



Committee Members	Jeremy Newman	Non-executive Board Director (C)
	Mark Hammond	Non-executive Board Director
	Jenny Rowe	Non-executive Member
	Marta Phillips	Non-executive Member
Attendees	Nick Folland	Chief Executive
	Paul Staff	Director of Corporate Services
	Mark Andrews	Internal Audit
	Marc Rainforth	Internal Audit
	Kevin McGinty	HMCPSI
	Nick Doran	National Audit Office
	Stephen Corbishley	National Audit Office
Guests	Mark Gray	Director of Digital services
	Grace Ononiwu	Chief Crown Prosecutor – West Midlands

Item 1: Declarations of Conflicts of Interest

1. No conflicts were declared.

Item 2: Minutes of Last Meeting and Matters Arising

2. The Committee agreed the minutes and were pleased to see the progress made on dealing with outstanding actions.

Item 3: Risk Management Update

3. Paul Staff, Director of Corporate Services, provided highlights on the risk management process for Q1 2017/18.

Item 4: Review of Corporate Risk 6

4. Mark Gray, Director of Digital Transformation, presented a paper on corporate risk 6 – that we do not transform our business environment quickly enough, because we are not able to build a capable IT infrastructure and equip staff with the right tools, and at the right speed, to meet the demands set for them in carrying out their role.

Item 5: CPS West Midlands Risk Register

5. The Committee welcomed Grace Ononiwu, Chief Crown Prosecutor for CPS West Midlands, to the meeting. The Committee congratulated her on the outcomes of the Area's recent HMCPSI report. The Committee then considered Area Risk Returns for the West Midlands.

Item 6: Emerging Themes from Recent HMCPSI Reports

6. Kevin McGinty, Chief Inspector of HMCPSI, provided the key highlights on his recent findings.

Item 7: Internal Audit Progress Update

7. Government Internal Audit Agency (GIAA) provided a progress update on the internal audit plan.

Item 8: Internal Audit Recommendations Tracker

8. The Committee reviewed the internal audit recommendations tracker and was pleased with the progress made.

Item 9: National Audit Office (NAO) Management Letter

9. Stephen Corbishley gave an overview of the 2016-17 audit process and issues raised in the management letter.

Item 10: Anti-Bribery and Corruption Update

10. Paul Staff gave an overview of the paper and the draft fraud strategy.

Item 11: Whistleblowing Policy and Annual Report

11. The Committee reviewed and were content with the annual report.

Item 12: Gifts and Hospitality Register

12. The Committee reviewed the report and were content with the assurance provided.

Item 13: Disciplinary, Grievance and Employment Tribunal Data Annual Report

13. The Committee were content with the contents of the annual report and were complimentary of the increased use of mediation.

Item 14: Any Other Business

14. The Committee raised concerns regarding the new data protection legislation (GDPR). It was agreed that a paper on this would be considered at the next meeting.
15. The noted that this would be Nick Folland's last meeting as he would shortly be leaving the organisation. The Committee thanked Nick for his contribution to the Committee and to the CPS.

**Secretariat
October 2017**



Committee Members	Jeremy Newman	Non-executive Board Director (C)
	Mark Hammond	Non-executive Board Director
	Marta Phillips	Non-executive Member
Attendees	Lesley Longstone	Chief Executive
	Paul Staff	Director of Corporate Services
	Linda Costelloe	Internal Audit
	Derek Artis	Internal Audit
	Kevin McGinty	HMCSI
	Nick Doran	National Audit Office
	Carol Rudge	Grant Thornton
	Stephen Dean	Grant Thornton
Guests	Mark Gray	Director of Digital Transformation
	Andrew Penhale	Chief Crown Prosecutor – North East
Apologies	Jenny Rowe	Non-executive Member
	Chris Davis	Internal Audit
	Mark Andrews	Internal Audit

Item 1: Declarations of Conflicts of Interest

1. No conflicts were declared.

Item 2: Minutes of Last Meeting and Matters Arising

2. The Committee agreed the minutes and progress was noted against outstanding actions.
3. Mark Hammond updated the Committee on his work as CPS Board Whistleblowing Champion.

Item 3: Risk Management Update

4. Paul Staff, Director of Corporate Services, provided highlights on the risk management process for Q2 2017/18. This included an updated strategic risk register.

Item 4: Review of Corporate Risk 6

5. The Head of Departmental Security and Information Assurance Division presented a paper on corporate risk 5 – Unplanned events such as fire, floods, IT system failure etc. could make it difficult (or even impossible) to carry out day to day activity of the CPS.

