
Enquiries to: Mrs J Head
Telephone: 01768 217734

Our reference: jh/EIP

Date: 31 January 2020

AGENDA

TO: THE MEMBERS OF THE ETHCS AND INTEGRITY PANEL

CUMBRIA POLICE & CRIME COMMISSIONER AND CUMBRIA CONSTABULARY ETHICS AND INTEGRITY PANEL

A Meeting of the Ethics and Integrity Panel will take place on **Thursday 6 February 2020** in **Conference Room 2**, Police Headquarters, Carleton Hall, Penrith, at **2.00 pm**. Please note that a buffet lunch will be served for Members of the Ethics and Integrity Panel.

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 Headquarters building.

The Panel members will meet at 11.00 am to carry out a mental health detention dip sample, followed by an information session regarding the changes to legislation

PANEL MEMBERSHIP

Mr Michael Duff
Mrs Lesley Horton
Mr Alan Rankin (Chair)
Mr Alex Rocke

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

4. NOTES OF THE PREVIOUS MEETING

To confirm the restricted notes of the meeting of the Ethics and Integrity Panel held on 7 November 2019 (copy enclosed).

5. COMMUNICATION CENTRE

To receive an update on the resolution of the issues identified regarding the SAAB SAFE System.

6. SPIT HOODS

To receive an annual report on the Constabulary's usage since being introduced in January 2019 - *To be presented by*

7. THEMATIC SESSION FEEDBACK

To receive verbal feedback on the Mental Health Detentions dip sample

8. INTEGRITY

To receive a report on the work carried out within the Constabulary's Professional Standards Department in relation to Complaints by the Public

9. COMPLAINTS AND MISCONDUCT LEGISLATIVE CHANGES

To receive an update on legislative changes in relation to complaints and misconduct, the new processes to be introduced and training for the panel .

10. DRAFT ANNUAL REPORT

To consider and approve the Panel's Annual Report for 2019 – *To be presented by the OPCC Governance Manager.*

11. ETHICAL WORK

To discuss how the Ethics and Integrity Panel may assist the Constabulary with ethical dilemmas and issues.

Agenda Item No 4

ETHICS AND INTEGRITY PANEL

Notes of a meeting of the Ethics and Integrity Panel held on
Thursday 7 November 2019 in Conference Room 2, Police Headquarters,
Carleton Hall, Penrith, at 2.00 pm

PRESENT

Mr Alan Rankin (Chair)
Mr Michael Duff
Mrs Lesley Horton
Mr Alex Rocke

Also present:

Deputy Chief Constable Mark Webster
Superintendent Carl Patrick
Superintendent – Lisa Hogan
Detective Chief Inspector – David Stalker
Head of Legal Services – Andrew Dobson
OPCC Chief Executive - Gill Shearer
OPCC Governance Manager - Joanne Head

30. APOLOGIES FOR ABSENCE

No apologies for absence were received as all members were present.

31. DISCLOSURE OF PERSONAL INTERESTS

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

32. URGENT BUSINESS

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

33. NOTES OF THE PREVIOUS MEETING

The notes of the meeting held on 8 August 2019 and supporting action sheet previously circulated with the agenda were agreed.

Agreed; that, the notes from the previous meeting be agreed.

26. BODYWORN VIDEO REVIEW

Superintendent Patrick provided a presentation on the Constabulary's previous and current usage of Bodyworn Video equipment. Usage of the equipment by officers and staff have improved by 26% since the review partly due to briefings and the ability to analyse performance data on usage. This was against a background of a 5% reduction in the number of incidents. It was noted that single crewed officers attended over half of incidents attended by the Constabulary emphasising the importance of using the Bodyworn video facility. The Panel were keen to learn whether or not similar data was available for Stop and Search and Use of Force and were informed that this was being looked at.

In response to a Panel Member's question, Superintendent Patrick advised that although some officers were still reticent in using Bodyworn video the Constabulary were looking to educate staff in its benefits through regular conversations with their line managers before any substantive measures were taken.

AGREED; that the presentation be noted.

27. SPIT GUARDS

During the morning, the Panel had carried out a dip sample of some of the usage of Spit Guards throughout the year. The Panel recognised the diverse incidents officers were required to attend and were pleased to see the detailed and proportionate use of Spit Guards in the cases they reviewed.

The Panel questioned whether the current process to record Spit Guard usage could be improved to reduce the amount of work involved to collate the reports. A discussion took place on the current Use of Force form and whether or not it met the needs to the Constabulary. They recognised that to date there had been no complaints or adverse outcomes from the use of Spit Guards and this was largely attributed to the Spit Guards only being use on an individual for a short space of time.

AGREED; that, the verbal reports be noted.

(Note: Superintendent Patrick left the meeting at this point.)

28. CIVIL CLAIMS

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

The number of Public Liability claims had seen two new claims that had been deemed significant with one older claim being closed within the 6 month reporting period. There were now 8 significant claims being dealt with by the Constabulary.

One claim related to the provision of information through the Subject Access Request (SAR) process. The Panel asked whether there were any issues within the Constabulary for the provision of information and data via SAR or Freedom of Information. DCC Webster advised that there was a current backlog, however the Constabulary were looking to provide some temporary resource to assist with this. They were also proposing to publish more information on their website to try and reduce the number of FOI requests received.

The Panel discussed a number of ongoing cases, at what stage they were currently at and whether the estimated potential costs had remained the same. Some of the claims related to issues encountered on a national basis and therefore Legal Services were liaising with other forces.

Agreed; that the report be noted.

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

29. GRIEVANCES

During the reporting period of 1 April to 30 September 2019, there were a total of 11 grievance claims made, with 3 affiliated to one individual and another 6 to 3 individuals. The cases were at a number of different stages.

The Panel discussed in more depth details of the cases being raised to enable them to understand the nature of the issues raised through the Grievance procedure.

Agreed; that the report be noted.

30. INTEGRITY

DCI Stalker presented a report providing a quarterly update on public complaints, officer and staff misconduct and work carried out by the Anti-Corruption Unit. It was noted that the Constabulary recorded 9,000 incidents per month of which 0.79% resulted in a complaints being received. Unprofessional conduct constituted 50% of these with 53% of those relating to victims and witnesses not being kept updated.

Superintendent Hogan advised that more 'service recovery' work was being carried out by Sergeants and Inspectors within local areas rather than within the Professional Standards Department (PSD). This enabled matters to be dealt with quickly and gave supervisors an insight into issues relating to their officers and staff. The use of Bodyworn video was reducing the time taken to deal with some complaints, which was pleasing to see. Although the facility was not being utilised by all officers which was frustrating as had it been used many more complaints could be dealt with at their initial stage.

A discussion took place on the work of the Anti-Corruption Unit and misconduct cases that were both current and finalised. During the morning, the Panel had carried out a dip sample of finalised police officer and police staff misconduct cases. In relation to one case the Panel asked what training was provided to tutor constables and Superintendent Hogan advised that the officer would undertake a 3 day training programme.

One Panel member had reviewed two cases, one relating to a police officer the other to a member of staff for what appeared to be very similar offences of disclosure. There appeared to be a disparity between how they were dealt with as the police staff had been fully investigated for one incident whereas the police officer who was reviewed for a number of disclosure matters was not. Ultimately, both cases resulted in NFA but the Panel member questioned why there had not been a thorough investigation into the police officer. DCC Webster advised that intelligence information which had not been available for the Panel member to see had provided the rationale for the Constabulary's actions and talked them through this. As PSD were now part of the People Department the investigation of incidents concerning police officers and police staff were dealt with in the same department that should result in no difference in the ethical or moral stance taken. The Panel felt that the disparity should be reviewed to ensure that any underlying issues in relation to the police officer had not gone unchecked.

AGREED; that, the report be noted.

31. THEMATIC SESSIONS UPDATE

(a) Communications Centre

The Panel had carried out a dip sample of pre-recorded 999 calls, live calls and the 101 email system. They felt that calls had in the main been handled very well, with call handlers being professional and empathetic to the different types of callers. Any required police response to the 999 calls had been very quick with call handlers staying on the line with the caller until police officers arrived.

The Constabulary had introduced a new system within the Comms Centre on 17 June 2019. Some initial issues with the new system had been experienced by the call handlers; such as booking officers on and off duty, directing calls to individual officer's voicemails and some calls being dropped during the call. Changes to the system had meant that officers and staff had to adapt to the different ways of logging and dealing with calls that had caused some initial problems.

Work was being carried out to rectify the identified issues with the provider and the Constabulary's IT department. It had been recognised that some onsite testing by the provider was required and this would take place w/c 18 November 2019. In addition an independent IT consultant would be commissioned to assist the Constabulary in identifying and scoping viable solutions.

The Panel were concerned that Comms Centre officers and staff were not all fully aware of the current situation, what issues were being prioritised and potentially what the systems full

capabilities were. They recognised that it may have the same functionality but needed to be carried out in a different way. DCC Webster assured the Panel that regular updates were provided to all officers and staff within the Comms Centre with the latest one going out that morning. It was agreed that an update on the resolution of issues with the SAAB SAFE system would be provided to the Panel at their February meeting.

AGREED; that,
 (i) the verbal report be noted; and
 (ii) An update on the resolution of issues with the SAAB SAFE system be provided to the Panel.

(b) Use of Force Board

A Panel member had attended 2 Use of Force Board meetings, and although they could provide feedback and comment on issues, the Panel felt that it was not providing the scrutiny element that the Constabulary was looking for.

A discussion was held on how the Constabulary could obtain the scrutiny they required and what role the Panel could play in this. It was agreed that DCC Webster would identify how this could be achieved and report back to the Panel.

AGREED; that, DCC Webster identify how the Constabulary could provide data for wider scrutiny.

32. OPCC COMPLAINTS AND QSPI

The Governance Manager presented two reports, the first outlined complaints dealt with by the OPCC and the other regarding areas of dissatisfaction which members of the public had contacted the Commissioner about.

During the first nine months of 2019, the OPCC had received no complaints regarding the Police and Crime Commissioner and three complaints in relation to the Chief Constable. There were currently no outstanding complaints about the Chief Constable, Mrs Michelle Skeer. No complaints had been received regarding any member of OPCC staff.

In 2018 the OPCC had received a total of 350 notifications of dissatisfaction from members of the public regarding policing matters. Up to 30 September 2019 the OPCC had received 355, equating to a 44% increase.

The issues raised in 2019 were very broad ranging with the top six being:

- Police Resources/Police Service (185)
- Council Tax (50)
- Car Parking / Driving Issues (49)
- 101 (15)
- Appleby Horse Fair (13)

➤ Anti-Social Behaviour (12)

Issues relating to the police service being received by members of the public were wide ranging with the most common being that they were not kept updated in relation to an incident or ongoing matters. Issues reported regarding 101 had been following the new system being introduced and predominantly related to call waiting times and calls being lost.

Local Focus Hubs within each of the three policing areas provided a multi-agency approach to many issues experienced within communities, allowing a wider scope of solutions to be implemented. Once initially resolved continued oversight ensured that problems did not arise again.

Agreed; that, the reports be noted.

28. COMPLAINTS AND MISCONDUCT REGULATION CHANGES

The Governance Manager advised the Panel that with the General Election due to take place on 12 December 2019 it was uncertain whether or not legislation would be laid in time for it to come into effect from 1 February 2020. Work was still progressing in preparation of the changes with training being provided by the College of Policing, Home Office and the Independent Office for Police Conduct (IOPC).

Work was continuing by the OPCC to scope how this work would be carried out going forward and a number of options were being considered. In 2020, the OPCC would be reporting to the Panel on reviews (appeals) rather than the Constabulary, identifying any trends or issues. When carrying out their dip sample of public complaints the Panel would include the review element carried out within the OPCC.

AGREED; that the report and verbal updates be received.

29. 2020 ANNUAL WORK PROGRAMME & MEETING DATES

In addition to the cyclical work of the Ethics Panel a discussion was held on what areas of business the Panel could look at as part of the Thematic review work. Areas such as the Constabulary's use of PND and ANPR were considered as the Independent Commissioner's Office (ICO) were interested in how police used these types of tools. It was also recognised that when introduced the Practice Requires Improvement process for police offices may have some initial teething problems.

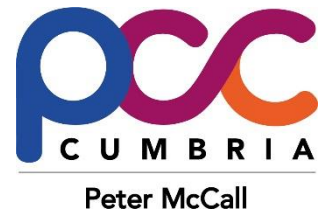
Agreed; that, the proposed areas be included within the Panel's 2020 work programme

Meeting ended at 4.30 pm

Signed: _____
Panel Chair

Date: _____

Ethics and Integrity Panel



Title: Spit Guard Annual Report

Date: 4 February 2020

Agenda Item No: 06

Originating Officer: Inspector D Barr

CC:

Executive Summary:

In January 2019 Cumbria Constabulary took the decision to implement the use of Spit Guards by officers. There was to be a 12 month roll-out training programme to enable officers to use Spit Guards as they attended Personal Safety Training courses. Training would also be included as part of new officer induction training. This report provides a report on the training and usage of Spit Guards within 2019.

Recommendation:

That, the Ethics and Integrity Panel note the report.

1. Officer Training

- 1.1 Officers may only use Spit Guards once they have been fully trained. During the course of 2019, 765 officers attended refresher training which included the usage of Spit Guards. A further 99 officers were trained during their initial training course, giving a total of 864 officers being trained how to use and apply Spit Guards within the Constabulary.
- 1.2 No complaints have been made regarding the application or use of Spit Guards within 2019. This can largely be attributed to the Spit Guards only being used on an individual for a short period of time.

2. Use of Spit Guards During 2019

- 2.1 The mesh fabric hoods prevent a person from spitting or biting officers. Being loose-fitting they do not restrict breathing or impact the wearer's visibility. Saliva and blood in saliva can host a variety of diseases, bacteria and viruses and by using the Spit Guards they keep officers safe. Spit Guards are single use, following which they are disposed of.
- 2.2 Between 3 January and 31 December 2019 there have been 36 incidents where Spit Guards have been used by officers. The gender breakdown of the detainees being 29 males and 7

females; with their ethnicity being identified as 35 White British/Irish and 1 Asian. Detailed below is a breakdown of monthly usage:

Month	Usage
January	2
February	3
March	2
April	2
May	2
June	3
July	3
August	6
September	5
October	3
November	3
December	2

As can be seen the monthly usage is small with the exception of August and September. A detailed analysis of these two months was carried out but no underlying issues or trends were identified.

- 2.3 In November 2019 the Ethics and Integrity Panel carried out a dip sample of some of the usage of Spit Guards throughout the year. The Panel recognised the diverse incidents officers were required to attend and were pleased to see the detailed and proportionate use of Spit Guards in the cases they reviewed.
- 2.4 Appended to this report is a breakdown of some of the incidents where Spit Guards have been used during the year.

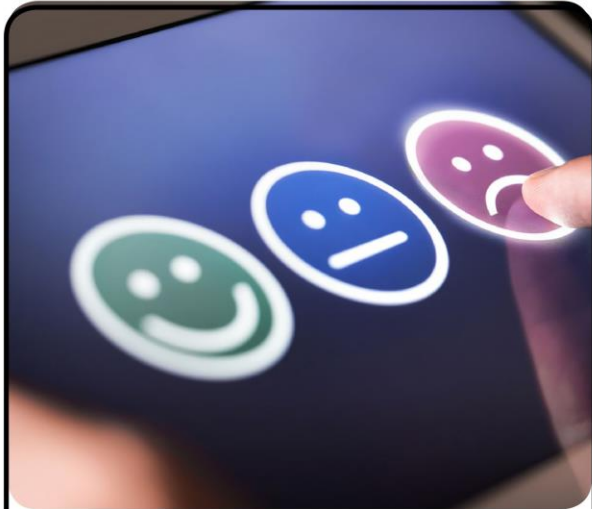
3. Future Training

- 3.1 Refresher training which officers attend will include the usage of Spit Guards and any officers who have not been previously trained receive the training at this stage. All newly recruited officers and Special Constables will receive training as part of their Initial Officer Safety training.
- 3.2 The current colour of Spit Guards is flesh. However after extensive testing the suppliers are proposing to change the colour to black as this would provide improved vision for the wearer. Once current stocks are depleted the Constabulary will move to the black option.

4. Supplementary information

Appendix 1

Public Complaints



- Deliver a complaints system that is effective and accessible
- Support complainants through the Complaints System
- Inspire greater public confidence in the police complaints system

Conduct



- Investigate conduct matters thoroughly and expeditiously in line with current legislation and guidance
- Provide a transparent service to both the Officers subject to investigations and the wider Constabulary and partners, such as the IOPC/OPCC
- Identify and share Learning and Best Practice

ACU Intel



- Data Disclosure
- APSP/APIER
- Vulnerability (Associations, Business Interests/ Secondary Employment)
- Substance Misuse



- **Public complaints**
 - Purpose and Background 4
 - Complaint Cases and Allegations – Current Quarter 5
 - Percentage of Crimes 6
 - Complaint Cases and Allegations – Type 7
 - There and Then 8
 - Priority issues, Discovery/emerging issues and Learning and Development 9
 - Performance 10

- **Conduct**
 - Priority issues, Discovery/emerging issues and Learning and Development 11
 - Public Complaints and Conduct – 4P Plan 12



- **ACU Intel**
 - Purpose and Background 13
 - Priority Issues 14

- **Appendices**
 - Organisational Learning 15



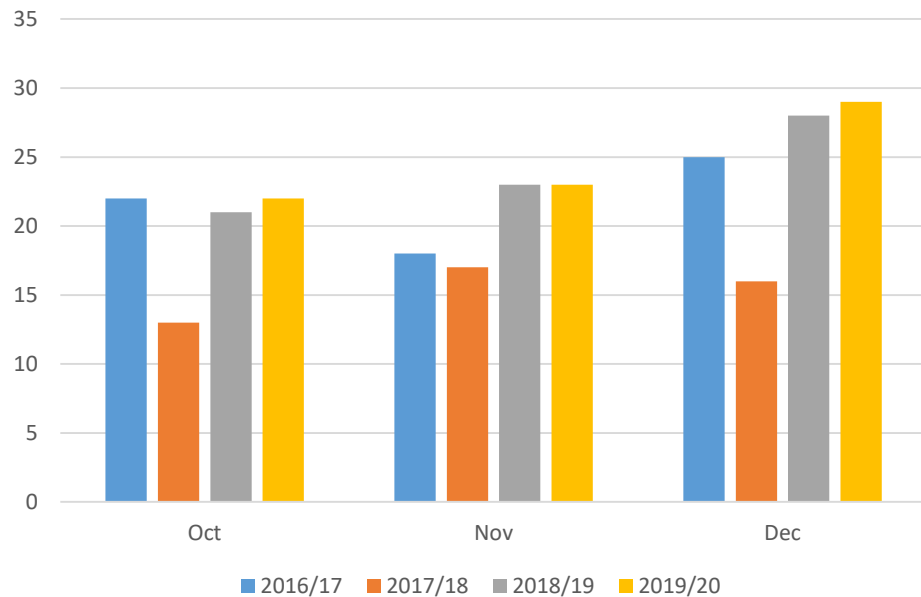
- Complaints from members of the public with regard the actions and conduct of police officers and staff are currently recorded centrally through the Professional Standards Department.
- The range of the data for this quarterly report is from 30th September 2019 to 31st Dec 2020
- Data extracted utilises information from Cumbria Constabulary ICT systems which includes Centurion, the PSD case management system.
- In reviewing information, in addition to Constabulary systems, regard is given to partner agencies including The Independent Office of Police Conduct (IOPC).
- Public complaints relate to an expression of dissatisfaction in relation to Cumbria Police Officers and staff. Each complaint may consist of one or more specific allegations. Complaint allegations are broken down into a number of categories to assist with recording and analysis. Subject to the nature of the complaint, it is either allocated to a supervisor to manage locally (local resolution or local proportionate investigation) or alternatively the matter is investigated by the Professional Standards Department.
- The IOPC uses this data to understand how forces handle public complaints and to assess trends.

Public Complaints: Complaint Cases and Allegations – Current Quarter



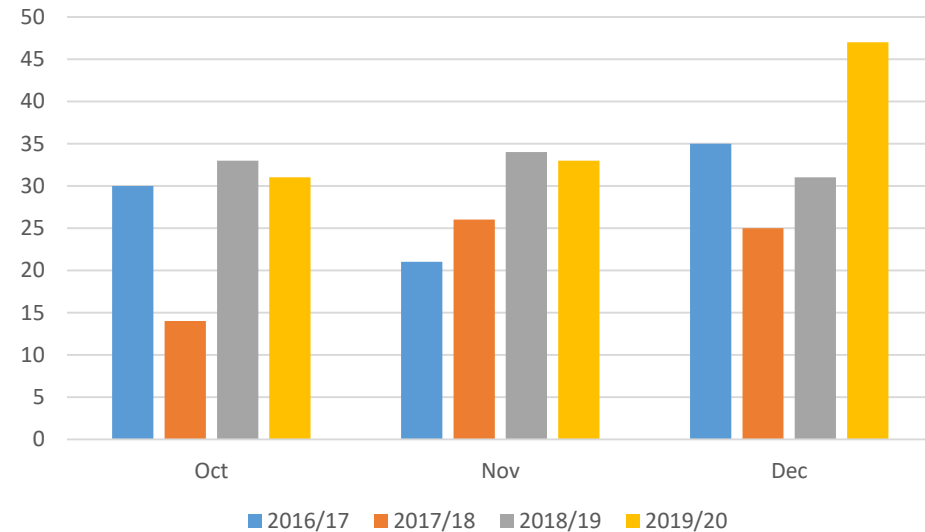
The below graph shows the total complaint cases for the current quarter and same quarter of the previous 3 years.

