a monthly holding to account meeting which goes into policing areas in greater detail.</p> <p>The Statements were considered by the JASC prior to PCC and CC sign- off.</p> <p>PCC noted all the outstanding work put together in the above reports and this was echoed by the JASC.</p> <p>Paul Clarke noted that the Internal Audit assurance in 2018/19 should be corrected to ‘moderate assurance’ at para 4.5.</p>	
09/28/07/2020	<p><b>2019/20 Internal Audit Annual Report</b></p> <p>A summary of the report was given by the Internal Audit Manager, the overall opinion on the control environment for 2019/20 for the Force and PCC was Moderate.</p> <p>The ICT risks and the slower response to actions arising from the 2018/19 audits were noted by the JASC. Action plans have been agreed with the relevant managers to address the weaknesses identified. Those audits involving major control weaknesses are in the minority</p>	<p><b><i>Action Plan Update to be provided at next meeting</i></b></p>



	<p>and in general terms, controls are sufficient to prevent or detect serious breakdowns in systems and procedures.</p> <p>Update on action plans to be available at next meeting.</p>	
10/28/07/2020	<p><b>2019/20 Draft Chief Constable Annual Governance Statement</b></p> <p>The Statement was being internal assured by senior staff responsible for the governance framework. It will then be reviewed and signed off by the Chief Constable. It was agreed that this will be circulated to Committee Members outside of the meeting for review and comment.</p>	<p><b><i>Agenda item to be carried forward to next meeting</i></b></p>
11/28/07/2020	<p><b>2019/20 Draft PCC Annual Governance Statement (AGS) summary given by the OPCC Treasurer</b></p> <p>The draft AGS is based on the recent additional CIPFA guidance with specific references to the governance arrangements that were introduced in March 2020. The statement is produced following a review of the PCC's governance arrangements and includes an action plan to address any significant governance issues that have been identified</p> <p>The AGS is to be included within the 2019/20 Statement of Accounts for audit.</p> <p>The AGS was noted by the JASC. It was agreed the weekly and monthly holding to account meetings the PCC has with the Chief Constable should be inserted in clause 6.1 (4) (page 20).</p>	<p><b><i>PCC holding to account meetings to be added to AGS (pg20)</i></b></p>
12/28/07/2020	<p><b>2019/20 External Audit Report Update (Paper)</b> Presented by Grant Thornton</p> <p>The progress made by the external auditors on their work in meeting their audit responsibilities as at July 2020, in respect of the 2019/20 financial year was noted by the JASC.</p>	
13/28/07/2020	<p><b>Internal Audit Progress against 2019/20 and 2020/21 plans</b></p>	

	<p>Progress against the agreed Internal Audit plan 2019/20 and work against the proposed 2020/21 plan was noted. Update to be given at the next meeting.</p>	
14/28/07/2020	<p><b>ASI Assurance and Action Plan – Progress Report Summary given by Head of AS &amp; I</b></p> <p>JASC were updated on the crime data integrity (CDI) and assurance audit activity of the Force Crime Registrar’s function and planned activity for the next 3 months.</p> <p>Since the last JASC the following audits have been conducted:</p> <ul style="list-style-type: none"> <li>• Investigation Quality</li> <li>• Incident audit – Public Safety Welfare (PSW), Anti-Social Behaviour (ASB) and recorded Harassment crimes.</li> <li>• Modern Slavery – The recording of National Referral Mechanism (NRM) referrals from the Home Office Single Competent Authority (SCA), recorded crimes of Modern Slavery and intelligence reports relating to Modern Slavery.</li> </ul> <p>Planned future audits:</p> <ul style="list-style-type: none"> <li>• Cancelled crimes</li> <li>• Reported incidents of violence</li> </ul> <p>The report also provides a high level overview of the current governance arrangements.</p> <p>JASC noted:-</p> <ul style="list-style-type: none"> <li>• the completed audits and proposed audit activity;</li> <li>• the CDI action plan and planned activity to improve crime data integrity; and</li> <li>• The governance map as it currently stands.</li> </ul>	
15/28/07/2020	<p><b>HMICFRS Action Plan Update Report Summary given by Head of AS &amp; I</b></p> <p>The summaries of the HMICFRS position during Covid-19 and the proposed return to inspection activity force</p>	