Item 5: CPS North East Risk Register

6. The Committee welcomed Andrew Penhale, Chief Crown Prosecutor for CPS North East to the meeting. The group then reviewed and discussed the Area risk register.

Item 6: Assurance Framework

7. The Committee considered the CPS assurance framework update.

Item 7: Internal Audit Progress Update

8. Linda Costelloe and Derek Artis of the Government Internal Audit Agency (GIAA), gave a progress update.

Item 8: Internal Audit Recommendations Tracker

9. The Committee reviewed the internal audit recommendations tracker, which had recently been taken over by the Risk Management team in Corporate Services.

Item 9: Cyber Security Update

10. Mark Gray, Director of Digital Transformation, presented the update papers on cyber security.

Item 10: National Audit Office (NAO) Planning Report

11. Nicholas Doran presented the 2017-18 Audit Planning Report. The Committee confirmed that they were content with the timetable and focus outlined.

Item 11: SIRO Report on Serious Cases of Unauthorised Disclosure

12. The Committee reviewed the report.

Item 12: Audit and Risk Committee Effectiveness Review

13. The Committee discussed and agreed the process for the Audit and Risk Committee effectiveness review.

Item 13: Any Other Business

14. Kevin McGinty, Chief Inspector of HMCPSI, gave an update on his recent inspections. Kevin thanked the Committee for their comments on the HMCPSI Business Plan.

Secretariat
January 2018



Committee Members	Jeremy Newman	Non-executive Board Director (C)
	Mark Hammond	Non-executive Board Director
	Marta Phillips	Non-executive Member
	Jennifer Rowe	Non-executive Member
Attendees	Lesley Longstone	Chief Executive
	Paul Staff	Director of Corporate Services
	Christopher Davis	Internal Audit
	Andrea Emms	Internal Audit
	Kevin McGinty	HMCPSI
	Nick Doran	National Audit Office
	Carol Rudge	Grant Thornton
Guests	Alison Hood	National Audit Office
	Gregor McGill	Director of Legal Services
	Christopher Sharp	Director of Finance

Item 1: Declarations of Conflicts of Interest

1. No conflicts were declared.

Item 2: Minutes of Last Meeting and Matters Arising

2. The minutes of the last meeting were agreed and progress was noted against outstanding actions.

Item 3: CPS Risk Management Update

3. Paul Staff, Director of Corporate Services, provided highlights on the risk management process for Q3 2017-18.

Item 4: General Data Protections Regulations (GDPR)

4. The Head of Departmental Security Division presented the paper outlining the organisation's preparatory work for GDPR.

Item 5: Corporate Risk 2

5. Gregor McGill, Director of Legal Services, presented a paper on corporate risk 2 - *inadequate legal decision making and how disclosure impacts the quality and timeliness of our casework outcomes.*

Item 6: Draft Internal Audit Report for 2017-18

6. Chris Davis, Internal Audit Manager, presented the Government Internal Audit Agency's (GIAA) Annual Report.

Item 7: Draft Internal Audit Plan 2018-19

7. Chris Davis presented the 2018-19 plan, which was now presented in the new GIAA standardised format.

Item 8: Internal Audit Recommendations Tracker

8. The Committee reviewed the tracker.

Item 9: NAO Interim Audit Findings

9. Carol Rudge and Nick Doran gave a short update on the progress of the audit.

Item 10: Draft CPS Annual Report and Accounts 2017-18

10. Chris Sharp, Director of Finance, presented the papers.

Item 11: ARC Effectiveness Review

11. Nick Doran presented the findings of the effectiveness review.

Item 12: Any Other Business

12. None raised.

**Secretariat
April 2018**



Committee Members	Jeremy Newman	Non-executive Board Director (C)
	Mark Hammond	Non-executive Board Director
	Marta Phillips	Non-executive Member
	Jennifer Rowe	Non-executive Member
Attendees	Lesley Longstone	Chief Executive
	Paul Staff	Director of Corporate Services
	Christopher Davis	Internal Audit
	Andrea Emms	Internal Audit
	Kevin McGinty	HMCPSI
	Nick Doran	National Audit Office
	Carol Rudge	Grant Thornton
Guests	Alison Hood	National Audit Office
	Gregor McGill	Director of Legal Services
	Jackie Ronchetti	Head of Departmental Security
	Christopher Sharp	Director of Finance
Secretariat	Jade Whittle-Barnes	Corporate Governance Manager

Item 1: Declarations of Conflicts of Interest

1. No conflicts were declared.

Item 2: Minutes of Last Meeting and Matters Arising

2. The Committee requested an update on the issues surrounding witness care provision in the North East. The data sharing issues discussed in the January meeting had now been encompassed with other issues tied up with the introduction of the General Data Protection Regulations.
3. The Director of Corporate Services agreed to provide a below the line paper for the next meeting to satisfy action J(2).