Complaint cases for Quarter 3 2016/17 - 2019/20



The below graph shows the total complaint allegations for the current quarter and same quarter of the previous 3 years.

Complaint allegations for Quarter 3 2016/17 - 2019/20



Public Complaints: Percentage of Crimes



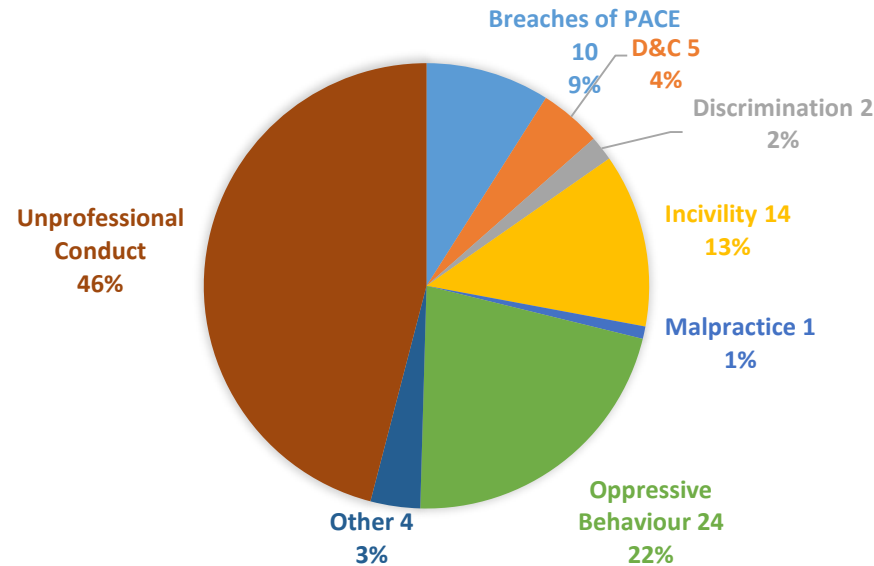
- There were **74** cases recorded in the current quarter and **111** allegations.
- **2882** have been processed via custody.
- 9638 crimes have been recorded in lines with National Crime Recording Standards.
- **23243** incidents have been recorded during the quarter.

2019	Incident logs	Crimes	Total Custody (inc VA)	Voluntary Attendance
October	7958	3338	940	199
November	7465	3219	943	227
December	7820	3081	939	146
Total	23243	9638	2822	572

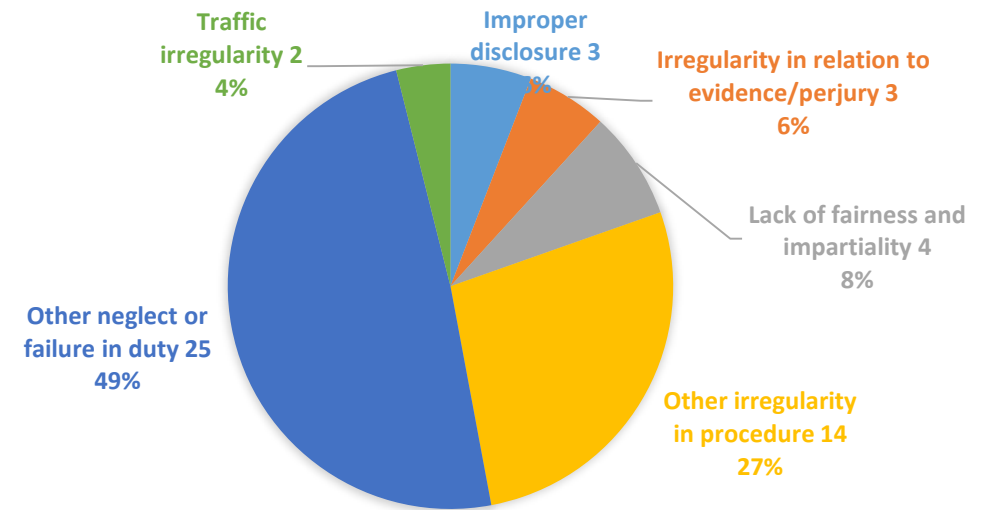
Public Complaints: Complaint Cases and Allegations - Types



The below chart shows the number of complaint cases recorded by type for the current quarter. As shown unprofessional conduct is significantly higher than the other categories.



The below chart looks in more detail at the type descriptions for the allegations received for unprofessional conduct.

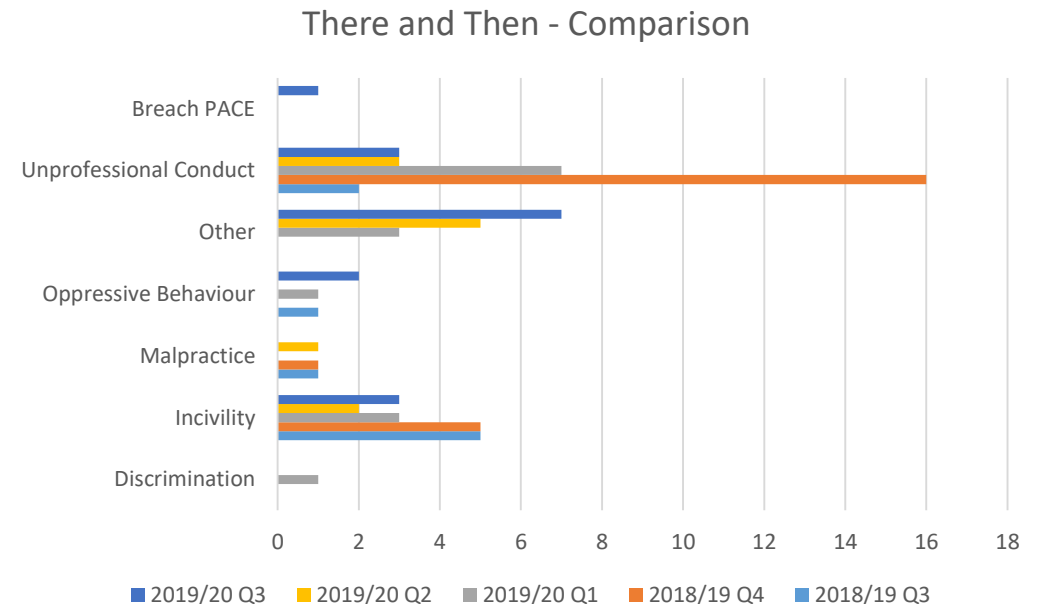
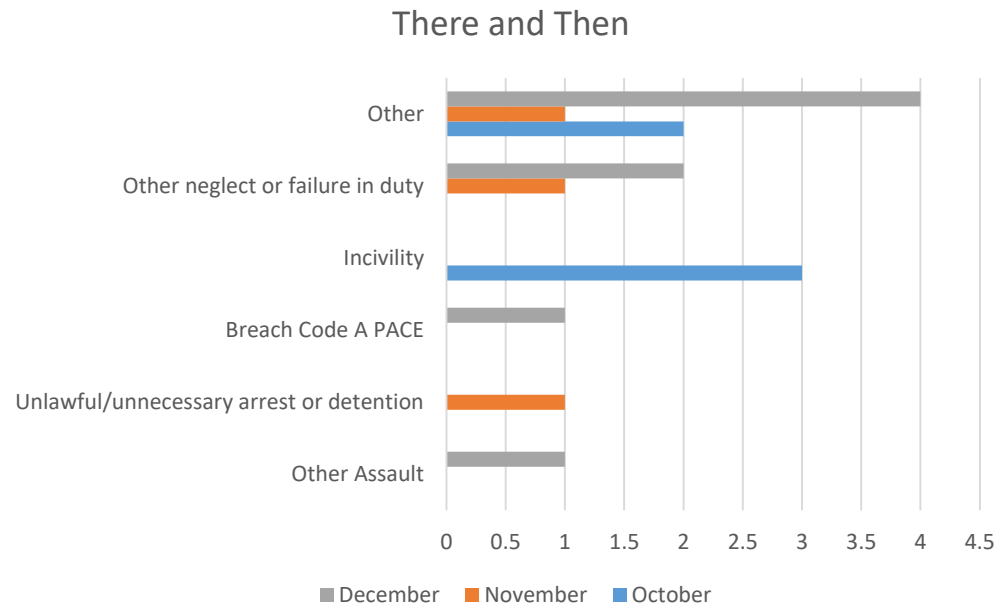


Public Complaints: There & Then



The below graph shows There and Then by type for the quarter. The highest month was September when there were 3 recorded for Other.

The below graph shows There and Then figures for the current quarter and the previous 4 quarters to compare data by type.



Priority Issues

- From the data gathered it is apparent that complaints in relation to Unprofessional Conduct are higher than other categories. However this is very low in comparison to the total number of crimes and custody records for the quarter.
- 1 case were upheld by PSD.
- There have been no appeals to the IOPC in this quarter.
- Use of Force complaints have continued to show a reduction over the reporting period.
- There and Then remain similar as in previous quarters.
- RPRP (Reflective Practice Review Process) will become an emerging feature as supervisors are now actively encouraged to deal with low level performance and conduct through a more supportive programme which seeks to focus the officer/staff member to improve rather than seek to sanction.



Discovery/Emerging Issues

- Police (Complaints and Misconduct) Regulations 2019 came into effect on 1 February 2020. This is likely to see a significant increase in public complaints being recorded as there is no longer an option to not record a complaint.
- Effectively the new regulations see the removal of Miscellaneous cases as all cases have to be recorded as a public complaint.
- PSD have re-introduced the Duty Officer which will see PSD taking primacy for contacting all complainants with an emphasis on service recovery which is expected to deal with some 70% of all public complaints.



Learning and Development

- PSD have been delivering training to Inspectors and Sergeants as well as attending Area Management Team Meetings
- PSD have utilised streams to update all staff of the changes to Complaints and Misconduct Regulations
- PSD will seek to develop a wider and more accessible Intranet Page which will provide a platform for all staff to understand and digest the changes in the new Complaints and Misconduct Regulations and how it will affect them.





Cumbria

- **92%** of complaint cases recorded within 10 days – this is the same figure as the same period of the previous year.
- Average number of days taken to complete complaint cases – **53**. This is 10 days less than the same period of the previous year.
- No appeals to IOPC in this period in respect of investigations completed by Cumbria Constabulary.
- IOPC annual statistics state timeliness in recording complaints has improved with over 90% being recorded within 10 days for the first time. The report also show the number of NR appeals upheld have decreased from 67% last year to 21% this year.

Most Similar Force (MSF) and National

- Complaint cases recorded within 10 days - MSF is **90%** and National is **91%**
- Average number of days taken to complete cases in MSF – **94**
- Average number of days taken to complete case National - **100**



Priority Issues

- **Confidentiality** remains an issue (the majority of cases relate to viewing logs/intelligence without a Policing Purpose) – All cases are investigated thoroughly and advice/reminders is sent out via PASS.
- **Timeliness of Investigations** (the majority of cases have been completed expeditiously) – Professional Standards now investigate all conduct matters, including Police Staff, and the focus will be to maintain and improve on this performance.
- **New Regulations** – Staff are receiving training and processes are being reviewed.



Discovery/Emerging Issues

- The main focus will be embedding the new Regulations



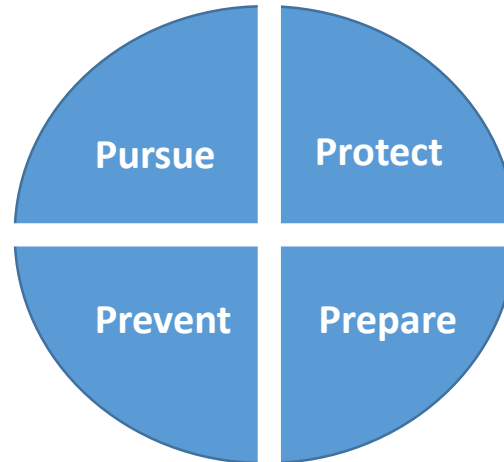
Learning and Development

- PASS Newsletters provide organisational learning following the outcome of misconduct investigations/proceedings.
- Timetabled presence of Professional Standards representatives in territorial policing areas (1st 2nd and 3rd Monday of each month).
- Inputs have been provided to Area in relation to the new regulations
- A Practice Requires Improvement (PRI) form has been developed and is available for use once the new regulations commence



Completed Actions, Recommendations & Bids

- Professional Standards carry out all internal investigations, including staff
- Standards of Professional Behaviour covers staff and officers
- Professional Standards are the lead investigator for all criminality, including off duty, however support from specialist departments will be requested when required.



- Staff from within Professional Standards are assigned to geographical areas and specialised departments
- Welfare Officers (incl Mental Health First Aider) provided for Officers/Staff subject to an investigation, victims and witnesses
- Ensuring integrity of investigations through the use of in-house skilled detectives/staff investigators e.g. SOIT, DMI and IT super users

- Organisational learning is circulated by PASS
- Early intervention through the use of integrity interviews, management contact and dissemination reports
- Presentations on the code of ethics
- Staff in areas providing updates to Area Management Teams

- PIP Level 1 courses have now been booked for 2 Staff Investigators. This will ensure all of the PSD Investigators are accredited
- The New regs, which commence 01/02/20, have required extensive work, such as; upgrading of Centurion, new process maps, inputs to Area. This will be the main focus of PSD over the coming months to ensure the processes are embedded and all are working towards the ethos of “Listen-Say Sorry-Fix It”



- The Anti-Corruption Intelligence Unit is responsible for the sterile management of intelligence that includes the anonymous confidential reporting facility.
- The Unit has a dedicated analyst that provides support to the Anti Corruption Unit and Public Complaints Team.
- The **PASS** initiative is utilised for prevention and education regarding misconduct comprising people, areas, systems and standards.
- The report will consider activity relating to key themes, these themes reflecting regional and national priorities
- The date range for the data is 1st October – 31st December 2019

Priority Issues



- An increase is observed from Q2 to Q3 in respect of Data Disclosure and Systems Misuse which can be linked to an ongoing investigation. Although the Constabulary and ACU-Intel have invested time and education in this area, it remains a recurring theme.
- Reporting around discreditable conduct is similar to Q2 and can be attributed to training across this area.
- It is recognised that a threat still exists in the form of social media use and this is reflected through the confidential mailbox to identify officers and staff who have posted inappropriately. Outcomes relating to this can include intervention through education or enforcement where the misconduct threshold is met.
- Whilst figures are relatively low in terms of APSP, reporting is still observed linked to this thematic area. Again appropriate action is taken where standards of professional behaviour are breached.



Discovery/Emerging Issues

Social media and data disclosure remain recurring themes for reporting and intel development. There is a balance between staff and officers.



Learning and Development

Dissemination reports to SLT, Training input to students, Integrity Interviews, Sergeant and Inspector briefings, Days in area, Regional meetings – sharing best practice. Partner working regarding APSP presentations and internal media campaign in relation to appropriate relationships in the workplace. Use of Risk & Vulnerable Matrix/Repeat Officers /BI/SE and Gratuities to identify vulnerability –

Appendix: 8

Organisational & Individual Learning

- In this period there were a total of 20 lessons which were circulated, either organisationally or individually. In summary, these related to:-
 - Breach of PACE
 - Use of force
 - Incivility
 - Lack of fairness and impartiality
 - Irregularity in procedure
 - Improper disclosure of information
 - Handling of property
 - Neglect of duty

Ethics and Integrity Panel



Title: Ethics and Integrity Panel Annual Report

Date: 3 February 2020

Agenda Item No: 10

Originating Officer: Joanne Head

CC:

Executive Summary:

The purpose of the Ethics and Integrity Panel is to promote and influence high standards of professional ethics, to challenge; encourage and support the Commissioner and the Chief Constable in their work by monitoring and dealing with issues of ethics and integrity in their organisations.

Recommendation:

That the Panel;

1. Consider the draft 2019 Annual Report; and
2. Provide feedback to inform the final version to be presented to the Police and Crime Commissioner as his Public Accountability Conference.

1. Introduction & Background

1.1 The Panel's role is to identify issues and monitor change where required. It has no decision-making powers, although it is able to make recommendations to the Commissioner and the Chief Constable. It considers questions of ethics and integrity within both organisations and provides strategic advice, challenge and support in relation to such issues.

2. Issues for Consideration

2.1 A draft Annual Report has been prepared highlighting the work of the Ethics and Integrity Panel during 2019. The report illustrates the areas of business reviewed by the Panel; their findings and where the Panel have made proposals or suggestions to improve business practices and procedures.

3. Supplementary information

Appendix 1 – 2019 Ethics and Integrity Panel Annual Report



Peter McCall



**ANNUAL
REPORT
2019**

**Ethics
&
Integrity
Panel**

Forward of the Panel Chair

Welcome to the 2019 Annual Report of the Ethics and Integrity Panel.

The Panel is an independent body, and its purpose is to promote and influence high standards of ethical performance in all aspects of policing in Cumbria and the work carried out by the Police and Crime Commissioner's office (OPCC). It seeks to achieve this by holding the mirror up to the Constabulary and the OPCC, by investigating, dip sampling, constructively challenging and reviewing a broad range of aspects of policy, process and performance, through the lens of ethics and integrity.

We have an annual work programme that includes both routine and thematic activities through which we seek to always promote the improvement and value adding aspects of ethical responsibility. We will challenge issues and actions where we believe there could have been an improvement, recognising and highlighting areas of good practice.

The work of the Panel is published on the Commissioner's website and whilst the Panel membership is drawn from a diverse range of backgrounds and experience, we have two things in common. We and our families all live in the county and are committed to seeing the area thrive. We all share a strong desire to help ensure that Cumbria Constabulary continues to deliver high quality services to the public, maintaining our county as the safe and secure place to live that it currently is.

The Chief Constable, the Commissioner and their teams, fully support us in our work and are always open to challenge, feedback and suggestions for improvement. This, in itself, is an indicator of a strong, open, transparent and ethical culture.

We hope that you find the report useful and informative. The information in this, and our other quarterly reports, helps to promote a wider understanding and awareness of the Constabulary's performance and ethical approach.

Alan Rankin
Ethics and Integrity Panel Chair

The Chief Constable, Michelle Skeer said:

The Police Code of Ethics underpins the principles and standards expected of us all within Cumbria Constabulary. It is important that our adherence to the code is independently monitored. I welcome the scrutiny of the panel which provides me with reassurance that as an organisation we are transparent and the panel support our desire to uphold the highest standards in delivering an outstanding

The PCC for Cumbria, Peter McCall said:

Policing and the oversight of it remains a busy environment and it is essential that ethical standards do not slip. The legitimacy of our force is critically dependent on the confidence of the public that they can trust the police to 'do the right thing on their behalf.' Whilst I am convinced that we are blessed with highly professional, dedicated and committed officers, we must always be ready to examine our performance to ensure that every member of the organisation maintains the highest possible standards, often in difficult and challenging circumstances. The Ethics and Integrity Panel continue to provide a valuable scrutiny role on ethical values of both the organisations. The broad range of business that they scrutinise continues to be developed to ensure the Panel is effectively and I look forward to working with them in the forthcoming year.

1. Introduction & Background

The purpose of the Ethics and Integrity Panel is to promote and influence high standards of professional ethics, to challenge; encourage and support the Commissioner and the Chief Constable in their work by monitoring and dealing with issues of ethics and integrity in their organisations. The Panel's role is to identify issues and monitor change where required. It has no decision-making powers, although it is able to make recommendations to the Commissioner and the Chief Constable. It considers questions of ethics and integrity within both organisations and provides strategic advice, challenge and support in relation to such issues.

This report provides an overview of the work that the panel has carried out during 2019.

The Panel meets on a quarterly basis in private but its agenda and reports are published on the Commissioner's website following each meeting, with only sensitive or confidential information being excluded. Reports are provided by the Panel to the Commissioner's public meeting to provide information about the Constabulary's performance in areas that relate to ethics and integrity. The purpose of this is to promote openness, transparency and public confidence.

An annual work programme is agreed to enable it to fulfil its terms of reference and scrutiny role. The programme fixes the tasks to be undertaken by the Panel at each of its scheduled meetings and has been set to ensure whenever possible that meetings are balanced in terms of the volume of work.

The work of the Panel has continued to develop during 2019 and the 2020 work programme continues to reflect its changing role. Again there will be thematic sessions held during the year which will look at specific issues or areas of business.

Further information regarding the Panel, its membership and the work it carries out can be found on the Commissioner's website:

<https://cumbria-pcc.gov.uk/what-we-do/ethics-integrity-panel/>

Membership of the Panel currently stands as:

- Ms Lesley Horton
- Mr Alan Rankin (Chair)
- Mr Michael Duff
- Mr Alex Rocke

2. Public Complaints and Quality of Service

Schedule 14 of the Police Reform and Social Responsibility Act 2011 provides Police and Crime Commissioners with a role to play in overseeing police complaints, including the ability to direct a chief officer of police to comply with obligations. The Police and Crime Commissioner for Cumbria utilises the Ethics and Integrity Panel to fulfil this function on his behalf. Therefore gaining assurance from their independence.

Over the reporting period, the Panel reviewed 40 complaint and appeal files. The Panel noted that the standard of the Constabulary's public complaint files had been maintained throughout the year following previous recommendations made. They now carry out dip samples directly via the Centurion system within the Professional Standards Department, enabling members to view all information, actions and outcomes on the live system. Speaking directly with case workers regarding any issues or concerns.

At each six monthly dip sample session any recommendations or comments are collated within an action sheet to ensure that they are completed and where appropriate implemented in a timely manner. Some of these include:

- Managing a complainant's expectations at the beginning of the process was an important part of dealing with the complaint. The 'There and Then' process was going some way to achieving this. It provided a quicker service for some of the more low-level complaints with positive feedback received from members of the public.
- The more extensive use of Body Worn Video by officers was proving to be a useful tool in providing independent evidence to either support or negate complaints made by members of the public.

