

**Enquiries to: Mrs J Head
Telephone: 01768 217734**

Our reference: JH/CSP

Date: 27 August 2024

AGENDA

TO: THE MEMBERS OF THE COMMUNITY SCRUTINY PANEL

CUMBRIA POLICE, FIRE & CRIME COMMISSIONER'S COMMUNITY SCRUTINY PANEL

A Meeting of the Community Scrutiny Panel will take place on **Thursday 5 September 2024** at **10.30 am** in **The Control Room**, Cumbria Fire and Rescue Service Headquarters, Carleton Avenue, Penrith, CA10 2FA.

**G Shearer
Chief Executive**

Note: Members are advised that allocated car parking for the meeting is available in the Visitors Car Park to the left of the main Police Headquarters building.

PANEL MEMBERSHIP

Jane Scattergood (Chair)
Eloise Abbott
Andrew Dodd
Meg Masters
Ben Phillips
Alison Ramsey
Alex Rocke
Shaun Thomson
Penny Walker

AGENDA

PART 1– ITEMS TO BE CONSIDERED IN THE PRESENCE OF THE PRESS AND PUBLIC

1. APOLOGIES FOR ABSENCE

2. DISCLOSURE OF PERSONAL INTERESTS

Members are invited to disclose any personal/prejudicial interest which they may have in any of the items on the Agenda. If the personal interest is a prejudicial interest, then the individual member should not participate in a discussion of the matter and must withdraw from the meeting room unless a dispensation has previously been obtained.

3. URGENT BUSINESS AND EXCLUSION OF THE PRESS AND PUBLIC

To consider (i) any urgent items of business and (ii) whether the press and public should be excluded from the Meeting during consideration of any Agenda item where there is likely disclosure of information exempt under s.100A(4) and Part I Schedule A of the Local Government Act 1972 and the public interest in not disclosing outweighs any public interest in disclosure.

PART 2– ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PRESS AND PUBLIC

Number	Agenda Item	Allocated Time
4.	NOTES OF THE PREVIOUS MEETING & ACTION SHEET To confirm the restricted notes of the meeting of the Ethics and Integrity Panel held on 08 May 2024 (copy enclosed).	5 minutes
5.	CORPORATE UPDATE To receive a briefing note from DCC Martland and OPFCC Chief Executive Gill Shearer	10 minutes
6.	ANNUAL STOP & SEARCH AND USE OF FORCE REPORT: (i) To receive an Annual Report of the Constabulary's use of Stop & Search and Use of Force. (ii) Panel to provide feedback from their Stop/Search and Use of Force dip sample session.	10 minutes
7.	ANNUAL CUSTODY DETENTION SCRUTINY REPORT: (i) To receive an annual report regarding custody detention within the force.	10 minutes

	(ii) Panel to provide feedback from their Custody Detention dip sample session.	
8.	CONSTABULARY PROPERTY STORE REVIEW A six-monthly update be provided on the work being carried out within the force	10 minutes
9.	INFORMATION MANAGEMENT COMPLIANCE: (i) To receive and note a report by Cumbria Constabulary on their compliance with Data Protection Legislation (copy enclosed) – <i>To be presented by Data & Information Privacy Manager (Lesley Johnson).</i> (ii) To receive and note a report by the Office of the Police, Fire and Crime Commissioner on their compliance with Data Protection Legislation (copy enclosed) – <i>To be presented by the OPFCC Governance Manager</i>	10 minutes
10.	INTEGRITY (i) To receive a report on the work carried out within the Constabulary's Professional Standards Department, including Complaints by the Public; and Anti-Fraud & Corruption (including officer and staff misconduct) (ii) Panel to provide feedback from their Vetting dip sample session	20 minutes
11.	OPFCC COMPLAINTS, REVIEWS & QSI's To receive a report on complaints, reviews and quality of service issues received by the OPFCC.	10 minutes

Agenda Item No 04

ETHICS AND INTEGRITY PANEL

Notes of a meeting of the Ethics and Integrity Panel held on
Wednesday 8 May 2024, Conference Room 2, Police HQ at 10.30 am

PRESENT

Jane Scattergood (Chair)
Eloise Abbott
Andrew Dodd
Meg Masters
Ben Phillips
Alex Roche
Alison Ramsey
Shaun Thomson
Penny Walker

Also present:

Deputy Chief Constable Darren Martland
Chief Superintendent Carl Patrick
Detective Inspector Mike Taylor
Chief Inspector Hayley Wilkinson
Head of Legal Services – Andrew Dobson
HR Manager – Kate Ruddick
OPFCC Governance Manager - Joanne Head

Jane Scattergood welcomed everyone to the meeting, including some new members of the Panel.

74. APOLOGIES FOR ABSENCE

Apologies for absence were received from OPFCC Chief Executive, Gill Shearer.

75. DISCLOSURE OF PERSONAL INTERESTS

There were no disclosures of personal interest regarding any agenda item.

76. URGENT BUSINESS

There were no items of urgent business to be considered by the Panel.

77. NOTES OF THE PREVIOUS MEETING

The notes of the meeting held on Thursday 8 February 2024 previously circulated with the agenda were agreed.

Agreed; that, the notes of the meeting held on 8 February 2024 were agreed.

78. CORPORATE UPDATE

The OPFCC Governance Manager provided an update to the Panel. On 2 May 2024 elections had been held to appoint a new Police Fire and Crime Commissioner. Mr David Allen had been duly elected and would officially take up office on Thursday 9 May 2024. The focus of the OPFCC would be the forthcoming 100 days and the development of a new Police, Fire and Crime Plan.

T/DCC Martland briefed the Panel on work being carried out by the Constabulary. Performance during the last 12 months had been exceptional with the Chief Constable's 4 C's providing a real focus for policing. All crime had reduced by 8.4% with positive outcomes increasing to 19.4% which was the highest in the country. Domestic Abuse remained a real focus particularly as the offender was known and was in addition victim crimes, rape, assault and robbery.

Answering calls for service through 999 or 101 remained within target with officer deployments standing at 89.6%. Stop and Search had increased by 78% and continued to be analysed on a monthly basis. This enabled the Constabulary to identify any themes, patterns or disproportionality.

A member asked whether the force had seen an increase in the number of reported hate crimes following recent national and international events. DCC Martland advised that the Constabulary had seen a 38% reduction of reported hate crimes unlike others in the country who were experiencing spikes.

A member asked whether stop and searches were intelligence led, which DCC Martland confirmed that many were and this enabled officers to focus their searches. Another member asked whether the Constabulary carried out any education programmes regarding knife crime. DCC Martland advised that officers worked within schools to education students.

The Panel were briefed on forthcoming events which the Constabulary had been planning for such as Appleby Horse Fair, Kendal Calling and the outcome of the court hearing on 15th – 18th July of the West Coast coal mine.

HMICFRS had concluded their inspection in March and provided the Constabulary with a draft report which they were currently scrutinising. Gradings from the inspection would be provided at the beginning of June and DCC Martland advised he would share these at the next Panel meeting.

The Constabulary were reviewing the recommendations made by the Angiolini Inquiry which predominantly focused on the Metropolitan Police but also had learning for forces across the UK. These were being captured in an action plan by the Professional Standards Department.

The Constabulary were currently working towards identifying £2.2m of savings due to reduced budgets.

DCC Martland advised that for future meetings he would provide a written briefing for the Panel members which could be circulated prior to the meeting.

AGREED; that, the

- (i) verbal reports be noted;
- (ii) Constabulary Corporate Update be provided as a briefing note prior to future meetings.

79. VIOLENCE AGAINST WOMEN AND GIRLS

Detective Inspector Mike Taylor introduced himself to the Panel advising that he had taken over the role as force operational lead to deliver the VAWG agenda working with a Detective Chief Inspector and Detective Superintendent.

The VAWG agenda was now embedded, becoming a common terminology within policing and across communities. It had been raised to one of the top policing priorities, similar to counter-terrorism and was being raised nationally by the National Police Chiefs Council (NPCC).

Officers carried out presentations in schools and spoke about misogyny, ingrained prejudice and hatred towards women. Working with the schools to try to eradicate what may be seen as acceptable behaviour with presentations being well received by the students.

The Constabulary continued to carry out work against the three pillars – Building Trust and Confidence / Relentless focus on Pursuing Perpetrators / Creating Safer Spaces. This included working with all police forces and other agencies, carrying out a self-assessment against the minimum standards and introducing a more targeted approach to dealing with violence against women and girls.

The VAWG Board, chaired by the Detective Superintendent continued to meet on a month basis to review the actions and monitor how the Constabulary was performing against them. All forces were required to report to the NPCC on their performance.

Cumbria currently sat sixth nationally for positive outcomes/conviction rates. The Home Office mandated on crime recording and outcome rates for Code 15 and 16 (where case is not supported). Cumbria had a disproportionate number and therefore implemented robust processes of assessment. A Sergeant, who was D.A. trained can sign off and the case is then sent to an Inspector to ensure they are satisfied that everything been done to ensure all

outcomes and evidential standards been achieved for the victim to receive the best possible service.

Moving forward the Constabulary would be focusing on:

- Underreporting in rural and isolated areas in Cumbria - working with rural partnerships to engage better with rural communities, sign posting info for victims to easily access police or specialist services. Putting up posters at Auction Marts, working with the national farmers union to have a strap line on all their correspondence and working with young farmers.
- Work with the WI, farmers network and online farming community.

A member advised that Churches Together in Cumbria ran domestic awareness sessions and that Chaplains were appointed to each of the auction marts. These may be good contacts to help promote the VAWG agenda.

DI Taylor advised that partnership working was in its infancy but growing including membership on Cumberland and Westmorland & Furness Community Safety Partnerships (CSPs) which now saw VAWG becoming one of their strategic priorities.

A member asked whether it would be possible to provide data/information on the number of cases where a victim did not want to give evidence. DI Taylor advised that this currently stood at about only 5% of cases and would provide more detailed information for the next report. The Constabulary had a high success rate at court at approximately 80%. The biggest challenge was victim or witness retraction, although the Constabulary would still pursue matters where BWV or CCTV footage was available.

A member asked DI Taylor what work was being done with him and the Professional Standards Department. He advised that he had a close working relationship especially regarding conduct of officers and VAWG related matters. He went twice a month to speak with new student officers, providing an input at their initial training on what is expected of them both within the organisation and externally as an officer. He also attended Sergeant and Inspector courses to ensure they were aware of their responsibilities for those that they managed.

DCC Martland advised that a number of staff were currently suspended in relation to Abuse of Position allegations. A campaign had been launched with national telephone numbers for anyone to report matters. All cases were reviewed at a tactical meeting with PSD where each case was discussed.

The College of Police had created an on-line Upstander Training Programme which every officer was required to complete. In addition the Constabulary were reviewing the Angiolini Inquiry and ensuring any recommendations were captured within the training.

AGREED; that,
 (i) the report be noted;
 (ii) data/information on the number of cases where a victim did not want to give evidence to be provided in the next report.

80. RIGHT CARE, RIGHT PERSON

Chief Superintendent Carl Patrick provided the Panel with an update on the work the Constabulary had been carrying out on the Right Care, Right Person programme since the report in November 2023.

The programme was designed to ensure officers and staff did not attend matters which were not the Constabulary's responsibilities whilst ensuring that members of the public were signposted or directed to the services they needed. Since June 2023 the Constabulary had engaged with partners across the county including health to ensure that processes were in place to deal with matters which the police would no longer attend. They had been sighted on the proposed policies and procedures with opportunities to feedback and ensure that organisations were aligned.

Officers and staff, particularly in the force control room, had received training and would be provided with management support for a few weeks following the implementation. Floorwalkers within the control room would be available for a 16-day period to enable staff to be supported through 2 shift programmes (4 days x 4 days). The Constabulary's media team would be able to manage messages. Training would be ongoing and continually assessed to ensure it was up to date.

A toolkit had been developed to assist staff and officers as to whether the police should go to a call or not. In relation to children, because it was felt that they are so young and are likely to be more at risk than adults, the Constabulary was more likely to respond to those calls. Guidance from the College of Policing was due to be published in the next couple of months.

The Constabulary were proposing to launch the programme on 14 May 2024. The new programme would be reviewed by a Gold and Silver group, followed by an independent review by the Change Team in September 2024.

In response to a member's question, C/Supt Patrick advised that currently there were 15,800 calls which would need to be assessed, resulting in officers only attending 11,500 calls. Markers would be placed on incident logs to identify RCRP to allow the Constabulary to identify those incidents where officers were not sent to. A member asked whether it would be possible to quantify what officer time was saved to focus on other policing matters or incidents by not attending some; potentially benchmarking back to the last 5 years as there would be a time when the benefit plateaued.

A member asked what about those individuals where it was not a police function but where no other services were able to assist as often the police had stepped in over the years. C/Supt Patrick advised that like all the other forces who had implemented this programme the police had to focus on their core role but they did have mechanisms in place to monitor such incidents.

81. NATIONAL RACE ACTION PLAN

At the Panel's February meeting it had been agreed that members would be provided with a copy of the Constabulary's Gender Pay Gap published data. A copy of this had been provided to members as part of the meeting's agenda and reports.

It was recognised that the wording in the report related to 'bonus payments' which was for the national reporting process. To assist the members C/Supt Patrick explained why some officers and staff were provided with honorariums or additional payments. These would be specific matters such as officers having to deal with a decomposed body, attending a particularly traumatic incident and for staff this would be for work over and above their normal role.

A member asked what the Constabulary were doing in relation to the police staff gender pay gap. The HR Manager advised that work was being carried out in relation to staff, some had been promoted; and advised that a lot of female staff were part time. Work would be carried out to benchmark against other forces.

AGREED; that, the report be noted;

(Note: DCC Martland and DI Mike Taylor left the meeting at this point.)

82. CIVIL CLAIMS

The Head of Legal Services presented a report outlining active and closed Public Liability Claims, Employer Liability Claims, Employment Tribunal applications or proceedings.

The Panel discussed a number of claims with the Head of Legal Services. It was noted that the number of public liability claims had increased over the last 2 years but that no real trends or patterns had been identified. A number of legal firms from outside the county who were specialists in this area of business were targeting individuals or making themselves known to assist with claims against the police.

A member asked how the Constabulary compared to other forces and what the success rate was at court. The Head of Legal Services advised that other forces had higher arrest rates and within the northwest region, Cumbria was significantly at the bottom of the table. The Constabulary had not had to go to a court hearing for some time now which was a good sign.

Members were pleased to see that the number of claims for lost or damaged property retained by the Constabulary had significantly reduced and asked whether the new systems and processes had contributed to this. Previously storage and damage to mobile telephones had been a frequent claim. C/Supt Patrick confirmed that it was and also advised with the greater use of Body Worn Video (BWV) by officers it was possible to review what items had been retained.

In relation to one employment tribunal a member asked what learning points had been identified for the Constabulary and what work was being done to improve force management

of officers and staff with disabilities. The Head of Legal Services advised that this matter was still ongoing and was very case specific

Agreed; that, the reports be noted.

(Note: Andrew Dobson left the meeting at this point.)

83. OFFICER & STAFF UPDATE

The HR Manager guided members through the officer and staff update report. Going forward all staff vacancies were required to be approved by senior managers and be accompanied by a business case or rationale. This was to enable the Constabulary to identify any potential savings across the whole organisation. A member asked whether vacancies were subsequently covered by overtime. C/Supt Patrick advised that the Constabulary would prioritise and manage workloads or shift patterns to cover and overtime would only be used as a last resort.

Officer establishment currently stood at 1393 with a further intake of new student officers programme for June 2024 and a total of 5 being held during the next two years. The Chair asked about the new Police Constable Entry Programme (PCEP) which had been introduced to replace the IPLDP route. This had been developed by the College of Policing to address some of the issues identified through the degree entry route, particularly abstraction rates for course work. It also allowed a more diverse workforce as often potential candidates were deterred by having to study for a degree. There was also a national sift and assessment centres which the Constabulary were now able to book slots in every couple of weeks. This would assist in the retention of potential candidates as often the process took between 6 to 8 months to appoint a new officer. It was agreed that an update on the PCEP programme would be provided to the November meeting.

PCSO recruitment was currently being undertaken as police officer recruitment had seen many PCSO's join as regular officers. Current establishment stood at 41 and the Constabulary wanting to raise this to approximately 60.

Recruitment of staff remained an issue in some areas, particularly ICT, as the Constabulary was competing against larger companies who could offer higher wages. The HR Manager explained that in some instances they were able to use discretion and apply market force salaries to enable them to compete.

Sickness had generally started to decline following the normal winter viruses, although the HR Manager advised that officer sickness had increased to 5.5%. The Constabulary were monitoring this and an update for the Panel would be provided in the next report.

The report provided an update on the current number of Tutor Constables within the Constabulary. It was noted that there had been a 10% reduction and members asked whether

this had any detrimental impact on the learning experience of the student officer when a tutor was re-deployed.

It was recognised that with the number of student officers reducing over the next few years the number of tutor constables would also decrease. Similarly when the Learning and Development department was reviewed consideration would need to be given to the reduction of the number of trainers with the smaller intakes.

- AGREED;** that, the
- (i) report be noted;
 - (ii) an update on the PCEP programme would be provided to the November meeting
 - (iii) the November report to include information on the increased officer sickness.

84. STAFF GRIEVANCES

The HR Manager presented a report which detailed the ongoing, finalised and newly submitted grievances during the previous six months. Four new grievances had been lodged and 11 were ongoing during the reporting period.

Prior to the meeting the Panel had carried out a review of the case which had been finalised during the previous 6 months. Five of the cases reviewed had related to the same individual within a department over a long period of time. The members raised concern that they were advised the matter had been resolved just within a few months. There appeared to be no 'wrap around' care from the Constabulary for the individuals or the person subject of the grievances.

The HR Manager advised that an Inspector had moved offices and was now more visible to those working in the department. They held weekly meetings to address any concerns, was available out of hours, observed 1-2-1 interactions some of which were unannounced. A member asked what support or training had been provided to the manager. They were advised that the individual had been offered training but members felt that this should have been mandatory for them to assist in resolving the issues. An update on the work being carried out to be provided to the November meeting.

- Agreed;** that,
- (i) the report be noted;
 - (ii) an update on the identified case be provided to the November meeting.

(Note: Kate Ruddick left the meeting at this point.)

85. INTEGRITY

Chief Inspector Wilkinson presented the quarterly report for the Professional Standards Department including public complaints, misconduct and anti-corruption unit performance. She advised that work was ongoing to streamline and standardise the complaint handling process. To enable the department to achieve their timeliness key performance indicator (KPI) they had held a couple of 'days of action' to manage this and progress complaints which had been waiting for some time.

Terms of reference for the department review had been developed and will progress over the next few weeks. A peer review had been carried out by colleagues from Staffordshire police PSD over 2 days in April. They had spent 2 days going through processes to help to identify how the Constabulary could streamline their work.

Work was being carried out on the Centurion case management system to reduce the number of 'unknown' elements to a number of categories. Inspector Mitchelhill in the department was working with Information Management to improve 'repeat officer' feedback as they do similar work for senior leaders. Improvements to the reflective practice process and how these linked to individual Performance Development Reviews (PDRs) was also being carried out. There were often gaps in line managers speaking to officers when staff moved across the organisation but PSD were not made aware of this.

As mentioned earlier in the meeting PSD were maintaining the Constabulary's action plan following the Angiolini review. DCC Martland would be issuing a Vlog for officers and campaign material was being prepared to be distributed across the force.

The Police Conduction regulations had been revised, coming into force on 7th May 2024. This would see a Chief Officer chairing a gross misconduct hearing and for Cumbria this would be an Assistant Chief Constable and two independent panel members sitting on the panel. The legally qualified chairs would become legally qualified advisors to the chair and would also advise on accelerated hearings. From September 2024 any officer who was subject to gross misconduct proceedings and resigned would be dealt with via an accelerated hearing rather than a full gross misconduct hearing.

Changes to vetting processes in the Authorised Professional Practice would see officers conducting home visits for new officers and increased frequency of vetting throughout an officers career, including when an officer was promoted.

Welfare officers had now been appointed across the Constabulary to support officers and staff who were subject to misconduct procedures, were a victim or a witness in the process.

Complaints and Misconduct Dip Sample Feedback

Prior to the meeting the Panel had carried out a dip sample of finalised public complaints and police officer/police staff misconduct cases. They had seen good examples of investigation reports and outcome letters, with service recovery using 'Listen, Say Sorry, Fix It' which provided a better outcome for complainants. One member commented that complaints dealt

with in PSD had more structure to them than those dealt with in area and asked whether or not the same template was available to them. Chief Inspector Wilkinson advised that such complaints should be dealt with by a sergeant or inspector to help address the individuals concerns.

AGREED; that, the report and feedback be noted.

70. DIP SAMPLE SESSION FEEDBACK

Prior to the meeting some of the Panel members had carried out a number of dip sample sessions. These included reviewing individual Stop and Search, Use of Force and Custody Detention cases. The panel had provided feedback on the day of session to the relevant department.