Item 3: CPS Risk Management Update

4. Paul Staff, Director of Corporate Services, provided highlights on the risk management process for Q3 2017-18. The Committee considered the following issues:
 - Disclosure – this would be discussed during the item on corporate risk two;
 - Police file quality;
 - Unauthorised disclosure of personal information – the Committee were updated on the outcome of a recent Information Commissioner’s Office (ICO) review. The Committee requested that they were kept updated on this matter and that the Board be made aware of any potential fine before it becomes public knowledge; and

- EU Exit preparedness – the Committee noted the recent “Deep Dive” on this matter and that the issues raised were being addressed by the Executive Team.
5. The Committee considered risk to resource levels arising from the return of case work from CPS Direct to Areas. The Committee were reassured to hear of the increased use of satellite working for Areas with difficulty recruiting. The Committee were also informed that the current round of lawyer recruitment was being managed centrally to ensure that consistent standards were applied and that the process was managed as quickly and efficiently as possible.
 6. The Committee considered the risks surrounding the upcoming departure of the Director of Public Prosecutions and other senior staffing changes.

Item 4: General Data Protections Regulations (GDPR)

7. Jackie Ronchetti, Head of Departmental Security, presented the paper. The Committee discussed the following points:
 - Consent with regards to sharing victim and witness data with the Court and witness services – the current process for giving consent was no longer sufficient. The CPS was working to agree a transitional agreement with the ICO until a solution was finalised.
 - Data retention with regards to the Independent Inquiry into Child Sexual Abuse;
 - Subject Access Requests; and
 - Resourcing in the Information Management Unit.
8. The Committee requested an update paper for the June meeting, which would include a stocktake and commentary on deadlines. **[ACTION A1]**

Item 5: Corporate Risk 2

9. Gregor McGill, Director of Legal Services, presented a paper on corporate risk 2 - *inadequate legal decision making and how disclosure impacts the quality and timeliness of our casework outcomes*.
10. The Committee were pleased to hear about the development of the National Disclosure Improvement Plan which was being led by the DPP and the National Police Chiefs’ Council (NPCC) Criminal Justice Lead Chief Constable Nick Ephgrave. The Committee raised concerns about how progress made with the NPCC would be replicated through the ranks of regional police forces. Ultimately this would be reinforced by prosecutors, who would be encouraged to push back on poor quality files.
11. The Committee then considered the variances in police file quality and the best way to drive improvement. Prosecutors would be encouraged to grip cases early and consider reasonable lines of enquiry.
12. The Committee were updated on other work to drive up quality in this area. This included:
 - The introduction of disclosure focused Individual Quality Assessments;

- Review of Defence Case Statements by the Compliance and Assurance Team; and
 - Chief Crown Prosecutors (CCP) had entered into local delivery plans with Chief Constables in their Areas – these plans would be closely monitored to ensure delivery.
13. The Chair asked about the recent case involving Man X and Man Y which had been dropped and whether the issues in these cases had been identified during the review of RASSO cases. Gregor McGill said he would look into this and advise the committee by email. **[ACTION A2]**

Item 6: Draft Internal Audit Report for 2017-18

14. Chris Davis, Internal Audit Manager, presented the Government Internal Audit Agency's (GIAA) Annual Report. The Committee were pleased to hear that despite an earlier back log the audit team had completed the reports outlined in the plan. This did not include the audit of the Specialist Fraud Division, which had been postponed to Q3 2018-19 with the agreement of the Chair of the Committee.
15. The Committee considered the *moderate* overall annual opinion on governance, risk management and control across the CPS.
16. The Committee reviewed and discussed the following recently finalised reports:
- London Area Restructure;
 - Accounts Receivable and Debt Recovery;
 - Management Information;
 - Staff Vetting;
 - Complex Casework Units; and
 - Cyber Security – the Committee requested that Mark Gray, Director of Digital Transformation, is invited to the October meeting to update the Committee on the recommendations in this report. **[ACTION A3]**

Item 7: Draft Internal Audit Plan 2018-19

17. Chris Davis presented the 2018-19 plan, which was now presented in the GIAA standardised format. The Committee agreed that the audit of Workforce Planning, Talent Management and Recruitment would be postponed to late Q2 so it could take into account any actions arising from the CPS Board forthcoming discussion on these matters.
18. The Committee were content that the plan provided sufficient coverage for the year and the plan was agreed.