Monitoring of the action plans by the Panel at their next dip sample session to ensure that they are completed and where appropriate implemented in a timely manner.

At quarterly meetings the Panel received performance data from the constabulary on the number of complaints received and how these have been managed, including whether they were within the required timescales.

During 2019 the 'There and Then' process continues to have an impact on the workload of the Professional Standards Department. With complaints being resolved at the earliest opportunity this now affords staff the ability to concentrate on the more complex complaints and their investigation.

The Panel also reviewed work undertaken by the Office of the Police & Crime Commissioner in relation to complaints and quality of service. During 2019 there was a 43% increase in the number of people contacting the Commissioner regarding policing issues. Members of the public write to the Commissioner and the OPCC and through raising these issues with the Chief Constable's staff office have facilitated individuals to receive a written response answering their questions or queries.

The Policing and Crime Act 2017 gave Police and Crime Commissioners an explicit responsibility for the performance of the complaints system locally and responsibility for appeals currently heard internally by forces. The Home Office have consulted and proposed legislative changes which are due to come into force on 1 February 2020, resulting in the OPCC carrying out reviews. The Panel will be provided with briefings in early 2020 to assist them in their oversight role.



3. Police Officer and Police Staff Misconduct

As part of their work programme the Panel have reviewed police officer and police staff misconduct files prior to both their May and November 2018 meetings. During these sessions the Panel review all completed files, providing views and recommendations for any improvement in the way information was provided or public perception of the handling of such cases. They were pleased to note that the quality of the files had improved and that following their comments a template had been created to assist managers in recording their findings and detailing what actions have taken place or training to be completed.



The Panel receive information on a quarterly basis relating to police officer misconduct from the Constabulary's Anti-Fraud and Corruption Unit and information relating to police staff misconduct on a six monthly basis. This enables the Panel to monitor performance in relation to these areas of business and consider any patterns or trends.

Having reviewed all completed files, the Panel have gained assurance that the Constabulary are dealing with misconduct and complaints in a professional manner. At no time did the Panel disagree with the outcome of any of the files. Where they provided advice or recommendations, this was to improve the service provided or the process being undertaken.

As with complaints legislative changes will see changes to conduct regulations and how issues are dealt with. The Panel is to receive briefings on the changes and what these will mean for both officers and staff.

4. Code of Ethics and Code of Conduct

As part of the Panel's role it seeks to ensure that both the Constabulary and the Police and Crime Commissioner have embedded within their organisations the **Code of Ethics** and **Code of Conduct** respectively.

The Panel have been provided with assurance whilst carrying out their role that both organisations take the ethos of the Code of Ethics and Code of Conduct extremely seriously and this has been evident in the reviews and dip samples they have undertaken in other areas of business. During their various dip sample sessions the Panel saw first-hand that policies and procedures within the Constabulary had the ethos of the Code of Ethics embedded within them.

Similarly, the Commissioner upon taking office in May 2016 swore an oath to act with integrity and signed a Code of Conduct and Ethics. It sets out how the Commissioner has agreed to abide by the seven standards of conduct recognised as the Nolan Principles. This Ethical Framework allows transparency in all areas of work of the Police and Crime Commissioner. These principles encompass the Commissioner's work locally and whilst representing Cumbria in national forums. During 2019 the Panel did not identify any complaints received from either members of staff or the Commissioner regarding conduct or integrity.



5. Grievances, Civil Claims and Information Management

Grievances

On a six monthly basis the Panel have reviewed **Grievances** being processed by the Constabulary during agreed reporting periods.

Since May 2018 the HR Department are now responsible for dealing with grievances providing a broader overview of staffing issues. Generally, the grievances were regarding policies and procedures or action taken against an individual.

In November 2019 the Panel noted an increase in the number of claims made. However many of these could be attributed to one individual. They continued to raise the issue of low numbers generally and the dangers of informal resolution as any organisational learning would not necessarily be captured or progressed. The new Grievance Procedure included a form which asked what the individual would wish the outcome to be to gain an understanding of the issues that they raised at an early stage in the process.

Grievances!

Civil Claims

On behalf of the Police and Crime Commissioner the Panel also monitor **Civil Claims** being processed by the Constabulary's Legal Department. They received information about the types of claims being made, the stage the proceedings had reached and about the claims that had been resolved. As part of this oversight the Panel seek assurance that any trends are being identified and how the organisation has learnt from particular cases disseminating information throughout the organisation to avoid future risks and claims.

To date the Panel have not identified any issues or concerns in either area of business. On a national and local level the Constabulary, along with other forces, are in the process of dealing with employment tribunals in relation to police pensions. Currently there were over 146 claims following the Constabulary

implementation of the national pension regulations being co-ordinated nationally by Hertfordshire Constabulary. This matter is yet to be concluded.

The Panel raised concerns as to whether the claims were causing any internal issues or anxiety due the length of time taken for the matter to be concluded. Assurance was provided that the Legal Department and the Police Federation were working closely with the affected officers to try and resolve the claims.

In 2019 all civil claims were dealt with by the Legal Department thus allowing any issues, trends or organisational learning to be identified more easily. The Panel undertook to monitor these improvements on a six monthly basis.



Information Management

During 2019 there had been a backlog within the Constabulary in dealing with Freedom of Information and Subject Access Requests within the requisite timescales.

The Constabulary were looking to place additional resources within the department to assist in achieving its responsibility. Work is being carried out to review information published on its website to negate the need for individuals to place a request, rather the information could be found by other means.

In 2020 the Panel will monitor the Constabulary's improvements within this area of business.



6. Thematic Inspections



The Panel have reviewed six areas of thematic work during May and November 2019. In May the Panel reviewed **Mental Health Detention** in custody suits throughout Cumbria. In particular, those relating to detention under Section 136 of the Mental Health Act and those detained under Common Law.

They reviewed 12 Sec 136 custody records and 4 Common Law records. Recognising the incredible workload which was placed upon Custody Sergeants in dealing with detainees who had mental health issues, the amount and level of data inputting they carried out and its frequency they felt should be applauded especially within busy custody suits. Unlawful detention could bring civil action from detainees or indeed criminal actions against Custody Sergeants.

Custody staff would often have to deal with detainees for long periods whilst waiting for health partners to be able to accept the detainee. Changes to the provision of mental health services would see the county split in two. The North of the county receiving provision from the North East and the South receiving provision from Lancashire. As part of the Panel's 2020 work programme they will again review Mental Health Detention.



During 2019 a Panel member attended two Constabulary Board meetings in relation to **Use of Force**. This enabled the Panel to review how the force manage reviews of use of force, what organisational learning is disseminated and resulting changes to policy.

Of the use of force incidents recorded it was found that over 30% were in fact resolved using communication skills to achieve control of a situation rather than actual force. On average 34% of incidents of use of force were against subjects who were deemed to have mental health impairment.

When considering the 2020 work programme the Panel felt that attending the meetings did not provide the scrutiny element that the Constabulary were requiring. This would be reviewed and identify how this could be achieved.

The use of **Spit Guards** was introduced at the beginning of 2019. In February 2019 the Panel were provided with a breakdown of initial usage and the training being provided to officers. It was agreed that a review of the usage would be carried out.

In August they reviewed the use of Spit Guards. Having been used 23 times between January and August, they were pleased to see the detailed and proportionate use of Spit Guards, recognising the diverse incidents officers were required to attend. There had been no complaints or adverse outcomes from the use of Spit Guards which was largely attributed to them being used on an individual for a short space of time. The Panel will review this again in 2020 to obtain a full 12 month picture.



Also in August the Panel undertook a dip sample of **Stop and Search** forms to ensure that their completion had been maintained. Of the 50 forms reviewed some forms were not fully clear on the exact reason for the stop/search, however they were not fundamentally wrong and feedback was provided. Body worn video had been used in only 46% of the forms reviewed which was concerning as some of these were at violent incidents. The Panel recommended that the electronic form be updated to include a question on whether or not body worn video was used at the time of the stop/search.



In November 2019 the Panel carried out a dip sample within the Constabulary's **Communications Centre**, dip sampling pre-recorded 999 calls, live calls and the 101 emails system. They felt that calls had been handled very well with call handlers being professional and empathetic to the different types of callers. Any required police response to the 999 calls had been very quick with call handlers remaining on the line with the caller until officers arrived.

A new system had been installed within the Communications Centre in June 2019. Some initial issues had been experienced by call handlers. These included booking officers on and off duty directing calls to individual officers' voicemails and some calls being dropped from the system during the call. Work is being carried out to rectify the identified issues between the provider and the Constabulary's IT department.

The Panel are to be provided with an update on progress during their February meeting in 2020.



Following on from a **Body Worn Video** demonstration in 2018 the Panel were mindful of the proposed usage and how this was reflected within the dip sample and thematic sessions they had during the year. Acknowledging that single crewed officers attended over half of these incidents, throughout the year the Panel have campaigned for further usage.

The Constabulary carried out a review of usage which was previously only 40% in May 2019. This had subsequently improved to 83% against a backdrop of a 5% decrease in attended incidents.

Evidence of how it could quickly complaints had been resolved when body worn video evidence was available had been recognised during the Panel's dip sampling of public complaints. In addition to ensuring officer safety and that of the public.

The Panel will continue to monitor the usage of body worn video during their dip sample and thematic sessions in 2020.

7. Conclusion

The Panel continues to develop their role, expanding into other areas of business to assist not only the Constabulary but enable the Police and Crime Commissioner to have further and more detailed oversight of the work of the Constabulary.

Recommendations and guidance given by the Panel have been welcomed by both the Constabulary and OPCC; resulting in a number of positive changes and developments to processes and procedures. The future work of the Panel will continue to be reviewed and developed to ensure that the Panel remain an independent body in their oversight of the Constabulary and OPCC.



Enquiries to: Mrs J Head
Telephone: 01768 217734

Our reference: jh/EIP

Date: 23 April 2020

AGENDA

TO: THE MEMBERS OF THE ETHCS AND INTEGRITY PANEL

CUMBRIA POLICE & CRIME COMMISSIONER AND CUMBRIA CONSTABULARY ETHICS AND INTEGRITY PANEL

A Meeting of the Ethics and Integrity Panel will take place on **Friday 1 May 2020 at 10.00 am**. Due to Government Guidelines in response to COVID-19 the meeting is being held via telephone conference facility.

Details of how to access the meeting will be emailed to participants separately.

Note: The Panel will have a pre-meeting telephone conference from 09:15 am until 09:45 am

G Shearer
Chief Executive

PANEL MEMBERSHIP

Mr Michael Duff
Mrs Lesley Horton
Mr Alan Rankin (Chair)
Mr Alex Rocke

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

4. **NOTES OF THE PREVIOUS MEETING**
To confirm the restricted notes of the meeting of the Ethics and Integrity Panel held on 6 February 2020 (copy enclosed).
5. **COMMUNICATION CENTRE UPDATE**
To receive a verbal update on the progress of the system and a copy of the strategy if available - *C/Inspector G Wardle*
6. **CIVIL CLAIMS**
To receive and note a report by Cumbria Constabulary on Civil Claims - *To be presented by Mr A Dobson, Director of Legal Services.*
7. **STAFF GRIEVANCES**
To receive and note a report by Cumbria Constabulary on police staff misconduct - *To be presented by Deputy Chief Constable Webster.*

ETHICS AND INTEGRITY PANEL

Notes of a meeting of the Ethics and Integrity Panel held on
Thursday 6 February 2020 in Conference Room 2, Police Headquarters,
Carleton Hall, Penrith, at 2.00 pm

- 8. INTEGRITY**
To receive a report on the work carried out within the Constabulary's Professional Standards Department, including:
(a) Complaints by the Public; and
(b) Anti-Fraud & Corruption (including officer and staff misconduct)
- 9. OPCC COMPLAINTS AND QSPI**
To receive and note a report to be presented by the *OPCC Chief Executive* regarding
(a) OPCC Complaints; and
(b) Quality of Service Issues received
- 10. OFFICER RECRUITMENT**
To receive an update on the current status regarding police officer and special constable recruitment.
- 11. UPDATED CASE SAMPLE PROTOCOL**
To receive a draft updated case sample protocol - *OPCC Chief Executive*.
- 12. COVID-19 REGULATIONS**
To discuss how the Panel could provide oversight of how officers are exercising their powers in relation to COVID-19 – *Deputy Chief Constable Webster/OPCC Chief Executive*

PRESENT

Mr Michael Duff
Mrs Lesley Horton
Mr Alex Rocke

Also present:

Deputy Chief Constable Mark Webster
Detective Chief Inspector – David Stalker
Chief Inspector – Gaynor Wardle
OPCC Deputy Chief Executive - Gill Shearer
OPCC Governance Manager - Joanne Head

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Alan Rankin. In his absence it was agreed that Mrs Lesley Horton would chair the meeting.

2. DISCLOSURE OF PERSONAL INTERESTS

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

3. URGENT BUSINESS

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

4. NOTES OF THE PREVIOUS MEETING

The notes of the meeting held on 7 November 2019 previously circulated with the agenda were agreed.

With regard to the Panel's attendance at the Constabulary's Use of Force Board a discussion was held on how this provided useful oversight for the force. DCC Webster advised that he had spoken with Chief Superintendent O'Connor who chaired the Constabulary's Use of Force Board as to how best utilise the Ethics and Integrity Panel. Analytical data was now being produced which was used for discussion at the board meetings. This could be provided to the Ethics Panel prior to the meeting, whereby they could consider if they should carry out a thematic inspection, attend the meeting or not.

Agreed; that, the

- (i) notes from the previous meeting be agreed; and
- (ii) Ethics and Integrity Panel be provided with the analytical data prepared for the Use of Force Board and provide feedback, attending meetings where appropriate.

5. COMMUNICATION CENTRE

Following the Panel's previous visit to the Communications Centre they had raised some concerns regarding the installation and usage of the SAAB Safe system. Chief Inspector Wardle attended the meeting to provide the Panel with a verbal update on the Constabulary's move from the previous STORM system to SAAB Safe as the Constabulary's Command and Control system. Learning from the Panel's comments the Constabulary had worked with staff to build confidence in the system and its benefits to the overall business. A focus group had been set up, allowing staff users to have their input into identifying the issues. In conjunction with this the IT Department had worked to resolve some of the stability issues which were now coming into fruition. An independent review had been carried out resulting in a number of changes being implemented both by SAAB and the IT Department meaning that the system was now more settled.

It was recognised that many of the calls received via 101 were not reporting incidents or issues but for other areas of the business. Many of the 101 calls could not be dealt with in 3-4 minutes due to the nature of the call, but it was recognised that how calls were handled overall could be better; using alternative means could complement the process, such as the use of web-based reporting, signposting to other agencies where appropriate and giving alternative support and guidance. By doing this, people would not have to wait, they would be directed to the department or organisation they need and ultimately receive a better service.

A member asked how the Constabulary were tracking the success criteria of the new system. Chief Inspector Wardle advised that this was being overseen by herself and the project team which was then fed into a larger oversight board. As the whole process wraps around the policing service, education of the public would be a key factor and would also require the project plan to have numerous work streams which needed to be managed. The project team were linking in with the Business Improvement Department to achieve more streamlined internal demand and processes.

Gill Shearer advised that the increase in Council Tax the previous year had allowed more money to be placed within the cyber environment and asked what difference this was making. Chief Inspector Wardle confirmed that the money had been used for digital media investigators, there had been an expansion to the CCTV system across the county and an improvement in ANPR capability. The new SAAB system was also providing staff with more tools to achieve their roles. Performance data captured at the end of February would be presented to the programme oversight board, enabling short, medium and long term objectives to be scrutinised against the overall strategy.

It was agreed that a verbal update on the progress of the system and a copy of the strategy would be presented to the Panel at their next meeting May.

AGREED; that, a verbal update on the progress of the system and a copy of the strategy would be presented to the Panel at their next meeting May.

6. SPIT GUARDS

In January 2019 the Constabulary took the decision to train officers to use Spit Guards when dealing with detainees who were spitting at them. A report on the training and usage throughout the year was presented to the Panel. During refresher training 765 front line officers had been trained to use spit guards. A further 99 officers were trained during their initial training course giving a total of 864 officers. It was recognised that no all officers within the force performed front line duties and therefore would not require the training.

There had been 36 instances where spit guards had been used by officers, with average usage being 2-3 times per month. The Panel were provided with a breakdown of the instances where the individual had been either young or vulnerable to ensure that usage had been appropriate. August and September had seen an increase in usage to 6 and 5 incidents pro rata and again the panel were provided with details of these. No issues or trends were identified and the Panel recognised the diverse range of incidents that officers were required to attend. There had been no complaints received regarding the usage of spit guards.

A member asked that should a spit guard need to be removed were officers aware of what to do. DCI Stalker advised that as part of the training all officers were given aftercare techniques, taught to continually risk assess the detainee and monitor any changing health conditions. Officers would continue to be trained either as part of their initial training courses or through compulsory refresher training.

AGREED; that, the report be noted.

7. THEMATIC SESSION – MENTAL HEALTH DETENTION

During the morning the Panel had carried out a dip sample of custody records relating to detainees held in custody with mental health issues. In particular these related to detention under Section 136 of the Mental Health Act. The Panel reviewed two cases and reported on their observations from the session.

They felt that the detention of the individuals had been justified in both cases. Service provision by health trusts had often hindered the quick release of detainees resulting in custody staff having to deal with individuals for long periods of time whilst appropriate mental health care was found.

Mental health care provision within Cumbria had been split between two mental health trusts. In the north and west of the county this was being provided by Northumbria Mental Health Trust; whilst in the south of the county this was being provided by Lancashire which also

included the Morecambe Bay Trust. The changes meant that there were now 'hub beds' which could be accessed across the three counties. Work was being carried out across partner agencies to increase staff training to deal with mental health patients and to have fit for purpose vehicles to be able to transport them to the mental health facilities.

AGREED; that, the verbal report be noted.

8. INTEGRITY

DCI Stalker presented a report providing a quarterly update on public complaints, officer and staff misconduct and work carried out by the Anti-Corruption Unit. The Panel Chair had previously agreed that due to the analyst leaving the department, and a replacement yet to commence, that the report would not contain the analytical content of previous reports. DCI Stalker advised that new analyst had been appointed and would soon commence in post.

It was noted there had been a slight increase in the overall number of allegations received with unprofessional conduct making up 46%. The main issues related to individuals being updated on crimes by officers. With changes in the way the Communications Centre was set up, updates could in the future be provided by Comms staff. This would then enable speedy updates to callers, providing a better service and reduce the number of complaints.

During the morning the Panel had received a presentation on the changes to the complaints and misconduct regulations which came into force on 1 February 2020. The new regulations would see an emphasis on service recovery; a more customer focused approach; shifting the emphasis away from individuals towards the organisation as a whole; with greater emphasis on learning and reflection by officers and staff. This would be achieved by the introduction of measures for officers such as Reflective Practice Review Process (RPRP) and Practice Requires Improvement (PRI). Supervisors would be actively encouraged to deal with low level performance and conduct through a more supportive programme which would focus on officer/staff improvement rather than sanctions.

The re-introduction of a Duty Officer within PSD would be responsible for the primary contact with all complainants with an emphasis on service recovery. It was hoped that this would deal with some 70% of complaints, allowing investigating officers to carry out full investigations in a timely manner.

It was agreed that the Panel would dip sample some cases where RPRP and PRI had been identified as part of their normal dip sample process.

DCI Stalker guided the Panel through the work carried out by the Anti-Corruption Unit including misconduct cases which were both live and finalised.

AGREED; that, the
(i) report be noted;
(ii) Panel dip sample cases where RPRP and PRI have been identified as part of their dip sample process.

9. COMPLAINTS AND MISCONDUCT LEGISLATIVE CHANGES

As previously stated the Panel had received a presentation during the morning on the changes to the complaints and misconduct regulations and what this would mean in practice for the Constabulary's Professional Standards Department.

The Panel were due to carry out dip sampling of complaint and misconduct files prior to their May meeting. It was recognised that there would be a mixture of old and new complaint cases and PSD staff would be able to assist the Panel. The current dip sample protocol would be updated to reflect the changes

AGREED; that the update be noted.

10. DRAFT ANNUAL REPORT

The Governance Manager presented a draft of the Panel's Annual Report, which had been previously circulated to all the Panel members. The report detailed the work overseen by the Panel and the thematic sessions they had carried out.

Following suggested amendments a further draft would be circulated to the Panel members for their approval. The final report would then be presented to the Police and Crime Commissioner.

The report would also be provided to the Joint Audit Committee to supplement their oversight work.

Agreed; that, the draft report be approved.

11. ETHICAL WORK

Her Majesty's Inspector of Constabulary and Fire & Rescue Services (HMICFRS) were encouraging forces to have an effective process for the workforce to refer and discuss ethical concerns. A discussion took place and it was agreed that DCC Webster and the OPCC Deputy Chief Executive would meet to scope how this could be implemented within the Constabulary, potentially using the existing Ethics Panel.

AGREED; that, the OPCC Chief Executive and DCC Webster meet to scope how ethical issues could be discussed within the Constabulary.

Meeting ended at 3.30 pm

Signed: _____ **Date:** _____
Panel Chair

Ethics and Integrity Panel



Peter McCall

Title: Grievances Report

Date: 28 April 2020

Agenda Item No: 07

Originating Officer: Kerry Rogerson, HR Manager

CC:

Executive Summary:

The report provides a position overview in respect of ongoing, finalised and newly submitted grievances for the period 1 October 2019 until 31 March 2020.

Recommendation:

That the Ethics and Integrity Panel note the report.