AGREED; that, the dip sample feedback be noted

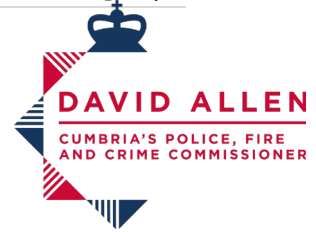
Meeting ended at 1.05 pm

Signed:

Panel Chair

Date:

Community Scrutiny Panel



Title: Custody Detention Report

Date: 27 August 2024

Agenda Item No: 07

Originating Officer: Inspector Callum Young

CC: XXX

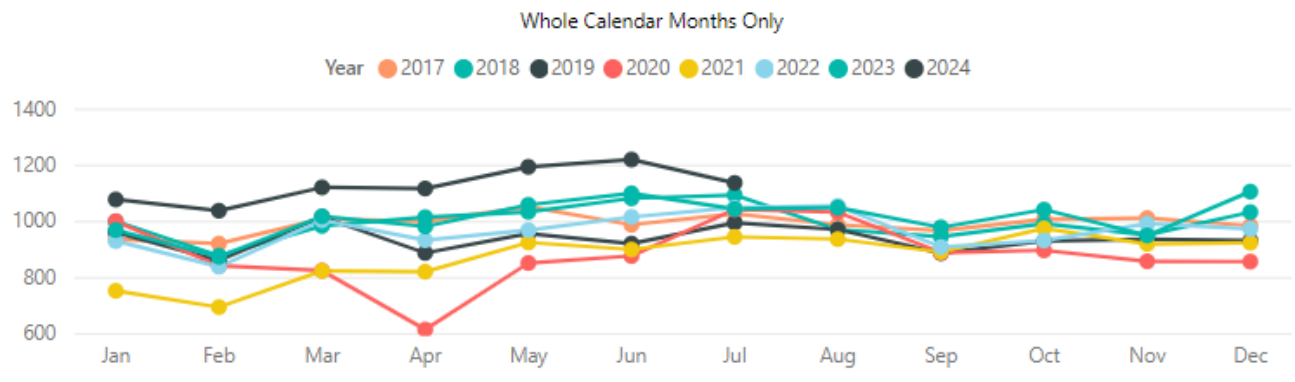
Executive Summary:

Recommendation:

1. Introduction & Background

This report will provide an overview of key areas of custody management to assure the Ethics and Integrity panel that the Constabulary has developed good processes and practices to keep people safe within our suites.

Custody Throughput



Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2017	809	772	862	836	872	805	812	787	817	819	817	798	9806
2018	809	690	786	795	814	864	898	762	799	799	774	852	9642
2019	789	691	843	736	780	749	795	785	726	733	712	789	9128
2020	810	702	683	576	777	757	929	899	749	738	698	705	9023
2021	626	600	661	648	782	753	806	817	760	788	743	767	8751
2022	770	672	817	741	798	842	894	877	745	781	815	814	9566
2023	778	744	862	847	903	924	882	909	834	907	814	1003	10407
2024	914	889	958	936	1041	1089	1002	695					7524

The above shows all custody records for the previous 8 years on average the force sits at approximately the 9400 unique custody records per year. During the COVID pandemic custody arrests dipped for a short period however rose quickly back to normal levels.

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2017	128	150	148	165	181	184	216	202	151	189	196	188	2098
2018	192	189	199	221	221	219	197	210	148	194	179	182	2351
2019	173	171	174	153	178	173	201	187	162	198	226	144	2140
2020	192	141	143	40	76	121	114	135	141	160	161	153	1577
2021	128	96	164	174	144	148	140	121	132	188	178	158	1771
2022	161	168	188	193	172	175	156	179	165	152	178	160	2047
2023	192	131	157	136	157	177	163	141	146	136	137	104	1777
2024	165	150	164	182	154	132	136	71					1154

Voluntary interviews are utilised where an investigator may wish to conduct an interview but there may not be a necessity ground for arrest. There is strict legislation around Voluntary attenders and is governed by the Police and Criminal Evidence Act 1984.

The Constabulary averages approximately 1900 Voluntary attender custody records per year and is likely to see a similar volume in 2024.

Custody Disposal

The highest disposal method within the Constabulary is Pre-Charge Bail "Police Bail" in 2022 legislation changed around the use of bail. The new legislation encourages Police to utilise pre-charge bail in every case where it is necessary and proportionate by removing the perceived presumption which was previously against the use of pre-charge bail.

Pre-charge bail is a tool used by the police to manage suspects who have been arrested on suspicion of an offence but where more time is needed to complete the investigation before a charging decision is made. This bail is often accompanied by a set of conditions. The investigation can continue whilst the suspect is on pre-charge bail. [Pre-charge bail: Police, Crime, Sentencing and Courts Act 2022 factsheet - GOV.UK \(www.gov.uk\)](#)

Released without Bail also known as released Under Investigation (RUI) is still available and is often used in road traffic offences such as cases under Section 5A of the Road Traffic Act 1988 - Driving whilst over the prescribed limit for a controlled drug where officers must await the forensic analysis of a specimen of blood to be analysed prior to charge and bail conditions are unlikely to be applicable.

First Custody Disposal/First Offence Disposal	Month Total	Month (% of Total)	Last Month	Last Month % Change	Last Year	Last Year % Change	3 Year Average	3 Year Average % Change
POLICE BAIL	494	45.36%	449	10.02%	412	19.90%	261.00	89.27%
RELEASED WITHOUT BAIL	162	14.88%	173	-6.36%	94	72.34%	200.67	-19.27%
CHARGED + BAILED	122	11.20%	119	2.52%	105	16.19%	95.67	27.53%
NO FURTHER ACTION	118	10.84%	117	0.85%	140	-15.71%	133.33	-11.50%
CHARGED NO BAIL (translated to Court Disposal)	65	5.97%	58	12.07%	50	30.00%	41.67	56.00%
HANDED TO ESCORTS	46	4.22%	61	-24.59%	54	-14.81%	40.67	13.11%
WARRANT EXECUTED	21	1.93%	12	75.00%	18	16.67%	15.00	40.00%
CAUTIONED	12	1.10%	5	140.00%	10	20.00%	14.33	-16.28%
REFUSED DETENTION	11	1.01%	11	0.00%	13	-15.38%	8.33	32.00%
TRANSFERRED OUT	11	1.01%	10	10.00%	8	37.50%	5.67	94.12%
unknown	11	1.01%	8	37.50%	6	83.33%	2.00	450.00%
BREACH OF BAIL	7	0.64%	14	-50.00%	5	40.00%	4.33	61.54%
TAKEN TO PRISON	7	0.64%	3	133.33%	6	16.67%	6.33	10.53%
CAUTIONED (COND)	1	0.09%					1.00	0.00%

Air lock Times

The Constabulary monitors "air lock times", the air lock is the room a detained person is placed in before being booked in by the custody sergeant. Sometimes a person is taken directly through to be booked in but during busy periods the air lock is used to hold them while they wait.

Detention Station	Detentions Started	Average Time per Detention	Median Time per Detention	Median Airlock Mins	Average Airlock Mins
Barrow Station	173	9.93	7.08	7.00	16.91
Durranhill Station Carlisle	292	14.83	10.43	8.00	18.91
Kendal	107	12.26	11.02	8.00	18.42
Workington	192	12.16	10.03	7.00	21.34
Total	764	12.69	9.48	7.00	19.01

**Please note that times are not calculated in as 60 seconds, seconds are calculated up to 100. Therefore if you have .95 in one box this would be 57 seconds.

Constabulary set a target of 12 minutes in the Airlock, as can be seen in 2024 the Average airlock slightly above target, the median is well within the 12-minute time frame. The average airlock time is skewed due to a small volume of cases that took significantly longer than others making the median the more accurate figure in this data.

An example of where these figures may be skewed would be multiple offenders arrested for the same offence i.e. multiple occupants of a vehicle may be arrested at the same time and would need to be held in the airlock to prevent conferring whilst their co accused are booked into custody.

Disproportionality

Demographics	Average Time per Detention (Hrs)	Median Time per Detention (Hrs)	Average Airlock Minutes	Median Airlock Minutes	Detentions Started	%	All	%
Female, Asian	12.67	11.05	22.84	6.00	25	0.17%	114	0.12%
Female, Mixed	12.60	8.97	20.92	19.50	12	0.08%	91	0.10%
Male, Asian	12.06	8.98	19.55	6.00	187	1.24%	960	1.01%
Male, Black	11.91	9.30	21.30	7.00	148	0.98%	718	0.76%
Male, Other	11.38	9.23	44.55	6.00	34	0.23%	474	0.50%
Male, Mixed	11.23	9.90	25.10	7.50	91	0.61%	552	0.58%
Female, Not Stated	11.15	7.52	15.74	5.00	47	0.31%	232	0.24%
Male, Not Stated	10.90	7.88	15.46	5.00	214	1.42%	828	0.87%
Male, White	10.27	7.38	13.90	5.00	11266	74.95%	71791	75.81%
Not Stated, White	9.86	3.32	4.88	4.00	9	0.06%	87	0.09%
Female, Other	9.32	7.53	33.75	18.00	8	0.05%	119	0.13%
Female, White	8.72	6.23	15.18	5.00	2950	19.63%	18457	19.49%
Female, Black	8.52	6.58	19.71	4.00	14	0.09%	103	0.11%
Not Stated, Asian	4.20	4.20	18.50	18.50	2	0.01%	4	0.00%
Not Stated, Not Stated	3.23	0.77	15.63	3.00	24	0.16%	170	0.18%
Not Stated, Black							2	0.00%
Total	10.02	7.17	14.49	5.00	15031	100.00%	94702	100.00%

August 2023 – August 2024

The above figures show the length of time on average someone is detained in custody by their ethnicity and their sex. The Police and Criminal Evidence Act strictly governs how long someone can be detained in custody and there are only certain extensions that can be authorised by an Inspector and a Superintendent. The Police have 24 hours in which to investigate an incident prior to releasing the person from custody. For serious offences it is expected to use the full 24 hours

however for less serious offences less time is often required. The maximum that this can be extended to is 36 hours and requires a Superintendents authority.

The most accurate figure is the median detention time as some individual cases with exceptionally longer detention times and the small sample size skew the figures. In relation to Asian females, there were two cases that were significant outliers, both females were arrested for complicated money laundering offences. In both cases, a translator was required, and premises searches conducted. One of the detainees was subsequently remanded and placed before the next available court.

Juvenile Detention

The Constabulary understands the importance of not criminalising youths, the Child Centred Policing Team (CCPT) works directly with youths and their families to prevent them entering into the criminal justice system. The Constabulary has a policy where any arrest of a juvenile (someone under 18) must be authorised by an officer of the rank of Inspector. The Inspector must consider the reasons for arrest and ensure that all safeguards are put in place should a child be arrested. The Inspector must then submit a form containing their rationale for authorising (or not) the arrest of the juvenile.

During the year 2024, 398 children have been arrested and taken to Police custody which was authorised by an Inspector. A further 17 cases were refused detention by an Inspector and other safeguarding measures put in place rather than arrest and detention.

CCPT review these cases to ensure appropriate measures are put in place which includes ensuring officers have submitted the relevant safeguarding referrals (SAF reports) .

The Children in Custody scrutiny meeting occurs quarterly. This governance meeting is chaired by the Custody Chief Inspector and is attended by partners from Liaison and Diversion , HCP, ICV's and representatives from the Office for Policing, Fire, Crime & Commissioning.

Custody Scrutiny

A sample of custody records are selected each month (74) to ensure consistency in approach and improvements are made. The reviews are conducted by senior management within the custody environment who have the capability to ensure improvements are made should any issues be identified. The QA checks review the following:

- The necessity to detain the person,
- If the person was given appropriate clothing,
- If the person was informed of Inspectors reviews,
- If the person was fed appropriate meals,
- If the person was given a female member of staff as a point of contact (females only),
- If females were afforded appropriate protections and were provided with access to sanitary products,

- If juvenile detentions were appropriately scrutinised,
- And more.

The Constabulary continues to review the information provided by the audits to ensure detained persons are kept safe in our custody suites and have access to all the rights afforded to them.

Governance

Overall Custody Management is by Superintendent Andrew Wilkinson and Chief Inspector Jo Walker, both hold responsibility for ensuring improvements to custody procedures and processes and that the suites are managed effectively.

Custody is governed through numerous governance boards:

- **Strategic Performance Board** – Trends (as included in this report) are reported to the board chaired by the Deputy Chief Constable, this board ensures Chief Officer strategic oversight of the custody environment,
- **Operations and Scrutiny Board** – A briefing is given from the Custody Governance Board to ensure that appropriate people are held to account, this meeting is Chaired by the Assistant Chief Constable.
- **Custody Governance Board** – Chaired by Superintendent Wilkinson – Performance across all suites is reviewed, numerous departments attend including estates to ensure the suites are safe.
- **Custody & Bail Management Performance Meeting** – Chaired by Chief Inspector Walker – This ensures that any plans put in place by the governance board are completed.

2. Issues for Consideration

Operation Safeguard

Operation Safeguard is the national contingency plan for the planning and delivery of policing support to His Majesty's Prison and Probation Service (HMPPS). This has been activated within Cumbria and the Constabulary currently has 3 dedicated cells in Durranshill Custody Carlisle. The staffing for this is funded by the HMPPS regardless of whether they are all occupied or not. [op order - operation safeguard 2023 .docx \(sharepoint.com\)](#)

Operation Early Dawn

Operation Early Dawn – has been activated within Cumbria and is the government response to the increased demand on the courts and justice system. Operation Early Dawn (OED) is a plan of action to reduce the risk of having remanded prisoners in courts without an identified prison or achievable safeguard place. There may be situations where detainees are not taken to magistrate's post charge and remote hearings may be implemented utilising the Cloud Video Platform (CVP). This will have an increased demand on the Constabulary particularly on custody officers and staff but can also have a wider impact on operational policing from situations where

detainees may require hospital treatment. This will have an increased demand by tying up Police resources.

There are legal implications surrounding Op Safeguard i.e. section 46 of PACE which can impact the Constabulary. This would be where a detained person is not taken by the courts and remanded to prison. The Constabulary could be left in a position where a decision would need to be made by the Chief Officer Group of the continued detention of a detainee is suitable. Breaching the legislation could result in a scenario of unlawful detention in custody which would have significant legal ramifications on officers, staff, and the wider organisation. See supplementary information.

3. **Supplementary information**

(List appended documents such as business case, EIA, PID, Media Strategy - all key points of information should be summarised within this document)



Section 46 PACE
Legal update v1.pdf

Community Scrutiny Panel



Title: Constabulary Property Store Report

Date: 5th August 2024

Agenda Item No: 08

Originating Officer: Supt Sarah Jones

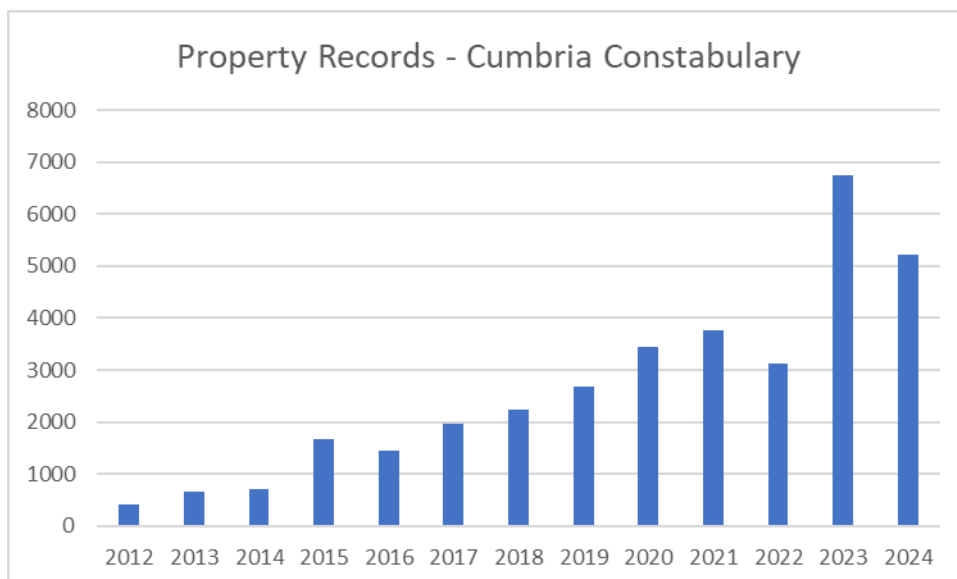
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Executive Summary:

Since the last reporting period (January 2024), there has been a change in Property portfolio ownership, with Supt Sarah Jones and CI Nat Jukes taking over responsibility from CI Gill Cherry and Insp Kye Renyard.

The force property inventory stands at 34,866 items as of 5th August 2024. However for comparison of the reporting period brought to the Panel in January 2024 by Insp Renyard there has been a reduction in property inventory in the force taking seized property records dated 2012 to 2022 from 26,187 to 22,894. Therefore in 2024 to date, 7749 property records have been finalised. Details of the annual inventory are represented in figure 1.0 below.

The governance framework under the new lead is being reviewed to focus on both legacy inventory reduction but also new processes and procedures for the future. Process review includes force wide consistent approach to cannabis dismantling and subsequent property disposal, property storage procedures and training of the front line in the collection and storage of property.



Recommendation:

That the Panel note the report.

1. Introduction & Background

- 1.1 The focus for the portfolio centres around Futures Programme, security and governance, various processes for property disposal, health and safety, and management of property collection and storage.
- 1.2 The Constabulary Property Portfolio Lead has transitioned to Supt Sarah Jones who now has the portfolio for 'Front Counters and Property'. A number of improvements have been implemented during this period, most notably the establishment of a governance framework which provides clear direction and oversight, whilst enabling collaboration with the Mark 43. This coordination between the business-as-usual management of property and the project team will reduce implementation risk whilst ensuring the project is aligned to Constabulary needs.

2. Issues for Consideration**2.1 Futures Programme - Review**

The 'Front Counter and Property' portfolio has been included for review under the Constabulary's Futures Programme. It has been agreed that the property function would not be reviewed under the programme given the implementation of the new ICT system, Mark43. The system will have a bespoke property registered and management system and the effectiveness and efficiencies expected from this system will need time to bed in and develop. That said, under the Front Counter review, bench marking nationally on the function of property management has been undertaken and the property lead hopes to glean good practice from this to develop the Constabulary's approach further.

The Westmorland and Furness Police Staff Team Leader, retired in May 2024 and given the review on going, a decision was made to temporarily pause any recruitment into this post until the conclusion of the Futures Programme review (presented to Chief Officers in September 2024). In the interim, to ensure pastoral care, welfare and line management of the front counter and property staff, the Neighborhood Sgt and Inspector have taken over supervision of the front counter officers. Cumberland BCU remains unaffected by this process.

2.2 Security and Governance

The Property Governance framework has been handed over to Supt Jones and continues with the legacy inventory work undertaken by CI Cherry. The forum continues to enable oversight of the property inventory, with updates from the area Team Leader, Deputy Property Lead, Health and Safety, and Mark 43.

The new *Property Policy & Procedure for the Seizure, Management, Retention and Disposal of Personal Property* has been agreed at Operational Scrutiny Board and has been published for the force. Details within the new policy will be rolled out with the Mark43 training.

2.3 Health and Safety

Healthy and Safety continues to be a focus within the Property Governance framework, ensuring any property related reports are highlighted and actions along with active monitoring of the state of the property stores within we BCU. Health and safety within the property function is managed against a Health and Safety Action Plan and there are currently no existing issues requiring escalation to the panel.

There has however been a significant reduction in clutter within the stores and it is hoped as legacy inventory continues to reduce this will improve no end. There is also work undergoing to establish consistency across the stores in terms of the process for collection and storage to ensure each store learns best practice from each other. Spocs in each BCU are committed to regularly property store walk throughs to ensure compliance.

2.4 Property Disposal

One issues evident in the management of the Constabulary's Property Register has been the creation annual Share Point documents; each recreated slightly differently annually! This has made the overall management of legacy inventory problematic over the years. An ICT project has been developed to review and amalgamate the records from 2012 to present day to find consistency and a more user-friendly database.

In attempts to reduce legacy inventory, initially any direction to officers and staff had been to focus on education; force communication on personal responsibility around management of seized items given the inability to manage and share the registers. With the allocation of a restricted officer to work within the function, focusing on the register inventory, there has been a more directional approach with bespoke and explicit instructions to officers responsible for outstanding property as far back as 2012.

In addition to this, the governance framework meeting understands that there are inconsistencies in the status and naming conventions within the register where some records state they have been "destroyed" and yet their status is "still in store." These are being audited to establish, across each store, if this is an administration oversight and in fact the items have been destroyed. Whilst the amalgamation process continues, the force is not able to presently put a figure on the amount of inventory this relates to.

2.5 Other developing work

Freezer Capacity and Management

Work continues into improvement for the management of frozen evidence; whilst a business case was developed for the replacement of domestic freezers with commercial

alternatives; this is being reviewed given the associated costs of c.£100,000 + VAT for the proposed improvements. The new lead is exploring opportunity for phased/needs-based replacement as opposed to wholesale replacement. Incremental replacements are to be proposed over four to five years.

Digital Devices

The work into the disposal of digital devices continues under the new lead. Given the sensitive nature of the material on seized electronic devices, these items cannot be disposed of in the same fashion as generic property. Benchmarking with a number of other forces found a North West based ICT company, with a relevant accreditation who had the facility to 'cleanse' devices and offer an ethical recycling option. Work is now on going to work with the Cyber Security Risk and Intelligence Advisor within the Information Management Unit to source a company who not only meet the digital cleaning requirements but also those of information security needs of the force. This is still in its exploration stages; however, should this be addressed, through cost effective means, there should be significant positive impact on the outstanding inventory.

Cannabis Dismantling

A new area of work is being developed to ensure consistent approaches to the dismantling and subsequent seizure of items from cannabis cultivations. The aim to ensure a force wide procedure which addresses excessive and unnecessary property seizures but also meets criminal justice requirements for prosecution. This work has started with a benchmarking process.

2.6 Conclusion

The Property Governance Framework under a new lead continues to focus on security, health and safety, inventory reduction and preparedness for Mark43. The lead ensures also support and guidance for property clerks and the team leader in delivering improvements to the management of property across the Constabulary, all in line with the new property policy.

