

North Yorkshire Police  
Record of Meeting



**Meeting:** Joint Independent Audit Committee  
**Time and date:** 13:00 21<sup>st</sup> June 2022  
**Location:** Teams Meeting  
**Chair:** Stuart Green

**Attendees:**

Name	Role
Helen Fowler	Member
Heather Cook	Member
Joanne Gleeson	Member
Roman Pronyszyn	Member – Vice Chair
Mabs Hussain	Deputy Chief Constable
Rena Brown	Head of Business Design and Assurance
Simon Dennis	Chief Executive & Monitoring Officer
Michael Porter	PFCC's Chief Finance Officer 151
Mike Clements	Head of Finance
Donald Stone	Risk Manager
Abi Medic	Mazars
Michael Gibson	Internal Audit (RSM)
Dan Harris	Internal Audit (RSM)
Shain Yapp	Personal Assistant to the Chief Officer Team

**Apologies:**

Name	Role
Heather Cook	Member
Ray Ward	Managing Director (enableNY)

Items and Decisions:

No.	Discussion	Outcome / Decision
625	<b><u>Attendance, Apologies and Welcome</u></b> Apologies were recorded.	
626	<b><u>Declaration of Interest</u></b> RP declared his declaration of interest for the records.	
627	<b><u>Minutes of previous meeting</u></b> The minutes were approved for publication.	
628	<b><u>Matters arising</u></b> There were no matters arising from the previous meeting that were not included on the agenda for this meeting.	
629	<b><u>TORS</u></b> To be discussed at the next pre meeting	<b>Action 43</b>
630	<b><u>Civil Claims Overview</u></b> No questions raised	
631	<b><u>Draft Annual Governance Statement 2021/2022</u></b> It was agreed some minor formatting changes were required to the document. SD proposed he and DS should meet outside this meeting to capture some of the information discussed at today's JIAC pre meet.	<b>Action 44</b>
632	<b><u>Capital Investment Programme Report</u></b> MC provided a verbal update to the members. No questions raised.	
633	<b><u>JIAC Forward Planner</u></b> DS advised that the pre meets items will be captured on the second tab of The forward planner. DS suggested that the BC exercise schedule could be brought to the next pre meet. MP requested a half hour slot with the committee at the end of July to consider the Draft Accounts prior to them being submitted to the External audit.	<b>Action 46</b>
634	<b><u>Audit Recommendations Tracker</u></b> DS provided apologies on the lateness of the report and suggested that members could contact him directly once they have had time study the tracker. No questions were raised.	
635	<b><u>HMICFRS Reports &amp; Recommendations Tracker</u></b> No questions raised	

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636	<p><b><u>Risk Register and Business Continuity Overview</u></b> No Questions raised</p>	
637	<p><b><u>Information Assurance Report</u></b> DCC MH provide an update (action 35 closed) Members requested assurance that recommended timelines are being achieved once the backlog have cleared.</p>	
638	<p><b><u>External Audit updates</u></b> For information / discussion: Members are asked to consider</p> <ul style="list-style-type: none"> <li>• <b>Progress Report</b> AM provided a synopsis from the report advising that majority of the report is complete, and the delay is due to Mazars staffing challenges. Member were assured that there are plans in place to better resource next year. It was agreed that the accounts would be signed off at the end of July in a separate meeting.</li> </ul>	
639	<p><b><u>Internal Audit Reports and Plan Progress</u></b></p> <ul style="list-style-type: none"> <li>• <b>Progress Report</b> PC provided a short update on the Progress report.</li> <li>• <b>Cyber Risk Management</b> It was agreed to invite Gordon McQueen to the next Pre meet to discuss the Recommendations highlighted in the report.</li> <li>• <b>General Data Protection Regulation</b> No questions raised</li> <li>• <b>Workforce Planning</b> No questions raised</li> <li>• <b>Communication</b> No questions Raised</li> <li>• <b>Financial Planning</b> No questions raised</li> <li>• <b>Annual Report</b> The Chair requested that thanks were noted to RSM and the Officers and staff on their diligence. RSM thanked the Officers and Staff for their support.</li> </ul>	<b>Action 47</b>