1. Introduction & Background

- 1.1 The attached Grievance Statistics Report shows the number of grievances lodged during the period 1 October 2019 up until 31 March 2020, together with a summary of ongoing and finalised cases within the reference period.
- 1.2 Included in the report is an overview of the characteristics of those lodging grievances. The report identifies the gender and race of those submitting grievances as well as an overview as to the nature of the grievance. In addition statistics relating to whether the aggrieved is a police officer or member of staff and whether the grievance relates to alleged discrimination have been included.
- 1.3 Summary position is as follows:
 - 7 grievances were ongoing at the start of the reference period with 3 outstanding at the end.
 - There was one new grievance lodged in this reporting period.
 - Three of these grievances have been categorised as withdrawn by the Constabulary due to lack of response from the aggrieved individual.
 - A number of issues raised relate to dissatisfaction regarding perceived less favourable treatment. This can be directly from line management or as a result of the application of a policy or procedure.
 - Grievances dealt with during this period are generally split equally between male and female and are all from a white, British ethnicity.

The one grievance finalised as unresolved is directly linked to alleged disability discrimination under the Equality Act.

This is a longstanding case which reasonable and numerous options for resolution have been offered. The individual is currently absent from work with the case currently being managed in accordance with the medical advice received from the Force Medical Adviser.

- 1.4 Following the introduction of the Constabulary Mediation service two cases have been managed through this route – whilst one was unsuccessful with the remaining ongoing neither have resulted in the submission of a formal grievance.
- 1.5 One grievance previously recorded as unresolved at stage 3 which related to alleged disability discrimination was considered at Employment Tribunal in January 2020. The result being that all claims were dismissed.
- 1.6 The period comparison data shows that over the last 2 reference periods no grievances have been formally resolved. It should however be noted that a number have been referred for consideration under the correct alternative procedure and 3 have been withdrawn due to lack of engagement by the individual.

No resultant action is required at present however the resolution rate will be monitored over the coming reference periods to identify whether any additional guidance / support is required for the stage managers.

2. Issues for Consideration

- 2.1 Drivers for Change
 - There are no identified emerging trends or patterns at the time of submitting this report.

3. Implications

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

- 3.1 Financial - see Risk and Equality Implications
- 3.2 Legal - see Risk and Equality Implications
- 3.3 Risk
 - 3.3.1 With any complaint which is potentially linked to the employment relationship there is the risk of employment tribunal or judicial review should the matter not be resolved.
 - 3.3.2 Through working in partnership with Unison and the Federation the aim is to continue to avoid formal proceedings and resolve issues in an informal manner to the satisfaction of all parties.
 - 3.3.3 Specific items impacting on equality are raised through the Diversity and Inclusion Group (DIG) to ascertain if there are any issues that the Constabulary should be dealing with. At this time no issues have been raised.
 - 3.3.4 The People Department will continue to meet with the Federation and Unison when necessary to discuss issues that are emerging and look to informally resolve them prior to a formal grievance being submitted. The Constabulary proactively engages to address concerns.

3.4 HR / Equality

- 3.4.1 The management of grievances transferred to the HR department in May 2018. Now that a significant period has passed the procedure and recorded data is currently being reviewed to identify any efficiencies or improvements.
- 3.4.2 HR and Legal Services will be reviewing the judgement of the Employment Tribunal case to identify any lesson to be learned with a view to appropriate dissemination within the Constabulary.
- 3.4.3 The internal pool of accredited mediators is available for utilisation through the Constabulary Mediation Scheme. The intention is to publicised the Mediation Scheme alongside the revised Grievance procedure.

4. Supplementary information

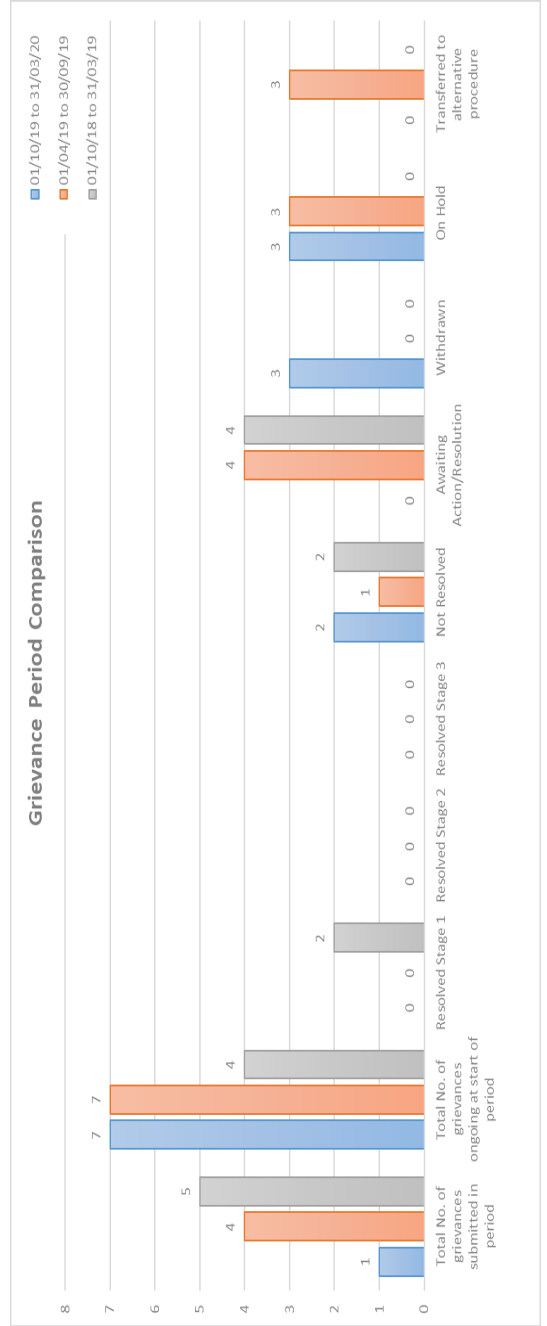
List appended documents such as business case, EIA, PID, Media Strategy (remember all key points of information should be summarised within this document)

- Appendix 1 Grievance Data for the reference period
- Appendix 2 Grievance Comparison Data

Grievances – Overview 1 October 2018 to 31 March 2020 – Appendix 2

Please see below the overview figures for the period 1 October 2018 up to and including 31 March 2020.

	01/10/19 to 31/03/20	01/04/19 to 30/09/19	01/10/18 to 31/03/19
Total No. of grievances submitted in period	1	4	5
Total No. of grievances ongoing at start of period	7	7	4
Resolved Stage 1	-	-	2
Resolved Stage 2	-	-	-
Resolved Stage 3	-	-	-
Not Resolved	2	1	2
Awaiting Action/Resolution	-	4	4
Withdrawn	3	-	-
On Hold	3	3	-
Transferred to alternative procedure	-	3	-



Grievances – Overview 1 October 2019 to 31 March 2020

Please see below the figures for the period 1 October 2019 up to and including 31 March 2020.

Total No. of grievances submitted in period	1
Total No. of grievances ongoing at start of period	7
Resolved Stage 1	-
Resolved Stage 2	-
Resolved Stage 3	-
Not Resolved	2*
Awaiting Action/Resolution	-
Withdrawn	3**
On Hold	3
Transferred to alternative procedure	-

* 1 unresolved at Stage 3 / 1 mutually agreed exit from organisation

** closed due to lack of response from individual

Breakdown by Business Area

	Resolved	Ongoing	Withdrawn	On Hold	Not Resolved	Other Procedure
West	-	-	-	2**	-	-
North	-	-	-	-	-	-
South	-	-	-	-	1	-
HQ	-	-	-	-	-	-
CID	-	-	-	1	1	-
UOS	-	-	3*	-	-	-

* 3 separate grievances from one individual.

** 1 individuals accounting for 2 grievances

Gender and Ethnicity Breakdown	
Male	2
Female	3
White British	5
White Other	-
Police Officers	3
Police Staff	2

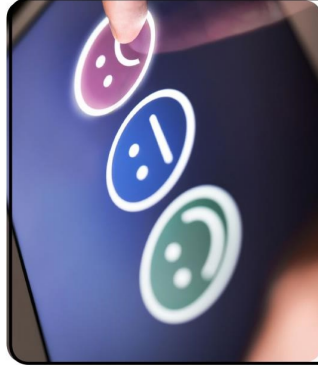
Grievances – Overview 1 October 2019 to 31 March 2020

Grievance Overview

Ref No.	Date Received	M/F	Ethnicity	Details of Grievance	Progress	Date Completed	Comments / Learning outcomes
G07/17-18/FC	12/01/2018	M	White - British	Complaint against disciplinary investigation and its timeliness undertaken by HR	On hold pending confirmation of how individual wishes to progress - intention to close and recorded as unresolved if response not forthcoming. Closed due to lack of response from complainant	24/10/2019	
G08/17-18/FC	15/01/2018	M	White - British	Complaint against criminal investigation	On hold pending confirmation of how individual wishes to progress - intention to close and recorded as unresolved if response not forthcoming. Closed due to lack of response from complainant	24/10/2019	
G09/17-18/DM	29/02/2018	M	White - British	Historic and ongoing victimisation by senior management within the Constabulary.	Unresolved at Stage 1 - currently under stage 2 consideration. Awaiting independent internal review of conduct issues raised.		
G04/18-19/CT	21/01/2019	F	White - British	Complaint against her alleged less favourable treatment by management	Unresolved at Stage 2 - Discussions ongoing regarding options for resolution - Mutual agreement on exit from Organisation.	27/12/2019	
G05/18-19/FC	01/12/2019	M	White - British	Complaint against criminal investigation	On hold pending confirmation of how individual wishes to progress - intention to close and recorded as not progressed under formal procedure if response not forthcoming. Closed due to lack of response from complainant.	24/10/2019	
G06/18-19/DM	26/03/2019	M	White - British	Issues as outline in G09/17-18/DM plus complaint regarding stage 1 handling of this grievance	Grouped together with original grievance G09/17-18/DM- all matters considered as part of stage 2		
G01/19-20/IB	01/05/2019	F	White - British	Disability discrimination/reasonable adjustment	Request to enter at stage 3 - compromised with stage 2 allowing for appeal at stage 3. Grievance closed- Unresolved at Stage 3	20/01/2020	
G05/10-20/KT	10/11/2019	F	White - British	Complaint regarding disclosure of information	Allocated to Stage 1 Manager - on hold due to ongoing absence of individual		



Public Complaints



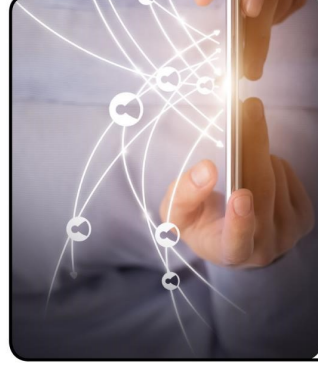
- Deliver a complaints system that is effective and accessible
- Support complainants through the Complaints System
- Inspire greater public confidence in the police complaints system

Conduct



- Investigate conduct matters thoroughly and expeditiously in line with current legislation and guidance
- Provide a transparent service to both the Officers subject to investigations and the wider Constabulary and partners, such as the IOPC/OPCC
- Identify and share Learning and Best Practice

ACU Intel



- Data Disclosure
- APS/APIER
- Vulnerability (Associations, Business Interests/ Secondary Employment)
- Substance Misuse

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

1

Table of Contents



Public Complaints

Purpose and Background	4
Complaint Case and Allegations – Current Quarter	5
Percentage of Crimes	7
Complaint Cases and Allegations – Types	8
Complaint Case and Allegations - Results	10
Priority Issues, Discovery/Emerging Issues and Learning and Development	11
Performance	13

Conduct

Purpose and Background	14
Types and Outcomes	15
Priority Issues, Discovery/Emerging Issues and Learning and Development	16
Public Complaints and Conduct - 4P Plan	17

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

2

Table of Contents



ACU Intel

Purpose and Background	18
Priorities	19
Intelligence Reports	20
Intelligence Reports by PASS	21
Intelligence Reports by Type	23
Intelligence Reports by Area	24
Priority Issues, Discovery/Emerging Issues and Learning and Development	25
ACU Intel – 4P Plan	27

Appendices

1 Allegation Types – 2012 Regulations and 2020 Regulations	28
2 Area Overview – North	30
3 Area Overview – South	32
4 Area Overview – West	34
5 Conduct - New Cases	36
6 Conduct - Ongoing Cases	37
7 Conduct – Completed Cases	38
8 PASS Newsletters	40
9 Organisational and Individual Learning	41
10 Intelligence Reports by Type	44
11 Intelligence Reports by PASS and Type	45
12 Gratuities	46

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

Public Complaints Purpose and Background



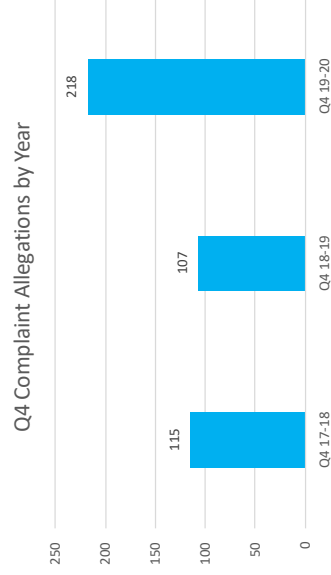
- Complaints from members of the public with regard the actions and conduct of police officers and staff are currently recorded centrally through the Professional Standards Department.
- The range of the data for this quarterly report is from 1st January – 31st March 2020.
- Data extracted utilises information from Cumbria Constabulary ICT systems which includes Centurion, the PSD case management system.
- In reviewing information, in addition to Constabulary systems, regard is given to partner agencies including the Independent Office for Police Conduct (IOPC).
- Public complaints relate to an expression of dissatisfaction in relation to Cumbria Police Officers and staff. Each complaint may consist of one or more specific allegations. Complaint allegations are broken down into a number of categories to assist with recording and analysis. Subject to the nature of the complaint, and the regulations under which it falls, it is either allocated to a supervisor to manage locally (local resolution or local proportionate investigation) or alternatively the matter is investigated by the Professional Standards Department.
- The IOPC uses this data to understand how forces handle public complaints and to assess trends.

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

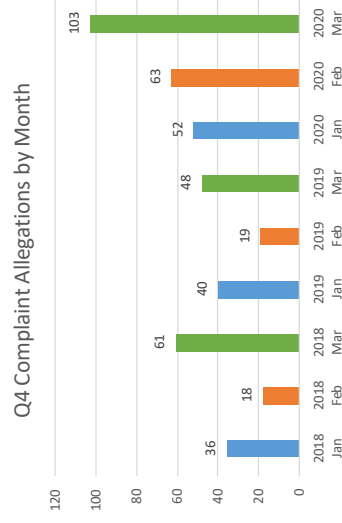
Public Complaints: Complaint Cases and Allegations – Current Quarter



The below graph shows the total complaint allegations for the current quarter and same quarter of previous 2 years.



The below graph shows the total complaint allegations per month for the current quarter and the same quarter of previous 2 years.



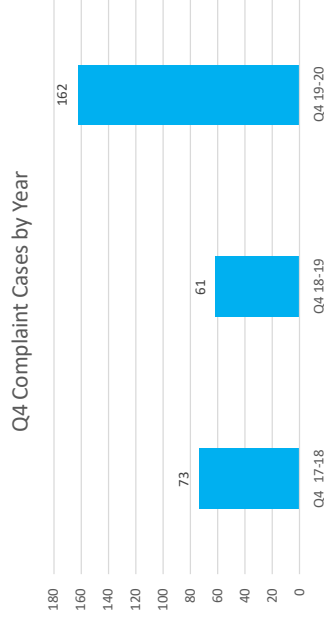
OFFICIAL – SENSITIVE - This document contains information and/or intelligence at GSC Official Sensitive level.
Not to be disseminated outside of Cumbria Constabulary without consultation with the originator

5

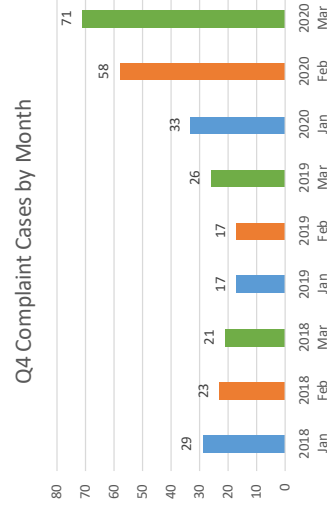
Public Complaints: Complaint Cases and Allegations – Current Quarter



The below graph shows the total complaint cases for the current quarter and same quarter of previous 2 years.



The below graph shows the total complaint case for the current quarter per month and same quarter of previous 2 years.



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

6

Public Complaints: Percentage of Crimes



- There were **162** cases recorded in the current quarter and **218** allegations.
- **2652** have been processed via custody, **6.1%** have resulted in complaint cases.
- **9237** crimes have been recorded in line with National Crime Recording Standards, **1.75%** of all crimes have resulted in complaint cases.
- **21363** incidents have been recorded during the quarter, this relates to **7.58** complaint cases per 1000 incidents.

	Incident logs	Crimes	Custody (ex VA)	Voluntary Attendance (VA)	Total Custody
January	7241	3319	802	196	998
February	7090	3017	696	142	838
March	7032	2901	673	143	816
Total	21363	9237	2171	481	2652

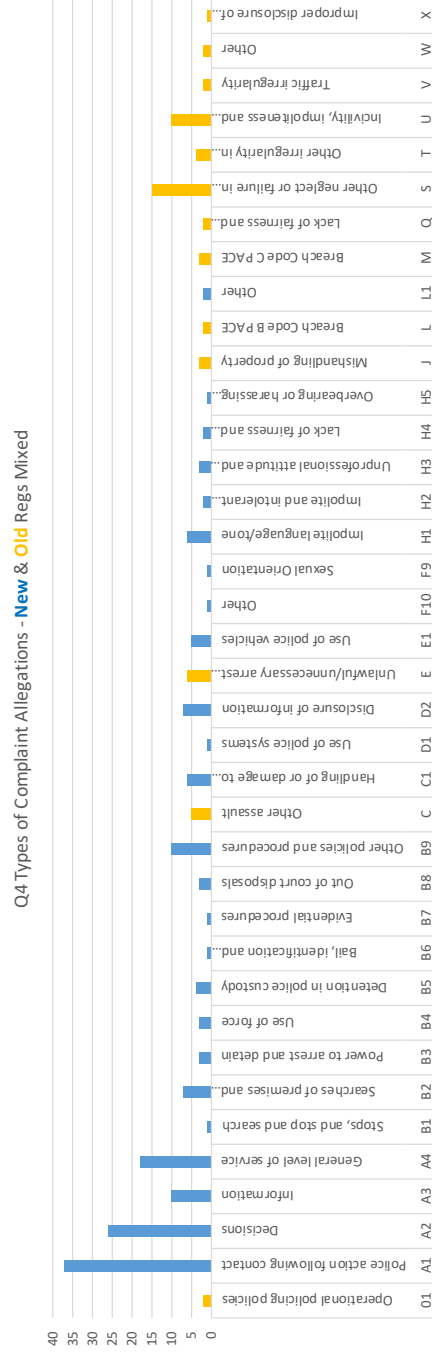
OFFICIAL – SENSITIVE - This document contains information and/or intelligence at GSC Official Sensitive level.
Not to be disseminated outside of Cumbria Constabulary without consultation with the originator

7

Public Complaints: Complaint Cases and Allegations - Types



The below chart shows the complaint allegations recorded by type for the quarter. The chart shows both old (2012) and new (2020) regulation complaint types. New regulations consist of 46 types of allegations making up 11 allegation groups, whereas, old regulations consist of 29 types of allegation making up 7 allegation groups. [Appendix 1](#)



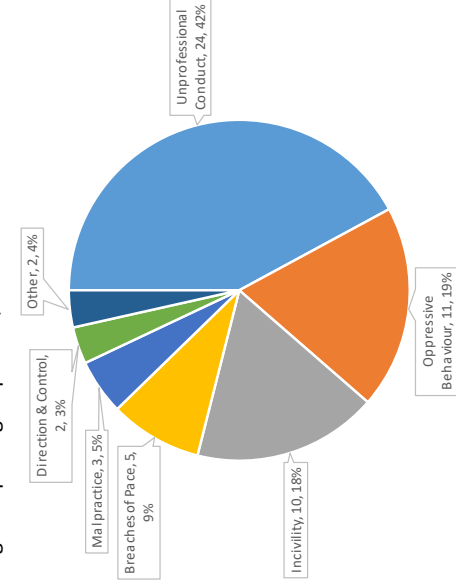
OFFICIAL – SENSITIVE - This document contains information and/or intelligence at GSC Official Sensitive level.
Not to be disseminated outside of Cumbria Constabulary without consultation with the originator

8

Public Complaints: Complaint Cases and Allegations - Types

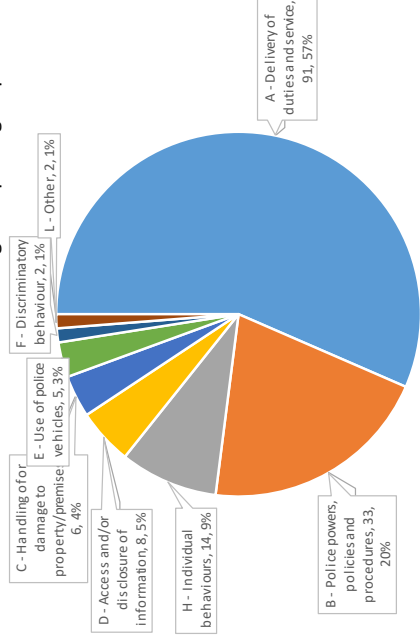


The below chart shows complaint allegations split into the 2012 regs complaint groups for Q4.



42% complaint allegations fall under **Unprofessional Conduct** group. Most common allegation type in this group is *Other neglect or failure in duty* 63%.