3. Implications

(List and include views of all those consulted, whether they agree or disagree and why)

3.1 Financial - N/A

3.2 Legal - N/A

3.3 Risk - N/A

3.4 HR / Equality - N/A

3.5 I.T - N/A

3.6 Procurement - N/A

Community Scrutiny Panel



Cumbria Constabulary Freedom of Information & Data Protection Compliance

Date: 5th September 2024

Agenda Item No: 09a

Originating Officer: Kathleen Riley and Lesley Johnson T/C Inspector Paul Latham

Executive Summary:

As a public authority, Cumbria Constabulary is required comply with the requirements of the Freedom of Information Act 2000 and respond to information requests within the statutory timescale. As a Data Controller, the Chief Constable is also required to process personal data lawfully and respond to 'subject access requests' within the statutory timescales specified within the Data Protection Act 2018.

This report provides an update on the levels of compliance achieved by the Constabulary in respect of responses provided to freedom of information and subject access requests.

Recommendation:

That the members of the Panel note this report.

1. Introduction & Background

- 1.1 As a public authority, Cumbria Constabulary is required to comply with the requirements of the Freedom of Information Act 2000. These requirements include the right of an individual to ask whether specified information is held by the Constabulary and, if that is the case, to be provided with that information, subject to the applicability of relevant exemptions. With limited exceptions, the Act requires that a response to a request is provided within 20 working days of a request being received.
- 1.2 The Chief Constable, as Data Controller for Cumbria Constabulary, is also obliged to ensure that Cumbria Constabulary complies with the requirements of the Data Protection Act 2018. These requirements include a provision for an applicant to request access to personal data which may be held about them. A response to a 'subject access request, as the right of access is commonly known as, is required to be provided within 1 calendar month, although this can be extended in limited circumstances by a further 2 months.
- 1.3 The Information Commissioner has indicated that an acceptable level of compliance for public authorities to meet, for both freedom of information and subject access requests, is 90% of requests closed within the statutory timescales.

- 1.4 The Information Management Team, which forms part of the Digital, Data, and Technology Command, is responsible for receiving, recording, collating internal responses, and responding to freedom of information and subject access requests received by the Constabulary.

2. Issues for Consideration

2.1 Freedom of Information Requests (FOI)

On 4 June the Information Commissioners Office (ICO) wrote to the Constabulary requiring a reply why compliance with 20 working day target had fallen to 41% in March 2024. A return was required detailing the rate at which substantive responses are provided to complainants for all quarters for the financial year 2023/24 and for Quarter 1 for the financial year 2024/25. Current action being taken to resolve timeliness issues was also required. This was provided.

At the time of responding to the ICO at the end of June there were 313 open FOI requests with 260 being overdue.

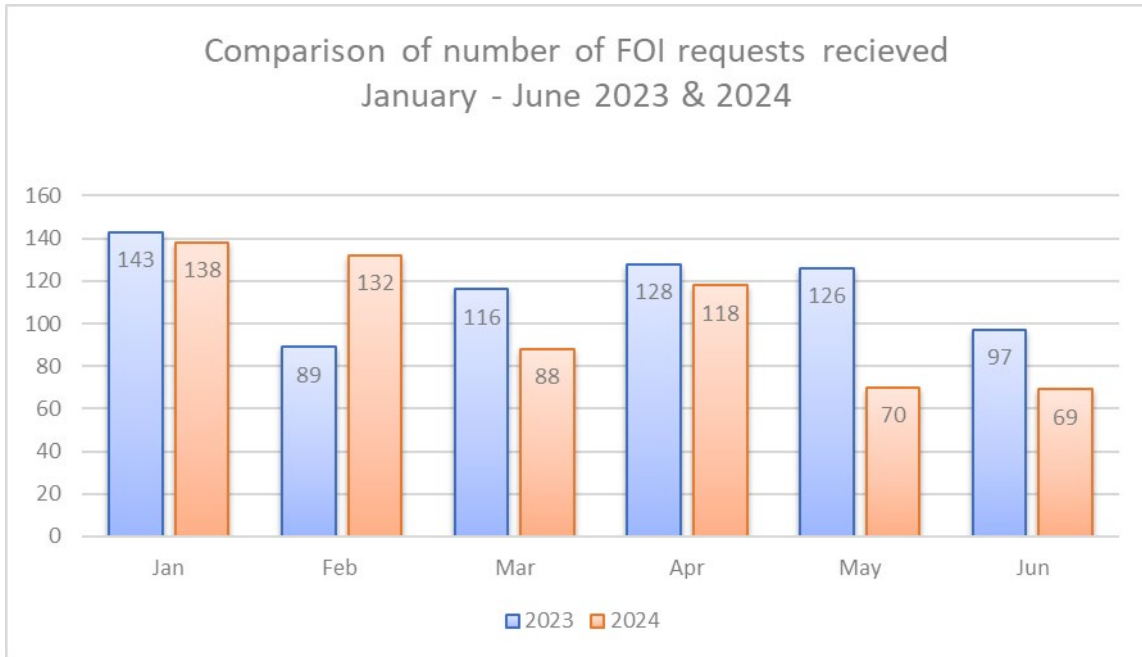
From 1st to 9th August for those FOI due to be returned 100% compliance has been achieved. The actual return provided to the NPCC will be lower than this due to including those responses returned late.

The position as 09/08/2024 is 103 open requests with 43 overdue. It is anticipated the backlog will be cleared by end of September. *A verbal update on the most up to date position will be provided to the Ethics panel.*

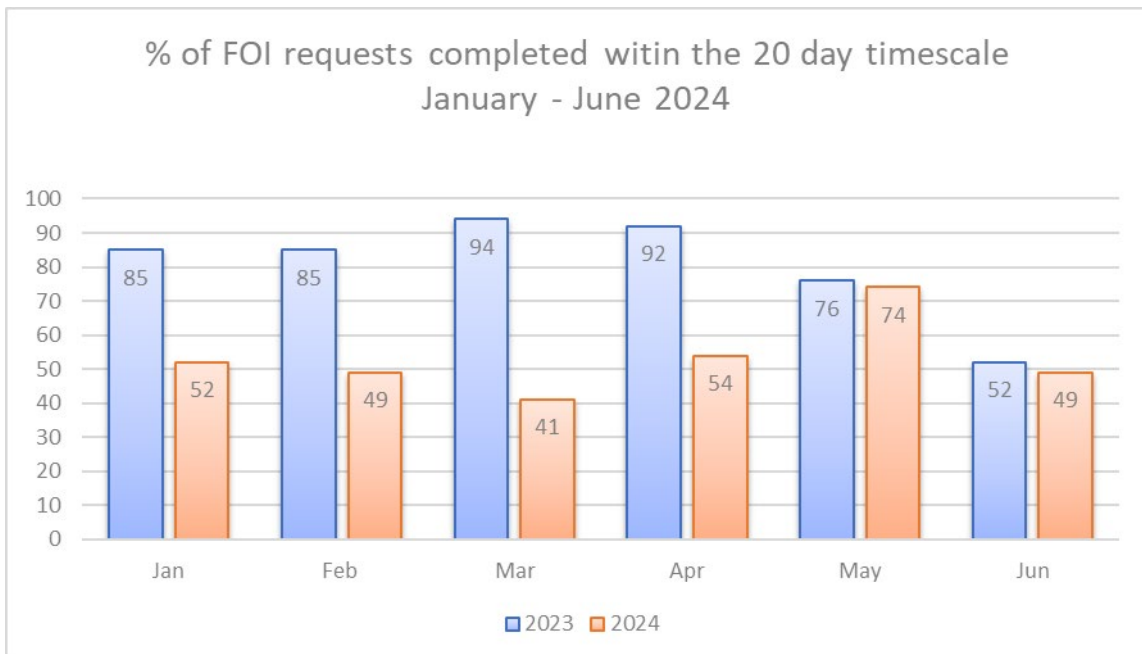
Action taken to improve compliance and reduce the overdue backlog include.

- A gold group operation Mars meets weekly chaired by ACC/DCC to discuss steps required
- Increase in number of staff to manage FOI on daily basis. Once backlog is cleared this will be sufficient to manage day to day compliance
- Temporary additional staff and overtime to assist with overdue backlog
- Prioritising the backlog while at same time tackling those that are coming up to the 20-day deadline.
- Greater awareness of the importance of FOI requests across the organisation
- A task and finish group has been set up to consider recommendations and any changes to working practices.

- 2.1.1 A total of 615 Freedom of Information (FOI) requests has been received this year by the end of June, compared to 699 for 2023 reflecting a decreasing by 12%. Presented below is a chart that depicts the number of FOI requests received each month from January to June for the years 2023 and 2024.



2023 saw a total of 1267 requests. Although we recorded a substantial number of requests at the beginning of the year, the total has largely remained consistent, albeit with a slight reduction from the previous year. Factors such as the general elections have contributed to a decrease in the volume of requests. It is noteworthy, however, that the intricacy and quantity of questions posed in each Freedom of Information request have increased which have impacted on the amount of time spent dealing with each request. Forecasts suggest that we can expect a similar volume of FOI requests as we had last year.

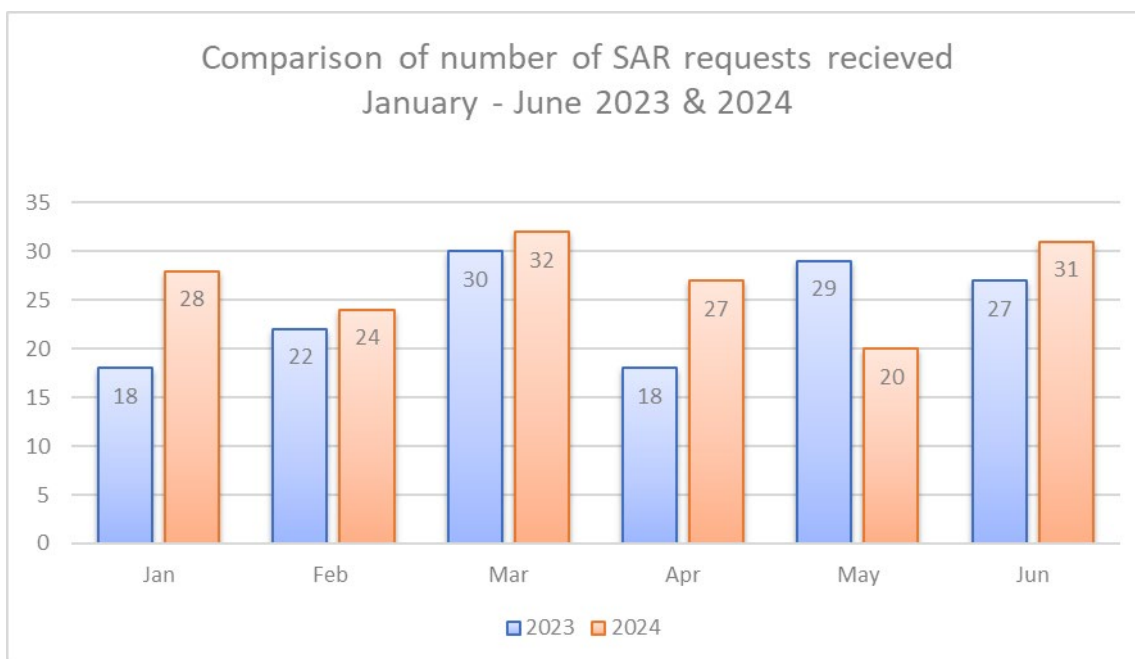


2.1.2 Throughout the six-month period, compliance with the 20-day timescale has shown fluctuations, as depicted in the chart above. The average percentage of completed Freedom of Information (FOI) requests within the stipulated timeframe is 53%, indicating a 27% reduction from the corresponding period in the previous year.

- 2.1.3 For the sake of comparison, the average compliance rate among all police forces in England and Wales from January to June 2024 stands at 69% for requests that were resolved within 20 working days.
- 2.1.4 The decline in compliance can be attributed to several factors, including a growing interest in information pertaining to topics that necessitate extensive and labour-intensive efforts. Numerous Freedom of Information requests demand responses from multiple departments, often sequentially, which can lead to delays in providing the required information, thereby contributing to non-compliance. The department manages a diverse array of disclosure requests, and in addition to annual leave, illness, and training as well as staff abstractions, these factors subsequently impact on performance and the compliance rate which has also contributed to the backlog of work.
- 2.1.5 The FOI Team are assisting the Performance Management team in improving a PowerBi capabilities to enable the team to collate statistical performance figures and have established a monthly 'housekeeping' action to maintain a healthy and accurate spreadsheet.
- 2.1.6 The force is in the process of evaluating the acquisition and integration of a case management system which supports information requests tracking and reporting, including FOI, EIR and GDPR SARs. Allocate tasks, create consistent correspondence, and store case documentation within one secure system. Reminders and alerts ensure deadlines are met and correct procedure followed. This will lead to improved performance by making daily administrative tasks more efficient and expeditious.
- 2.1.7 Every week, a detailed account of all Freedom of Information (FOI) requests is presented to the Chief Officer Group. The Thematic leads, responsible for areas deemed to have a possible influence on public confidence and reputation, play a role in this process by ensuring the information's accuracy.

2.2 Subject Access Requests (SAR)

- 2.2.1 A total of 162 Subject Access Requests (SAR) has been received this year by the end of June, compared to 144 for 2023 reflecting a decreasing by 12.5%. Presented below is a chart that depicts the number of SAR requests received each month from January to June for the years 2023 and 2024.



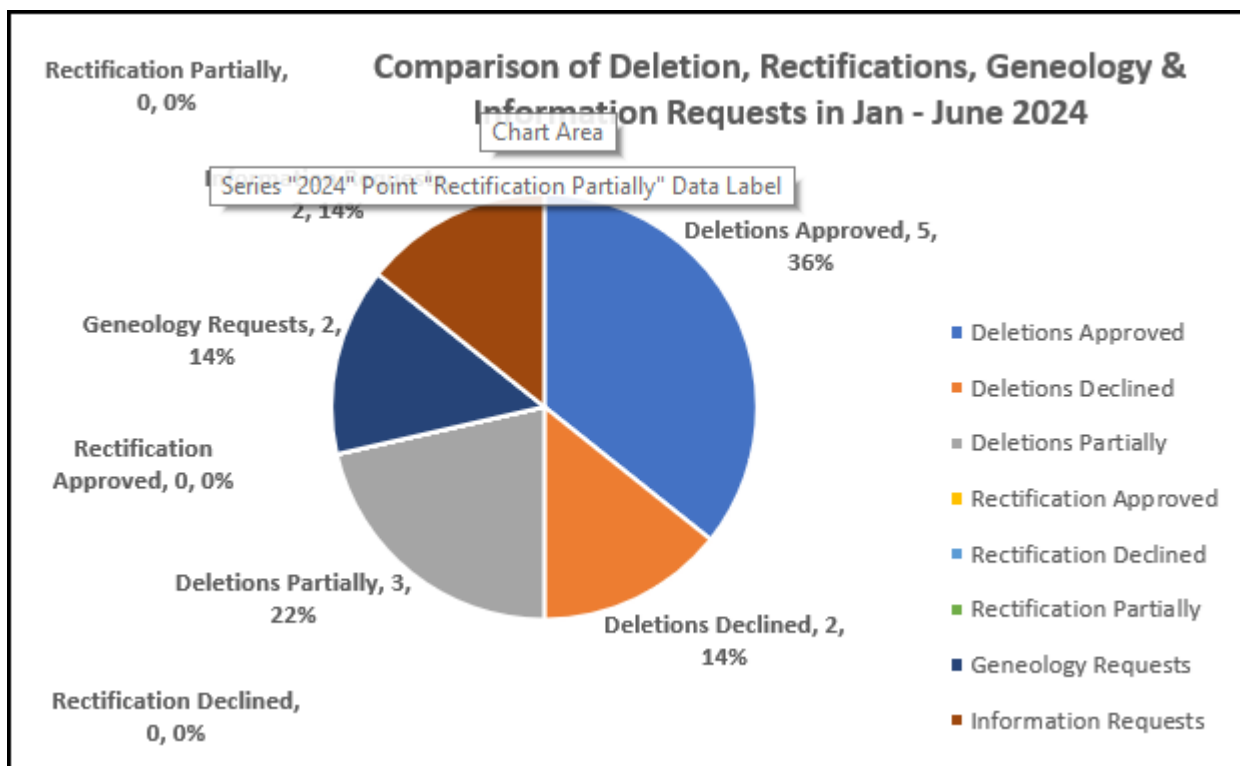
- 2.2.3 In 2023, a total of 343 requests were recorded. While there was a significant surge in requests during January and April, the overall trend has remained stable, with a modest increase compared to the previous year. It is important to highlight that, similar to FOI requests, the volume of information sought in many SAR has risen, with numerous requests being intricate and time-consuming. This has consequently affected the time allocated to address each request, however, we engage with the applicant and impose a allowance of time allocated to each request in order to provide a timely response and still meet the needs of the requestor. Forecasts suggest that we can expect a rise in the number of SAR requests, similar to what was observed in the previous year.
- 2.2.4 Over the course of six months, adherence to the one-month timescale has exhibited minimal variations, maintaining consistency with the exception of the months of April and May, as illustrated in the chart above. The average percentage of completed SAR requests within the stipulated timeframe is 98%, indicating a 6.5% increase from the corresponding period in the previous year.
- 2.2.5 For the sake of comparison, the average compliance rate among all police forces in England and Wales from January to May 2024 stands at 70% for requests that were resolved within one month.
- 2.2.5 As previously reported, the Constabulary continues to receive requests from officers and staff. Even though the number of these requests remains relatively small, the time taken to process them is generally high. Such requests tend to be more time-consuming and complex than requests from members of the public. Requests for access to video and/or audio recordings (such as body-worn videos) can also take a disproportionate amount of time to process.
- 2.2.6 The objective of the Publication Scheme, which the Constabulary is required to implement, is to provide the public with information that is easily accessible and to streamline the process of acquiring it. Ongoing recommendations and improvements include the future proactive disclosure of compliance with Freedom of Information (FOI) on the website, along with the publication of datasets and materials as mandated by the Publication Scheme to enhance adherence to section 19 of the Freedom of Information Act (FOIA). We are presently conducting a 'gap analysis' to pinpoint the differences between the information that should be published and what is currently available. Collaborative efforts with other departments are in progress to ensure they meet their obligations in

uploading pertinent information for publication. This substantial project has been acknowledged by the NPCC Referral Unit and is currently undergoing continuous assessment.

2.3 Other data subject rights.

In the six-month period between January 2024 and June 2024, there have been 18 requests under the Right to Erasure and Right to Rectification where individuals can request to have inaccurate personal data rectified, or request for its deletion. Of these, approval was given to delete/partially delete the information relating to 8 requests. The partial deletions generally relate to retaining the information but deleting custody images.

The majority of the requests relate to the deletion of records from National Police Systems (PNC, NDAD (DNA) and Ident1 (Fingerprints) and also custody images. The Constabulary, however, is seeing an increase in requests from data subjects from local systems. Like the other data subject rights there is a calendar month compliance period.



Other considerations

3.1 'Protecting from Within' - Recommendations update

3.1.1 The review, jointly commissioned, by the Northern Ireland Policing Board (NIPB) and the Chief Constable of the Police Service of Northern Ireland (PSNI) into the circumstances surrounding the information security data breach incident on 8th August 2023 that led to disclosure of personnel records to 'Whatdotheyknow.com' public website in response to a routine Freedom of Information (FOI) request has been published.

A total of 37 recommendations were made intended to support PSNI and to minimise the risk of any such data breach happening again. They were based on findings throughout the review. Many of the

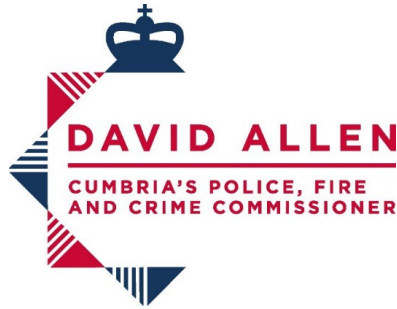
recommendations are relevant to all police forces, and Chief Constables were encouraged to ask themselves the question of how safe, and how well prepared their forces are.

3.1.2 The Information Management team including the Chief Information Officer, Data Protection Officer and Information Privacy team conducted a gap analysis and RAG rating to compare where the Constabulary are in relation to each of the recommendations. Of the 37 recommendations it was noted that Cumbria Constabulary had 19 of the recommendations already in place, 16 either in progress or partially met with 4 recommendations not relevant to Cumbria and were specially relating to PSNI. Many of the recommendations we are working towards will be met following the FOI review of processes for example a requirement for greater awareness of the importance of FOI requests across the organisation and specific departments.

3.1.3 The Constabulary recorded 56 data breaches in the period between January and June 2024 and made 0 referrals to the Information Commissioner's Office during the period. 78% of the recorded breaches were classified as 'Unauthorised disclosure' whereby emails have been sent to the wrong email address and/or addresses recorded incorrectly. The Information Management team continue to provide inputs to new recruits, Special Constables & PCSO intakes and regularly publish messages in relation to the importance of accuracy.

3.2 **Data Protection and Digital Information Bill**

3.2.1 The Data Protection and Digital Information (No2) Bill was expecting to receive Royal Assent in Spring 2024. However, the Bill was among those that was 'dropped' due to lack of parliamentary time in the approach to the General Election. Since the Election it was announced in the Kings Speech that there will be a new 'Digital Information and Smart Data Bill (DISD). Further details are to be published but the new government has committed to introducing the Bill, which aims to harness the power of data for economic growth, including setting up a regulatory framework for digital identities in the UK.



