

North Yorkshire County Council

Police, Fire and Crime Panel

Minutes of the meeting held on Tuesday 4 December 2018, commencing at 2:00pm in the Grand Meeting Room at County Hall, Northallerton.

Present:-

Councillors: Val Arnold (Ryedale District Council), Michael Chambers MBE (Harrogate Borough Council), Mel Hobson (Selby District Council), Carl Les (North Yorkshire County Council, in the Chair), Sandra Turner (Scarborough Borough Council) Peter Wilkinson (Hambleton District Council).

Community Co-opted Members: Santokh Singh Sidhu and Paula Stott.

Julia Mulligan (Police, Fire and Crime Commissioner).

Officers from the Office of the Police, Fire and Crime Commissioner: Fraser Sampson (Interim Chief Executive Officer), Michael Porter (Chief Financial Officer),

Officers from NYCC: Diane Parsons (Panel Secretariat).

Copies of all documents considered are in the Minute Book

334. Apologies

Apologies had been received, and were noted, from Councillor Russell Lord, Councillor Ashley Mason and Councillor Chris Steward.

335. Minutes

The Commissioner was asked to provide clarification regarding a point made (and minuted) at the previous Panel meeting on 15th November 2018 where the Panel were informed that the Commissioner does not have line management responsibilities for staff. This was particularly queried in relation to the Commissioner's new responsibilities and oversight of the Fire and Rescue Service (FRS).

Fraser Sampson described that the head of paid staff for the FRS is the appointed Chief Fire Officer, who has the ultimate responsibility for those staff working to him/her operationally at the FRS in relation to their terms and conditions, welfare at work, and so on. However, it was explained that everyone working in the FRS is under a contract to the Commissioner and the legal provisions enable the Commissioner to exercise greater influence around employment setting for the FRS than would be the case for the Commissioner's relationship with the police. Essentially, the difference arrived at under the change in governance for the FRS is around the employer's status rather than the difference being around direct line management responsibility as described for the head of paid staff.

Resolved –

That the Minutes of the meeting held on 15 November 2018, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

336. Declarations of Interest

No declarations were made to the Panel.

337. Exclusion of the Public

Resolved –

That the public and press be excluded from the meeting during consideration of Item 6 on the grounds that this involves the likely disclosure of exempt information as defined in the paragraph specified in column 2 of Part 1 of Schedule A to the Local Government Act 1972 as amended by the Local Government (Access to Information)(Variation) Order 2006.

338. Confirmation hearing – Chief Financial Officer /s151 Officer to the North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority

The Panel formally accepted the reports provided by the Secretariat, the Commissioner and the proposed appointee as context to the hearing.

The Commissioner and the proposed appointee, Michael Porter, were asked a number of questions by the Panel, in order for the Panel to reassure themselves that the appointee would meet the required standards of professional competence and personal independence.

Question 1: Councillor Sandra Turner asked the Commissioner if she had any concerns regarding the hours which would be required for someone to adequately take on the role, and whether the allocated hours (22.5 per week) would be sufficient for a very demanding job.

The Commissioner praised the work that Michael Porter had undertaken for her over the previous four years within the policing and crime role. The Commissioner felt that having a single person overseeing both the policing and fire functions under her remit presents exciting opportunities. Mr Porter has expressed his excitement about the role and has given assurances that if the role does get too much then he will flag this up so that it can be addressed.

Question 2: Councillor Turner asked a supplementary question to express her concern that under the sharing agreement proposed with the Cleveland Police and Crime Commissioner, 22.5 hours of Mr Porter's time did not seem a lot for such a high-profile position.

Fraser Sampson responded that careful consideration had been given to whether and how this role could be comfortably – and adequately – discharged by one person and that it will be kept under close review between himself and the Chief Executive Officer at Cleveland.

Question 3: The Chair further highlighted the Panel's concern that the three key organisations central to Mr Porter's shared role (Cleveland Police, North Yorkshire Police and North Yorkshire FRS) are all facing significant financial challenges going forward and as such queried whether the sharing agreement was a sustainable position to adopt.

Mr Porter conveyed that he felt he had managed the challenges well thus far and that his own skill at time management had also developed over time in the shared role. He conveyed that the challenges faced by these organisations have added to the professional

interest for him in the role and that he would be clear not to allow pressures of work to impact on his life outside of work. The Commissioner added that work-life balance is important and that Mr Porter has evidenced this far that he is able to maintain that balance.

Councillor Wilkinson conveyed that he had been impressed with how Mr Porter had tackled the policing finance function in North Yorkshire and that his recent involvement in the Panel finance sub-group in which he briefed members on the FRS budget position led him to believe that professionally, he was very able to discharge the role. However, he expressed concern that Mr Porter may be spreading himself too thinly. He recommended that the arrangement be reviewed after six months.

Question 4: Councillor Peter Wilkinson asked Mr Porter how he would ensure that he would be able to give independent advice to the Commissioner and senior colleagues.

Mr Porter expressed a clear-sighted approach to the requirements for safeguarding public funds and he referenced drawing on the expertise of other Chief Financial Officers regionally to ensure that he is fully sighted and able to maintain independence of thought around decision-making.

Question 5: Paula Stott asked how Mr Porter would support collective ownership of strategy, risks and delivery across both the policing and fire services.