The below chart shows complaint allegations split into the 2020 regs complaint groups for Q4.



57% complaint allegations fall under **A -Delivery of duties & service** group. Most common allegation type in this group *A1 Police action following contact* 41% followed by *A2 Decisions* 29%.

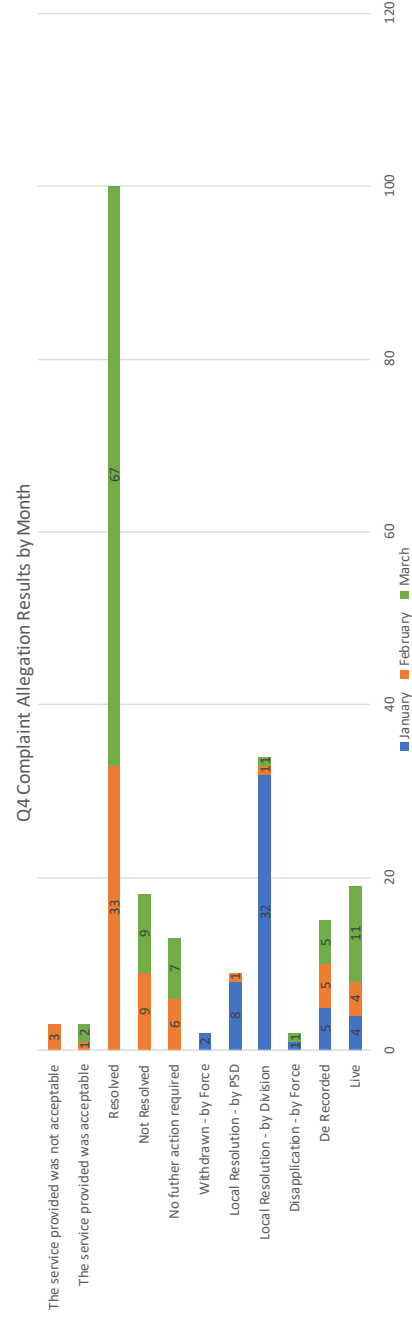
OFFICIAL – SENSITIVE – This document contains information and/or intelligence at GSC Official Sensitive level. Not to be disseminated outside of Cumbria Constabulary without consultation with the originator

9

Public Complaints: Complaint Cases and Allegations - Results



The below chart shows the complaint allegation results per month for this quarter, live cases also included for information. This shows the old and new regulation allegation results and how they are shifting month by month. As shown the large majority of allegations under the new regulations are being Resolved.



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

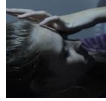
10

Complaints :



Priority Issues

- Complaint allegations and cases have seen an uplift towards the end of the quarter, although, this was anticipated due to the recording practices under the new regulations.
- The percentage of complaint figures show an increase, however, this is due in part to the new regulations increasing the number of allegations recorded combined with the decrease of logs/crimes/custody attendance due to the global situation. Figures are expected to level out in coming months.
- The most common type of complaint allegations overall under 2012 regulations relate to **Other neglect or failure in duty** (Unprofessional Conduct) and under 2020 regulations **Police action following contact and Decisions** (A -Delivery of duties & service). Therefore complaints regarding duties (neglect/failure/delivery) remain the highest under both sets of regulations.
- North remains the area with the highest number of complaint allegations (71) with South (52) and West (51) much lower and on a par with one another. Most common types of complaints per area are **Incivility, impoliteness and intolerance** (N&S) and **Other neglect or failure on duty** (W) under 2012 regulations and under the 2020 regulations the most common complaint for all areas is **Police action following contact**. [Appendix 2-4](#).
- Complaints under the 2020 regulations are on the whole dealt with via Service Recovery. The large majority of complaints being **Resolved** (85%) and remaining being dealt with There and Then or R&P (15%).
- Lessons Learned (20) - Organisational (9) and Individual (14) – shows a range of allegation types/groups although **Incivility, impoliteness and intolerance** (Incivility) and **Other irregularity in procedure** (Unprofessional Conduct) are most common. [Appendix 9](#)
- Currently there are 3 Force appeals and 1 appeal made to the IOPC.



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

11

Complaints :



Discovery/Emerging Issues



- SLT's are being consulted on how best to circulate learning in relation to Public Complaints as the majority are now dealt with by staff within Professional Standards meaning that Area may no longer be aware of possible trends with their staff.
- Complaints relating to Covid-19 are being tagged on the systems. In the Q4 period 9 were tagged as Covid-19 related.

Learning and Development



- The new Police Complaints and Conduct Regulations came in on 01/02/20. The new processes are being embedded and reviewed on a monthly basis with learning disseminated across the Constabulary.
- Training for Staff Investigators to PIP level 1 is continuing, with one Investigator progressing her portfolio and another due to attend the relevant courses.

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

12



Performance for the reporting period of 01/04/2019 to 31/12/19 (Q1-Q3)

	Cumbria	Most Similar Force(s) MSF	National
% Complaints recorded within 10 days	90%	90%	89%
Average number of days taken to complete complaint case	56 Best performing force	100	104

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

Ethics and Integrity Panel



Title: OPCC Complaints

Date: 22 April 2020
Agenda Item No: 9a
Originating Officer: Joanne Head
CC:

Executive Summary:

In accordance with the Police Reform and Social Responsibility Act 2011 the Police and Crime 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 now mandates 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 and quality of service issues received by the Office of the Police & Crime Commissioner.

1. Introduction & Background

- 1.1 The Office of the Police & Crime Commissioner (OPCC) 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 OPCC 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.

- 1.3 Regular contact between OPCC staff and the Constabulary staff officers takes place to ensure that the matters are progressed in a timely manner and that an author is updated of progress or the final result as soon as possible.

2. Issues for Consideration

Complaints received by the OPCC

- 2.1 Detailed below is a table illustrating the number of complaints which have been received by the OPCC up to 31 March 2020. In brackets are the number of those complaints which were passed to Cumbria Constabulary to deal with, these were all regarding police officers below the rank of Chief Constable, the Police and Crime Commissioner has no statutory responsibility to deal with such matters. As can be seen from the figures detailed below a large proportion of the complaints received by the OPCC, the Commissioner is unable to deal with.

2014	2015	2016	2017	2018	2019	2020
13 (8)	2 (2)	22 (22)	5 (5)	16 (15)	21(20)	11 (11)

- 2.2 Generally the public are more aware of the Police and Crime Commissioner, the roles and responsibilities he has and the procedures to be followed regarding making complaints about police officers and staff or the Constabulary.

Commissioner Complaints

- 2.3 Complaints made regarding the Police and Crime Commissioner are dealt with by the Police and Crime Panel (PCP). 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.
- 2.4 Chapter 4, Section 30 of the Police Reform and Social Responsibility Act 2011 details the circumstances in which a Police and Crime Commissioner could be suspended this being that the Commissioner has been charged with an offence which carries a maximum term of imprisonment exceeding two years. The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 details the role of the PCP.
- 2.5 Any complaint regarding the Commissioner is sent to Cumbria County 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 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.
- 2.6 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.

- 2.7 Detailed below is the number of complaints regarding the Commissioner, Mr Peter McCall, whereby the OPCC has been requested to provide information to the Police and Crime Panel. The table illustrates by what method they were dealt with.

YEAR	N° of Complaints Received	Complaint not about the PCC	Dealt with by informal resolution	Police & Crime Panel investigation
2017	2	0	2	0
2018	5	0	5	0
2019	0			
2020	0			

- 2.8 The majority of the complaints received relate to individuals who are dissatisfied with the way in which the Commissioner has carried out his duties or work he has undertaken in their opinion, rather than his personal conduct.

2.9 Chief Constable Complaints

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 her personal conduct.

- 2.10 The table below illustrates the number of complaints received from 1 January 2017 to 30 March 2020. There are no complaints outstanding. The changes in regulations now 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 OPCC.

YEAR	N° of Complaints Received	Recorded	Not Recorded	Dealt with by informal / local resolution	Investigation	IOPC Appeal
2017	4	2	2	2	0	1
2018	3	3	0	3	0	2
2019	3	0	3	0	0	0

YEAR	N° of Complaints Received	Not Logged	Logged	Dealt with by NFA	Investigation	IOPC Appeal
2020	2	1	1	1		

2.11 OPCC Staff Complaints

No complaints have been received regarding any member of OPCC staff during the reporting period.

2.12 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.

- 2.13 The Constabulary have reported upon appeals dealt with at a local level, for the period January to March 2020 which included cases under the old and new legislation. Within the reported figures, the OPCC has received three requests for reviews to be carried out.
- 2.14 In future the OPCC will report further upon the number of reviews it has received and their outcomes. Identifying if any recommendations have been made to the Constabulary and any identified best practice.
- 2.15 Following the Government lockdown announced on 23 March 2020, which enforced people to stay at home, staff within the Office of the Police and Crime Commissioner and any subsequent contractors such as the independent reviewer, were no longer working from the OPCC offices. This resulted in a delay in being able to deal with requests for reviews. With a further extension the OPCC has taken steps to find a workable solution to enable reviews to be carried out. The three reviews which have been received are now being progressed and the outcome will be communicated to the complainants when finalised.

3. Implications

- 3.1 Financial - there are no additional financial costs associated with dealing with these complaints, quality of service issues.
- 3.2 Legal – none identified.
- 3.3 Risk - None identified, beyond that to the OPCC'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.

Ethics and Integrity Panel



Peter McCall

Title: OPCC Quality of Service & Policing Issues

Date: 22 April 2020

Agenda Item No: 09b

Originating Officer: Lisa Hodgson, Governance Officer

1. Introduction & Background

1.1 The Office of the Police & Crime Commissioner (OPCC) receives a number of telephone calls and emails from members of the public who wish to raise issues or dissatisfaction about some element of the policing service they have experienced. These are regarded as quality of service and policing issues (QSPI). This report focuses on QSPI's received between 01/10/2019 & 31/03/2020, in this period a total of 180 QSPI's were received.

1.2 Our service standard is that:

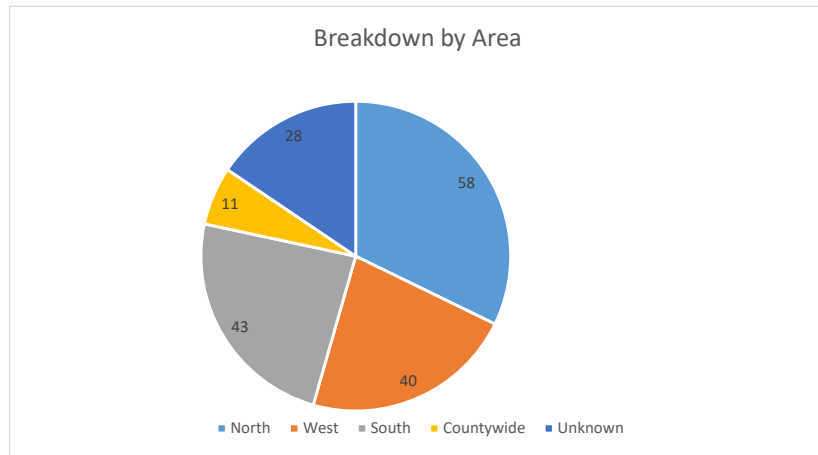
- An acknowledgement is sent out on the day of receipt of the correspondence advising them that they will receive a full response from the OPCC within 28 days. Should the matter take longer to conclude updates are provided on a 28 days basis until the matter is finalised.
- Where possible a response will be provided at the earliest opportunity and is often before 28 days.

1.3 A system has been developed within the OPCC to acknowledge, log and monitor the resolution of the issues raised. Once a QSPI is logged within the OPCC it is then allocated appropriately. Predominantly the majority of issues are passed through to the Chief Constable's Office who then allocate it to the appropriate Neighbourhood Policing Team (NPT) or department to deal with. Regular contact between OPCC staff and the Chief Constable's Office takes place to ensure that matters are progressed in a timely manner.

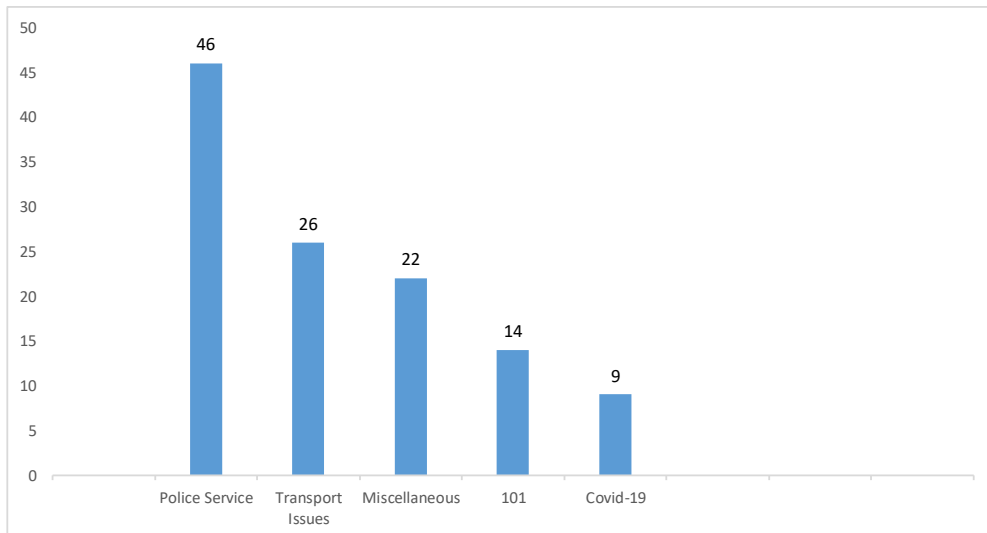
1.4 Where an urgent matter is received, the OPCC will contact the Chief Constable's office to ensure that the matter is progressed immediately. Since its inception the number of QSPIs received and dealt with by the OPCC has increased year on year as can be seen from the figures below:

2013	2014	2015	2016	2017	2018	2019	2020 (up to 31/03/2020)
98	198	167	235	270	350	435	101

1.6 Below is an area breakdown of where the complainant is based in Cumbria. When contacting the OPCC an individual may not always provide their location which is recorded as 'unknown'.



1.7 Members of the public will contact the OPCC regarding a broad range of issues. The Commissioner will write to every individual using information provided by the Constabulary, the OPCC or other partner organisations. Below is a breakdown of the top issues raised from 1 October 2019 – 31st March 2020.



Further details of each identified category are provided below.

2. Identified Issues

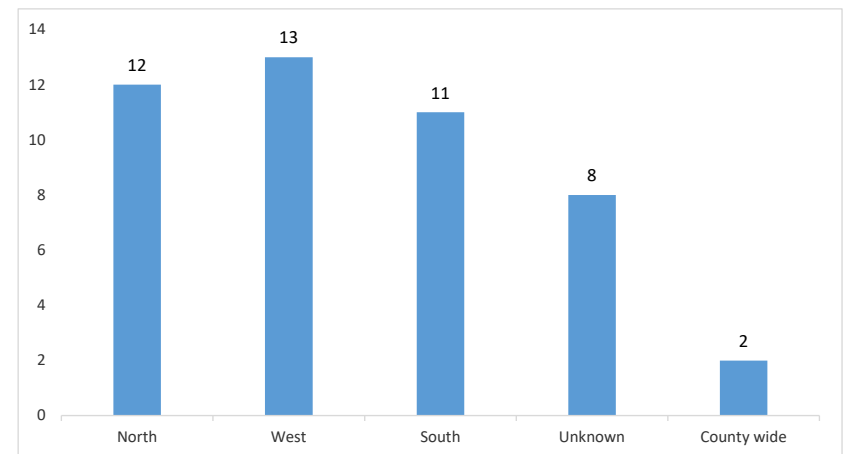
2.1 In each instance, the OPCC helps to facilitate the individual to be provided with a tailored response or explanation to the issues that they have raised. On many occasions the matter is dealt with at a local level, with police officers and staff making contact or visiting the individual. This then enables the Constabulary to find out more about the issue and look to implement a suitable solution or resolution for not only them but on occasions the wider community.

2.2 Where matters are passed to the Constabulary the OPCC is advised of progress and of either a final solution, which has been agreed with the individual, or information/advice relating to their issues.

2.3 Members of the public also contact the OPCC for advice and clarification on a variety of topics and issues. There are five categories that are the most common areas of complaint and further details on these are provided below:

2.4 Police Service

During this reporting period, 46 concerns were raised in relation to the level or standard of policing service they received. A breakdown by area is included below:

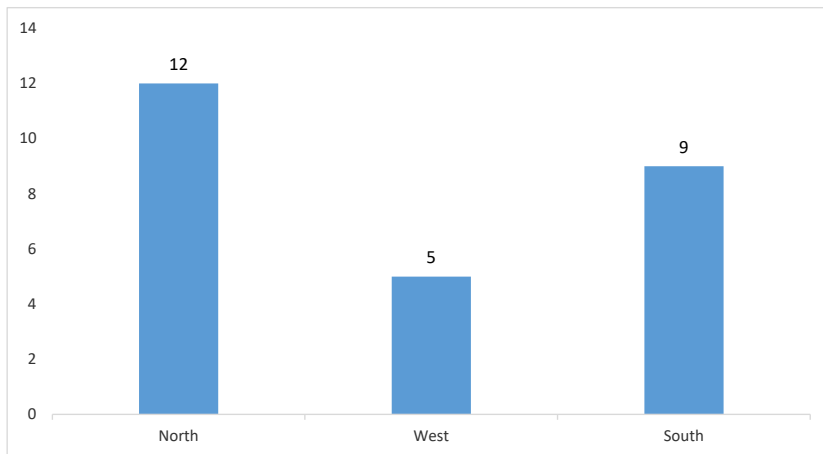


The concerns logged within this category indicate that the individual is unhappy with the level of policing service they have received and/or the outcome of the investigation. The OPCC has identified that a large number of these concerns are triggered by the lack of communication or updates received from the Police during an investigation. When the OPCC responds 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 a local officer to go and visit the individual to provide clarity regarding the investigation and advice of any other action that can be taken by the individual.

A small number of these concerns have enabled the OPCC and Chief Constable's Office to identify areas where improvements can be made. Further training and advice to officers involved in those instances can be implemented where a need is identified. In addition, processes and procedures may be re-issued as a reminder to teams or the whole Constabulary where appropriate.

2.5 Transport Issues

'Transport Issues' covers a range of concerns such as: speeding, general driving issues; damage to vehicles; parking issues; abandoned vehicles and cyclists on pavements. The main concerns raised being anti-social driving. In the majority of cases the OPCC arranged for police contact to be made with the individual, enabling the local policing team to gather as much information and intelligence directly from the member of public as possible. This can then be used in future policing plans and patrol strategies for that area. Community speed watch groups have also been set up in some areas following intervention from the OPCC.



2.6 Miscellaneous

The OPCC has received 22 QSPI's recorded as 'Miscellaneous'. Alone, these would not be statistically significant, however these do need to be captured in some way. Some categories for these QSPI's include: the use of cannabis; police policies and CCTV applications. These QSPI's are dealt with in exactly the same way and each will be provided with a detailed response to the query/concern raised.

2.7 101

During the reporting period the OPCC has received contact from 14 members of the public who were dissatisfied with the Constabulary's 101 telephone service. Predominantly this related to the amount of time it took for members of the public to be connected to an operator within the Comms Centre.

Each individual case is looked into with assistance from the Chief Constable's office to determine what the average wait time was for that day and if there were any operational challenges which may have contributed to the delay the caller received. An explanation is then provided to the complainant. All complainants are advised of other available ways to report non-emergency crimes or matters to Cumbria Constabulary, these being:

Email: 101emails@cumbria.police.uk

Online Reporting: <https://www.cumbria.police.uk/Report-It/Report-a-Crime/Non-Emergency-Crime-Online.aspx>

2.8 Covid-19

The OPCC received 9 complaints in relation to the current Coronavirus (Covid-19) pandemic up until 31/03/2020. Many of these people are supportive of the police approach but are concerned that residents near them are not following the instructions and are putting them at risk. The Commissioner has been fully supportive of all advice and messages given from Cumbria Constabulary, all in line with the government instruction which is changing frequently. All complainants have been encouraged to continue reporting anyone not following the instructions as soon as possible or at the time it is happening to enable the police to take action where appropriate and necessary.

A small number of complainants have been unhappy that the police have stopped and questioned them in relation to traveling for exercise. The Commissioner has been fully supportive of the force and reiterated that the government instruction regarding staying at home and the parameters to travel for exercise.

Up until 22nd April 2020, the OPCC has received 37 QSPI's in relation to Coronavirus, and correspondence currently appears to be received daily in relation to this. All police forces are being asked to ENGAGE with communities, EXPLAIN the restrictions and ENCOURAGE people to comply and as a last resort this could be ENFORCED with a summons. Anyone being stopped by the police would be asked the reason for their travel and any advice or decision would be made at that time at the discretion of the officer.

Correspondence has been received from members of the public who are traveling to a close family member's funeral or collecting a close family member from an airport. These people have been concerned that they would be stopped by the Police and not allowed to continue their journey. The OPCC have been clear in that they cannot advise for each individual case, nor can the Constabulary, however from the circumstances explained suggested that the journey would appear to be necessary in line with the government instruction. In all correspondence, the OPCC has reiterated that the guidance published by the government should be adhered to and people should be keeping up to date with such announcements.

2.9 Compliments

The OPCC has received 7 forms of correspondence thanking the Commissioner and/or the Police for the service provided. It is important to recognise the compliments received and these are always shared where possible with the individual officers, and the Chief Constable.

This number does not include those that have contacted the OPCC in relation to Coronavirus and been supportive of the policing of the guidance.