Community Scrutiny Panel

Title: Information Management Compliance

Date: 15 August 2024

Agenda Item No: 09a

Originating Officer: Joanne Head / Lisa Hodgson

CC:

Executive Summary:

As a public authority, the Office of the Police, Fire and Crime Commissioner is required to process information in an appropriate manner including complying with the Freedom of Information Act 2000 and the Data Protection Act 2018. Both Acts entitle an individual to request information from a public authority and as such public authorities must comply with requests under this legislation. The Acts clearly identify how a request should be processed including timescales in which an individual should be provided with the requested information or advised why an exemption is being applied.

***Note all 2024 figures are up to 30/06/2024.*

Recommendation:

That, the members of the Panel note the report.

1. Introduction & Background

- 1.1 This report is to provide information to the Panel, acting on behalf of the Commissioner, so the Panel can assure the Commissioner that the OPFCC are complying with the Freedom of Information Act and the Data Protection Act.
- 1.2 The Chief Constable and the Police, Fire & Crime Commissioner (the Commissioner) are required to comply with the Freedom of Information (FOI) Act, the Environmental Information Regulations where applicable and the Data Protection Act. Set out within the legislation is how a request is to be processed and within what timescales.
- 1.3 On an annual basis the Commissioner agrees a "Funding Arrangement" with the Chief Constable. This arrangement sets out the terms and conditions under which the Commissioner will provide funding to the Chief Constable during the Funding Period. Detailed within Section 17 of the Funding Arrangement the Chief Constable will comply with their obligations detailed within the Data Protection Act 2018 and the General Data

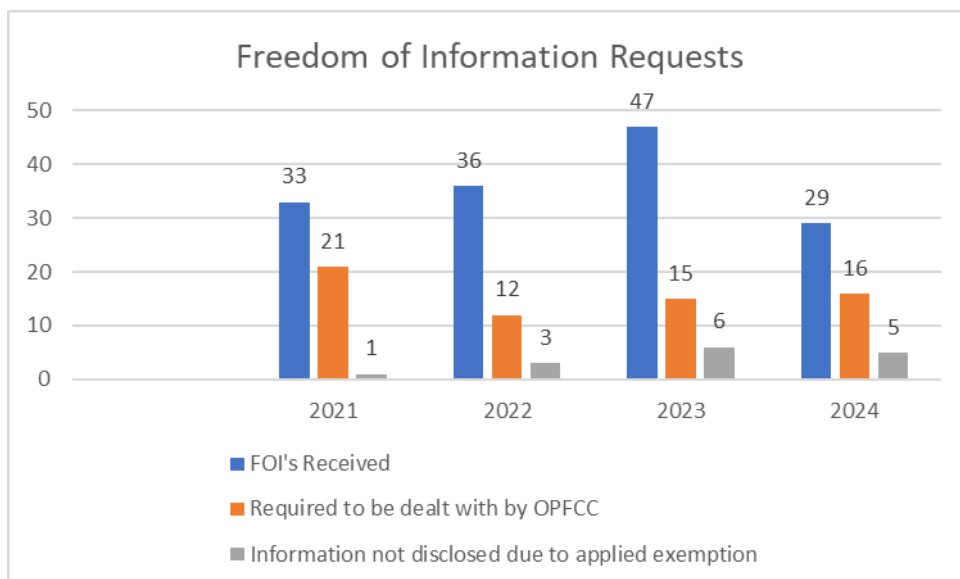
Protection Regulations (GDPR) effective from 25 May 2018. Where appropriate the Chief Constable must notify individuals that their personal data may be transferred to the Commissioner as required under the funding arrangement. They should ensure this is carried out via a secure means of transmission.

- 1.4 The Chief Constable agrees to assist and cooperate with the Commissioner, where necessary, to enable the Commissioner to comply with their obligations under the FOI Act and the Environmental Information Regulations whenever a request is made for information.
- 1.5 In the event that a request received by the Chief Constable under the FOI Act or the Environmental Information Regulations includes a request for information, either (i) provided to the Chief Constable by the Commissioner, or (ii) where a reasonably objective observer would consider that disclosure of that information would be likely to have a prejudicial impact on the Commissioner's priorities and responsibilities, the Chief Constable shall in good faith take account of any representations submitted by the Commissioner about the applicability of any exemptions under the FOI Act or exceptions under the Environmental Information Regulations.

2. Issues for Consideration

Freedom of Information Act

- 2.1 In order to have assurance that the OPFCC and the Constabulary are complying with the Freedom of Information Act, the Police, Fire and Crime Commissioner has delegated authority to the Ethics and Integrity Panel to monitor this area of business. This report is to provide assurance to the Panel that the OPFCC are complying with the Freedom of Information Act.
- 2.2 The below chart shows how many FOI's have been received, how many were required to be dealt with by the OPFCC, and how many were received where no information was provided due to an applied exemption.



- 2.3 The Act requires that requests for information are dealt with within 20 working days. This timescale commences the day after the request is received. The table below illustrates the number of requests received by the OPFCC and how they were dealt with.

YEAR	N° of Requests Received	Within 20 working days	Over 20 working days	Request withdrawn	Internal Reviews	ICO Appeals
2021	33	29	4	0	0	0
2022	36	33	3	2	1	1
2023	47	41	7	0	0	0
2024	29	26	3	1	0	0

- 2.4 There are a number of reasons why a request cannot be dealt with within the 20-working day timescale. In cases where the request is taking longer to process, under Section 10 of the Act where a qualified exemption is being applied a public authority may extend the deadline for consideration of public interest tests for a time which is reasonable. In 2023 four of the seven cases that were over 20 days were dealt with between 21 + 25 days. Our longest case took 49 days, this was a very complex request which required regular contact with our Joint Data Protection Officer within the Constabulary. One case did require consideration for the public interest test, this request was dealt with in 36 days. 2 of the cases over 20 days in 2024 were dealt with in 21 days.

2.5 Information Provided:

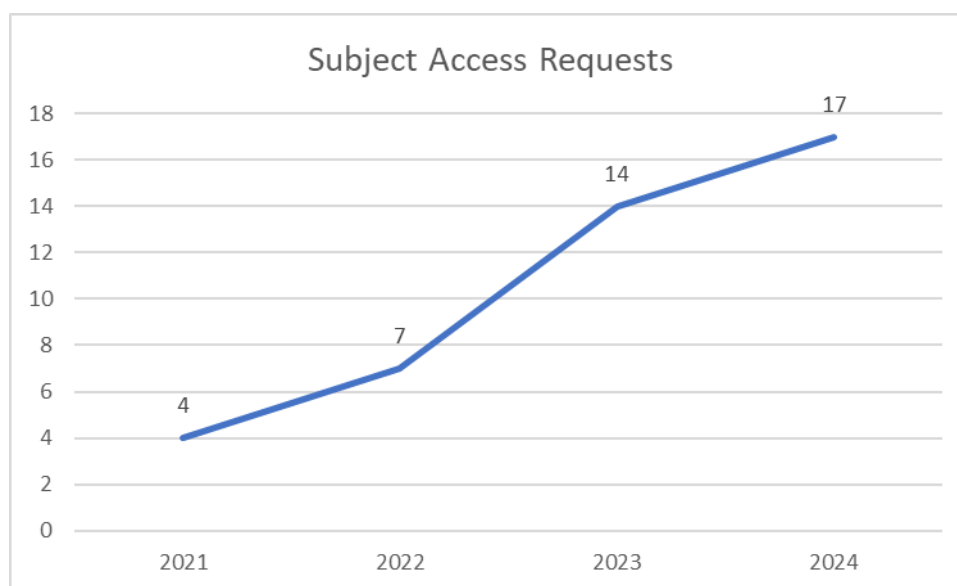
Where information was provided it mostly related to OPFCC office costs and spendings relating to external catering; senior staffing costs; budgets and accounts; Constabulary spendings (transparency reports); and Commissioning of services within the OPFCC.

- 2.6 Having received a request, where the OPFCC does not hold the information as the information requested relates to the Constabulary; the requestor is advised of this and where appropriate provided with the contact details of the Constabulary.
- 2.7 Information is sometimes not disclosed due to an applied exemption. For example, the information is already published on our website, or is due to be published in the near future.
- 2.8 The Commissioner is required under the Elected Local Policing Bodies (Specified Information) Order 2011 to publish information in relation to the following:
- Who they are and what they do
 - What they spend and how they spend it
 - What their priorities are and how they are doing
 - How they make, record and publish their decisions
 - What policies and procedures govern the operation of the office of PCC
 - Public disclosure of a register of interests

2.9 The OPFCC endeavours to be as open and transparent as possible with regards to the work it and Commissioner carries out. By taking this approach it also enables members of the public to access such information and therefore negate the need for the public to request information via the FOI Act.

Data Protection Act – Subject Access Requests

2.10 Below is a chart detailing the number of requests received since 2021. As can be seen, the OPFCC does not as a matter of course receive or deal with large quantities of SAR's.



2.11 The Act requires that Subject Access Requests for information are dealt with within one month. This timescale commences the day after the request is received. The table below illustrates the number of requests received by the OPFCC and how they were dealt with in comparison with previous years.

YEAR	N° of Requests Received	Within month	Over month	Request withdrawn	ICO Appeals
2021	4	4	0	0	1
2022	7	7	0	2	0
2023	14	14	0	0	0
2024	17	17	0	0	0

It is noted that 2023 showed an increase in the number of requests received. The majority of requests were seeking information potentially held by Cumbria Constabulary or ACRO, therefore were provided with the relevant information to make a request to the appropriate body.

2.12 In 2024 no Data Protection breaches were identified.

3. Joint Data Protection Officer

- 3.1 With the introduction of the Data Protection Act 2018 and the General Data Protection Regulations (GDPR) on 25 May 2018, the OPCC was required to appoint a Data Protection Officer. Their role is to inform and advise the Data Controller of their obligations under the UK GDPR and other relevant data protection laws; and be the first point of contact for the Information Commissioner.
- 3.2 A Data Protection Officer monitors compliance with data protection laws, including managing internal data protection activities, advise on data protection impact assessments, train staff and conduct internal audits. To enable them to carry out this role they must have professional experience and knowledge of data protection law proportionate to the type of processing carried out by the organisation.
- 3.3 The legislation allows for an individual to be appointed as a Data Protection Officer by more than one data controller, taking into account of their organisational structure and size. With this in mind, the Office of the Police, Fire and Crime Commissioner agreed that they would have a Joint Data Protection Officer (JDPO) with the Constabulary.
- 3.4 This arrangement has worked well since its introduction with the OPFCC receiving professional support and guidance from the appointed JDPO. It has also enabled oversight of both organisations to identify any issues or trends.
- 3.5 A Personal Data Breach guidance document was developed to allow all members of staff to be aware of the requirements when reporting a breach. Any breaches in relation to information once identified must be notified to the Joint DPO within 72 hours, who will then deal with them appropriately.
- 3.6 On a six-monthly basis the OPFCC Deputy Chief Executive, the Joint DPO and the OPFCC Governance Manager meet to discuss any identified issues, emerging trends and themes. It also ensures knowledge and processes are up to date.

4. Implications

- 4.1 Financial - failure by the OPFCC to comply with legislation could lead to financial penalties up to 20m Euros.
- 4.2 Legal – Freedom of Information Act, Data Protection Act and the General Data Protection Regulations are statute and the OPCC is thereby required to comply with them. Failure to do so could lead to financial penalties or legal proceedings.
- 4.3 Risk - should the OPFCC fail to ensure that it processes and stores data in line with legislation it risks heavy financial penalties, adverse publicity and potential litigation.
- 4.4 HR / Equality - the new legislation has increased the rights of individuals to have their information processed fairly and where necessary removed.

4.5 I.T. – the OPFCC website has been updated to ensure that it complies with legislation.



Agenda Item No 10

Professional Standards Department

Ethics and Integrity Panel Report

2024/2024 Q1

July 2024

T/DCI Hayley Wilkinson – Head of Professional Standards

Liz Little – Force Intelligence Analyst, Anti-Corruption Unit

OFFICIAL – SENSITIVE

*This document contains information and/or intelligence at GSC Official-Sensitive Level.
Not to be disseminated outside of Cumbria Constabulary without consultation with the originator.*

Contents

Public Complaints	
Other Updates and Hot Topics	
Appendices:	
<i>A – Public Complaint Cases and Allegations</i>	
<i>B – Public Complaint Allegations by Complaint Group</i>	
<i>C – Incidents, Crimes and Custody Figures</i>	
<i>D – Complainant Characteristics</i>	
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<i>F – Public Complaint Outcomes</i>	
<i>G - 2020 Complaint Groups and Allegation Types</i>	

This report combines three areas dealt with by Professional Standards Department: Public Complaints, Conduct, and Anti-Corruption Unit Intelligence.

Public Complaints and Conduct are assessed under the Police (Complaints and Misconduct) Regulations 2020 and Police (Conduct) Regulations 2020.

Conduct is reviewed in relation to Standards of Professional Behaviour as defined within the Code of Ethics:

Honesty and Integrity	Duties and Responsibilities
Authority/ Respect/ Courtesy	Confidentiality
Equality and Diversity	Fitness for duty
Use of Force	Discreditable Conduct
Orders and Instructions	Challenging and Reporting Improper Conduct

This report covers 2024/2025 Quarter 1 (Q1), 01/04/2024 to 30/06/2024. Figures in this report are correct as of 12/07/2024.

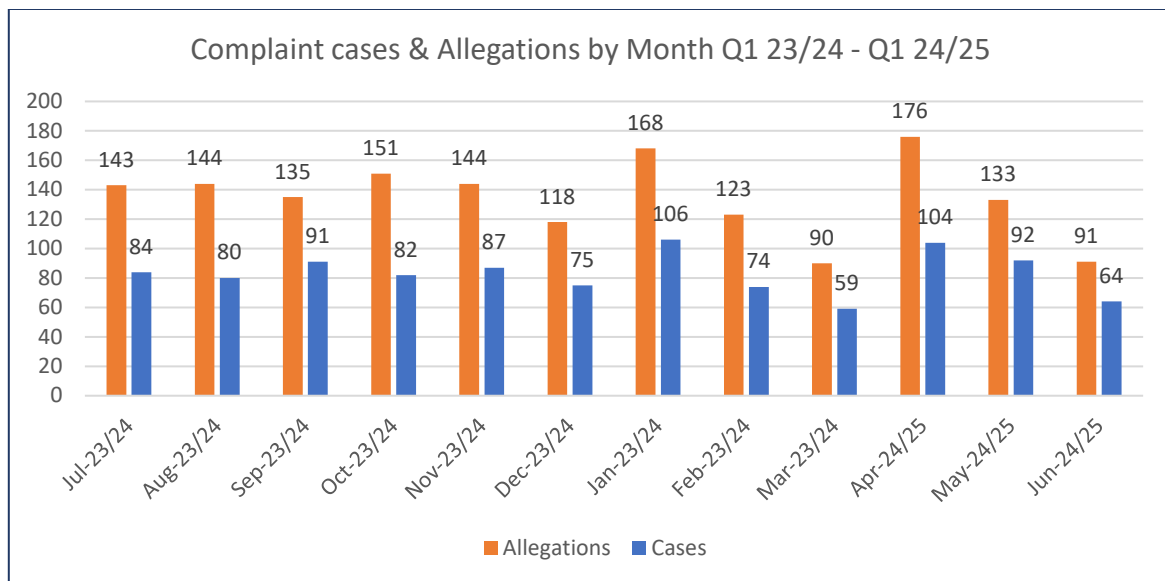
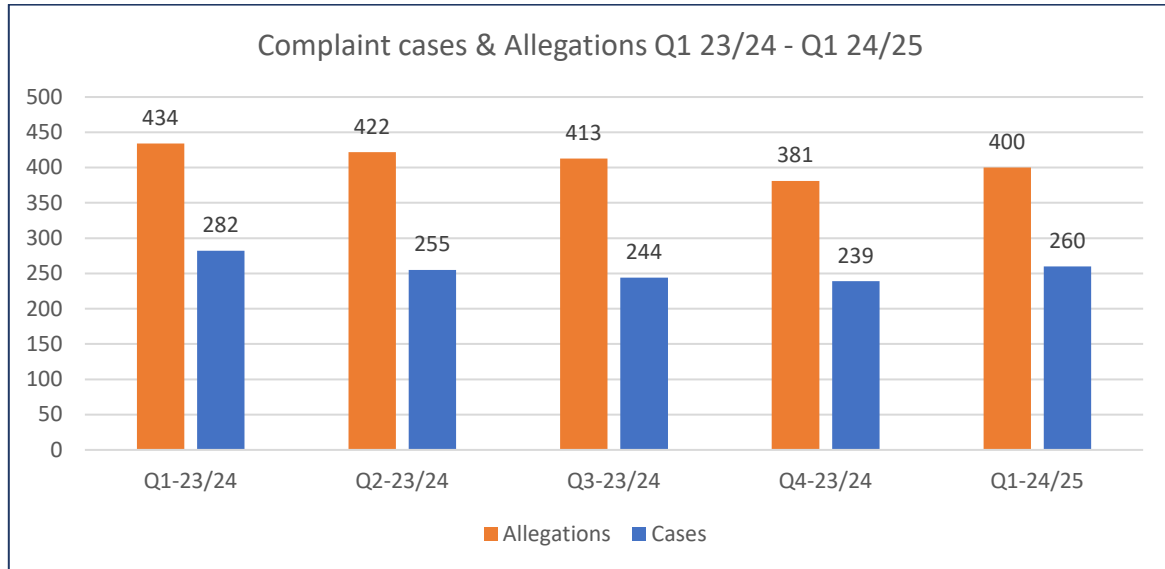
Conduct, Anti-Corruption Unit Intelligence, and certain commentary within the Public Complaints sections are not for publication. Please consult with the Head of Professional Standards prior to publishing any of the contents of this report.

In line with IOPC data collection and analysis, De-Recorded Public Complaint allegations and cases, unless otherwise stated, have been excluded from the below figures and commentary. De-Recorded cases and/or allegations may concern persons who are not eligible, as per the Police Regulations 2020, to make an expression of dissatisfaction and/or have been logged/recorded in error.

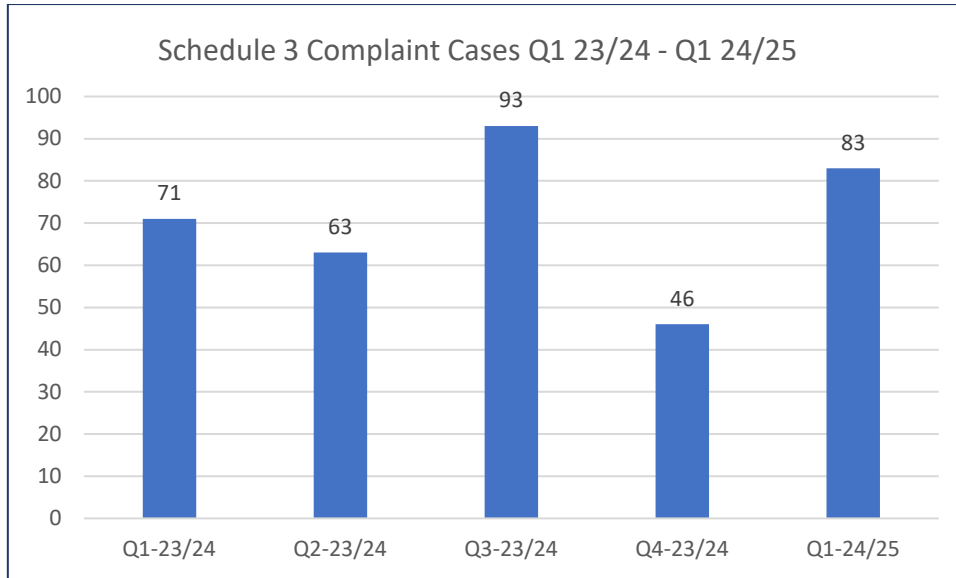
Unless otherwise stated, the below sections relate to allegations recorded within a given quarter and added to a case which has been logged/recorded in the same quarter. They do not include allegations which have been logged/recorded but added to an earlier quarter's case, e.g., allegation recorded in Q4 but added to a Q1 case; this is to allow more like for like comparisons between quarters.

Public Complaints

Complaints (expressions of dissatisfaction) have decreased in Q1 when compared with Q4. Cases have decreased by 2% and allegations have decreased by 7.7%. There have been large increases in the number of incident reports (10.48%) and crime reports (11.2%), while custody attendance dropped significantly by 36.59% when compared with the previous quarter ([Appendix C](#)).



The number of complaint cases marked as Schedule 3 have increased by 80% in Q1 compared to Q4. This quarter has seen 83 complaint cases marked as Schedule 3 compared to 46 in Q4. *Please note this is based on the date the case was marked as Schedule 3, rather than the date the case was recorded.*



Handling Times

The time between cases received to initial contact has grown in Q1 24/25. In the previous quarter, 98% took 10 or less days, whereas in Q1 24/25 this has dropped to 95.8%, with 6 cases taking over 31 days. The figures for Q1 24/25 are in the first tables and those of Q4 23/24 are shown underneath.

Contact Days (Case Received to Initial Contact) – Including De-Recorded Cases

Q1 24/25	January	February	March
0-5 days	49	88	61
6-10 days	51	1	
11-20 days	2		
21-30 days	1		2
Over 31 days	2	3	1

Q4 23/24	January	February	March
0-5 days	102	67	58
6-10 days	3	8	2
11-20 days	0	0	1
21-30 days	0	1	0
Over 31 days	3	0	0

Contact Days (Case Received to Initial Contact)– Including De-Recorded Cases
Schedule 3 and Outside Schedule 3 Cases

Q1 24/25	Outside of Schedule 3	Schedule 3
0-5 days	168	30
6-10 days	34	18
11-20 days	2	
21-30 days	1	2
Over 31 days	4	2

Q4 23/24	Outside of Schedule 3	Schedule 3
0-5 days	203	24
6-10 days	13	0
11-20 days	1	0
21-30 days	1	0
Over 31 days	2	1

Days taken to log Complaint (Case Received to Case Logged) – Including De-Recorded Cases

Q1 24/25	April	May	June
0-5 days	48	90	62
5+	56	2	2

Q4 23/24	January	February	March
0-5 days	106	68	59
5+	3	8	2

A total of 200 cases (77% including De-Recorded cases) were logged within 5 days of having been received in Q1, this percentage is significantly lower to that of the previous quarter, Q4 (94%).