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	<p><b>Emergency Services News Briefing</b></p> <p>No questions raised</p>	
640	<p><b><u>Appeal Matter - OPFCC Policy on Unreasonable Complainants and Correspondents</u></b></p> <p>Members considered the report with appendices, including the Appellant’s grounds of appeal forming part of Appendix 2.</p> <p>Members were advised that the Chair had determined that the agenda item would proceed today. Members were satisfied that it should be dealt with in the closed session.</p> <p>Members sought information from the Chief Executive &amp; Monitoring Officer about</p> <ul style="list-style-type: none"> <li>• The operation of the Policy (and how it is operated fairly, to guard against the possibility of persistence being mistaken for unreasonable behaviour). The Chief Executive explained that all correspondence which is subject to a Customer Contact Arrangement (CCA) is nonetheless triaged and considered – and where it is appropriate, actioned. For example, some six instances of responses were cited as having been provided despite the CCA, where the Chief Executive had considered it appropriate to answer an issue or criticism which engaged the Appellant’s right of access to information. In one illustrative example, the Appellant had fairly and correctly impugned an omission in respect of an aspect of compliance by the OPFCC with transparency rules, a point which had formed the basis of a response and rectification (and a separate line of correspondence with the Police, Fire and Crime Panel).</li> <li>• Whether the policy was applied often – the Chief Executive indicated that this was the only instance of it being applied, to the best of his knowledge.</li> <li>• Whether alternative methods to limit the impact of high-volume correspondence had been considered (such as stipulating the length or frequency of letters). The Chief Executive indicated that such an alternative might be available in principle, but in practice the operation of a triage system as described (and the discretion to respond when there is a pressing public interest imperative to do so) appeared to the Chief Executive to be fairer to all, including the Appellant.</li> </ul> <p>A Member sought assurance that where there was a pressing need – such as a risk to safety, or engagement of fundamental rights – that correspondence would be considered and actioned appropriately either directly by the OPFCC or by referral to the relevant agency (such as NYP). The Chief Executive indicated that this formed an inherent part of the correspondence triage process</p>	

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	<p>which operated as such a safeguard.</p> <p>A Member sought assurance that the Appellant had had the opportunity to make representations over and above the papers. The Chief Executive outlined the efforts that had been made to afford to the Appellant the opportunity of attending the meeting today (including but not limited to ‘virtual’ participation remotely in the agenda item). The Chief Executive acknowledged that the Appellant had indicated that they had had insufficient time to prepare and that it was appropriate to make that point in their absence, notwithstanding that the OPFCC took issue with their stance in that regard.</p> <p>The Chief Executive also indicated that the Appellant had taken issue with the time afforded to him to make representations about review; and that they had pursued appeal to the JIAC as was their right under the policy.</p> <p>A Member sought clarification of whether, if the appeal failed and the CCA endured, how long it would last. The Chief Executive indicated that a further period of 12 months from today would be his intention, subject to Members’ observations – and subject to the provision for review under the Policy.</p> <p>Members sought input from the Chief Executive about the impact upon the resources and services of the OPFCC. The Chief Executive outlined the resourcing of the Complaints &amp; Recognition Team (including the pilot Commissioner Casework function consisting of one OPFCC officer). Members noted that the complaints and casework remit of the office endeavoured to meet demand for assistance from circa 160-200 people per month, with a typical new caseload per month of circa 120 (‘constituency’ problem solving casework) and 160 (complaints and compliments). Members received brief illustrative input from the OPFCC T/Commissioner Casework Lead about the broad nature of her work, including assisting residents in North Yorkshire and York with matters of the utmost sensitivity and importance, such as their lived experience of victimisation, or community casework arising from the proposed re-purposing of the former RAF base at Linton-on-Ouse.</p> <p>Members were advised by the Chief Executive that he was tabling only a report about the appeal against the CCA under the OPFCC Policy, which afforded the Appellant a right of appeal to the JIAC. There is no explicit right of appeal to the JIAC in respect of the Chief Constable’s separate but similar stance in respect of correspondence from the Appellant. Whilst it was open to Members to seek to determine the Appellant’s purported appeal to the JIAC against the NYP stance, that would be a matter for Members, and it was not appropriate for the Chief Executive to represent or speak for the Chief Constable on the matter.</p> <p>Members determined as follows</p> <ol style="list-style-type: none"> <li>1. That the appeal against the Customer Contact Arrangement fails for the following reasons: <ol style="list-style-type: none"> <li>a. The nature of the correspondence being, in general, repetitive and unreasonable; and appeared commonly</li> </ol> </li> </ol>	