3. Local Focus Hubs

Within each of the three policing areas work continues in Local Focus Hubs. These Hubs are located: Allerdale & Copeland; one in Carlisle City Centre and two in the south of the county in Barrow and Kendal.

The hubs, due to their multi-agency approach enables them to respond to a wide variety of issues in an efficient manner. The hubs bring together organisations such as the police, local councils, housing associations, drug and alcohol support services, Environmental Health, licensing, enforcement, planning, Trading Standards, Fire & Rescue and locally represented charities; they also have the ability to link in with Highways and CRASH.

A wide variety of issues can be referred into the Hub from a number of agencies including the Constabulary. When a QSPI is referred to a hub they will encourage local PCSO's and Problem Solving Officers to resolve the issues prior to the hub taking on the issue. Various methods are used to ensure reports and actions are followed up with individuals being updated and any referral kept open until the issue is resolved. Weekly meetings are held with all the organisations to discuss a broad range of issues. On a number of occasions areas of both ASB and vulnerable victims have been identified which were previously not known to the police. Such issues would then be fed into monthly tasking meetings that set priorities for the police and partner agencies.

The hubs have proved a valuable tool in assisting individuals and communities with resolutions for a wide range of issues by working together. Often issues reported to the OPCC or the Police are not in fact policing issues, but by using a joined-up approach solutions can be found. The Constabulary are able to use the information within the local focus hubs to influence and priorities issues within communities. Once these are initially resolved, continued oversight ensures that problems do not arise again.

4. Making a Difference

As previously stated, all QSPI's are provided with either a resolution to their issues or information to assist them to understand any decisions or rationale. Where issues are dealt with through the local focus hubs it is recognised that working with individuals has resulted in changes to not only their personal lives but also that of the wider communities.

This type of work is replicated throughout many of the QSPI's received and actioned by the OPCC. Meaning that the Commissioner is ensuring that the issues raised by communities within Cumbria are responded to and in the majority of cases resolved. As with all QSPI's the information provided by individuals is used not only to resolve their issues but to allow the Constabulary to look at the wider community and scope whether similar issues are being experienced by others. Quality assurance work is carried out to monitor issues longer term and this information can then be used to inform local policing teams and the work that they carry out. The information collated by the OPCC from QSPI's is subsequently used by the Commissioner to inform his Police and Crime Plan and any subsequent reviews thereof. The Constabulary also uses this information to assist in their implementation of the Police and Crime Plan and local policing plans.

During the current COVID-19 lockdown the Commissioner has ensured that any enquiries or concerns received by members of the public are dealt with as soon as possible. This enables the correct information to be provided and any concerns or issues raised are dealt with quickly by the Constabulary. He continues to have his weekly meetings with the Chief Constable which now include the county's MP's where issues or concerns raised can be discussed along with policing matter.

The OPCC and the Commissioner during the lockdown continues to provide messages to the public through a variety of media platforms. These are to enforce the Government guidelines and current policing practices.

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 OPCC'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.



Agenda Item No 11

Cumbria Office of the Police and Crime Commissioner

Complaints, Misconduct and Grievances Case Sampling Protocol

Document control

This policy applies to all employees of the Office of the Police and Crime Commissioner for Cumbria.

Date of last review	Reviewed March 2018, updating amendments made.
Date of next review	March 2020
Owner	Head of Communications and Business Services
Equality Impact Assessment	25/2/2015

Distribution and Consultation Record

Date	July 2019
Version	V2
Authors	Joanne Head, Governance Manager

Version Control

Plan Approval	
Approved By	OPCC Executive Team
Signature	Gill Shearer at OPCC Executive Team
Date	xxxxx
Equality Impact Assessment completed	Date

Version .01	Created March 2015
Department	Office of the Police and Crime Commissioner
Contact	

Version.02	Created April 2018
Department	Office of the Police and Crime Commissioner
Contact	Joanne Head, Governance Manager

Version.03	Created April 2020
Department	Office of the Police and Crime Commissioner
Contact	Joanne Head, Governance Manager

Version.04	Created
Department	
Contact	

Contents

Page	
3.	Introduction
5.	Case Sample Procedure
7.	Case Sample Outcomes
8.	Identified Issues or Concerns
9.	Appendices

Introduction

Each police and crime commissioner for a police area has a number of statutory responsibilities, which are principally laid out in the Police Act 1996 (as amended by the Police Reform and Social Responsibility Act 2011).

The Police & Crime Commissioner (Commissioner) will hold the Chief Constable to account for the service that the public should expect from the Commissioner and the Constabulary. Part of that service will be the dealing of complaints. Indirectly, part of that service will be dealing with Police Staff Disciplinary cases. This will be an independent process of scrutiny carried out by an Ethics and Integrity Panel with representatives drawn from outside of the Constabulary and the OPCC.

Amendments to the police complaints system by the Police Reform and Social Responsibility Act were designed to streamline and remove unnecessary bureaucracy from the system ensuring that complaints are handled at the lowest appropriate level.

Schedule 14, Section 7 of the Police Reform and Social Responsibility Act gives power to the 'local policing body' to direct the chief officer of police to comply with obligations in regard to complaints and therefore the monitoring of complaints would be seen by a Commissioner as an important part of their role. The local policing body may direct the Chief Officer to take such steps as the local policing body thinks appropriate and the Chief Officer must comply with any direction given.

The Policing and Crime Act 2017 has mandated that all Police & Crime Commissioners are to carry out reviews of 'Recorded - No Investigation' complaints, where the complainant is unhappy with the outcome. Commissioners may if they wish have involvement within other areas of the complaint process following consultation with the Chief Constable and appropriate staffing arrangements made.

Five elements, which the Police & Crime Commissioner should have in place to maintain effectively an ongoing scrutiny and oversight of complaints against the Constabulary would be:

1. Process and procedural audits as compared with Home Office Guidance on complaint handling;
2. Dip-sampling of completed complaints files and disciplinary files;
3. Analysis of statistics and trends;
4. Strategic analysis;
5. Discussion with stakeholders and partners.

This protocol is to specify procedures adopted by agreement between the Commissioner and Cumbria Constabulary, particularly towards elements numbered 1 and 2 above.

These procedures are intended to assure public trust and confidence by embedding transparent and structured processes for the Commissioner to discharge that individual element more effectively, as part of their overall function.

This approach will also enhance the Commissioner's ability to fulfil the other elements, as well as the enhanced expectations of the Independent Office of Police Conduct (IOPC) introduced under the Police Reform Act 2002. The IOPCC has produced Statutory Guidance that outlines the responsibilities of Police & Crime Commissioners.

The purpose of this structured approach is to ensure that complaints in Cumbria are being dealt with rigorously and fairly, in line with IOPC Statutory Guidance and Constabulary policies and procedures, under processes understood by the Commissioner. This approach also ensures that disciplinary cases in Cumbria are being dealt with rigorously and fairly, in line with Statutory Guidance and Constabulary policies and procedures, under processes understood by the Ethics and Integrity Panel.

If a series of cases (on their facts and outcomes) together indicated a consistent area for concern, then the Commissioner may review them in conjunction with the Constabulary and other stakeholders to see whether wider lessons emerge.

Case Sample Procedure

The Ethics and Integrity Panel (Panel), accompanied by a member of staff from the Office of the Police & Crime Commissioner (OPCC), will attend by arrangement the offices of the Constabulary's Professional Standards Department no more than once every quarter and no less than once on a six monthly basis.

The Office of the Police & Crime Commissioner and Professional Standards Department Admin Managers are responsible for making these arrangements, in line with the Panel's annual work programme.

The Panel will audit process and procedures using agreed checklists as attached (Appendices 1 to 4c). Files will be selected from a list of finalised complaints, provided by the Professional Standards Department to the member of staff at the time of attendance. With regards to finalised Review cases, the OPCC will provide the Panel with a list of finalised cases from which they will select ones to inspect.

Number or proportion of completed complaint files to be inspected

It is not practical to inspect all files completed during the six months preceding the case sampling session. Instead, an agreed number of completed files from the preceding six months will be inspected.

The number identified for inspection has been agreed as representing both an appropriate proportion from the total number of files completed in an average year and also a realistic quantity for the members of the Panel to give appropriate attention to.

The Commissioner reserves the right to increase or decrease that specified number if necessary, in consultation with the Constabulary. The frequency of attendances to the PSD Offices will also influence the number of files that are dip-sampled. However, the Constabulary is committed to assisting this process in enhancing trust and confidence in the police complaints system and restrictions on access to files should not be a barrier.

1. The number of dip sampled files chosen from those concluded outside of Schedule 3 (Service Recovery) within area **8 (eight)**
2. The number of dip sampled files chosen from those concluded outside of Schedule 3 (Service Recovery) within PSD **8 (eight)**
3. The number of dip sampled files chosen from those concluded by way of Recorded – No Investigation **8 (eight)**
4. The number of dip sampled files chosen from those concluded by way of Recorded – Investigation **8 (eight)**

[NB: In conducting dip-sampling under this protocol it is important to note it is not a review of the appropriateness or otherwise of the conclusion reached in any individual case. There should not be undue weight on the factual issues arising in a case.]

Completed Complaint Review files to be inspected

The IOPC deal with any appeals against complaints which have been Recorded and Investigated, ie more serious allegations, along with specific appeals in respect of managed or supervised investigations. As they have had involvement in the complaint they will be the appropriate body to deal with the appeal.

The OPCC will deal with reviews resulting from Recorded – No Investigation complaints, dealt with by the Constabulary.

5. The number of review files chosen from those concluded by the OPCC to be inspected at the dip sample session is: **4 (four)**

Identified Best Practice to be inspected

When carrying out reviews of complaints, the Panel should note any areas of best practice that are identified during the handling of the complaint. Particular note should be made of how and to whom this best practice has been disseminated to.

Disciplinary files to be inspected

Complaint and disciplinary files are dealt with by investigators within the Constabulary's Professional Standards Department. The Panel will sample police officer and police staff disciplinary files on a six-monthly basis and no more than once a quarter.

At the case sample session, all closed cases finalised following the previous reporting period will be presented. Given that the number of cases is expected to be small, the Panel are likely to be able to select and inspect all finalised files. The frequency of the case sample sessions may influence the number of files that are sampled during the session.

Closed case files to be examined will include those with outcomes as follows:

- Action short of dismissal
- Dismissal
- Appeal

The Panel will audit process and procedures using pro forma checklists as presented at Appendix 6. The checklists highlight the various stages in the disciplinary process that may give rise to issues of integrity, efficiency and effectiveness or proportionality. This should allow easy identification of areas of concern.

The Constabulary is committed to assisting this process in enhancing trust and confidence in the disciplinary process and there will be no restrictions on access to closed files.

[NB: In conducting a full examination or dip-sampling under this protocol it is important to note it is not a review of the appropriateness or otherwise of the conclusion reached in any individual case. There should be no assessment of the factual issues arising in any case and the Panel will not seek to consider the merits of the case]

Grievance files to be inspected

There are a relatively small number of grievance files finalised at any one time during a year.

At the case sample session, all closed cases finalised following the previous reporting period will be presented. Given that the number of cases is expected to be small, there should be no requirement to specify any limitations on the number of cases that are scrutinised. However should this number increase in the future the Office of the Police and Crime Commissioner reserves the right to increase or decrease the number of files inspected by agreement with the Constabulary. The frequency of the case sample sessions may influence the number of files that are sampled during the session.

Due to the confidential process undertaken by the Grievance procedure names contained within the grievance files may be redacted prior to being provided to the Panel to sample.

Closed case files to be examined will include those with outcomes as follows:

- Resolved to satisfaction
- Unresolved
- No Further Action
- Withdrawn

The Panel will audit process and procedures using the pro forma checklist as presented at Appendix 7.

Case Sample Outcomes

This protocol represents an understanding agreed between the Constabulary and the Police & Crime Commissioner in Cumbria. It is intended to constitute an important limb of the overall scrutiny and public accountability that is delivered by a Police & Crime Commissioner in pursuit of statutory duties set out the Police Reform and Social Responsibility Act 2011.

In particular, within its own Single Equality Scheme, the Commissioner has prioritised and assessed their functions for relevance to equality. Complaints against the police is a key area where realised or potential impacts on human rights, race, or other equality issues can be revealed. (“Stop & Search” or “Stop & Account” provides one important example). This is why the vigilance of the Commissioner provides one important part of the framework of remedies and reassurances available to members of the public in this field. Disciplinary cases against police officers and police staff are a key area where realised or potential impacts on human rights, race, or other equality issues can be revealed.

This protocol is intended to help:

- provide public reassurance about the integrity, effectiveness and efficiency of policing in Cumbria;
- assess the risk of policing impacting adversely and disproportionately on human rights; or on minority ethnic groups in Cumbria;
- assess whether such risks can be justified as proportionate, legitimate, legal, and minimised;
- assist decision-making about the policing method or policy involved.

When assessing the potential impact or indicated effect of policing processes, methods, procedures or policy upon equality, consideration will at the same time be given to ethnic or national origin, race, colour, or nationality. (Where an impact is also identified on other minorities, or on issues of religious belief, gender, sexual orientation, disability, age and social background, then this will also be reported on where appropriate).

Identified Issues or Concerns

When carrying out their inspection of complaint, disciplinary and grievance cases, the Panel members undertake this task on behalf of the Police and Crime Commissioner. They will ask any questions or raise concerns they may have about the processes or procedures to the member of staff allocated to them. These can if necessary be escalated to the Head of the Professional Standards Department to invite further explanations. They will also draw them to the attention of the Deputy Chief Constable at the Panel meeting where complaints and disciplinary matters are discussed.

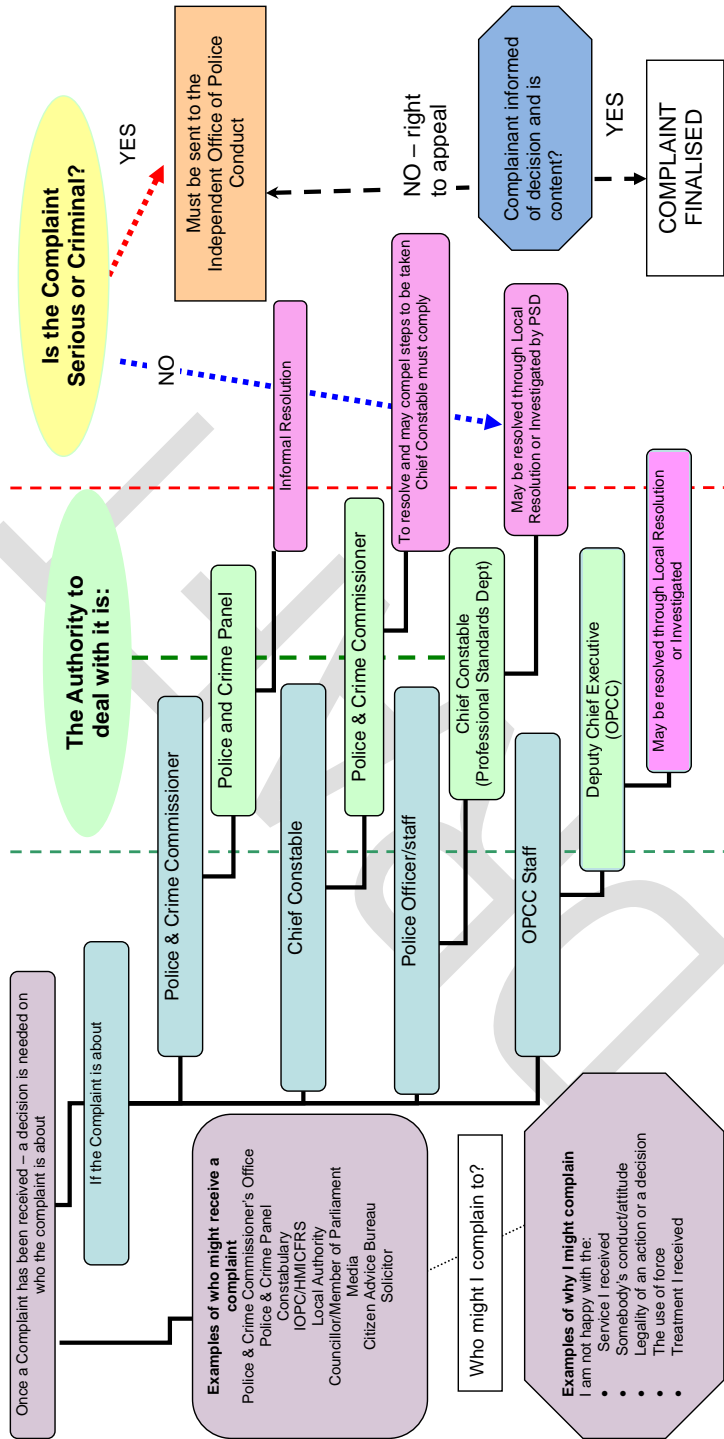
The Commissioner will be notified by way of a written report. Where serious issues are identified the Commissioner may then wish to raise the matter with the Deputy Chief Constable who will respond, as appropriate, with advice and explanations. In addition to the above, the member of OPCC staff’s report will also measure their satisfaction with the sampling visit, the application of the checklists and the outcome of the sampling exercise.

Appendices

The following supporting documents illustrate in flow chart or checklist form the processes followed for complaints:

1. Complaints process map (flow chart)
2. Checklist for Case Sampling closed Complaint Files
3. Checklist for Case Sampling closed Review Files
4. Checklist for:
 - a. Non-Recorded, Dealt with Outside Schedule 3 – Service Recovery
 - b. Recorded – No Investigation
 - c. Recorded – Investigation
5. Checklist for Complaint Review Files
6. Checklist for Case Sampling closed Police Officer and Police Staff Disciplinary Files
7. Checklist for Case Sampling Grievance Files.

Appendix 1



CUMBRIA OFFICE OF THE POLICE AND CRIME COMMISSIONER
Case Sample Protocol (Draft v4 April 2020)

Appendix 2



Checklist for Case Sampling Complaint Files

	Area to Review	Checks to Make	Service Recovery	No Investigation	Investigation
1.	Initial Assessment	Clear initial assessment and documented?			
2.	Acknowledgement of receipt of complaint	Timely contact with the complainant and investigating officer identified.			
3.	Telephone Call Complaint Form / Letter	Was the form completed correctly/does the letter contain sufficient information (recorded matters only)?			
4.	Keeping complainant informed	Was acknowledgement of receipt sent to the complainant and that they were kept informed on an ongoing basis?			
5.	Officer/staff member subject of complaint	Is there evidence to show how the officer was informed of the complaint and kept informed on an ongoing basis?			
7.	Withdrawal	Is this fully documented?			
8.	Time taken to complete	Has a reasonable amount of time been taken to complete the investigation? <u>Complaint Timescales</u> Outside Schedule 3 – between 3 to 28 days Recorded – No Investigation - 28 days Recorded – Investigation - 120 days			
9.	Justification of the	Has the reasonable and			

CUMBRIA OFFICE OF THE POLICE AND CRIME COMMISSIONER
Case Sample Protocol (Draft v4 April 2020)

	outcome of the complaint process	proportionate approach been appropriate and conclusion supported by evidence?			
10.	Final response to the complainant and the officer	Was the final response timely, responsive and conclusive? Did it identify the right of review?			
11.	Officer improvement	Was Reflective Practice Review Process (RPRP) and/or Practice Requires Improvement (PRI) identified and actioned?			



Checklist for Case Sampling Review Files

	Area to Review	Checks to Make
1.	Initial Assessment of Review	Is it clear that an initial assessment was made of the Review and recorded?
2.	Review letter/form	Was sufficient information provided as to the nature of the review?
3.	Acknowledgement of receipt of Review	Letter to complainant – timely and responsive? Is investigating officer identified to complainant?
4.	Keeping complainant informed	Was acknowledgement of receipt sent to the complainant and that they were kept informed on an ongoing basis (usually every 28 days)?
5.	Officer/staff member subject of complaint	Is there evidence to show how the officer was informed of the complaint and kept informed on an ongoing basis?
6.	Time taken to complete	Has a reasonable amount of time been taken to complete the Review? (There are no Review timescales within the legislation or guidance.) <u>Review Timescales</u> Review decision xxxxxx Re-Investigations - 120 days
7.	Justification of the outcome of the Review process	Has the approach, review and conclusion been appropriate and supported by evidence?
8.	Final response to the complainant and the officer re the outcome of the Review	Were the final responses timely, responsive and conclusive? Did it identify to the complainant any right of further appeal?

Appendix 4c

CO /

Recorded – Investigation

An Appropriate Authority must make arrangements for a complaint to be Recorded – Investigation if at any time it appears that there is an indication that:

- A person serving with the police may have committed a criminal offence or behaved in a manner that would justify the bringing of disciplinary proceedings;
- There may have been an infringement of a person’s rights under Article 2 or 3 of the HRA 1998.
- It is reasonable and proportionate to handle it; or the IOPC has directed so following referral or review;
- It relates to a Chief Officer.

Table with 2 columns: Description, Yes / No / n/a. Rows include: Was early contact made with the complainant to understand the complaint and seek their views on how the complaint should be handled?; Was appropriate scoping/enquiries carried out to support the determination to investigate?; Was the officer informed of the complaint?; Reasonable and Proportionate Handling should consider the matter’s seriousness with due regard to: (The nature of the incident, Any actual or potential impact or harm to individual(s), communities or the wider public, The potential impact on confidence in the police and/or the police complaints system); Where it has taken time to complete enquiries, were meaningful updates provided to the complainant during the investigation?; Was a reasonable and proportionate response provided to the complainant, including any evidence-based rationale for decisions made?; Where no action is to be taken to resolve the complaint, has a clear and sound rationale been provided to the complainant?; Was an apology necessary or provided?; Was any Performance Requiring Improvement (PRI) identified during the Service Recovery process? (If yes, please provide further comment below); Was the issue dealt with in a timely manner? (If over 12 months, has the Local Policing Body been advised?); Was any Best Practice identified? If yes, how and to whom was this disseminated?