Resourcing in PSD administration was down by 0.5FTE during this period due to sickness, which impacted on our ability to meet this target.

Average Finalisation Times of Cases Logged/Recorded and Finalised

Finalisation figures include only cases logged in Q4 and finalised in Q4, they do not include roll over legacy cases from previous quarters, this allows a fair comparison between quarters.

	Average number of days to finalise Complaint Case Outside Schedule 3	Average number of days to finalise Complaint Case Schedule 3
Q1 21/22	17.5	31.4
Q2 21/22	4.91	31.81
Q3 21/22	7.15	26.88
Q4 21/22	5.98	26.09

Q1 22/23	6.73	21.5
Q2 22/23	10.4	20.6
Q3 22/23	18 <i>(Including De-Recorded Cases)</i>	30 <i>(Including De-Recorded Cases)</i>
Q4 22/23	16.89 <i>(Including De-Recorded Cases)</i> 196 Finalised 2 Cases remain Live	56.67 <i>(Including De-Recorded Cases)</i> 87 Cases Finalised 11 Remain Live
Q1 23/24	23.53 215 Finalised 5 Live	34.75 53 Finalised 9 Live
Q2 23/24	18.81 171 Finalised 4 Live	47.83 63 Finalised 17 Live
Q3 23/24	28.18 166 Finalised 2 Live	40.29 49 Finalised 27 Live
Q4 23/24	36.96 177 finalised 6 live	56.00 40 finalised 16 live
Q1 24/25	34.47 173 Finalised 36 live	48.64 14 finalised 38 live

Within the latest quarter we can see a significant increase in performance with the time taken to finalise cases. In Q4 only 8.8% of cases were finalised within less than 28 days, however in Q1 this rose to 27.3%

Q4 23/24	Days to Finalise	Count of Cases
1 Week	0-6 Days	4
2 Weeks	7-13 Days	1
3 Weeks	14-20 Days	0
4 Weeks	21-27 Days	14
Over 4 Weeks	28+ Days	198
Remain Live	N/A	22

Q1 24/25	Days to Finalise	Count of Cases
1 Week	0-6 Days	4
2 Weeks	7-13 Days	6
3 Weeks	14-20 Days	10
4 Weeks	21-27 Days	31
Over 4 Weeks	28+ Days	136
Remain Live	N/A	73

Improved performance in this area is due to several changes and streamlined processes introduced by the Complaints and Misconduct Inspector, for example, days of action to resolve complaints handled other than by investigation. These changes have been informed through consultation with the IOPC and OFPCC/Complaint Reviewer, as well as from a peer review of complaints conducted by Staffordshire. This will be strengthened further when complaint investigator numbers are back up to strength in September 2024, and with the recruitment of a temporary Complaints Sergeant to support the inspector.

The total number of cases logged/recorded in Q1 and finalised in Q1 was 137 and those logged/recorded in Q1 and remaining live at the end of Q1 is 123. This is 53/47 split and shows an increase in performance compared to Q4 which was a 47/53 split.

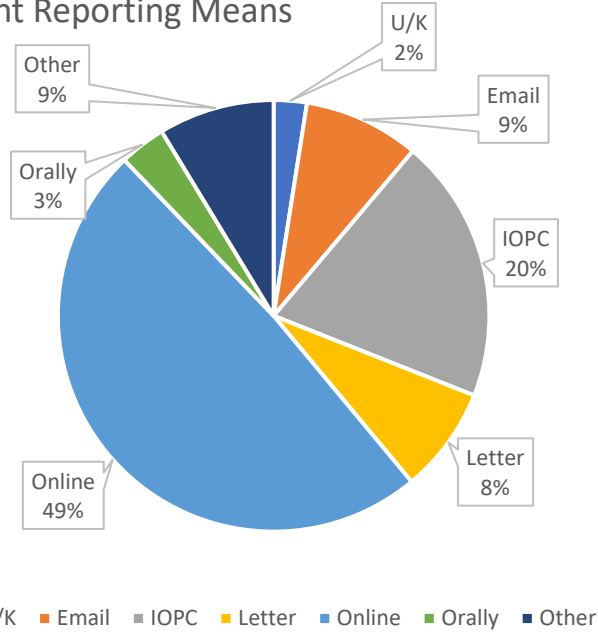
The resolution of cases shows a higher percentage as Resolved in Q1 compared with Q4, although there is a significant drop in those where The Service Provided Was Acceptable (down to 4% from 11%). *These percentages are liable to change as more cases receive an outcome. (Appendix F).*

Case Outcomes		
	Q1 24/25	Q4 23/24
Resolved	85%	75%
De Recorded	6%	6%
The service provided was acceptable	4%	11%
The service provided was not acceptable	2%	4%
Not Resolved - NFA	2%	1%
No further action required	1%	0%
Withdrawn	1%	N/A
Not determined if the service acceptable	1%	3%

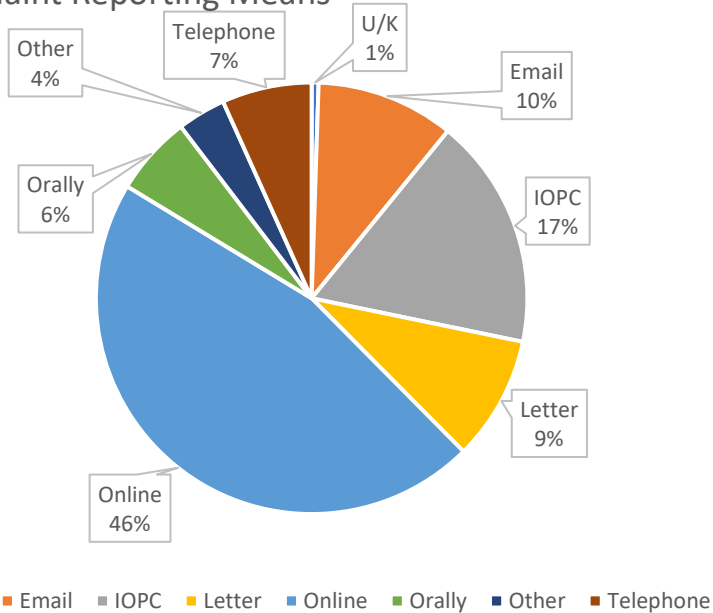
Complaints Received

During Q1 260 complaints (including 11 De-Recorded), with 404 complainants, were received through various routes; Online complaints remain the most common with 49% of complaints received this way in Q1 (up from 46% in Q4). Complaints via the IOPC have gone up 3pp to 20% in Q1. Complaints received by telephone have all but disappeared in Q1 – only 1 was received by this means. The overall percentage in all other routes are like that of Q4.

Q1 24/25 Complaint Reporting Means

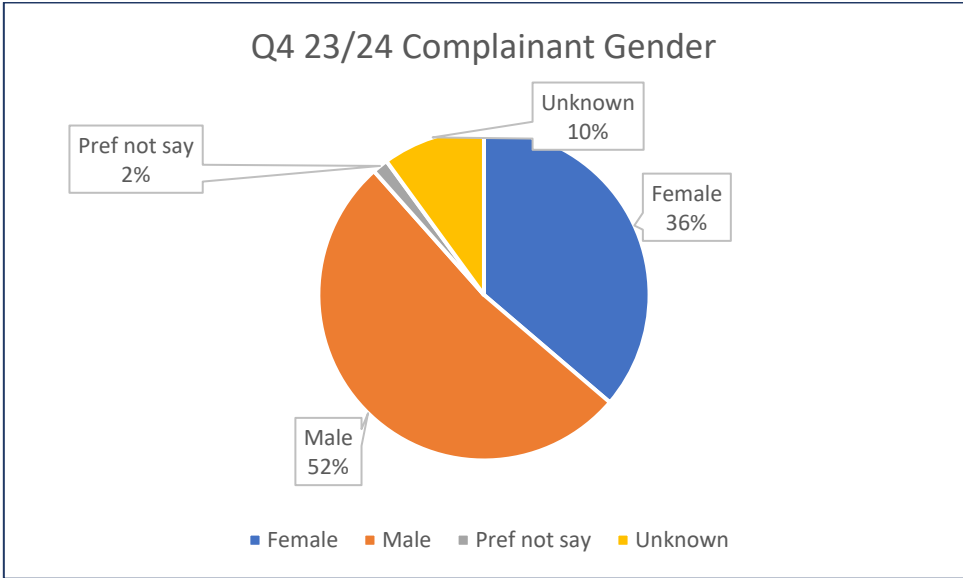
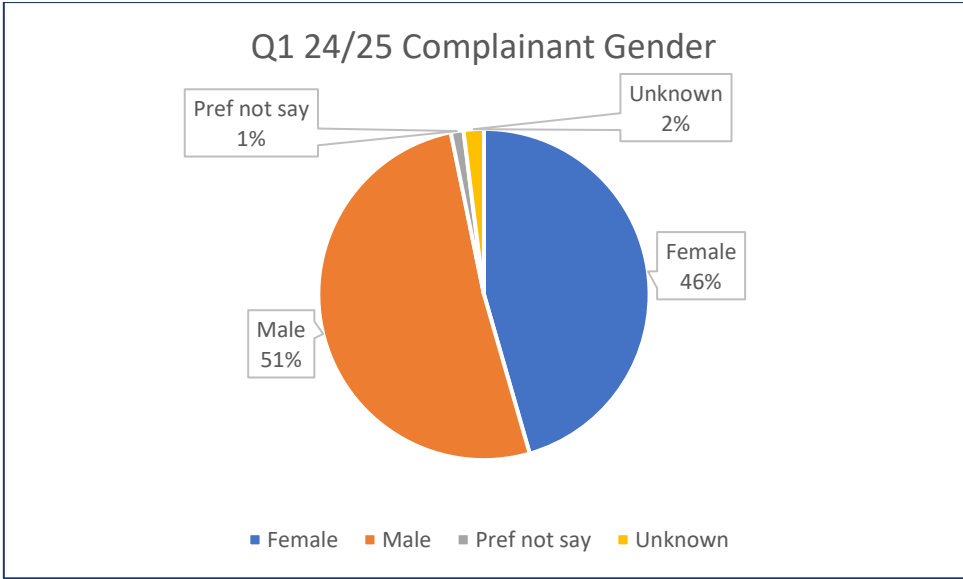


Q4 23/24 Complaint Reporting Means

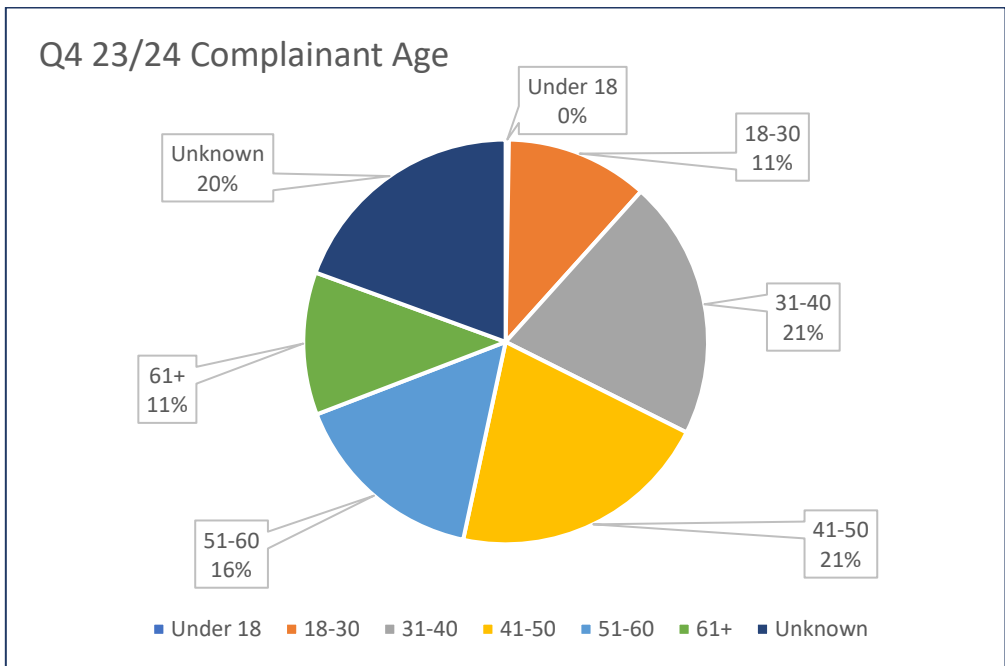
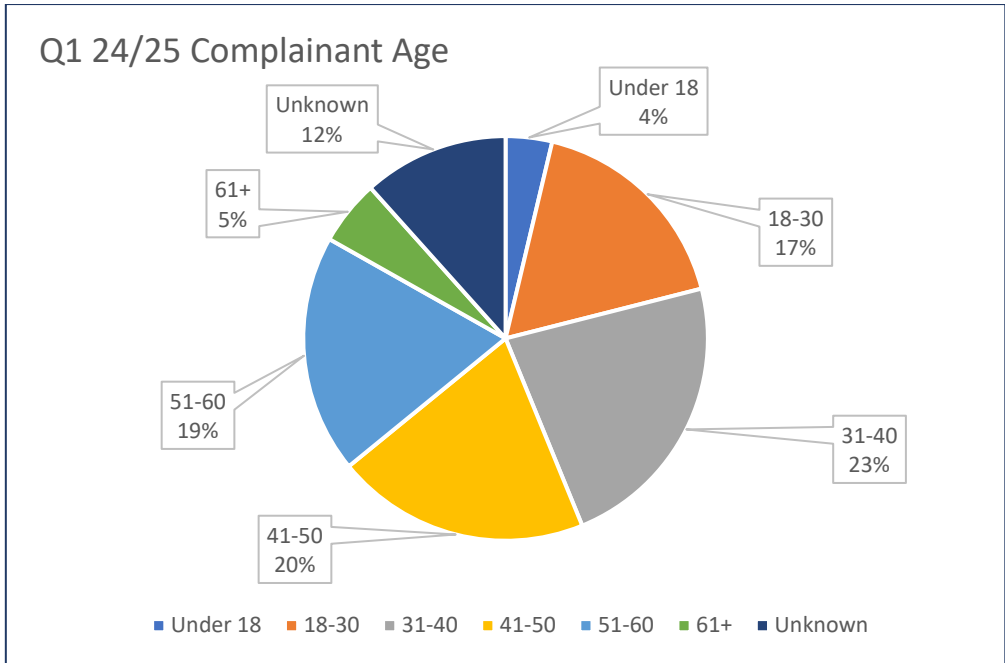


Complainant Characteristics

From the Complainant Characteristics data available, complaints are still more likely to be submitted from males rather than females, although the percentage of females complaining has risen – in Q1 51% were male, and 46% female. This is a slight decrease of 1% for male complainants and an increase of 10% for female complainants when compared to Q4.

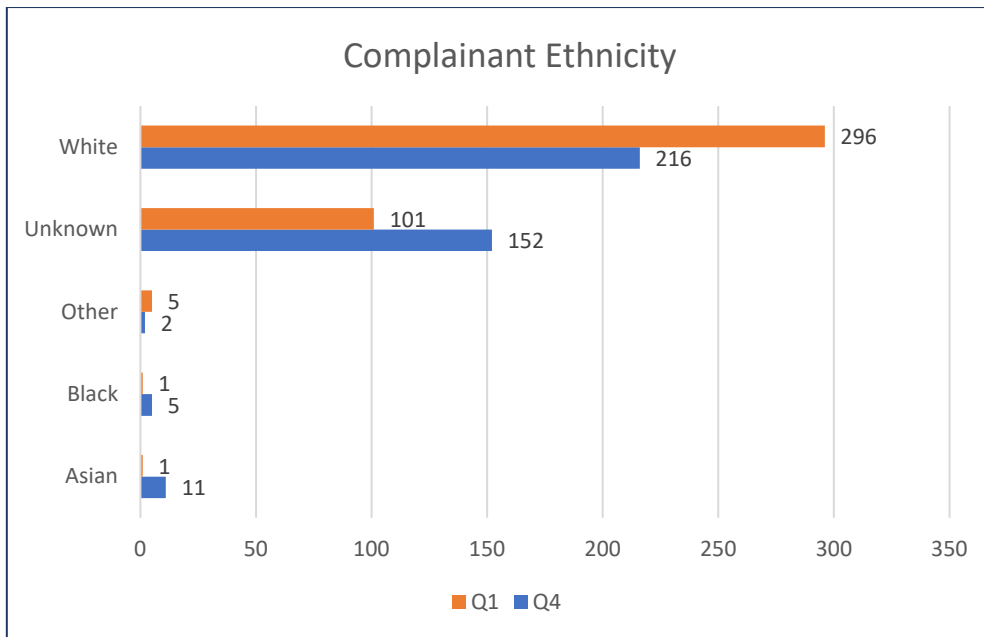


For the complainants age, unlike Q4 which saw only 1 complainant under the age of 18, there were 15 in Q1 24/25. There has also been an increase in the complaints made in the 18-30 category, 17% in Q1 compared to 11% in Q4. There was a decrease in the number of complaints from those aged over 60, from 11% in Q4 down to 5% in Q1. The overall percentages in the other age categories remain like that of Q4.



There has been an increase in the number of complainants in the ‘White’ ethnicity category in Q1 when compared to Q4 – from 56% in Q4 up to 73% in Q1. There was a drop in the number of unknown ethnicity complainants, from 39% to 25%.

The reduction in ‘unknown’ ethnicity correlates with continuous improvement work around data quality, e.g., the introduction of finalisation checklists for the Centurion system.



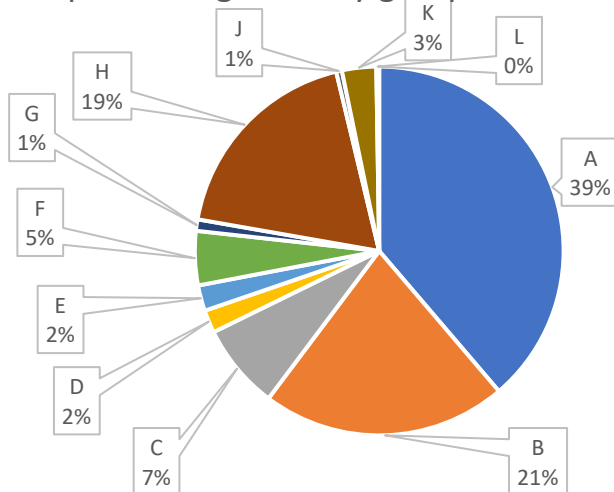
See [Appendix D](#) for breakdown of *Complainant Ethnicity: Self Classification*.

Complaint Allegations

Most complaint groups have a similar share of allegations in Q1 when compared with Q3. The most common complaint group continues to be *Group A – Delivery of duties and service*, and Group B is again the second highest group. While Group A remained the highest, it did drop from 45% in Q4 to 39% in Q1 – a real terms drop of 18 allegations. The proportion for the other groups has stayed largely the same, with only C and F seeing much difference (C has gone from 4% to 8%, and F from 2% to 5%). Whereas in Q4 there were no allegations in Groups J and L, there were 2 for J and 1 for L in Q1.