Item 8: Internal Audit Recommendations Tracker

19. The Committee reviewed the tracker and it was agreed that Paul Staff, Director of Corporate Services, would investigate those actions that had been outstanding since 2016 to ensure

they were being properly managed. There would be a more detailed discussion of the updated tracker at the next meeting. **[ACTION A4]**

20. The Committee also requested that further information was provided on the 'rejected' recommendations, given these had been accepted when the relevant Internal Audit report had been finalised. It was agreed that actions could not be dropped/rejected without the agreement of the Committee.

Item 9: NAO Interim Audit Findings

21. Carol Rudge and Nick Doran gave a short update on the progress of the audit.
22. Alison Hood, lead on the HMCTS Transformation Report, gave the Committee a short overview of the report which included the Common Platform Programme. A copy of the finalised report would be shared with the Committee members in due course. **[ACTION A5]**
23. The Committee discussed special payments. It was agreed that the NAO would consider the sign-off process for these payments as part of its regularity review and would specifically report on this in their report to the Committee.

Item 10: Draft CPS Annual Report and Accounts 2017-18

24. Chris Sharp, Director of Finance, presented the papers. The Committee were disappointed that the certain aspects of the report, including the Governance Statement and Accountability Report, were not included in this draft.
25. The Committee noted that the timetable had not been shared with them and requested that a copy of the timetable was urgently shared with members. **[ACTION A6]**
26. The Committee suggested that consideration should be given to a draft of the governance statement and other narrative elements of the Annual Report being drafted and circulated prior to the year end in future.

Item 11: ARC Effectiveness Review

27. Nick Doran presented the findings of the effectiveness review. The Committee considered the skills of the membership and induction process. The Committee agreed that the new non-executive induction process would be beneficial here.
28. The Committee agreed that the methods for reporting to the Board were sufficiently transparent.
29. The Committee welcomed the idea of regular bilateral meetings with both internal and external auditors.

Item 12: Any Other Business

30. None raised.



Committee Members	Jeremy Newman	Non-executive Board Director (C)
	Mark Hammond	Non-executive Board Director
	Marta Phillips	Non-executive Member
	Jenny Rowe	Non-executive Member
Attendees	Paul Staff	Chief Executive
	Andrea Emms	Government Internal Audit Agency
	Nick Doran	National Audit Office
	Stephen Corbishley	National Audit Office
	Kevin McGinty	HMCSI
	Carol Rudge	Grant Thornton
	Stephen Dean	Grant Thornton
Guests	Jean Ashton	Director of Business Services
	Martin Goldman	Chief Crown Prosecutor
	Caroline Staveley	Area Business Manager
	Baljit Ubhey	Director of Prosecution Policy and Inclusion
	Christopher Sharp	Director of Finance
Secretariat	Jade Whittle-Barnes	Governance, Reporting and Briefing Manager

Item 1: Declaration of Conflicts of Interest

1. No conflicts were declared.

Item 2: Minutes of the Last meeting and Matters Arising

2. The Committee reviewed and agreed the minutes of the last meeting. Progress was noted against outstanding actions.
3. The Committee were grateful for the below line papers providing updates on both the implementation of the General Data Protection Regulations (GDPR) and Organisational Capability and Skills Audit.
4. The Committee confirmed that a further update on the implementation of GDPR would be required for the October meeting.

Item 3: Charging Update

5. Jean Ashton, Director of Business Services, presented the charging update. The update was primarily focussed on the results of the proof of concept, which had recently taken place in Hampshire, and the planned pilot rollout.
6. The Committee discussed the following points:
 - The effects of the Policing and Crime Act 2017, particularly in reference to pre-charge bail;

- The time period between charge and first hearing had increased;
- The use of postal requisitions;
- The number of warrants issued for defendant's failing to attend had increased; and
- The effects of the increased focus on disclosure.

Item 4: Risk Management Update

7. Paul Staff, Chief Executive, presented the risk management update. The Committee discussed the update and considered the following:
 - Disclosure;
 - Weaknesses in police file quality;
 - Resourcing following the return of charging work to Areas;
 - Cybercrime;
 - Economic crime;
 - Unauthorised disclosure of personal information; and
 - Recruitment delays.
8. The Committee discussed the Enterprise Risk Management Policy launch and the planned training. The Committee asked that consideration be given to the training to ensure that it was both comprehensive and engaging for the general workforce. It was agreed that Marta Phillips, Non-Executive Committee Member, would join the training if possible. **[ACTION J1]**

Item 5: SIRO's Six Monthly Report into Unauthorised Disclosure

9. Paul Staff presented the report, which detailed all unauthorised disclosures between January and June 2018.
10. The Committee reviewed the papers and attached schedules detailing the data handling complaints during the period.
11. The Committee raised concerns regarding the increased number of security breaches during the period; they recognised that a large proportion of the breaches were identified through HM Courts and Tribunal Service's audit of the Digital Case System.