NOTE

Please provide any comments regarding how this matter was dealt with, especially with regard to any of the above where the complaint should have been recorded.

- Timeliness of Investigations - where a case takes longer to complete than 12 months, PSD must notify the LPB and provide an explanation. This would include reason for the time taken, a summary of planned steps to bring to a conclusion. An update will be provided every 6 months thereafter until the conclusion of the complaint.

Comments:

Series of horizontal dotted lines for providing comments.

Signed _____

Date _____

Appendix 6

Reference No:

POLICE OFFICER / STAFF MISCONDUCT FILE

Description	Yes / No / N/A
ACU Intelligence Report and/or originating documentation (if appropriate)	
Severity Assessment by Appropriate Authority/Investigating Officer (including any re-assessments / policy decisions and final assessments)	
Notification to Officer(s)/ Staff - including Regulation Notice/Notification of Investigation	
Suspension notice (if applicable) - including reviews and updates	
Correspondence with IOPC (if applicable)	
Updates to Officer(s)/Staff regarding progress of investigation (4 weekly basis)	
Criminal Investigation – including unused material (if applicable)	
Misconduct Investigation – including Investigation Report	
Letter to Officer(s)/Staff advising of outcome	
Was any Practice Requiring Improvement (PRI) identified. If so has it been adequately completed? (This is progressed via the Reflective Practice Review Process (RPRP) and is only currently available for Police Officers/Special Constables).	
Misconduct Proceedings – if applicable (i/e Meeting or Hearing and including appeal)	
Sanctions/Outcomes	

Description	Yes / No / N/A
Has the file been completed in a timely manner?	
Was the investigation proportionate?	
Do letters/emails provide sufficient information/explanation of processes?	
Any identified organisational or individual learning/ best practice issue(s) and actions (if applicable)	

NOTES

- There statutory timescales for the completion of Misconduct Investigations in relation to Police Officers/Special Constables.
- Depending upon the proposed course of action, there are timescales in relation to the holding of Misconduct Meetings, Misconduct Hearings, Special Case Hearings and the Appeal Process.

COMMENTS:

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

Signed:

Date:

Appendix 7

Reference No:

GRIEVANCE FILE

Description	Yes / No
Grievance Form	
Stage 1 – Resolution form completed by allocated person/manager	
Stage 2 – Grievance allocated to different person/manager	
Stage 2 – Resolution form completed <ul style="list-style-type: none"> • Resolved to satisfaction / not satisfaction • Continued • Withdrawn 	
Stage 3 – Allocated to Chief Officer to deal with (within 21 days)	
Stage 3 - Review completed and final decision made <ul style="list-style-type: none"> • Resolved to satisfaction • Resolved not to satisfaction • Withdrawn 	

Description	Yes / No
Has the file been completed in a timely manner?	
Was the matter dealt with proportionately?	
For Stages 2 and 3 - do letters/emails provide sufficient information/explanation of processes and agreements made?	
Any identified organisational or individual learning and actions taken (if applicable)	

NOTES

- The timescales for Stage 1 and Stage 2 processes are 14 days, however this is flexible following agreement with the aggrieved.
- Where Stage 3 of the process is undertaken this must be completed within 21 days.
- Following the outcome of Stage 3 the aggrieved may, if they wish, request a meeting with the Chief Constable.

- An employee may subsequently elect to proceed to an Employment Tribunal. It should be noted that they do not have to go through the Grievance process to go to an Employment Tribunal.

COMMENTS:

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

Signed

Date

Enquiries to: Mrs J Head
Telephone: 01768 217734

Our reference: jh/EIP

Date: 29 July 2020

AGENDA

TO: THE MEMBERS OF THE ETHCS AND INTEGRITY PANEL

CUMBRIA POLICE & CRIME COMMISSIONER AND CUMBRIA CONSTABULARY ETHICS AND INTEGRITY PANEL

A Meeting of the Ethics and Integrity Panel will take place on **Thursday 6 August 2020 at 2.00 pm**. Due to Government Guidelines in response to COVID-19 the meeting is being held via telephone conference facility.

Details of how to access the meeting will be emailed to participants separately.

Note: The Panel members will meet at 10.00 am to carry out two dip sampling sessions

G Shearer
Chief Executive

PANEL MEMBERSHIP

Mr Michael Duff
Mrs Lesley Horton
Mr Alan Rankin (Chair)
Mr Alex Roche

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

- 4. NOTES OF THE PREVIOUS MEETING**
To confirm the restricted notes of the meeting of the Ethics and Integrity Panel held on 1 May 2020 (copy enclosed).
- 5. COMMUNICATION CENTRE UPDATE**
To receive a summary of the key tasks, timescales and evaluation of the project - *C/Inspector G Wardle*
- 6. POLICE OFFICER RECRUITMENT**
To receive a report on the Constabulary's current position in relation to recruitment - *To be presented by Superintendent Lisa Hogan.*
- 7. USE OF TASER**
The Panel to verbally report upon the outcome of the morning's dip sample session.

ETHICS AND INTEGRITY PANEL

Notes of a meeting of the Ethics and Integrity Panel held on Friday 1 May 2020 via telephone conference facility at 10.00 am

8. STOP & SEARCH

- (a) To receive an annual report on Stop and Searches made by the Constabulary during 2019-20.
- (b) The Panel to verbally report upon the outcome of the mornings' dip sample session.

9. INTEGRITY

- To receive a report on the work carried out within the Constabulary's Professional Standards Department, including:
- (a) Complaints by the Public; and
 - (b) Anti-Fraud & Corruption (including officer and staff misconduct)

10. COVID-19 REGULATIONS

The Panel to be provided with a verbal update following their dip sample sessions of issued Fixed Penalty Notices on the 18 May 2020 and 8 July 2020

PRESENT

Mr Alan Rankin (Chair)
Mr Michael Duff
Mr Alex Rocke

Also present:

Deputy Chief Constable Mark Webster
Superintendent - Lisa Hogan
Detective Chief Inspector – David Stalker
Chief Inspector – Gaynor Wardle
Head of Legal Services – Andrew Dobson
OPCC Deputy Chief Executive - Gill Shearer
OPCC Governance Manager - Joanne Head

The Chair thanked everyone for attending the telephone conference and the Constabulary for all their hard work during the COVID-19 pandemic. He hoped everyone was staying safe and well.

12. APOLOGIES FOR ABSENCE

Apologies for absence were received from Mrs Lesley Horton.

13. DISCLOSURE OF PERSONAL INTERESTS

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

14. URGENT BUSINESS

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

15. NOTES OF THE PREVIOUS MEETING

The notes of the meeting held on 6 February 2020 previously circulated with the agenda were agreed.

With regard to the Constabulary's Use of Force Board this would be deferred until the August 2020 meeting due to the COVID-19 lockdown restrictions. Information and data would be provided to the Panel to consider prior to the meeting.

- Agreed;** that, the
- (i) notes from the previous meeting be agreed; and
 - (ii) Ethics and Integrity Panel be provided with the analytical data prepared for the Use of Force Board and provide feedback.

16. COMMUNICATION CENTRE

Prior to the meeting the Panel had been provided with a copy of the CCR System Project Strategy which had been compiled in November 2019. Chief Inspector Wardle provided the meeting with an update on what had been achieved against the strategy. Work had been carried out to understand the incoming demand, pathways within the organisation, how this was managed and problem solved. It was identified that a lot of good work was taking place but work to improve contact with the public and understand why they contacted 101 needed to be carried out. CRR needed to not only work with community neighbourhood policing teams to understand operational priorities; but in addition C/Inspector Wardle would be attending parish council meetings to explain to members of the public about the work of the Comms Centre and bring CCR into the public domain.

Throughout the work, staff within the Comms Centre had been central to the work undertaken to enable them to be involved in the process and any subsequent changes.

A Panel member asked what internal education had taken place to stop staff putting calls through to CCR rather than finding the correct person or department. Officer's mobile devices now afforded them the ability to access systems and individuals easily thereby reducing the need for telephone contact. The next steps would be to carry out external communication, however this had been halted due to the COVID-19 pandemic.

The Project Strategy set out identified risks and timescales for the project with data being evaluated to update the project plan and the live CCR business plan. Actions within the plan were predominantly for the Inspectors who had held sessions which identified a number of changes to be implemented. The project timeline and underlying documents were continually updated as work progressed. The Panel asked if they could be provided with a summary of the key tasks, timescales and evaluation which Chief Inspector Wardle agreed she could provide a summary document for the Panel.

It was important that value for money was achieved within the Comms Centre. A lot of the functions carried out were 'switchboard' functions which officers were not there to perform. They had many powers that allowed them to provide advice and resolve issues. Chief Inspector Wardle advised that the Constabulary would be looking at a wide variety of options going forward.

The OPCC Chief Executive asked whether COVID-19 had had an impact on Comms Centre staff and their welfare due to them working closely together. The staff had been split into 3 sites to ensure social distancing. Where possible staff were working from home responding to 101 emails and online interactions. It was noted that since the lockdown there had been 30% reduction in emergency service calls and a 13% reduction in the number of calls for assistance with response to 101 calls being on average 3 seconds.

The nature of the calls had changed as people were making general enquiries regarding the lockdown guidance. The lockdown had seen a reduction in crime but an increase in anxiety and concerns. A number of support groups were no longer able to operate and therefore the Constabulary were preparing for a potential spike in reports and calls for service in relation to domestic abuse following the lockdown restrictions being removed.

DCC Webster advised that the pandemic had provided an opportunity for the Constabulary to work differently such as the increased use of video conferencing. It was recognised that the organisation needed to be agile when looking at plans for the future and adapt them where necessary.

- AGREED;** that,
- (i) the verbal update be noted; and
 - (ii) a summary of the project key tasks, timescales and evaluation be provided to the Panel at their next meeting in August.

(Note: Chief Inspector Wardle left the meeting at this point)

17. CIVIL CLAIMS

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

The number of Public Liability (PL) claims had seen 24 new claims with one being deemed significant. It was noted that this should in fact be recorded as an Employment Tribunal claim which meant that in the reporting period there was a total of 2 claims being dealt with. There were 8 significant PL claims of which 3 arose from the same incident.

Two new claims that had been deemed significant with one older claim being closed within the 6 month reporting period. There were now 8 significant claims being dealt with by the Constabulary.

The Panel discussed several ongoing cases, at what stage they were currently at and whether the estimated potential costs had remained the same. Some of the claims related to issues encountered on a national basis and therefore Legal Services were liaising with other forces.

- Agreed;** that the report be noted.

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

18. STAFF GRIEVANCES

During the reporting period of 1 October to 31 March 2020, there was 1 new grievance claim made, and 7 ongoing grievances at the start of the period and 3 outstanding. Superintendent Hogan advised that 4 cases had been closed due the length of time they had been ongoing and non-engagement from the member of staff.

One new grievance had been received regarding an officer disclosing information following evidence being given at a misconduct hearing. Three grievances had been withdrawn due to no response from the individuals and these were from a mixture of police officers and police staff. One remained unresolved and the Constabulary were engaging with the individual to open avenues of communication. In response to a Panel member's question Superintendent Hogan advised that the withdrawn cases had been ongoing for over 2 years and they could not be progressed any further. At the time of reporting the matters procedures had now changed with HR now taking over dealing grievances along with other staff matters.

Two cases of mediation had been carried out with one ongoing and one unsuccessful. Although there had been some acceptance by both parties of identified learning with this case. There was an alternative if mediation did not work as the individual could then progress the grievance to Stage 1 of the formal process.

The Panel discussed in more depth details of the cases being raised to enable them to understand the nature of the issues raised through the Grievance procedure. As part of their dip sample regime the Panel would sample grievance cases prior to their November meeting.

Agreed; that the
 (i) report be noted; and
 (ii) Panel dip sample finalised grievance cases prior to their November meeting.

To allow Superintendent Hogan to attend another meeting, the Chair agreed to take Agenda Item number 10 next.

19. OFFICER RECRUITMENT

Superintendent Hogan provided an update to the Panel in relation to the Constabulary's continued recruitment programme following the Government's announcement in 2019 of Operation Uplift. Cumbria was to receive further officers, and this was being incorporated into the programme of recruitment. The Constabulary had worked closely with the local university and UCLAN regarding entry routes into the force. Although the Constabulary was on track to recruit the required number of officers it was recognised that all other forces within the UK were also recruiting, therefore it was important to make Cumbria an attractive prospect whilst maintaining standards of entrants.

The College of Policing had launched a new SEARCH platform which undertook judgement testing, video link questioning and then onto interview. Superintendent Hogan had undertaken the process to then allow her knowledge to prepare candidates for the process. Where

candidates were unsuccessful, they could re-apply after 3 months. The Constabulary would remain in contact with them and assist them to prepare and learn from their previous experience.

Superintendent Hogan briefed the Panel on the work which had been carried out to attract candidates from BAME communities. Prior to COVID-19 the Constabulary were to hold a number of positive action events. Engagement had continued with those who had expressed an interest in joining the force to provide them with information and support.

Where candidates were unsuccessful, the Constabulary were contacting them and advising them of alternative opportunities such as joining the Special Constabulary and volunteering roles within the force. This would afford candidates the opportunity to gain an insight into the policing environment and potentially assist them with future applications and assessments.

The Constabulary workforce currently had a BAME representation of 2%. It was noted that BAME countywide equated to approximately 1.4% meaning that the Constabulary were representative to the communities that they served. The Panel asked what percentage of the workforce declared as disabled or as LGBTI and were advised that as was self-declared by individuals the figures may not be fully accurate.

AGREED: that,
 (i) the verbal update be noted;
 (ii) a report of overall recruitment be provided to the Panel at their August meeting.

20. INTEGRITY

DCI Stalker presented a quarterly update on public complaints, officer and staff misconduct and work carried out by the Anti-Corruption Unit. He advised that the department now had a new analyst and included within the report was a mixture of matters dealt with under the old regulations and those dealt with from 1 February 2020 when the new regulations came into effect.

He advised that every month the department carried out a data check to ensure that members of the public were still able to access the complaints process and that the matters were recorded and dealt with correctly. The new regulations meant that issues could be dealt with in the Comms Centre and service recovery work carried out immediately. It was noted that these matters were no longer recorded on the Centurion system as they were not dealt with by the Professional Standards Department, but members of the public received a better service which was the ethos of the new regulations.

Within the report it was noted that there was a spike in the number of complaints and allegations received. This was due to the new regulations and how they were reported and dealt with. Overall there was not an increase in the number of matters received and dealt with by the department.

The new regulations meant that matters could be dealt with more quickly and efficiently for the complainant. Any matter was dealt with in a reasonable and proportionate way which meant that staff were not required to make unnecessary enquiries. It was noted that the number of cases which were dealt with by way of full investigation had decreased which was to be expected with the new procedures. With the Government lockdown due to COVID-19 the number of incidents which the police were dealing with had dropped and therefore interaction with members of the public had decreased with the number of complaints dropping to those of a more minor nature.

AGREED: That, the report be noted.

21. OPCC COMPLAINTS AND QSPI

The OPCC Governance Manager presented two reports the first outlined complaints dealt with by the OPCC and the other regarding areas of dissatisfaction which members of the public had contacted the Commissioner about.

From the 1 April 2019 to 31 March 2020, the OPCC had received no complaints regarding the Police and Crime Commissioner and five complaints in relation to the Chief Constable. All of the complaints had been dealt with by way of an 'on the spot resolution' providing an explanation to the complainant. Of those that had been appealed to the IOPC, none had been upheld. There were currently no outstanding complaints about the Chief Constable, Mrs Michelle Skeer. No complaints had been received regarding any member of OPCC staff.

From 1 February 2020 the OPCC had become the appropriate authority to deal with complaint reviews relating to complaint cases dealt with as 'Recorded-No Investigation'. The Panel were advised that the current figures had been included within the Constabulary's report to afford them the ability to compare numbers. They were advised that going forward this information would be included within the OPCC report. As part of the new regulations any complaint investigations being carried out by PSD which were 12 months or over must be reported upon to the OPCC and for every 6 months thereafter until its conclusion. This information would be included within the Constabulary's Integrity report to the Panel.

In 2019 the OPCC had received a total of 435 notifications of dissatisfaction from members of the public regarding policing matters, up to 31 March 2020 the OPCC had received 101 cases.

The issues raised in the first part of 2020 were very broad ranging with the top five being:

- Police Resources/Police Service (46)
- Transport Issues (26)
- Miscellaneous (22)
- 101 (14)
- COVID-19 (9)

Issues relating to the police service being received by members of the public were wide ranging with the most common being that they were not kept updated in relation to an incident or

ongoing matter. Often the OPCC would arrange for a local officer to meet and speak with the individual to attempt to resolve the issues raised.

Transport issues covered a broad range of concerns including anti-social driving, speeding, general driving issues, damage to vehicles, parking issues, abandoned vehicles and cyclists on pavements. The OPCC would arrange for officers to use the information provided as part of local policing plans and patrol strategies.

Issues regarding 101 had increased during the first three months of 2020 and were mostly attributed to the length of time it took for members of the public to be connected to the 101 service. Each concern was looked at to identify what the waiting times were at the time of the call and they were informed of the alternative methods by which they could contact 101 such as via email.

Several members of the public had contacted the OPCC in relation to the COVID-19 lockdown guidelines. Some were reporting issues, but many were seeking clarification of the guidance in relation to their specific circumstances. As of 29 April 2020, the OPCC had received 43 communications in relation to COVID-19. These were responded to enforcing the Government and Constabulary's messages about the guidance.

As could be seen from the report the OPCC worked with the Constabulary to address the issues and concerns raised to make a difference to their situation. During the COVID-19 lockdown the Police and Crime Commissioner ensured that any enquiries or concerns received by members of the public were dealt with as soon as possible to enable up to date information to be provided.

AGREED; that, the reports be noted.

22. UPDATED CASE SAMPLE PROTOCOL

Following the introduction of the new complaint and misconduct regulations from 1 February 2020, the Governance Manager presented an updated case sample protocol that the Panel would use for their agreed dip sample sessions. As part of the Panel's annual work programme they carried out dip samples for complaints, police officer and police staff misconduct and grievances.

The updated protocol recognised the changes to the procedures and working practices surrounding this area of business. Appended to the protocol were revised and updated checklists that the Panel members would use during the dip samples sessions.

The Governance Manager wished to thank staff within the Professional Standards Department for their assistance in updating the protocol to reflect the changes in legislation. The Panel thanked the Governance Manager for updating the document and were happy with its revised content.

AGREED; that, the Case Sample Protocol be received.

23. COVID-19 REGULATIONS

New policing powers had been introduced as part of the Government's COVID-19 lockdown, to ensure that members of the public adhered to the safety advice and requirements. DCC Webster stated that the Ethics and Integrity Panel played an important part in the Constabulary's legitimacy and with the introduction of the new powers it was important that these were applied consistently and only when absolutely necessary.

A discussion took place on how the Panel could provide an oversight into the application of these powers. It was agreed they would carry out a dip sample of the Fixed Penalty Notices issued by the Constabulary over the past few weeks. In light of the OPCC receiving a number of communications in relation to COVID-19 it was felt that samples of these should also be presented. These would be provided to the panel electronically and a feedback session was arranged for 18 May 2020.

Meeting ended at 12:15 pm

Signed: _____ Date: _____
Panel Chair

Ethics and Integrity Panel



Title: Police Officer Recruitment

Date: 4 August 2020

Agenda Item No: 06

Originating Officer: Kate Ruddick, HR Manager

CC:

Executive Summary:

This report provides an update on Operation Uplift in relation to Police Officer Recruitment within Cumbria Constabulary.

Recommendation:

That, the Panel note the report.

1. Intakes

The Constabulary have the following intakes planned for the financial year 2020-2021:

- 26 May 2020 - Course B20 Degree Holder Entry Programme – x 20 students
- 27 July 2020 - Course D20 Police Constable Degree Apprenticeship - x 18 students
- 26 October 2020 - Course B20 Degree Holder Entry Programme – x 18 students
- 07 December 2020 - Course D20 Police Constable Degree Apprenticeship - x 18 students
- 15 March 2021 - Course B20 Degree Holder Entry Programme – x 18 students

At the time of writing this report, the Constabulary have sufficient candidates in the pipeline to facilitate these intakes. This is subject to a number of external factors such as:

- Availability of online assessment places
- Candidates passing medical and vetting checks

In relation to the current number of applicants in the pipeline the Constabulary have the following:

- Degree Holder Entry Programme – 145 Applicants
- Police Constable Degree Apprenticeship – 163 Applicants

2. Recruitment / Attraction

Advertisement of both recruitment programmes has continued throughout the year. The Constabulary have seen an unprecedented number of applications throughout the “lockdown” period. At the time of writing 344 applications have been received since 23rd March 2020. It should be noted however that there has been a higher failure rate at the first interview stage of the process.

The Constabulary are also planning a new recruitment campaign in September 2020 for a new Degree Holder Entry Programme specifically tailored towards Detectives. It is envisaged this intake will be in April 2021. It is anticipated based on similar programmes in other Forces that this will also attract high volumes of candidates.

3. Amendments to process – COVID 19

Due to COVID 19, there have been some significant changes to the police officer recruitment process namely:

- Transfer to an electronic application form which can be emailed by candidates
- Telephone interviews – soon to be video interviews
- Online Assessment to temporarily replace SEARCH National Assessment Centre
- Medical process streamlined, now a telephone consultation and no standard requirement for GP Records (unless determined by Occupational Health)
- Biometric testing transferred to a Custody Suite
- Fitness tests conducted after candidates start (declarations must be completed prior to candidates starting)

The above amendments are to remain until at least the end of September 2020 in line with College of Policing guidance. It is evident that some of these amendments have allowed for a more efficient process for the Constabulary and the candidate.