Mr Porter referred to the advantages of having oversight of both organisations in this role in enabling learning points to be identified and applied in other areas. In particular he felt the FRS treatment of risk could be a useful learning area for North Yorkshire Police and he has observed good practice in Cleveland which he has brought to bear in his North Yorkshire role thus far.

Question 6: Councillor Peter Wilkinson asked Mr Porter if he could provide an example of where he has had to challenge a colleague or senior leader on a business case proposition and what the impact was of this.

Mr Porter referred to the advantage in not working directly to the Chief Constables in Cleveland and North Yorkshire to be able to bring a level of challenge to bear in working with officers from these services. He referred in particular to early discussions around the development of the Force Control Room. He described that his approach is to ask a question that no one else is asking to ensure a dynamic of appropriate challenge in considering business proposals.

Question 7: Councillor Mel Hobson asked Mr Porter about his experience of working with the North Yorkshire Panel thus far and what financial monitoring information he thought could be provided going forward to help the Panel effectively scrutinise the Commissioner's performance in relation to both policing and the FRS.

Mr Porter made reference to the Police and Crime Plan and focussing on how information brought to the Panel aligns with progress against this Plan. He considered it important that the Panel understand how £180m is being spent on both services.

Question 8: Paula Stott asked if Mr Porter could provide an example demonstrating where he has contributed to a change programme through the identification of enhanced service efficiency and/or value for money.

Mr Porter described his experience in leading on an outsourcing programme for Cleveland Police Authority, in which he spent a lot of time looking at how the service could become more effective and efficient. The learning from such experiences has been applied to looking at North Yorkshire Police in relation to achieving value for money and identifying where transformation can occur. He stressed the importance of learning about taking other

people with you through a change programme rather than have others feeling that change is being done to them. He felt this would be similarly important across the FRS and the police service.

Question 9: Councillor Val Arnold asked Mr Porter how he would seek to ensure that the financial governance arrangements of the OPFCC are sufficiently robust to enable him to make certain that public monies are safeguarded and used appropriately.

Mr Porter was clear that the key part of his role is the safeguarding of public money and that his thorough understanding of the systems and processes in place means that he can quickly identify when things don't align. He referred to spending ten years in a Treasurer role so feels he has a sound handle on stewardship.

Question 10: Santokh Sidhu asked Mr Porter what examples he could give from his past experiences which he believes demonstrate strong planning or project management skills.

Mr Porter explained to the Panel that he does not have to oversee many projects. He has been on a project board in Cleveland around building a new community safety hub and his role has been to ensure that the project manager was delivering the financial aspects of that project as expected. He has a clear understanding of dependencies and can work with people to ensure appropriate planning is in place to ensure deadlines are met. He would not advocate that he is a specialist project manager but rather would draw on the experience of others who are as and when he needs it.

Question 11: Santokh Sidhu asked a supplementary question about how Mr Porter would best apply his skills to the new role in the next six months and beyond.

Mr Porter referred to the criticality of good time management and deployment of those working for him to ensure success in the role and ensuring that many things can be achieved at the same time, such as dealing with three precepts and budgets.

Question 12: Councillor Michael Chambers asked Mr Porter what he felt his personal and professional strengths to be and how he would describe his leadership style.

Mr Porter conveyed that he is a relatively laid back individual and he tries to use that to help get the best out of those around him and minimise stress. He referred to being a relatively quiet person who prefers small group work but who also wants to ensure that he provides a 'safety net' to empower others to take responsibility in their work and not feel isolated.

Question 13: The Chair asked how Mr Porter could further reassure the Panel regarding the time commitment required to manage the new role.

Mr Porter referred to ways in which he has re-organised his working day to make his use of time more efficient. If the arrangement does not work in six months' time then he will raise his concerns. However, being able to work from home when needed and also readily access the ICT for Cleveland and North Yorkshire will also help in managing time and commitment.

At the close of the Panel's questions, Fraser Sampson highlighted that the agenda erroneously referred to the Panel making a decision under Schedule 8 of the Police Reform and Social Responsibility Act 2011 when the decision would in fact come under of paragraph 11 of Schedule A2 to the Fire and Rescue Act 2004. There would as such also be no power of veto for the Panel.

The Chair then invited all parties, other than Panel Members and officers supporting the Panel, to leave and the Panel went into closed session.

After a period of time of discussion, the Panel resolved that on the basis of the information provided by the Commissioner, the discussions held in the confirmation hearing and examination of the evidence in both the public meeting and closed session, the Panel is pleased to endorse the appointment of Mr Michael Porter as Chief Financial Officer/s151 Officer.

The Chair added that while the Panel has no doubt about Mr Porter's suitability for the role, it does have some reservations about the workload. The Panel welcome the Commissioner's commitment to reviewing the agreement with Cleveland after six months and the Panel would like the Commissioner to share the outcome of that review with them.

Resolved –

(a) On the basis of the information provided by the Commissioner; the discussions held in the Confirmation Hearing; and examination of the evidence in both the public meeting and the closed session; the Panel is pleased to endorse the appointment of Mr Fraser Sampson to the role of Interim Chief Executive Officer;

(b) that the Panel will receive an update from the Commissioner in six months' time regarding the review of Mr Porter's appointment and the sharing agreement in place.

The meeting concluded at 3:00pm.

DP