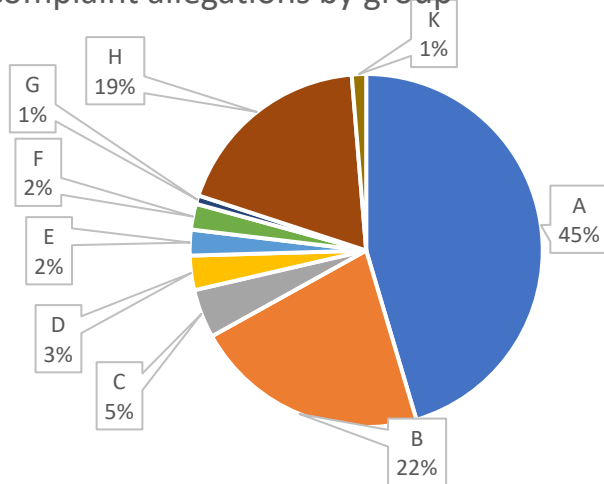
Complaint Group
A-Delivery of duties and service
B - Police powers, policies and procedures

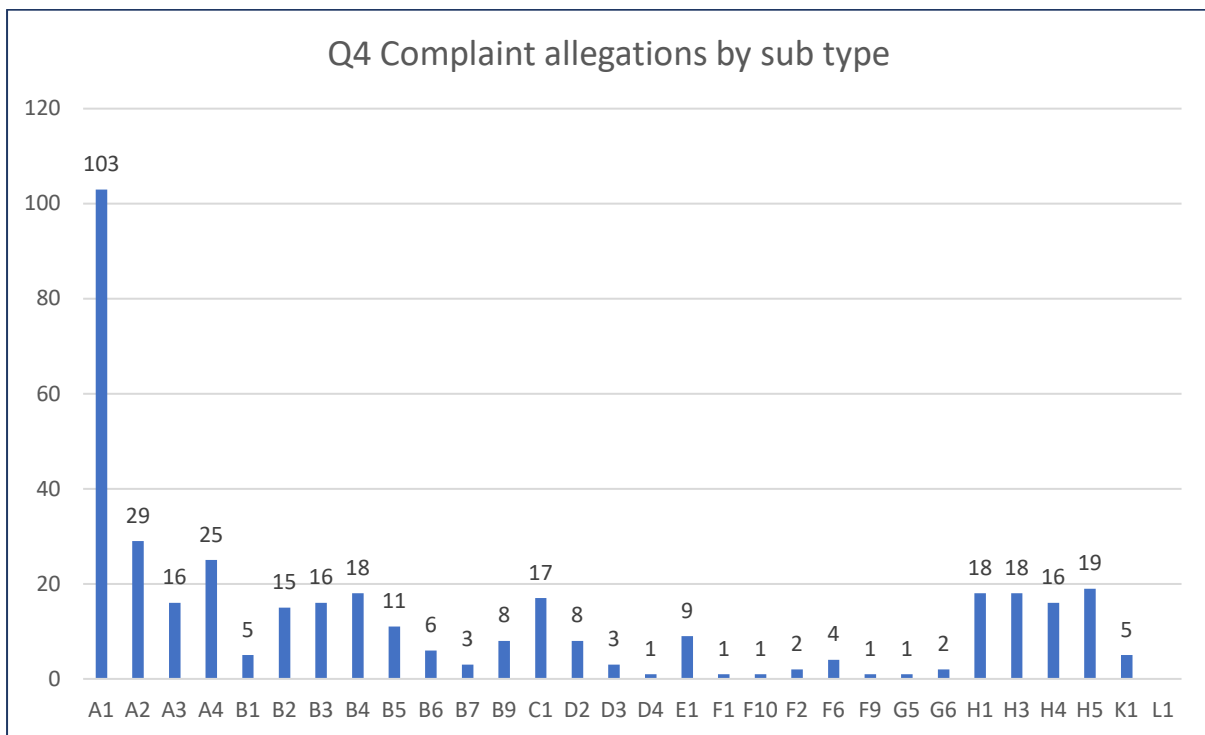
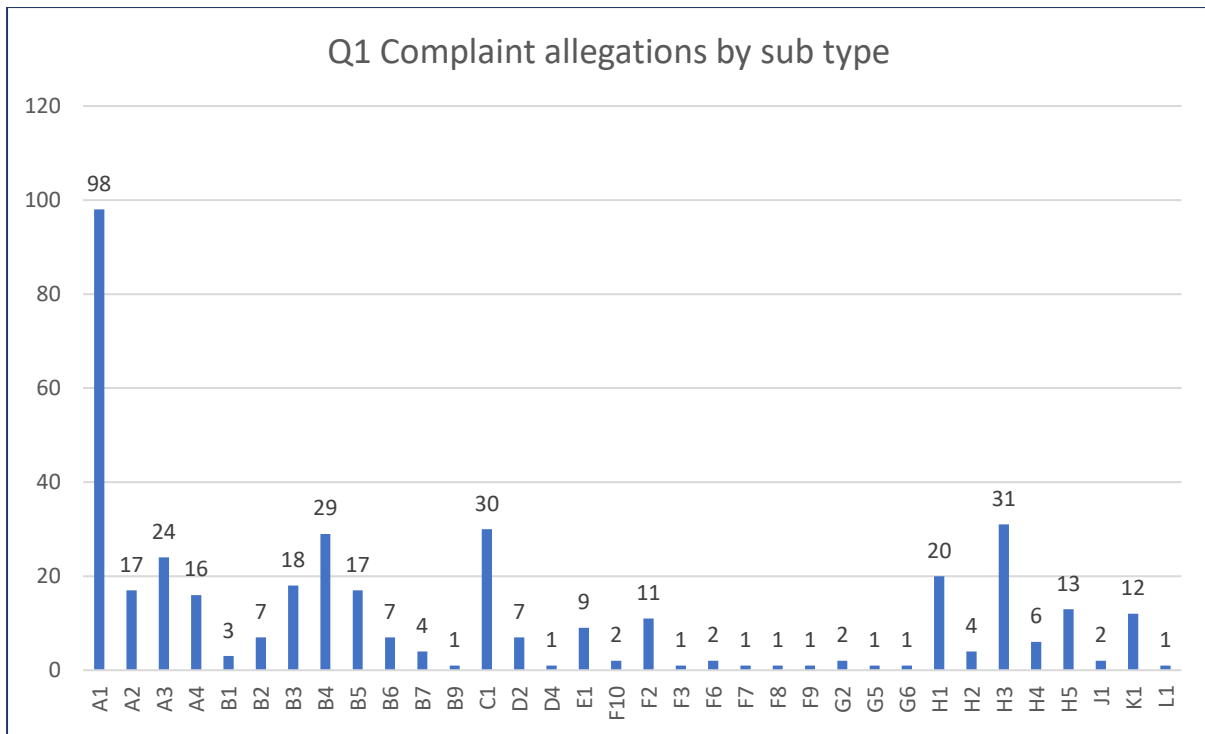
Q1 Complaint allegations by group



C - Handling of or damage to property/premises
D - Access and/or disclosure of information
E - Use of police vehicles
F - Discriminatory behaviour
G - Abuse of position/corruption
H - Individual behaviours
J - Sexual Conduct
K - Discreditable conduct
L - Other

Q4 Complaint allegations by group





See [Appendix B](#) for further comparisons.

Group A – Delivery of Duties and Service

	Q1 22/23	Q2 22/23	Q3 22/23	Q4 22/23	Q1 23/24	Q2 23/24	Q3 23/24	Q4 23/24	Q1 24/25
A	189	191	155	215	211	176	177	173	155

When comparing the Group A figures from Q4 to Q1 there has been...

- **A1 Police Action Following Contact**, a decrease from 103 to 98 (-5%)
- **A2 Decisions**, a decrease from 29 to 17 (-41%)
- **A3 Information** an increase from 16 to 24 (+50%)
- **A4 Lack of fairness and impartiality** a decrease from 25 to 16 (-36%)

Of the 155 complaint cases citing an allegation from Group A, 76 (49%) of these refer to national factor *Investigations*, and 21 (14%) have no national factor.

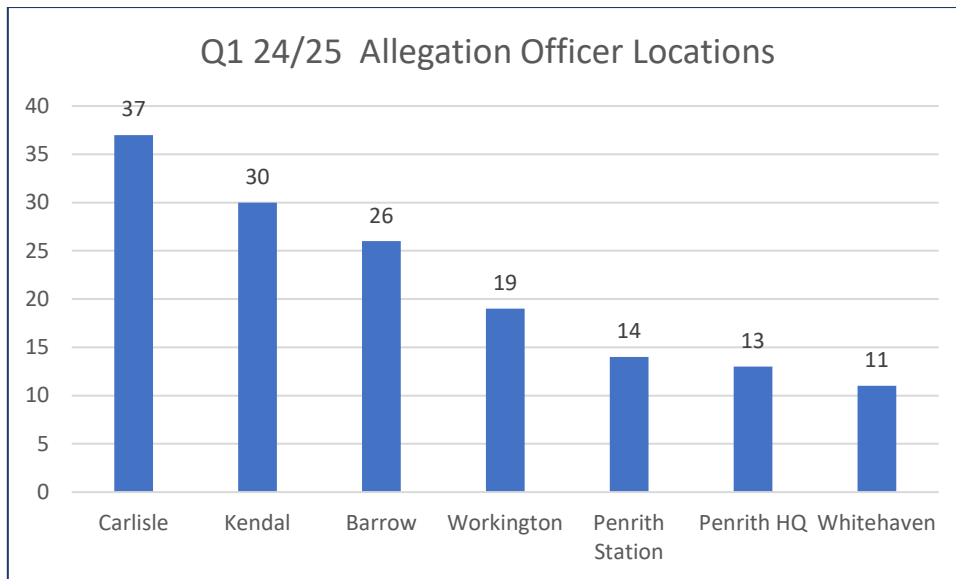
There are 106 officers noted on Group A complaints in Q1, 33 of these are repeat officers with 3 or more complaint/conduct cases against them in the last 12 months.

While considering that 45 allegations (29%) had a blank location, and 34 had multiple locations, which created 150 allegation locations, Carlisle had the largest proportion, at 25%, followed by Kendal with 20%. Whitehaven had the fewest, with only 7%

During this period, the constabulary has re-affirmed investigative standards, which may account for a marked decrease in A1 and A2 complaints. Some context for the reduction in A4 complaints may be due to the improved performance regarding the use of stop search powers in 2023/24, now being commonplace.

Officers and staff with repeat complaints are reviewed monthly. Where there are concerns, they are either raised for discussion at the People Intelligence Meeting, or, where they have 6 or more complaints (any), or 3 or more use of force complaints, in 12 months, the Complaints and Misconduct Inspector and Prevent and Diversion DC meet with the officer/staff member, their line manager and Police Federation/Unison representative to discuss concerns and agree a development plan.

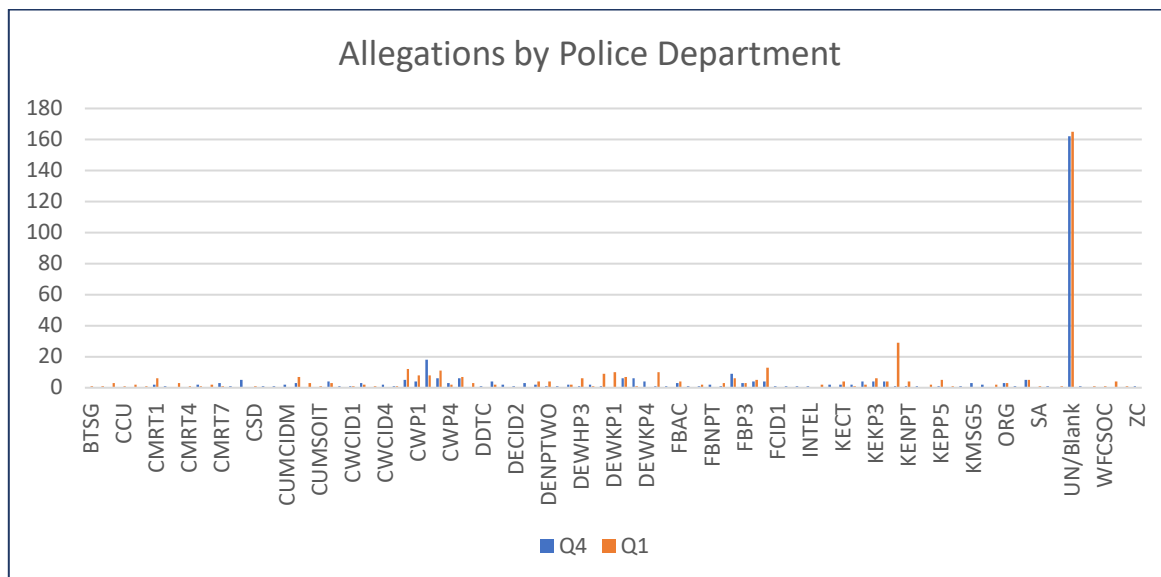
The Complaints and Misconduct Inspector has also begun a series of inputs to Control Room officers regarding advice on reducing the number of complaints.



4 allegations had learning identified, with 151 either left blank, or had no learning identified.

Complaints by Department

Data concerned with the complaints received by police department is now available. However, the data shows that the 'unknown' or blank categories are the largest with 165 complaints (38%), and the other allegations are spread widely over a large number of departments. Due to this, a detailed analysis of the complaints by department cannot fully be achieved.



This highlights a data quality issue to be addressed with the checklist process.

Referrals to the IOPC

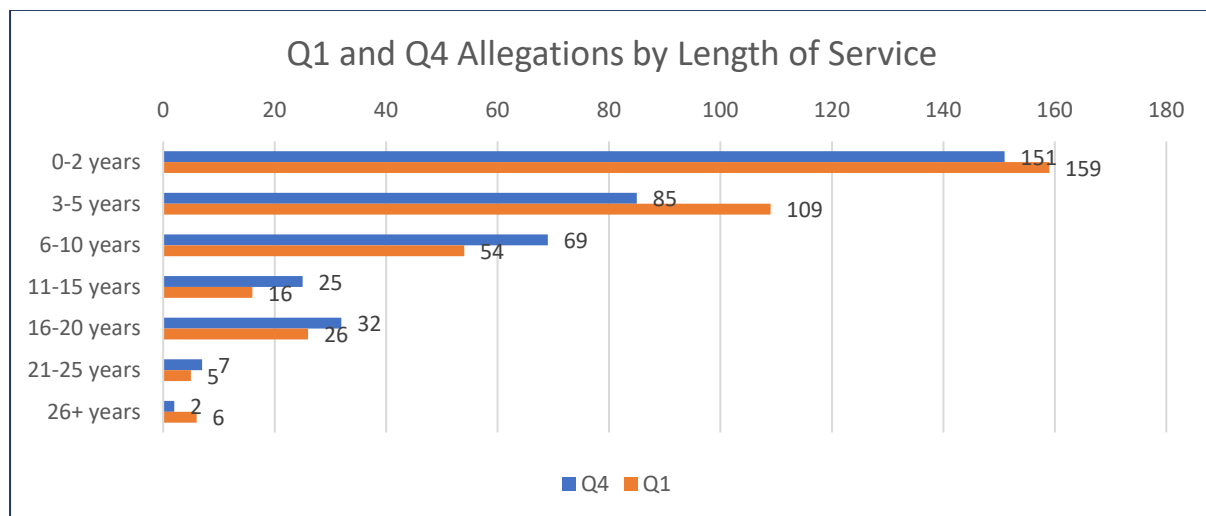
Looking at cases that were finalised in Q1 24/25, Cumbria Constabulary referred a total of 10 cases to the Independent Office for Police Conduct (IOPC), 8 of these resulted from complaints, 1 from a conduct case and 1 from a DSI.

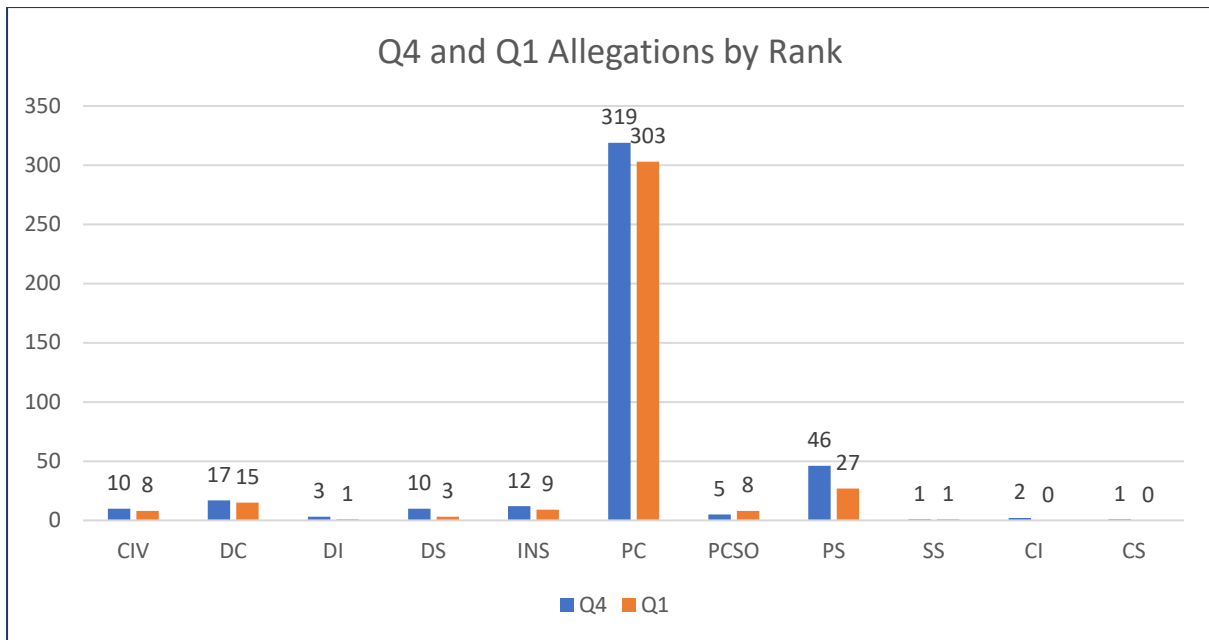
It is noteworthy that the above concerns referrals from cases finalised in Q1, and not the number of cases referred in this period. During Q4 2023/24 and Q1 2024/25, work has been ongoing to improve our response to death/serious injury (DSI) matters. This has included the drafting of a new policy and procedures by the PSD Detective Inspector, with support from Ops command, and continuous professional development (CPD) inputs, all aimed at prevention and improving our response when they occur.

This period also saw the introduction of Right Care, Right Person in Cumbria. Since introduced, we have seen approximately 6 DSIs following these kinds of calls for service. The decision not to deploy officers was deemed correct on each occasion.

Length of Service

For the 400 allegations received in Q1, there was a total of 375 individuals were cited as the subject, however, 105 of the allegations do not cite any known individuals (22%). Therefore, the below data is again to be considered with caution. *An individual who is the subject of several allegations will be counted for each allegation, rather than a distinct count.*





In Q1, as in Q4 23/24, when an individual has been identified as the subject it is police officers with less than 5 years' service, who are most likely to be subject of the complaint (71%). The highest number of complaints for LoS range is 0-2 years with 159 cases (42%) which is the same as Q4 where 0-2 years' experience was the also the highest category with 151 cases (41%). The age category of 3-5 years was second with 109 cases (29%). This has shown an increase of 6p.p since Q4 – from 23% to 29%. The 6–10-year category when compared with Q4 had a decrease of 15, from 19% down to 14%.

Like previous quarters and years, this is a consistent theme concomitant with those with under 5 years' length of service most likely to be on the front line on uniform patrol.

Complaints that remain live

8 complaint files are over 1 Year Old

3 complaint files are over 18 Months Old

Freedom of Information (FOI) Requests.

This quarter saw FOIs remain at previous levels. The themes remained the same, requests regarding misconduct proceedings and vetting.

Appendices

Appendix A - Public Complaint Cases and Allegations Q4 2021-2022 to Q4 2023-2024

Chart A1 Q12022-2023 to Q1 2024-2025 Complaint Cases and Allegations

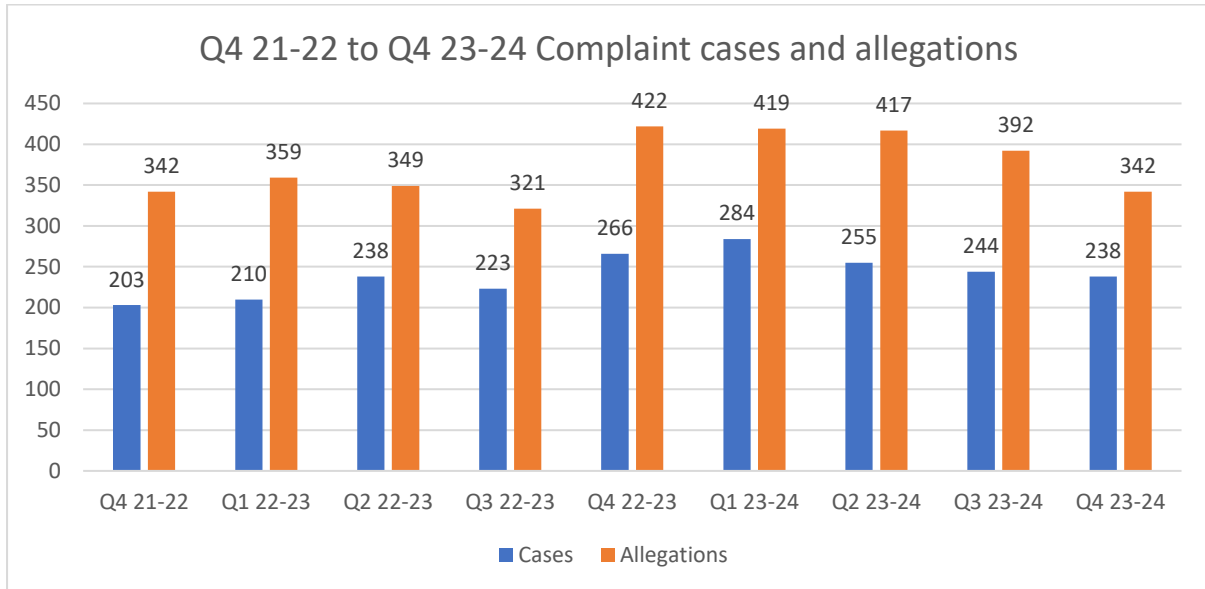
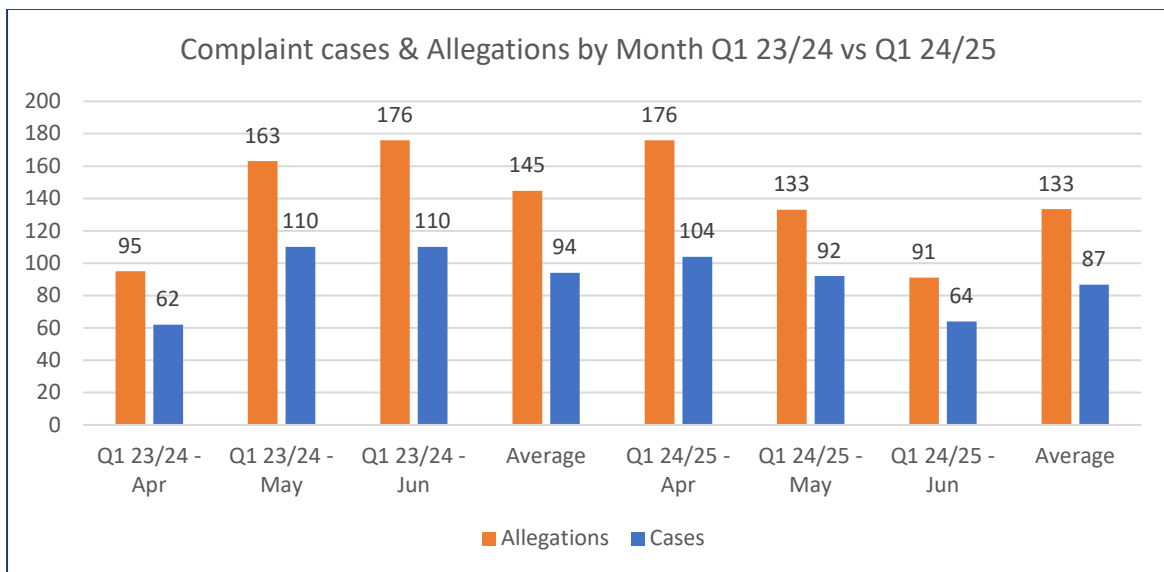