Item 6: CPS North West Risk Register

12. Martin Goldman, Chief Crown Prosecutor, and Caroline Staveley, Area Business Manager, joined the Committee via video conference to present their Area's risk register. The group discussed the recent HMCSI review of the Area. The Committee were pleased to see the comprehensive action plan provided which addressed the recommendations made in the report.

13. The Committee raised concerns regarding the number of actions in the plan and whether these need to be prioritised to ensure completion. The management team were confident that as the actions were spread across a number of work streams they could be delivered simultaneously.

14. The Committee discussed the following further points:

- Police file quality;
- Resourcing;
- Charging;
- Disclosure; and
- The relationship with the local judiciary.

Item 7: Annual Report and Accounts 2017-18

15. Christopher Sharp, Director of Finance, presented the 2017-18 Annual Report and Accounts. The Committee reviewed and confirmed they were content with the foreword, performance data and governance statement included in the report.

16. The Committee reviewed the financial accounts and discussed the outstanding issue relating to the Rose Court dilapidations. It was agreed that the National Audit Office and Grant Thornton would resolve the issue out of Committee. It was assumed that the matter would be resolved in accordance with the views of the National Audit Office but if this was not the case then there might need to be a further meeting of the Committee.

17. The Committee agreed that they were content to recommend that the Accounting Officer signed the report and accounts providing that the dilapidations issue was resolved on the basis of the views of the National Audit Office.

Item 8: National Audit Office Audit Completion Report

18. Stephen Corbishley of the NAO presented the audit completion report. The Committee reviewed and discussed the following points:

- Counsel fees (graduated fees scheme);
- Payroll; and
- Rose Court Dilapidations.

19. The Committee reviewed and confirmed that they were content with the unadjusted misstatements listed in the report.

20. It was also confirmed that the NAO had conducted a regularity review of the approval process for special payments and were content with the structures in place and the payments that had been made.

Item 9: Corporate Risk 6

21. Baljit Ubhey, Director of Prosecution Policy and Inclusion, joined the Committee to present the paper on Corporate Risk 6 – The CPS loses public confidence in the service they provide. The paper outlined the Service’s approach to improving public confidence in the current operating environment.

22. The Committee discussed the following issues:

- Milltown Partners Communications review;
- The importance of consistently getting disclosure right; and
- Direct engagement with community groups and parliamentarians.

Item 10: Internal Audit Plan and Status Report

23. Andrea Emms from the Government Internal Audit Agency presented the audit plan and status report.

24. It was confirmed that due to the upcoming CPS review of the Standard Operating Procedures for Magistrates Court work, the planned Q2 audit Magistrates Court processes would be replaced with an audit on the roles of Paralegal Officers. The Committee confirmed that they were content with the change.

Item 11: Internal Audit Recommendations Tracker

25. The Committee noted the updates to the internal audit recommendations tracker. The Committee were pleased to see the positive progress made since the last meeting.

26. The Committee requested that a version containing only live actions was circulated to members out of committee. [\[ACTION J2\]](#)

Item 12: Audit and Risk Committee Annual Report

27. The Committee reviewed the draft report and confirmed that they were content with the draft. The section on the annual report and accounts would now be finalised and recirculated to the committee. [\[ACTION J3\]](#)

Item 13: Any Other Business

28. It was requested that the most recent CPS Board papers were shared with non-executive members of this Committee. [\[ACTION J4\]](#)

Secretariat
June 2018



Committee Members	Jeremy Newman	Non-executive Board Director (C)
	Mark Hammond	Non-executive Board Director
	Marta Phillips	Non-executive Member
	Jenny Rowe	Non-executive Member
Attendees	Paul Staff	Chief Executive
	Chris Davis	Government Internal Audit Agency
	Nick Doran	National Audit Office
	Kevin McGinty	HMCPsi
	Carol Rudge	Grant Thornton
	Stephen Dean	Grant Thornton
Guests	Christopher Sharp	Director of Finance
	Jim Brisbane	Internal Assurance Officer
	Mark Gray	Director of Digital Transformation
	Jenny Offord	Area Business Manager
	Andrew Read	Head of Corporate HR
Secretariat	Jade Whittle-Barnes	Governance, Reporting and Briefing Manager

Item 1: Declarations of Conflicts of Interest

1. No conflicts were declared.

Item 2: Minutes of the Last Meeting and Matters Arising

2. The Committee reviewed and agreed the minutes of the last meeting. Progress was noted against outstanding actions.

Item 3: Risk Management Update

3. Chris Sharp, Director of Finance, presented the papers and the Committee considered the following:
 - Recruitment delays due to security clearance;
 - Quality of risk returns and forecasting; and
 - Risk management process.
4. Kevin McGinty, Chief Inspector of HMCPSI, updated the Committee on his recent London Area Assurance Inspection and the Inspectorate's work on case progression.