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	<p>to fall outside the direct remit or jurisdiction of the PFCC; and</p> <ol style="list-style-type: none"> <li>b. The Policy contains safeguards which ensure that correspondence under a CCA is not disregarded; and</li> <li>c. Discretion has been and will continue to be exercised where necessary and appropriate, with appropriate senior oversight within OPFCC, to respond or otherwise address the content of particular items of correspondence; and</li> <li>d. Aside from instances where such discretion was exercised, it was appropriate to limit the impact for the public at large of unreasonable correspondence, by imposing a CCA;</li> <li>e. It was fair to the public overall – including to those in particular who seek help from the OPFCC - not to allow any one individual to consume an unreasonable or disproportionate share of OPFCC casework/C&amp;R resource.</li> </ol> <ol style="list-style-type: none"> <li>2. That Members would provide informal feedback on the future development of the OPFCC Policy, separately, so as to assist with the Chief Executive’s review of its terms and operation. That feedback would fall outside of today’s process and be provided outside of the meeting.</li> <li>3. That similarly Members would determine separately – and feedback informally – about the question of whether the JIAC was the right forum in future for appeals to be determined under the OPFCC Policy.</li> </ol> <p>The Chief Executive indicated that he would propose to re-institute a CCA in respect of the Appellant until 20 June 2023 (or such earlier date as a review by the OPFCC might determine).</p> <p><b>Closed Session - Not for publishing</b></p>	
641	<p><b><u>AOB</u></b> None</p>	
642	<p><b><u>Date of future meeting</u></b> 13<sup>th</sup> December 2022 21<sup>st</sup> March 2023 20<sup>th</sup> June 2023</p>	
643	<p>The next meeting of the JIAC will take place on Tuesday 20<sup>th</sup> September 2022 at 15.00 hrs</p>	

**Actions Agreed:**

No.	Action / Update	Owner	Date Issued	Date Closed
35	Information Assurance: IA Action plan to be shared by DCC Hussain with the members	DCC MH	27.01.2022	21.06.22
36	Risk: DS to share the Risk Policy with the Members prior to the next meeting	DS	27.01.2022	21.06.22
40	Capital Investment Programme Report: Chair requested a verbal update in the June meeting on progress.	MC		21.06.22
41	Risk Management: To gain further understanding, it was agreed that a meeting with DS would be welcomed. SD offered to join the meeting with TT, this to give an outline of the Governance arrangements that are in place as well as an overview of the Crime Plan. DS, TT and SD to be invited to the June pre - meet	DS		21.06.22
42	External Audit Update: MP to meet with JG to discuss the Completion Report Meeting arranged for 17 <sup>th</sup> May 2022	SY /MP		21.06.22
43	TOR: Members to meet at the June pre - meet to discuss and set the TORS	Chair	21.06.22	
44	DS to meet with SD to discuss incorporating some of the updates provided at the pre - meet in to the AGS	SD/ DS	21.06.22	
45	Business Continuity: DS suggested that the BC exercise schedule could be brought to the next pre meet	DS	21.06.22	
46	<b>JAC Forward Planner</b> MP requested a half hour slot with the committee at the end of July to consider the Draft Accounts prior to them being submitted to the External audit.	SY/Chair	21.06.22	
47	<b>Internal Audit Report</b> Cyber Security: GM to be invited to the September pre meet to provide specialist clarification on the recommendations reported by RSM.	SY/GM	21.06.22	