Chart A2 Q12023-2024 vs Q1 2024-2025 Complaint Cases and Allegations by Month



Appendix B – Public Complaint Allegations by Complaint Groups

Chart B1 Complaint Allegations by Group Q1 2023-2024 vs Q1 2024-2025

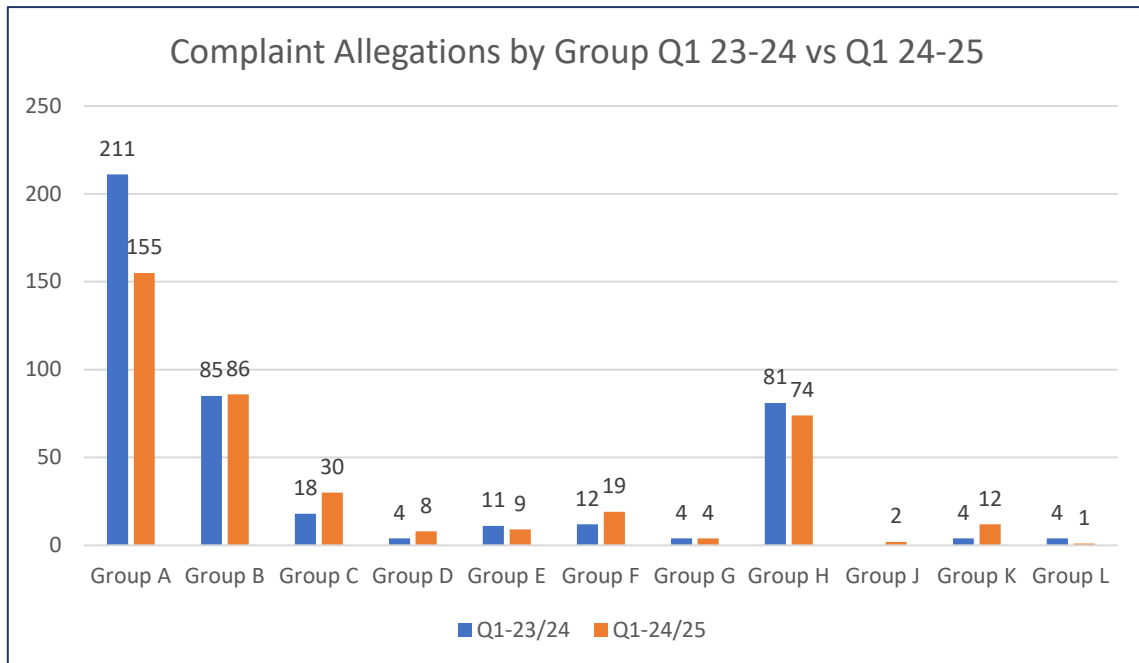
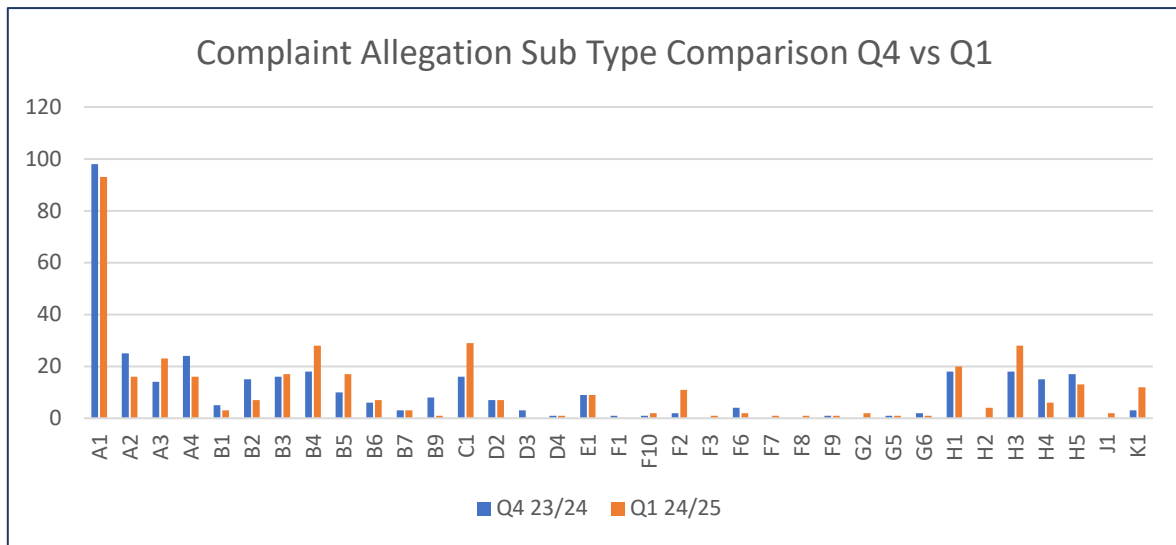


Table B2 Count of Allegations per Complaint Group (excluding De-Recorded) for the previous year

	Q1 23/24	Q2 23/24	Q3 23/24	Q4 23/24	Q1 24/25	% Change Q1 24/25-Q4 23/24
Group A	198	169	169	161	148	-8%
Group B	77	79	88	81	83	2%
Group C	17	18	17	16	29	81%
Group D	3	15	7	11	8	-27%
Group E	10	10	10	9	9	0%
Group F	10	10	6	9	19	111%
Group G	4	11	0	3	4	33%
Group H	76	88	74	68	71	4%
Group J	0	0	2	0	2	-
Group K	2	3	11	3	12	300%
Group L	3	0	4	0	0	-

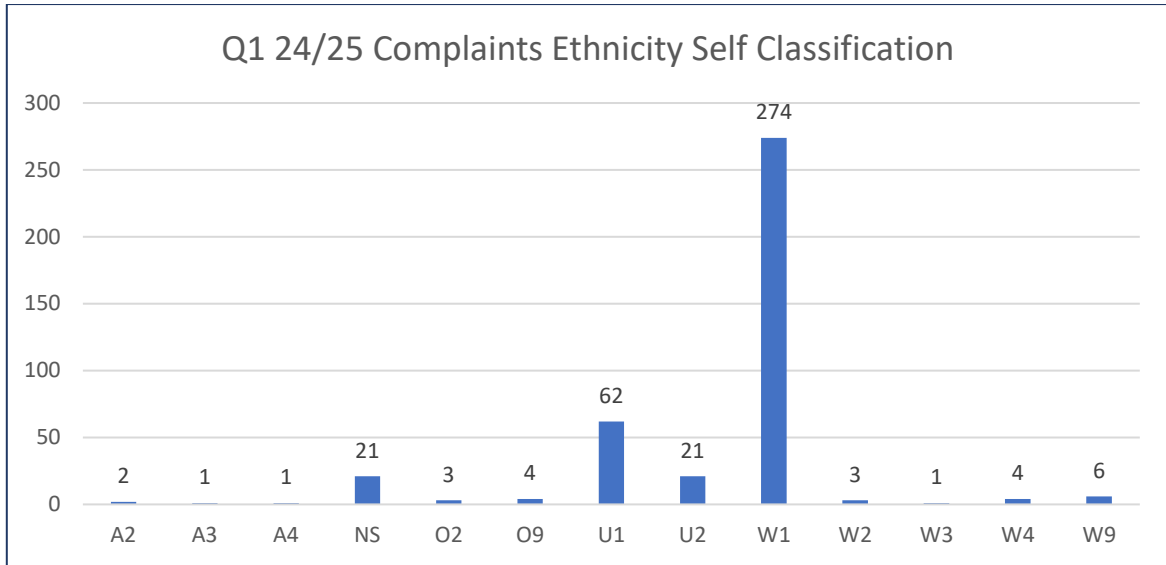
Table B3 Allegation Sub-Types (excluding De-Recorded) Q4 vs Q1



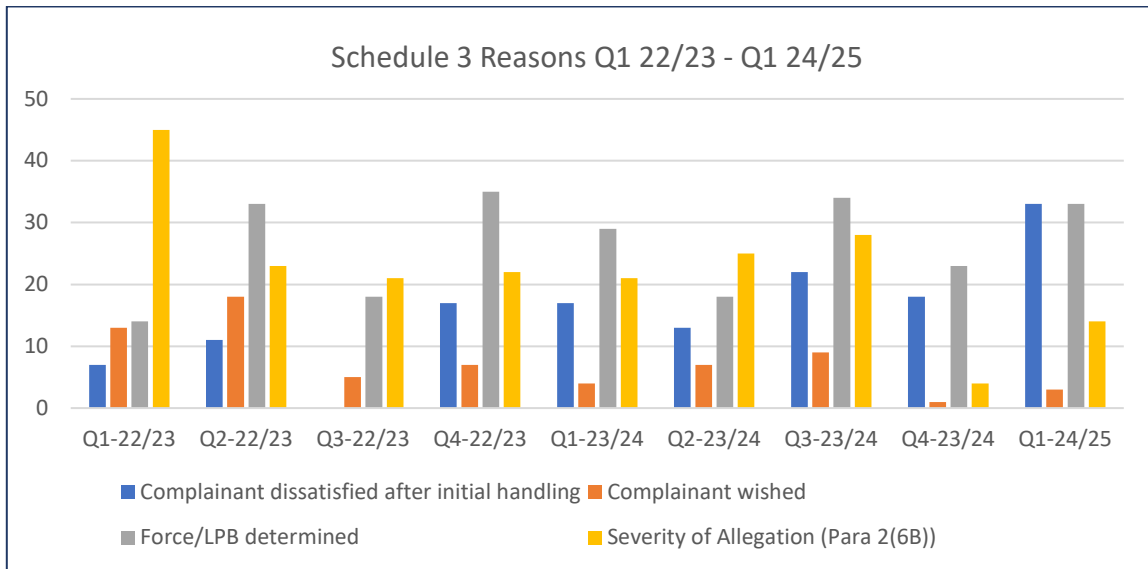
Appendix C – Q4 Incidents, Crimes and Custody Figures

	2023-24 Q3	2023-24 Q4	2024-25 Q1	% Change Q4 - Q1
Incident logs	22579	23341	25776	+10.43%
Incident logs minus dupes/errors	21681	22343	24684	+10.48%
Crimes	8534	8483	9433	+11.20%
Custody: Arrests	2711	2742	3042	+10.94%
Custody: Voluntary Attendance	797	910	986	+8.35%
Custody Total	3508	6352	4028	-36.59%

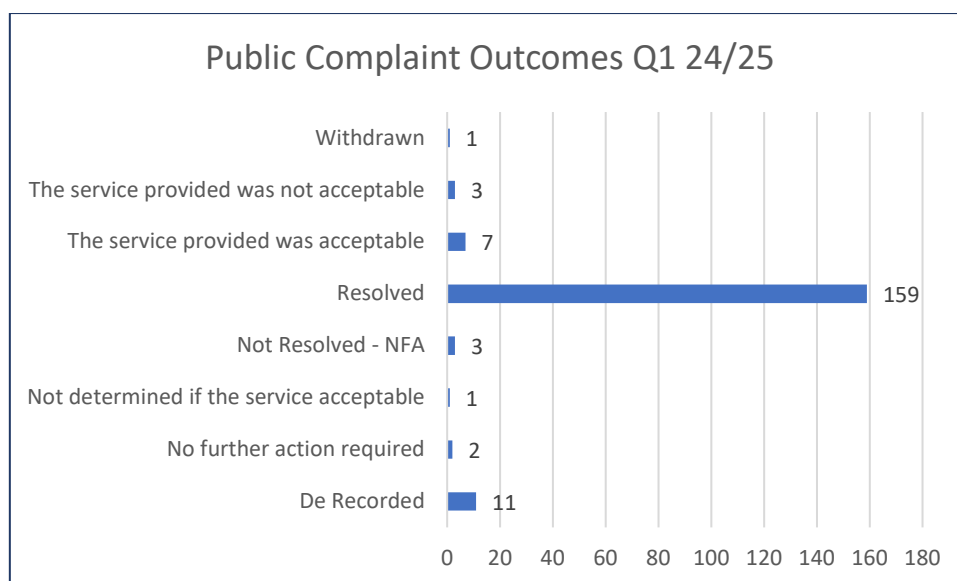
Appendix D – Complainant Characteristics



Appendix E – Schedule 3 Reason



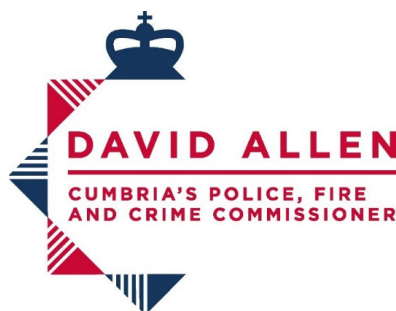
Appendix F – Public Complaint Outcomes



Appendix G – 2020 Complaint Groups and Allegation Types

Complaint Group	Code	Complaint Allegation Type
Delivery of duties and service A1 – A4	A	A1 Police action following contact A2 Decisions A3 Information A4 General level of service
Police powers, policies and procedures B1 – B9	B	B1 Stops, and stop and search B2 Searches of premises and seizure of property B3 Power to arrest and detain B4 Use of force B5 Detention in police custody B6 Bail, identification and interview process B7 Evidential procedures B8 Out of court disposals B9 Other policies and procedures
Handling of or damage to property/premises	C	C1
Access and/or disclosure of information D1- D4	D	D1 Use of police systems D2 Disclosure of information D3 Handling of information D4 Accessing and handling of information from other sources
Use of police vehicles	E	E1
Discriminatory behaviour F1 – F10	F	F1 Age F2 Disability F3 Gender reassignment F4 Pregnancy and maternity F5 Marriage and civil partnership F6 Race F7 Religion or belief F8 Sex F9 Sexual orientation F10 Other

Abuse of position/corruption G1 – G6	G	G1 Organisational corruption G2 Abuse of position for sexual purpose G3 Abuse of position for the purpose of pursuing an inappropriate emotional relationship G4 Abuse of position for financial purpose G5 Obstruction of justice G6 Abuse of position for other purpose
Individual behaviours H1 – H5	H	H1 Impolite language/tone H2 Impolite and intolerant actions H3 Unprofessional attitude and disrespect H4 Lack of fairness and impartiality H5 Overbearing or harassing behaviours
Sexual conduct J1 – J3	J	J1 Sexual assault J2 Sexual harassment J3 Other sexual conduct
Discreditable Conduct	K	K1
Other	L	L1



Community Scrutiny Panel

Title: OPFCC Complaints & Reviews

Date: 16 August 2024

Agenda Item No: 11a

Originating Officer: Joanne Head, Governance Manager

CC:

Executive Summary:

In accordance with the Police Reform and Social Responsibility Act 2011 the Police, Fire and Crime Commissioner (Commissioner) has a responsibility in relation to conduct and complaints. The introduction of the Policing and Crime Act 2017 and subsequent complaint and misconduct regulations mandate Commissioners to deal with public complaint appeals now known as reviews.

The Commissioner is the appropriate authority for complaints and conduct matters relating to the Chief Constable only. The Chief Constable is the appropriate authority for any complaints regarding police officers (below the rank of Chief Constable) or police staff conduct whilst carrying out their work/duties under the Direction and Control of the Chief Constable.

Recommendation:

That, the Panel notes the current position in relation the number of complaints received by the Office of the Police, Fire & Crime Commissioner.

1. INTRODUCTION & BACKGROUND

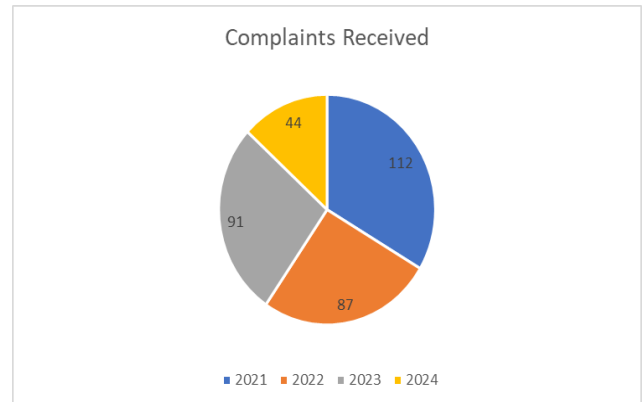
- 1.1 The Office of the Police, Fire & Crime Commissioner (OPFCC) receives telephone calls and emails from members of the public who wish to make complaints about police officers and/or police staff under the rank of Chief Constable. As this is a matter for the Chief Constable to deal with a process has been developed with the Constabulary to forward such complaints onto the Constabulary's Professional Standards Department, advising the complainant accordingly.
- 1.2 Some issues which are brought to the attention of the OPFCC do not constitute a complaint but are regarding quality of service issues. Again, a system has been developed with the Constabulary to pass on the issues to the Chief Constable's

Secretariat. The issues are then raised at a local level with the OPCC being kept updated as to progress and advised of either a final solution which has been agreed or a final response which the Commissioner will then send to the author. A separate report is provided to this meeting.

2. ISSUES FOR CONSIDERATION

Complaints received by the OPFCC

2.1 This chart details the number of complaints which have been received by the OPFCC from 1 January to 30 June 2024. Of the 44 received, 43 were regarding police officers below the rank of Chief Constable; with the remaining complaint about fire staff and as such the Commissioner has no statutory responsibility to deal with these complaints.



2.2 The OPFCC advises the complainant of the correct organisation to make their complaint to and if requested can forward the correspondence to either PSD or Fire on behalf of the complainant.

Commissioner and Deputy Commissioner Complaints

2.3 Complaints made regarding the Commissioner or Deputy Commissioner are dealt with by the Police, Fire and Crime Panel (PFCP). This Panel has statutory responsibility for holding the Commissioner to account for the work that he carries out and they are therefore the logical body to deal with any complaints. The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 details the role of the PFCP.

2.4 Any complaint regarding the Commissioner or Deputy Commissioner is sent to Westmorland and Furness Council's Monitoring Officer to assess and consider its severity. If it does not meet the above criteria an agreed protocol is in place whereby the Monitoring Officer will correspond with the Commissioner/ OPFCC Monitoring Officer to ascertain the circumstances surrounding the complaint and provide the complainant with an explanation. If the complainant is satisfied with the explanation such a complaint would be finalised as an informal resolution.

2.5 If the complaint cannot be dealt with by informal resolution the PCP will then consider the complaint and may decide to establish a subcommittee to consider the findings of the initial investigation of the Monitoring Officer and consider whether to undertake a more detailed investigation.

2.6 Detailed below are the number of complaints regarding the previous Commissioner, Mr Peter McCall, the previous Deputy Commissioner, Mr Mike Johnson whereby the OPFCC has been requested to provide information to the Police, Fire and Crime

Panel. Both of the complaints were received in April 2024 and related to the Election process.

YEAR	N° of Complaints Received	Complaint not about the PFCC / DPFCC	Dealt with by informal resolution	Police, Fire & Crime Panel investigation
2020	0	0	0	0
2021	2	2	2	0
2022	2	0	0	0
2023	0	0	0	0
2024	2		2	0

2.7 There are currently no active complaints against the current Commissioner, Mr David Allen, being dealt with by the Police, Fire and Crime Panel.

Chief Constable Complaints

2.8 The Commissioner is the appropriate authority for complaints and conduct matters relating to the Chief Constable. Members of the public may write to complain about the Chief Constable when in fact they are unhappy about the way in which policing is provided or regarding a policy or procedure rather than his personal conduct.

2.9 Changes in regulations mean that where it is apparent that the complaint is not in relation to the conduct of the Chief Constable and may in fact relate to that of officers below this rank, they are then automatically sent to the Constabulary's Professional Standards Department to deal with the issues raised. This would mean that the complaint is not in fact logged with the OPFCC. During the first six months of 2024 no complaints have been received regarding the Chief Constable, Mr Carden.

YEAR	N° of Complaints Received	Not Logged	Logged	Dealt with by NFA	Investigation	PSD deal with	to IOPC Appeal
2020	4	1	3	4	0		0
2021	4	0	4	2			1
2022	2	2	0	0	0	2	0
2023	2	2	0	2	0	2	0
2024	0						

2.10 **OPFCC Staff Complaints**

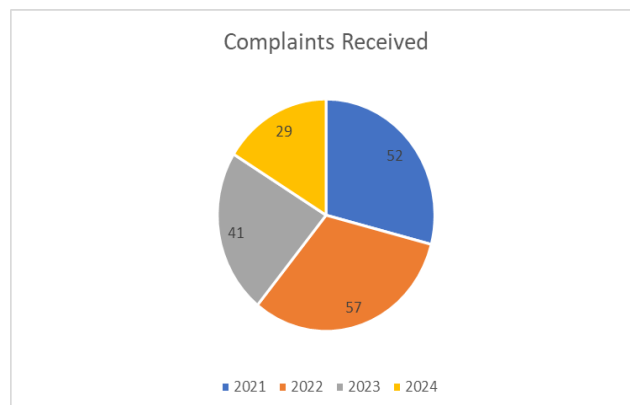
During the first six months of 2024 no formal complaints were received by the OPFCC regarding any member of staff.