Item 4: Anti-Bribery and Corruption Annual Report

5. Chris Sharp presented the papers and gave an overview of the findings of the HMCPSI inspection of the Service's internal fraud controls. The Committee noted the work completed.

Item 5: Gifts and Hospitality Register

6. The Committee discussed the gifts and hospitality register. It requested that further consideration was given to how the register was presented to the Committee.
7. The Committee challenged the amounts listed on the register and asked that further work was completed to ensure that the items listed were properly valued. It was agreed that the guidance that sat alongside the register would be amended to encourage more thoughtful evaluations. [\[ACTION 01\]](#)

Item 6: NAO Management Letter for 2017/18

8. Nick Doran commenced the discussion by informing the Committee that this would be his last meeting as an attendee of the CPS Audit and Risk Committee. Charlotte Hill would be working on the criminal justice portfolio from January.
9. Carol Rudge of Grant Thornton presented the management letter and highlighted the following:
 - Bad debt provision model;
 - Dilapidations model and future estates policy – it was agreed that the finance team would undertake a review of the effectiveness of the model used to calculate dilapidations. [\[ACTION 02\]](#)
 - Accruals and asset verification; and
 - Findings on the IT review of the Oracle system;
10. The Chair provided feedback to both the NAO and Grant Thornton regarding the handling of the Rose Court dilapidations in last year's accounts. It was asked that consideration was given to the lessons that could be learnt from this. It was agreed that a meeting would be held in December to review significant estimations and changes for the 2018-19 accounts with external auditors. [\[ACTION 03\]](#)

Item 7: Cyber Security

11. Mark Gray, Director of Digital Transformation, presented the paper and gave an overview of recent attacks and the protections that were currently in place.
12. He provided an update on the Government Internal Audit Agency (GIAA) audit into cyber security. All recommendations had now been addressed and completed.
13. He updated on the plans to carry out dummy phishing attacks, which would begin shortly. The Committee was also updated on the communications plan and the online education that would run alongside it.
14. The Committee raised concerns about the capacity of the cyber security team. They were assured that although the team were not fully staffed at this point, good progress had been made and Mark was content that the current staffing level was tolerable.

15. It was agreed that Cyber security would be considered by the Committee biannually.
[ACTION 04]

Item 8: Corporate Risk 7 - the CPS fails to prepare effectively for changes following the United Kingdom's exit from the European Union (EU)

16. Jim Brisbane, Internal Assurance Officer and Brexit lead, presented the papers and gave an overview of the department's preparatory work. The Committee discussed the following points:

- Coverage under the 1957 Convention;
- The withdrawal agreement and period;
- Nationality bars for extradition without the European Arrest Warrant (EAW);
- Extradition from Ireland and Poland;
- Additional resourcing required and the timing for the recruitment;
- Funding for additional resources; and
- The relationship with and position within Eurojust.

17. The Committee requested sight of the contingency planning timelines. **[ACTION 05]**

18. Following this discussion, the Committee were content with the progress outlined.

Item 9: South East Risk Register

19. Jenny Offord, Area Business Manager for the South East, presented the Area's risk registers. The Committee considered the following points:

- Recruitment – there were currently only three vacancies in the South East;
- Disclosure – the Area had a strong cross agency engagement plan;
- Data handling and unauthorised disclosure;
- Exposure to serious and distressing material for lawyers reviewing particular cases – there was an award winning wrap-around wellbeing programme for lawyers handling these cases;
- HMCPSI Area Assurance Inspection findings and the progress made since the inspection;
- Average working days lost through sickness absent was concerning; and
- Office relocations.

20. The Committee thanked Jenny for attending and leading this session without the Area's Chief Crown Prosecutor, who had been unable to attend.

Item 10: Internal Audit Progress Report

21. Chris Davis, Audit Manager for GIAA, presented the internal audit progress report. He apologised to the Committee for the delay in providing the promised reports.
22. The Committee raised concerns about the wording used for the description of the workforce planning, talent management and recruitment audit.
23. The Committee asked that the extra time was given to the Internal Audit item at the October meeting due to the amount of reports that were due to be finalised. **[ACTION 06]**
24. The Committee reviewed the findings of the finalised audit on disclosure. A *moderate* audit opinion had been given. Concerns were raised regarding the finding relating to police culture.
25. The Committee also discussed the planned technology update to the management information system, which would assist the tracking of disclosure performance.