	readiness for a resumption of inspection activity were noted.	
16/28/07/2020	<p><b>2020/21 PCC Risk Management Strategy Review</b> summary given by the OPCC Treasurer</p> <p>The JASC considered and were given the opportunity to comment on the 2020/21 revised Warwickshire OPCC risk management strategy, prior to PCC approval and adoption.</p>	
17/28/07//2020	<p><b>Update Report on Financial Strategies (Capital, Reserves and Treasury Management)</b> Summary given by the OPCC Treasurer</p> <p>The JASC were asked to consider and comment on the:-</p> <ul style="list-style-type: none"> <li>• Capital strategy;</li> <li>• Treasury Management strategy; and</li> <li>• Reserves Strategy.</li> </ul> <p>which have been approved by the PCC.</p> <p>A Budget planning meeting is scheduled for September to consider the MTFP and 2021/22 budget, this process will also help develop the strategies for 2021/22 and any reviews necessary for 2020/21.</p> <p>JASC thanked the Treasurer for the informative Report.</p>	
18/28/07/2020	<p><b>Joint Audit and Standards Committee Workplan</b> Summary given by the OPCC Treasurer</p> <p>The Workplan was noted.</p> <p>JASC requested the feedback from the internal ethics group meeting is brought to the JASC meetings.</p>	
19/28/07/2020	<p><b>Members Points</b></p> <p>Chair of Police and Crime Panel (PCP), present at this meeting, commented on the depth of debate and high level of scrutiny by the JASC.</p> <p>JASC Committee Chair continues to meet with Chair of the PCP and it was noted the OPCC Chief Executive is updated in all matters.</p>	

	<p>PCC and Chair of PCP confirmed that a positive relationship has been maintained between the PCP and CC. Scrutiny has continued to take place during the COVID19 period by video conference meetings.</p> <p>JASC are invited to attend the PCP meetings, the last meeting was attended by the JASC Chair.</p> <p>The Vice Chair noted care must be taken to avoid the Panel/JASC straying into the other's terms of reference.</p>	
20/28/07/2020	<p>There were no AOB</p> <p>Committee Members expressed their thanks to all presenting and reports provided.</p> <p><b>Meeting dates for 2020/21:</b></p> <p>Wednesday 13<sup>th</sup> January 2021 – 2pm – 4pm          Wednesday 17<sup>th</sup> March 2021 – 2pm – 4pm          Wednesday 28<sup>th</sup> July 2021 – 2pm – 4pm          Wednesday 20<sup>th</sup> October 2021 – 2pm – 4pm</p>	
<p><b>Next Meeting : Wednesday 21<sup>st</sup> October 2020 at 2pm at Leek Wootton</b></p>		

**MEETING ACTIONS – 28 July 2020**

Minute No/Agenda No	Actions	Status/ Timetable	Action owner
	<p><b>2018/19 External Audit Findings Report, including the draft opinion – summary by Grant Thornton</b></p>		
05/28/07/2020	<p>Report on safeguards for future partnerships (including monitoring arrangements, dispute resolution procedures, exit provisions and contingency plans) to cover all critical partnerships, the proposed arrangements with West Midlands Police, the transition from West Mercia and commercial partnerships, e.g. ICT contracts.</p>	Oct 2020	RM

	Provide effective and sufficient written reports to JASC in future and a briefing on their relationship with the JASC.	Ongoing and Oct 2020	Grant Thornton
	Provide JASC with public statement on VFM opinion.	Oct 2020	SA
	Advise GT of JASC conclusion on their VFM opinion.	Oct 2020	SA
	<b>2019/20 Internal Audit Annual Report</b>		
09/28/07/2020	Action Plan Update to be provided at next meeting		
	<b>2019/20 Draft Chief Constable Annual Governance Statement</b>		
10/28/07/2020	Agenda item to be carried forward to next meeting		
	<b>2019/20 Draft PCC Annual Governance Statement</b>		
11/28/07/2020	PCC holding to account meetings to be added to AGS (pg20)		SA

### DISCHARGED ACTIONS – 23 January 2020

Minute No/Agenda No	Actions	Status/ Timetable	Action owner
<b>External Audit</b>			
04/26/11/19	Share info re final accounts training events to Warwickshire	Discharged	AW
04/23/01/20	SA/JC - Further cashflow/reserve & budget information to be provided	Discharged	JC/SA
04/26/11/19	Summary report to include changes on the 18/19 statement of accounts	Discharged	AW
<b>Internal Audit</b>			
05/26/11/19	Liaise with West Mercia to expedite responses to draft reports on budget management, contract management and business continuity	Discharged	SA
05/26/11/19	Work to ensure outstanding (IA) recommendations from previous audits were still relevant and actioned.	Discharged	PC/DC/RM/SR
05/26/11/19	Follow up audit of Business Continuity in next year's Internal Audit plan.	Discharged	SA/PC
05/26/11/19	PC to provide an update of Workplan at next meeting	Discharged	PC
<b>Terms of Reference</b>			
06/23/01/20	H&S Report to be provided	Ongoing	DG/ RM
<b>Corporate Governance Framework</b>			
06/26/11/19	Corporate Governance Framework under review	Ongoing	SA
<b>HMIC Action Plan Summary</b>			
07/23/01/20	Summary Update against Tracker	Discharged	SR
07/23/01/20	HK to liaise with SR for simpler HMIC Reports	Ongoing	HK/SR



Philip Seccombe  
Police and Crime  
Commissioner  
for Warwickshire

<b>HMIC Action Plan</b>			
08/26/11/19	Update Committee Plan	Discharged	HK/RM
<b>Committee Plan</b>			
12/26/11/19	Overview briefing of WJASC Workplan	Discharged	SA

**Formal Approval of Meeting Record**

Signature:

Print Name:

John Anderson

Date : 21 October 2020