2.11 **Complaint Reviews**

From 1 February 2020, the Local Policing Body became the appropriate authority to deal with complaint reviews relating to cases dealt with as Recorded – No Investigation. The reviews are undertaken by an independent review officer to provide additional independence and transparency to the process.

2.12 During the first six months of 2024 the OPFCC received a total of 29 complaint review requests. This represents an 81% increase from the same time period in 2023.

Of the 29 reviews completed 8 (27%) were upheld.



2.13 Upon the completion of a review the independent review officer will provide a written determination for the OPFCC Appropriate Authority to consider. This outlines what they have reviewed, taken into consideration and their final decision. A copy is provided to the complainant upon the conclusion of the review.

2.14 Where the review is upheld, the OPFCC Appropriate Authority will provide recommendations for the Constabulary's Appropriate Authority to consider. Within the legislation and statutory guidance, the Appropriate Authority must advise the OPFCC and the complainant within 28 days of whether or not they will carry out the recommendations. The Commissioner, nor the OPFCC, have any authority to direct or instruct the Constabulary to carry these out. However, as the ethos of the complaint review process is to learn and improve, the recommendations are generally accepted and implemented.

2.15 On average complaint reviews take 20-30 days from receipt to finalisation, however this will depend upon the complexity of the matter and staff availability to carry out and administer the review process.

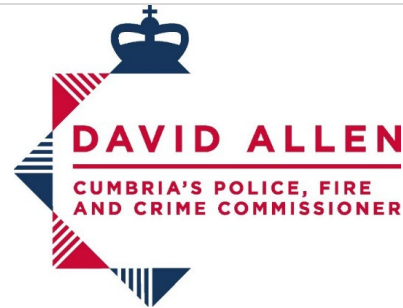
3. **Implications**

3.1 Financial - with the added statutory responsibility for undertaking complaint reviews there is an additional cost for the independent review officer. This is seen as value for money as they are only paid for the work that they carry out, there are no ancillary costs as there would be if they were an employed member of staff.

3.2 Legal – none identified.

3.3 Risk - None identified, beyond that to the OPFCC's reputation if it does not deal with the issues raised appropriately and proportionately according to the merits of the individual case.

3.4 HR / Equality - none specifically identified.



Community Scrutiny Panel

Title: Quality of Service Issues – Police

Date: 15 August 2024

Agenda Item No: 11b

Originating Officer: Lisa Hodgson

CC:

Executive Summary:

The OPFCC receives a number of telephone calls, letters and emails from members of the public who wish to raise issues or dissatisfaction about some element of the policing service they have experienced, or concerns they have within the community. These are regarded as Quality of Service Issues (QSI). This report focuses on QSIs received between 01/01/2024 – 30/06/2024, in this period a total of 372 were received, this is a 14% increase based on the same time period in 2023.

Recommendation:

That the members of the panel note the report.

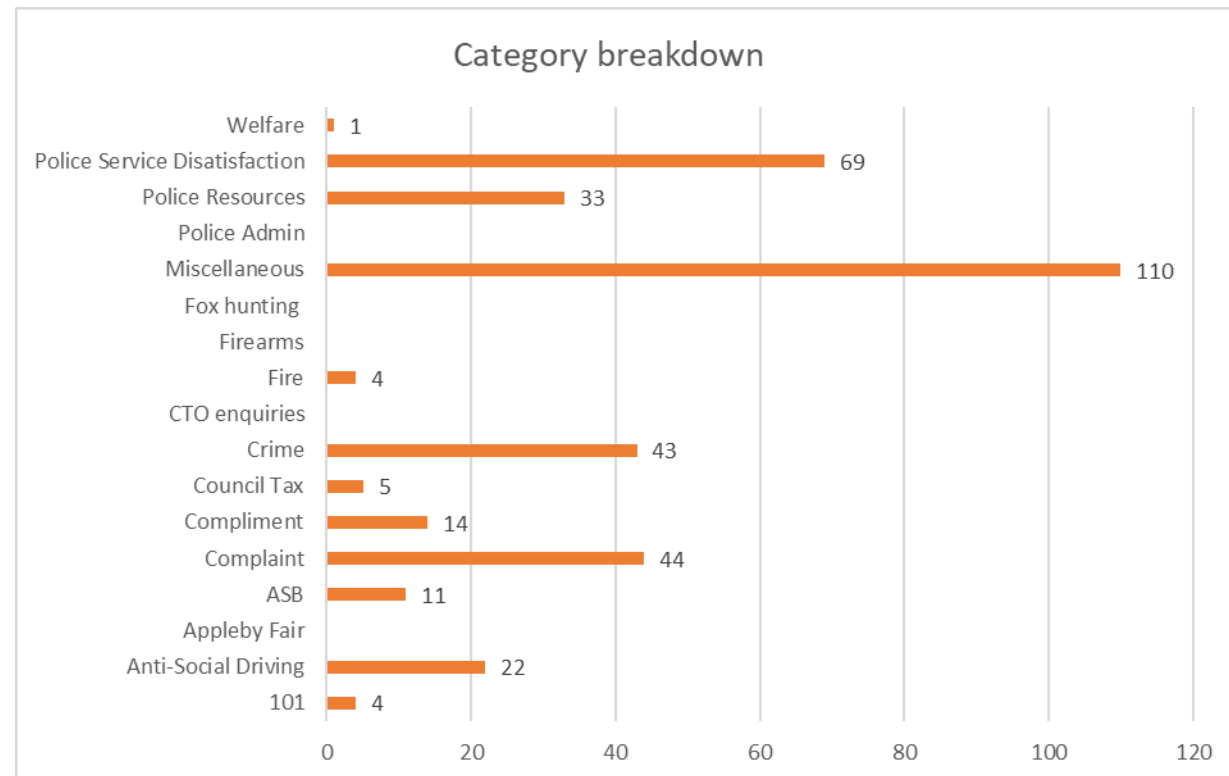
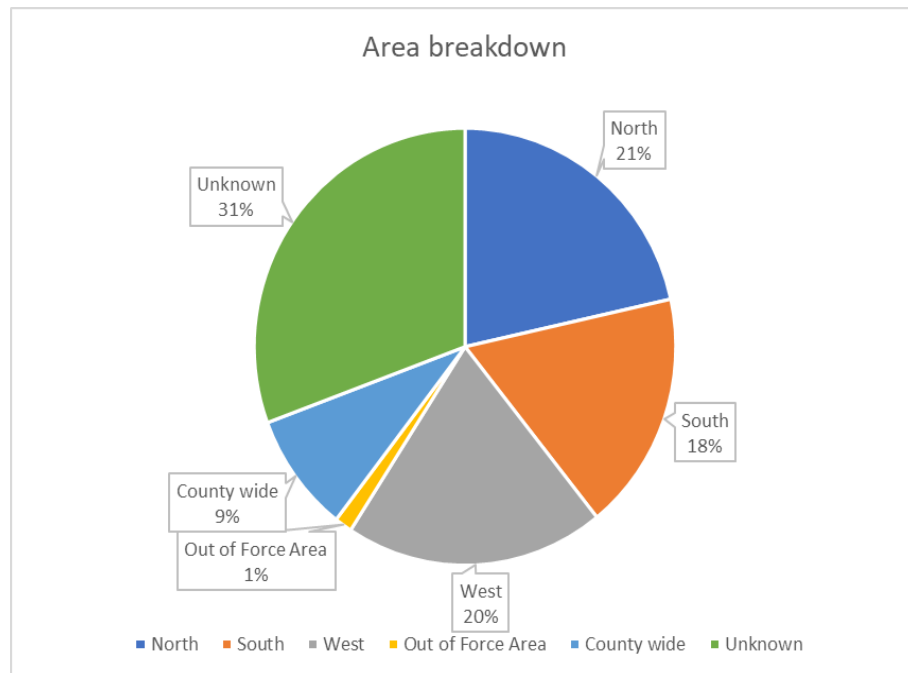
1. Introduction & Background

- 1.1 Members of the public will contact the OPFCC regarding a broad range of issues. The Governance Officer has weekly meetings with the Staff Officers within the Chief Constable's Office to discuss the correspondence received and determine the most appropriate action. Following further information received (from OIC's/ subject matter experts etc.) the Commissioner will write to each individual using

information provided by the Constabulary, within the OPFCC or other partner organisations. Shown here is a breakdown of the issues raised, as can be seen from this chart, the top 4 issues raised were:

1. Miscellaneous – 110 QSIs were received
2. Police Service Dissatisfaction – 69 QSIs were received
3. Crime – 43 QSIs were received
4. Police Resources – 33 QSIs were received

Complaints - When members of the public write to the OPFCC to make a formal complaint about the police service received/ conduct of police officers/staff, these are recorded by the OPFCC in the same way. The OPFCC write back to all complainants advising that their complaint must be dealt with by the Professional Standards Department, and if we receive consent, we will forward this to PSD on their behalf. Further information specifically in relation to complaints is detailed in the complaints report.



2. Issues for Consideration/ Identified Issues

2.1 Miscellaneous

The OPFCC has received 110 QSIs recorded as 'Miscellaneous'. Alone, the QSIs recorded as 'Miscellaneous' would not be statistically significant however these do need to be captured in some way. Further categories have been created to reduce the number that are logged as miscellaneous, this will take effect from the next report. Currently, QSIs in this category include cases such as: Welfare checks correspondence from members of the public suffering from mental health episodes that require a multi-agency approach; Central Ticket Office (CTO) enquiries; Police administration queries such as DBS checks etc.; Fox hunting. These QSIs are dealt with in exactly the same way, being provided with a detailed response where appropriate to the query/concern raised.

2.2 Police Service Dissatisfaction

During the reporting period, 69 concerns were raised in relation to the level or standard of policing service received. The concerns logged within this category indicate that the individual is unhappy with the level of policing service they have received and/or the outcome of the investigation. A number of these concerns are triggered by the lack of communication or updates received from the Police during an investigation. When a response is provided to these cases, we include details of what has happened during the investigation and why. If appropriate we also include contact details for the officer in the case (OIC) to enable the individual to make direct contact, should they require any further updates. In some cases, we arrange for an appropriate officer to visit or telephone the individual to provide clarity regarding the investigation and advise of any other action that can be taken by the individual.

Weekly meetings continue to take place with the Governance Officer and the Chief Constable's Staff officers to discuss each case received. Cases such like this are fed to either the appropriate officers to engage with the author, or to supervisors (depending on the matter raised). Where potential conduct issues are raised, the author is provided with details of how to make a complaint to PSD.

2.3 Crime

The OPFCC received 43 QSIs in relation to ongoing crimes. With assistance from the Chief Constable's office, each individual case was looked into to determine the best course of action. In some instances, the author may not have reported the issue to the police, therefore this would be sent to CCR for a log to be created and allocated to an officer. The author would be updated with this information and advised that they would be contacted directly by an officer to progress.

2.4 Police Resources

The OPFCC received 33 QSIs during this period in relation to Police Resources. This covered a range of topics such as: police attendance at Parish Council Meetings; the time officers may spend in hospitals with detainees and the deployment of police officers, such as officers being visible out in the local communities. Further correspondence was received in relation to Appleby Fair, and the use of out of force police vehicles. These QSIs are dealt with in the same way, and each is provided with a detailed response to the query/concern raised.

2.5 The OPFCC regularly advises the Constabulary about the types of QSI's it receives to enable them to utilise this valuable information to inform its policing across the county. This is done on a monthly basis via Executive Board.

3 Compliments

The OPFCC has received 14 forms of correspondence thanking the Commissioner and/or individual Police Officers for the service provided, these are always shared with the individual officers, and the Chief Constable.

4 Making a difference

Correspondence from members of the public highlight to the Commissioner issues that are concerning local communities. The OPFCC acts as a point of contact to the public to allow them to make contact regarding any concerns relating to policing in Cumbria. In addition to individuals receiving a response with an update and/or explanation, the information gathered is used to look at how assistance or changes can be provided throughout Cumbria. As mentioned earlier in the report, weekly meetings are held with the Chief Constable's Office and feedback is provided where appropriate offering learning to individual officers. Furthermore, each individual letter is signed off by the PFCC, and any additional feedback/questions are provided to the Constabulary.

The OPFCC also links in with PSD when correspondence is received from members of the public regarding delays in updates and responses. The OPFCC provides updates to those complainants to ensure they understand that there is a delay, but they will be contacted by PSD regarding their complaint.

Executive Board – Police

As noted earlier in this report, on a monthly basis (from May 2024) a report is submitted to the executive board – police to advise the Constabulary about the types of QSI's it receives to enable them to utilise the information and inform its policing across the county. This also enables any trends or matters of concern to be flagged appropriately. Matters raised in this forum to date have covered Appleby Fair and Firearms Licensing.

Firearms Licensing

Extensive work has been carried out by Cumbria Constabulary's Firearms Licensing Department resulting in the backlog of non-complex firearms applications being cleared. Work remains ongoing to reduce the backlog of complex applications which are subject of thorough assessment (medical/vetting issues etc).

Monthly meetings were set up with the Governance Officer and the Superintendent / Chief Inspector lead of the FLD to receive updates about those cases that were outstanding, where contact had been made with the OPFCC. The OPFCC still currently has some outstanding cases open, these are 'complex' applications and FLD remain in contact with the OPFCC to provide updates when requested. These meetings still continue and have been extremely helpful and positive, providing useful updates regarding work moving forwards.

Driving Issues

Using funding secured by the Partnerships and Commissioning Team from the Home Office Safer Streets Fund 5, collaborative working and coordination has taken place between partner blue light services as well as restorative justice and outreach programmes set up within the county. Part of this project is to engage with educational establishments, with specific groups like Young Farmers as well as attending relevant partner meetings held within the area (eg Cumbria Road Safety Partnership, Local Focus Hubs), to tackle the issues identified in hotspot areas.

Anti-social and safe driving educational resources have been developed containing a highly impactful range of training packages fit for all audience types, but with specific focus on educating young people either at the locations of anti-social driving, within educational settings, within groups, at events or any other location as appropriate. The use of interactive VR technology is designed to encourage engagement especially with the neurodiverse. Content may include use of crashed vehicles, vehicle safety checks and legal compliance, adverse weather, drink/drug/fatigue/distraction impact on driving, under 17s, agricultural work, novice driver, awareness of impact of behaviour on other road users and pedestrians.

DELIVERED:

Development of educational materials suitable for Cumbria.

30 x VR Headsets

20 total sessions ranging from schools engagement, Junior citizens programmes, Cumbria Ride Safe and attendance at shows and events with the Virtual Reality equipment and road safety/ASB educational content.

BENEFICIARIES:

Cumbria Ride Safe	28
Junior Citizens	590
16-18 6th Form Students	145
Events	100
TOTAL	863

PROGRESS:

Good progress is being made in regard to establishing relationships with educational establishments to have a single point of contact to organise educational sessions to deliver the road safety and ASB content as well as the VR. A good relationship has been built with Young Farmers and we are now working towards the next phase of road safety education later in the year when this comes back around on their syllabus. Attendance at specific motor shows and car enthusiasts meets has built up relationships and provided the opportunity to educate a different audience.

Work is being done now to deliver a county wide road safety package that is able to be delivered by operational fire crews in educational establishments and to groups. Crews are being trained to use the VR kit so when required they can request the kit to use and supplement the delivery of road safety education. Police can attend if able to, but would we are working towards a point where CFRS focus on the prevention work via education while police assist when required but focus more on enforcement of road traffic offences.

Safer Streets

Safer Streets Fund Round 5 commenced on 1st October 2023 and runs to 31st March 2025. A reduced total funding amount of £820k was allocated to Cumbria and has been split over 3 project areas delivering the following:-

Carlisle, Hammonds Pond	
Public realm lighting scheme	17 lighting columns installed and operational in Hammonds Pond. Positive response has been received from members of the public.
Restorative Hope Youth outreach/ASB victim workers	Work ongoing until 30th September 2025. Primary location is Hammonds Pond, with additional work being undertaken in Carlisle city centre including Carlisle Market Hall. 250 total beneficiaries in the time period which are a combination of young people causing harm and business employees/managers experiencing the harmful behaviours. A further 2 direct victims of youth related ASB have also received ongoing support to help them with individual cope and recover

	strategies. Feedback has been received from Local Focus Hubs to indicate the work has significantly contributed to a reduction of youth related ASB. In Carlisle, a stall holder stated the Restorative Hope worker had done more for him in 2 hours than he felt had happened in the previous 11 years.
Training of NPT officers to be drone pilots to primarily tackle ASB, off road bikes and VAWG	Training completed and 4 pilots operational
Target hardening measures in homes in the area	Work completed in 7 homes of victims of crime/ASB.
Update and integration of CCTV system in Hammonds Pond into Cumbria Constabulary system	Work completed – 4 CCTV cameras now incorporated into Cumbria Constabulary CCTV system.

Workington, The Line

Physical improvements along The Line	Work completed and an opening event held on 23 rd May 2024
Restorative Hope Youth outreach/ASB victim workers	Work ongoing until 30th September 2025. Primary location is Workington, with additional work being undertaken in Cleator Moor. 300 total beneficiaries in the time period which are a combination of young people causing harm and business employees/managers experiencing the harmful behaviours. A further 2 direct victims of youth related ASB have also received ongoing support to help them with individual cope and recover strategies. Feedback has been received from Local Focus Hubs to indicate the work has significantly contributed to a reduction of youth related ASB. One example is the Workington (Allerdale) LFH who have stated: one referral is now closed as ABC's were served on 4 youths identified, Restorative Hope workers carried out one:one work with the victims and businesses in the town to name just a few positive actions undertaken.
Training of NPT officers to be drone pilots to primarily tackle ASB and VAWG	Training completed and 4 pilots operational. Case studies below for information if useful.
Target hardening measures in homes in the area	Work completed in 44 homes of victims of crime/ASB.
Integration of the entire	Work completed

Constabulary drone fleet footage into Cumbria Constabulary's system	
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Penrith	
Restorative Hope Youth outreach/ASB victim workers	Work ongoing until 30th September 2025 in Penrith town centre, skate park, leisure centre and McDonalds. 229 total beneficiaries in the time period which are a combination of young people causing harm and business employees/managers experiencing the harmful behaviours. A further 1 direct victim of youth related ASB has also received ongoing support to help them with individual cope and recover strategies. Feedback has been received for Local Focus Hubs to indicate the work has significantly contributed to a reduction on youth related ASB. Penrith - a group people the Restorative Hope workers were working with thanked them for spending the time with them, listening and providing a voice back to the LFH abouts some health and safety concerns they had identified in a local skate park.
Anti-social driving initiatives to primarily tackle ASB and anti- social driving	Work ongoing until 31 st March 2025. Further detail is in the "Driving Issues" section above.
Target hardening measures in homes in the area	Work completed in 14 homes of victims of crime/ASB.
Additional 360° CCTV cameras	3 cameras installed and operational feeding footage to Cumbria Constabulary

The Restorative Hope youth outreach/ASB victim workers work will be showcased in ASB Awareness week which has been rescheduled for 18th - 24th November 2024.

Drone assists in tracking off road bikes

On 11 August, our drone has proven to be effective once again.

This time in Great Clifton and Camerton where we have had numerous complaints about them being ridden dangerously and antisocially, both on and off the road.

Three riders were given a Section 59 anti-social driving warning.



This article was in the Workington July issue of the monthly NPT newsletter in relation to an ongoing complaint of off road bikes in Workington riding along the Riverside and in fields. Our Drone Operator, PC Sam Steele attended the area and within minutes identified 2 males in the area, who had tried to hide their bikes. The Drone was able to locate the bikes which were hidden under some grass/trees. We attended and they were given Section 59 warnings and told not to return to the area. If they are found riding in an anti-social manner in the future, we can then seize them.

We also had another Operation with the Drone in Workington on Friday 5th July in Workington aimed at Off road Anti-Social use of motorbikes in the Moorclose and Salterbeck Estates. This was very successful, using the Drone we were able to seize 2 off road bikes, 2 people were reported for offences under the road traffic act – having no license and no insurance. 1 person was reporting for driving without due care and attention and a section 59 notice issued to another driver.

Inspector Pete Aiston says that we would not have had the success without the drone. It is a great piece of kit and allows us to be proactive in dealing with our community problems. We can now use the drone to identify those who are riding off road bikes in our communities, as we can follow them and identify them without having to utilise pursuit tactics which can be dangerous.

We have had very positive feedback from our members of the public, we post our success online and the majority of the comments are positive and support the action we are taking.

Keep Safe

The Partnerships & Commissioning Team continues to fund, develop and manage “Keep Safe” which is the service available free of charge to all victims of crime and anti-social behaviour across Cumbria delivered by the Constabulary. This service provides crime prevention advice to victims, and where necessary target hardening measures to their homes so they can feel safer in their day to day lives. For the period 1st January 2024 – 30th June 2024 478 individuals received support from Keep Safe, compared to 351 cases from the same period in 2023, with demand continuing to rise. Dip samples are conducted monthly to ensure the victim is satisfied with the service they have received with 100% of those asked providing a positive review of the Keep Safe service.

5. Implications

- 5.1 Financial - there are no additional financial costs associated with dealing with these complaints, quality of service issues as these tasks form part of staff roles.
- 5.2 Legal – none identified.
- 5.3 Risk - None identified, beyond that to the OPFCC's reputation if it does not deal with the issues raised appropriately and proportionately according to the merits of the individual case.
- 5.4 HR / Equality - none specifically identified.