Item 11: Internal Audit Recommendations Tracker

26. The Committee noted the updates to the internal audit recommendations tracker and commented on the positive progress.
27. It was asked that action regarding the recruitment of Area Training Coordinators remained open until all roles were filled.

Item 12: Whistleblowing Policy Annual Report

28. Andy Read, Head of Corporate HR, presented the papers and the Committee considered the following:
 - Whistleblowing processes lodged in the reporting period;
 - Levels of awareness on how to raise a concern under the Whistleblowing policy through feedback from Departmental Trade Unions and 2017;
 - Effectiveness of policy, procedure and accompanying documents; and
 - Use of multiple methods for publicising the policy.
29. The Committee expressed an ambition to significantly raise awareness of how to raise a concern and agreed that further work would take place between the policy owners and the Board Champion.

Item 13: Disciplinary, Grievance and Employment Tribunal Data Annual Report

30. Andy Read gave an overview of the annual report. The Committee discussed the analysis from the report and noted the increasing trend for disability discrimination employment tribunal claims. The Committee discussed how this was representative across all sectors and judgements on what constituted reasonable adjustments was a frequently challenging area for managers and employment specialists.

31. It was noted that a lot of proactive work was taking place with the Disabled Staff Network, Departmental Trade Unions and the Disability Board Champion to minimise these types of conflict and with Smarter Working practices more readily available it was viewed that proportionate mitigations were in place.
32. He also gave an overview of the grievance and disciplinary data and the Committee noted that for an organisation of the size of CPS the data and trends did not give rise to particular concerns.

Item 14: Any Other Business

33. The Committee formally recorded their thanks to Jeremy Newman for his chairmanship of the Committee over the last 6 years.

**Secretariat
October 2018**

Committee Members	Simon Jeffreys	Non-executive Board Member (C)
	Mark Hammond	Non-executive Board Member
	Marta Phillips	Non-executive Independent Member
	Jenny Rowe	Non-executive Independent Member
Attendees	Paul Staff	Chief Executive
	Chris Davis	Government Internal Audit Agency (GIAA)
	Linda Costello	Government Internal Audit Agency (GIAA)
	Kevin McGinty	HMCSI
	Carol Rudge	Grant Thornton
	Charlotte Hill	National Audit Office (NAO)
	Steven Corbishley	National Audit Office (NAO)
Guests	Mark Summerfield	Director of HR
	Steve White	Head of HR Operations
	Jackie Ronchetti	Head of Security and Information Assurance Division
Apologies	Christopher Sharp	Finance Director
Secretariat	Frances Riding	Private Secretary

Item 1: Declarations of Conflicts of Interest

1. None raised.

Item 2: Minutes of the Last Meeting and Matters Arising

2. The Committee reviewed and agreed the minutes of the last meeting. All actions had been completed or were proceeding on schedule.

Item 3: Risk Management Update

3. Paul Staff, Chief Executive, presented this update in Chris Sharp's absence. He drew members' attention to the common strategic themes identified in the paper and he also gave an update on the HM Courts and Tribunal Service (HMCTS) transformation programme.
4. The Committee also considered the following issues:
 - Risk management and 'risk management fatigue';

- Deep dive of Area risk registers – Committee members felt that this exercise was useful for both them and Area staff;
- The corporate risk register;
- financial and budgetary controls; and
- HMCPSI casework inspections.

Item 4: Review of Corporate Risk 1

5. Mark Summerfield, Director of HR, presented the deep dive paper on corporate risk one - *'The CPS will not have the right numbers of people in the right roles and with the necessary skills and knowledge, to be able to deliver services in an effective manner'*.
6. The Committee noted the recent Internal Audit of Workforce Planning arrangements as 'Substantial' with no suggested improvements.
7. Mark provided some key highlights, which included: successes with regards to the CPS employer brand, national campaigns for lawyers and apprenticeships and changes to the recruitment process. Success Profiles had been introduced, in accordance with Cabinet Office requirements which had included training for interview panel members.
8. He also advised that HR were introducing a new Head of HR Strategic Workforce Planning from April 2019. This post would bring a greater focus on the workforce demand and supply provision for the current and future years in terms of numbers and capability requirements.
9. The Committee then discussed the following issues:
 - The success rate for recruitment and retention;
 - The key themes arising from exit interviews;
 - Attrition levels – approximately at six percent, the Committee agreed that this was low;
 - Areas more accurately forecasting future recruitment needs at least six months in advance, factoring in attrition;
 - The retention of legal trainees – previous analysis showed that this was more positive than anecdote would suggest. It was agreed that this data would be shared with the Committee; **[ACTION J1]**
 - Data on recruitment of people living with a disabilities; and

- The impact of the CPS employer brand, alongside the effect of the 'The Prosecutors' programme, on the number of applicants.

Item 5: Assurance Framework

10. Paul Staff presented the Assurance Framework to the Committee. He explained that the assessments were broadly where they were expected to be. There was some confusion regarding the key and how this tallied with data provided. It was agreed that a note would be circulated to members to clarify how this should be interpreted. **[ACTION J2]**
11. The Committee noted concerns regarding the assurance ratings for information management. Human error was largely responsible for failures under this category and the Committee considered the ways in which to best address this including resourcing and sharing lessons learnt.
12. Paul Staff confirmed that he was due to meet with the Information Commissioner this month and would update the Committee following this meeting.
13. The Committee considered information issues and risks arising from the installation of the Digital Case System, which was shared with HMCTS.
14. The Committee noted the low rating for service to victims and witnesses and discussed the outcomes of the recent HMCPSI review of Victim Liaison Units.

Item 6: NAO Planning Report

15. Steven Corbishley, National Audit Office, gave an overview of the planning report. The Committee discussed the following points:
 - The error reporting level would be set at £100,000;
 - The audit focus on the accounting system, it was not however, deemed to be a significant risk;
 - The UK's upcoming exit from the European Union;
 - Rose Court dilapidations;
 - NAO statement of independence and the relationship with audit partners Grant Thornton; and
 - Audit quality – Stephen agreed to share a recent transparency report with the Committee. **[ACTION J3]**

16. The Group also discussed the NAO's upcoming value for money review into the government's approach to tackling serious and organised crime, which was due to be published in summer 2019. The Chief Executive confirmed that the CPS would welcome the opportunity to input into this work.

Item 7: Government Internal Audit Agency (GIAA) Progress Report

17. Linda Costello, Group Chief Internal Auditor, presented the progress report. The Committee raised concerns regarding the delays in issuing a number of reports. It was explained that three reports were in draft but had not yet been signed off by management. The Chief Executive agreed to take this away and work with GIAA to resolve this as soon as possible. Consideration would also be given to how best to prioritise this work going forward.
18. The Committee agreed that it would be beneficial if overdue reports were shared with Committee members in draft in the event management did not comment within agreed deadlines.
19. Chris Davis, Audit Manager, presented two completed reports, workforce planning and business strategy and planning. Both had received substantial assurance ratings.
20. The Committee also discussed the audit plan and agreed that next year GIAA should give greater consideration to the agility and flexibility of their plan.

Item 8: Internal Audit Recommendations Tracker

21. Paul staff presented the GIAA audit recommendations tracker.
22. The Committee were supportive of GIAA completing follow-up work on completed recommendations.
23. It was agreed that GIAA would consider how to ensure that actions were implemented, reviewed and fed back to Committee more frequently.
24. The Committee requested that greater consideration was given to action updates. Management should ensure that the update clearly addresses the recommendations before they are closed.

Item 9: SIRO Report on Serious Cases of Unauthorised Disclosure

25. Jackie Ronchetti, Head of Departmental Security and Information Assurance, presented the six-monthly SIRO report on serious cases of unauthorised disclosure. She also updated the Committee on the approach taken by the Information Commissioner to recent breaches. She then gave an overview of the reasons behind the majority of breaches, most of which were due to timing and resource issues.
26. The Committee considered the following points:

- Concerns regarding the increasing number of breaches;
- The benefits of engaging the National Police Chiefs' Council on data breaches;
- Risk mitigation and how repeat offenders were managed;
- How best to identify common themes;
- Reinforcing best practice in internal communications;
- Development of technological solutions; and
- Identifying potential breaches and highlighting action taken to members of staff.

27. The Committee also suggested that management should consider encouraging the police to share responsibility for significant reprimands when they were wholly or partially responsible for a breach.

Item 10: Review of the Dilapidations Model

28. Paul Staff presented the paper noting in particular that in prior years there had been under provisions in respect of Rose Court and Drummond Gate.

29. Steven Corbishley and Carol Rudge confirmed that early consideration would be given to any related issues arising in 2019 to avoid a repeat of the last minute discussions experienced in 2018. In particular, the NAO would advise whether any reversal of provision would be effected on the same lines in the financial statements as when the provisions were originally created.

30. The Committee was reminded that in 2018 it was concluded that the difference between an accrual and a provision for the treatment of the Rose Court dilapidations adjustment was not material.

Item 11: Any Other Business

31. None raised.

Secretariat
January 2019