4. Positive Action Initiatives

A Positive Action Team has now been fully established, which is chaired by a Uniform Sergeant and the Constabulary’s Diversity Manager. As part of this process any applications are sent straight from HR to the team. They are assigned a mentor immediately and guided through each stage of the process via direct individual contact from their mentor. Bi-weekly meetings are being held to discuss the progress of existing candidates and explore any further initiatives to assist in the recruitment of additional candidates.

Additional initiatives have also been introduced including targeting relevant communities with tailored recruitment materials and online events (due to be scheduled). There has been an increase in the number of BAME applications received over the past six months.



Peter McCall

Ethics and Integrity Panel

Annual Stop and Search Report – 1 April 2019 – 31 March 2020

Date: 03 August 2020

Agenda Item No: 08

Originating Officer: Inspector Gemma Hannah

Executive summary

The total number of stop and searches has increased across the constabulary when compared to 2018/2019 data from the same period.

From 1st April 2019 until 31st March 2020 (2019/2020) the Constabulary completed 2,119 stop searches of people and vehicles.

This is compared to 1,740 searches in 2018/2019.

The majority of these searches, 897, were completed in the West TPA.

In September 2018 the Constabulary introduced Proactive Teams in each of the three TPA’s. These teams give us the capability to link into the Force Tasking and Coordination process and enable officers to proactively tackle county lines and rural crime. This includes the tactic of stop and search. A proportion of the recorded searches were relating to specific Operations such as Operation Lantern (rural crime) and Lectern (county lines).

A disproportionate number of the searches undertaken have been carried out by officers from the proactive Teams.

Arrest rate is still considered a marker of success.

The number of searches resulting in arrest across the constabulary has increased to 343 compared to 328 in 2018/2019.

Total number of positive outcomes (including summons, cannabis warnings, FPN etc.) has also increased and is now 523 compared to 490 in 2018/2019.

The total number of Positive Outcomes that Match Reason for Search has also decreased marginally by only 5 searches which is negligible.

This data showing the positive outcomes which match the reason for search, demonstrates an application of more targeted and specific use of stop and search powers which is linked to priorities raised at tasking and coordination meetings such as rural crime and county lines drug trafficking.

Whilst the total number of searches has increased and the number of positive outcomes has increased the percentage of positive outcomes as a proportion of searches undertaken has decreased slightly.

One of the reasons for this is likely to be a result of tackling rural thefts and whilst the use of stop and search as a tactic to prevent and detect crime is valid, it can be difficult to identify offences such as going equipped for theft. Given that rural thefts often involve the theft of quad bikes and all-terrain vehicles the use of stop and search whilst valid is ultimately likely to result in a reduced number of positive outcomes.

These decreases will be monitored moving forward.

There are significant differences in the data across the three TPA's.

The West completed the most stop and searches with a total number of 897 in the 12 month period.

This is in comparison to 662 in South TPA, and 560 in the North.

The West saw a significant number of searches in the months of October 2019, 117, and March 2020, 102.

This coincides with Operation Earnest, an operation regarding county lines in the Moorclose area in October.

22 of these searches in October resulted in a positive outcome.

The arrest rates and positive outcome rates vary across the county also.

	West	South	North
Number of arrests	121	117	105
Arrest Rate	13.49%	17.67%	18.75
Positive outcome rate	21.07%	25.68%	29.9%

When looking at the “find rate” or positive outcome that matches the reason for the search there is a slight difference across the county.

- West – 16 % of all searches 2019/2020 had a positive outcome which matched the reason for the search.
- South – 19% of all searches 2019/2020 had a positive outcome which matched the reason for the search.
- North – 22% of all searches 2019/2020 had a positive outcome which matched the reason for the search.

The main reason for searching continues to be misuse of drugs, in particular possession followed by supply of drugs and then offensive weapons.

National Picture

DCC Adrian Hanstock remains the National lead for stop and search.

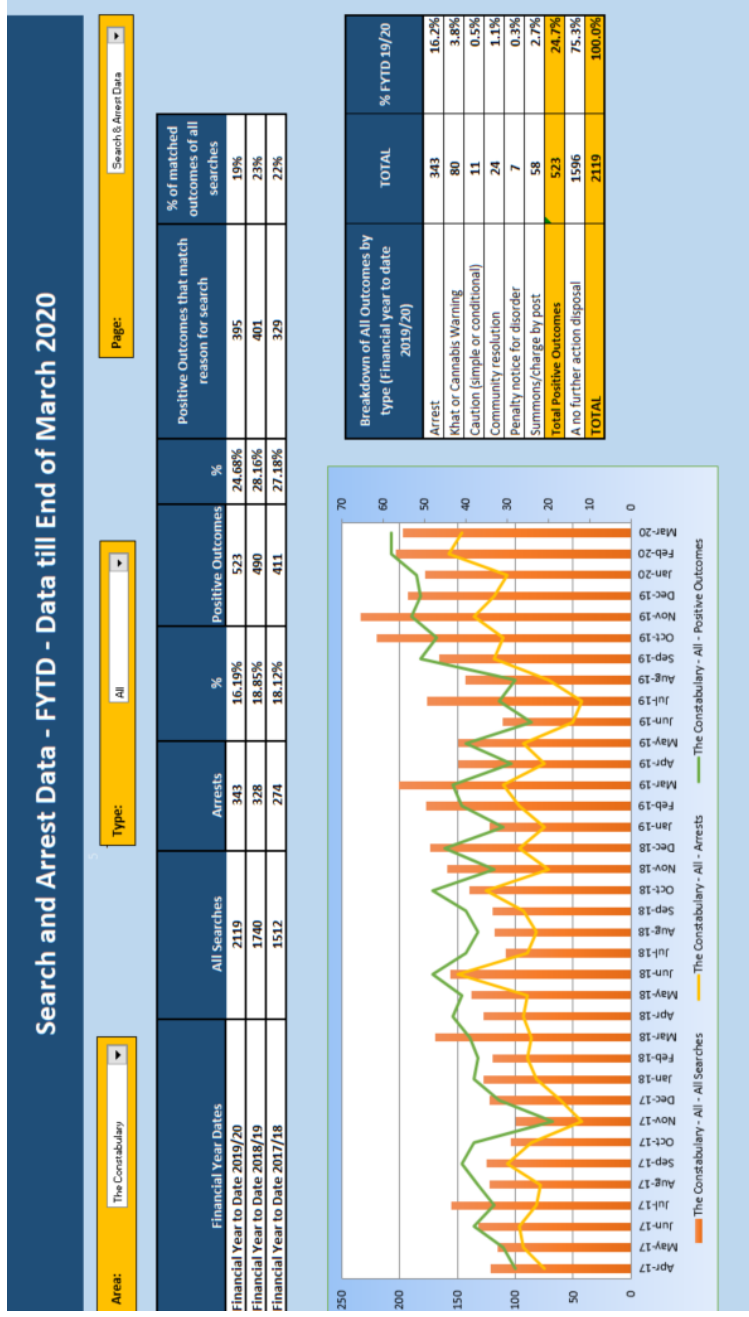
There has been very little information forthcoming regarding stop and search from a National point of view.

In 2019 Section 60 powers were relaxed as a pilot and forces were able to decide if they wished to change the level of authorisation from ACC. The constabulary made the decision to change the level to Superintendent and allow Inspectors to authorise for urgent cases.

The Constabulary have been asked to provide our Section 60 data to the Home Office in light of the pilot which relaxes the powers and who can authorise them.

The Constabulary reported a nil return having not utilised Section 60 in the 2019/2020 period.

Constabulary search and arrest rate 2019/2020



Constabulary Year to Date

Volume of All Searches: From 1st April 2019 until 31st March 2020 there have been 2119 searches of people and vehicles which have taken place. This is compared to 1740 which were conducted in the same period in 2018/2019.

The majority of the searches have been person searches with 176 vehicle only searches taking place.

As stated above the number of arrests, which can be seen as a marker of success, have increased to 343 compared to 328 the previous year.

The proportion of those searches which resulted in arrest has decreased slightly to 16.1% compared to 18.8% the previous year and 18.1% in 2017/2018. This is something that moving forward we need to monitor as the number of searches completed increase.

The number of searches with a positive outcome has also increased to 523 compared to 490 the previous year.

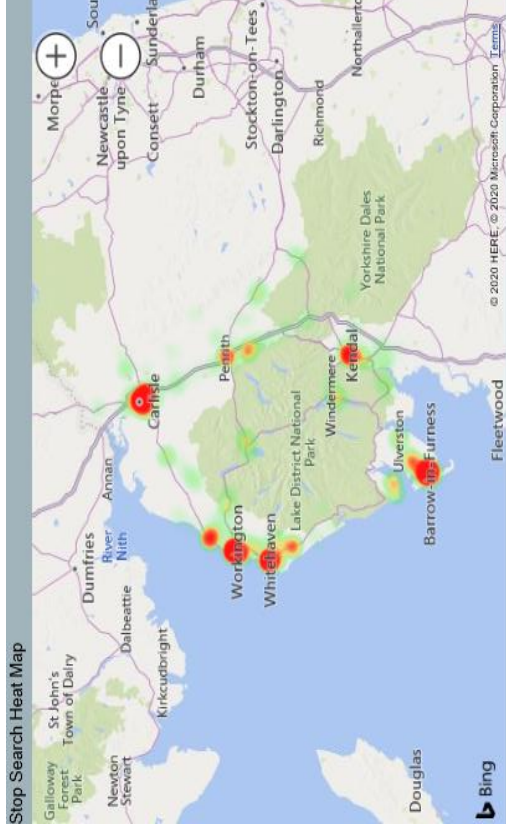
The percentage of searches resulting in a positive outcome has dropped slightly by just under 3.5% which in essence was 5 searches.

The months in which the most searches were completed were October and November 2019.

Power BI tool

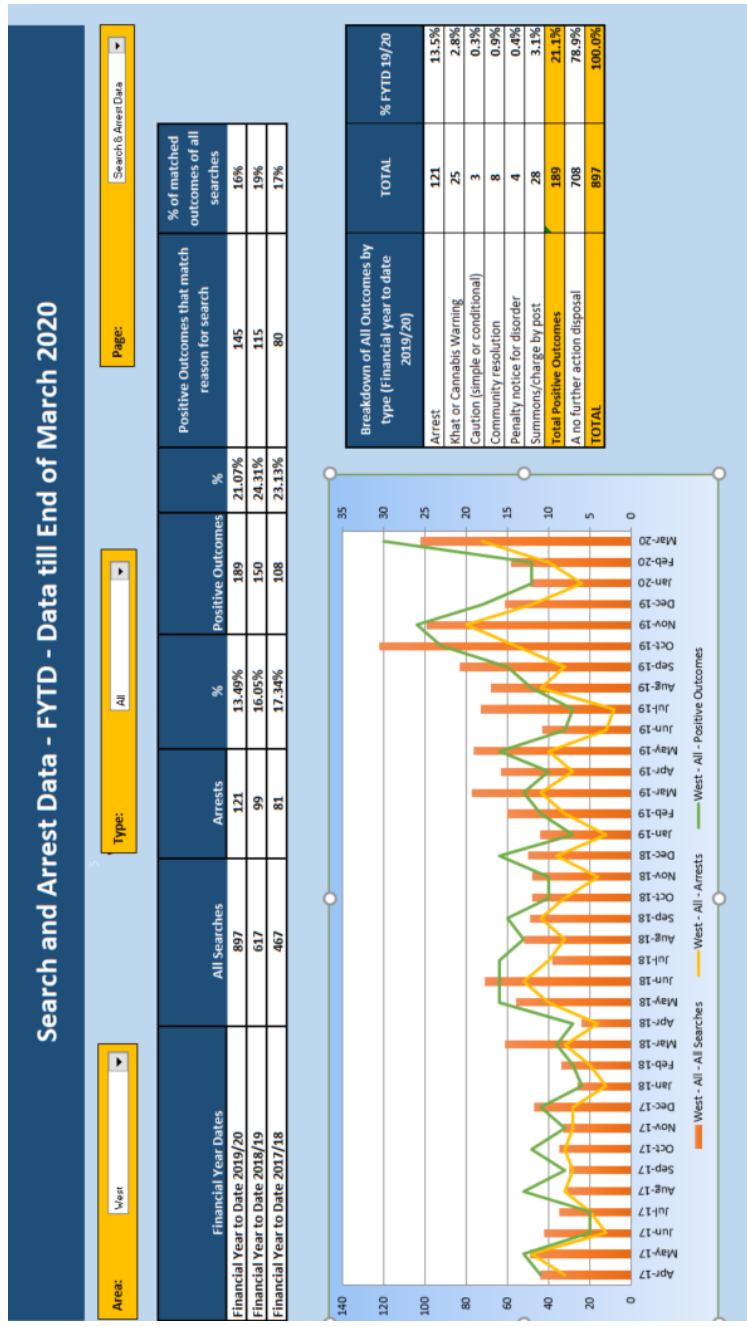
The most common reason for searching was under the Misuse of Drugs Act. 1482 stop and searches were conducted using this power across the Constabulary with a positive outcome rate of 24.3%.

The new Power BI stop and search tool shows a heat map in which it is clear that the majority of stop and searches in relation to drugs are conducted in the largest towns and city within the Constabulary.



There were 210 searches conducted searching for weapons and the positive outcome rate for those searches was 21.4%.

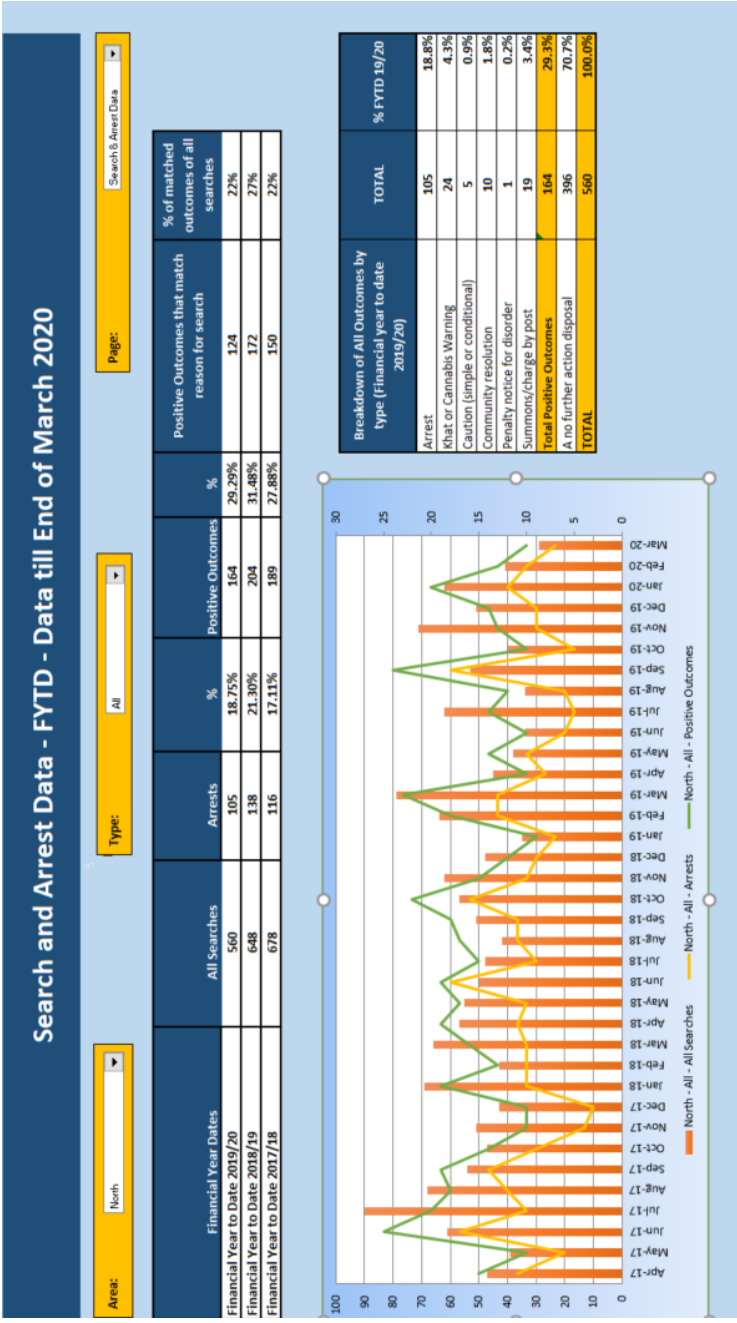
Search and arrest data West 2019/2020



Search and arrest data South 2019/2020



Search and arrest data North 2019/2020



Stop & Search External Scrutiny

An external scrutiny panel came together to review stop and search records at Durranhill police station on 6th February 2020.

The panel consisted of 6 members from the community that had volunteered to meet and receive a brief training session and review some stop and search records and body worn video footage.

The 22 cases were picked at random by the panel members.

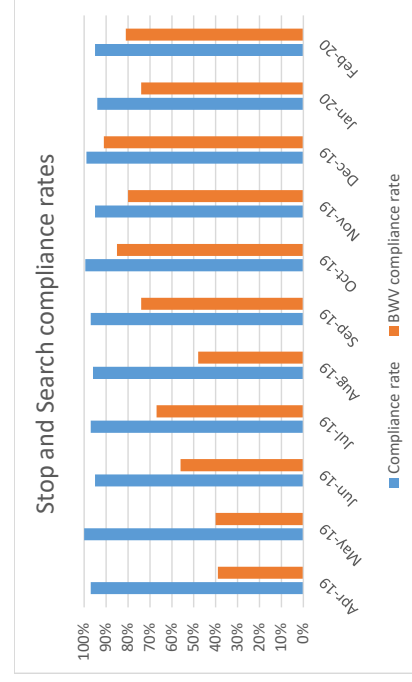
The feedback was generally positive and the minutes of the meeting can be located on the stop search page on the intranet and have also been uploaded to the external website along with a terms of reference.

Panel members felt that in some cases more information was required on the record to justify the reasons for the search. They also wished to see more members of the BAME community represented on the panel. This is something that we recognise as an been an issue and are looking at ways to expand the panel moving forward.

The North Cumbria Police cadets also completed a scrutiny session reviewing stop and search records. None of the cadets had any experience of being stopped and searched by the police but engaged well in the session.

The next scrutiny panel is due to take place at the beginning of June but will be postponed under the current circumstances until later in the year.

Compliance and Body worn video



During 2019/2020 the Business Improvement Unit have quality assured every stop and search record checking for compliance regarding legitimacy of the search and grounds for searching. Since April 2019 the compliance rate been consistently high, dipping no lower than 94% in January 2020.

The compliance rate for using body worn video when conducting a stop search has been less consistent. After a reminder to officers in August 2019 the use of BWV increased from 48% to 85% the following month. Since then we have seen highs of 91% in December 2019 however recent data shows a reduction to 74% in January 2020 and needs continued monitoring. Due to the COVID 19 crisis this is currently on hold however I would recommend it is continued once the BIU are back open for business.

Constabulary Age and Ethnicity data

Officer Defined	Current Month		Financial Year to Date			
	Searches	Population Per 1000	Searches	Population Per 1000		
Klan	2	4066	0.49	19	4066	4.67
Black	1	579	1.73	14	579	24.18
Mixed	0	2504	0.00	0	2504	0.00
Other	0	452	0.00	8	452	17.70
White	175	492257	0.36	1902	492257	3.86
Not Stated	0			0		
Vehicle	19			176		
All	197	499858	0.39	2119	499858	4.24

Significance Testing - Year to Date			
Searches	Population	Per 1000	Index
White	1902	492257	3.86
All Minority	41	7601	5.39
Klan	19	4066	4.67
Black	14	579	24.18
Mixed & Other	8	2956	2.71

Significance Testing - Year to Date			
Searches	Population	Per 1000	Index
White	1902	492257	3.86
All Minority	41	7601	5.39
Klan	19	4066	4.67
Black	14	579	24.18
Mixed & Other	8	2956	2.71

Self Defined	Mar-19	Mar-20	Change	FYTD 18/19	FYTD 19/20	Change	FYTD Positive Outcomes	% Positive Outcomes
A1	0	1	-1	6	5	1	2	40%
A2	2	0	2	5	4	1	3	75%
A3	0	0	0	1	2	-1	2	100%
A3	0	0	0	1	2	-1	2	100%
A3	0	0	0	1	2	-1	2	100%
A3	0	0	0	1	2	-1	2	100%
B1	1	1	0	6	5	1	2	40%
B1	1	1	0	7	4	3	0	0%
B2	0	0	0	4	0	4	0	0%
B9	0	1	-1	3	6	-3	2	33%
M1	0	0	0	2	3	-1	2	67%
M2	0	0	0	0	0	0	0	0%
M3	0	0	0	1	2	-1	1	50%
M9	1	0	1	5	0	5	0	0%
O1	1	0	1	1	1	0	0	0%
O9	0	0	0	2	0	2	0	0%
W1	165	164	1	1492	1790	-298	409	23%
W2	0	3	-3	5	15	-10	4	27%
W9	4	3	1	23	31	-8	6	19%
N5	10	5	5	61	75	-14	23	31%
Vehicle	16	19	-3	116	176	-60	67	38%
All	201	197	4	1740	2119	-379	523	25%
total BaME	6	3	3	43	32	11	14	44%
% BaME	3.35%	1.71%	75.00%	2.72%	1.67%	-3.33%	3.17%	189%

Age Breakdown	Mar-19	Mar-20	Change	FYTD 18/19	FYTD 19/20	Change	Positive Outcomes	% Positive Outcomes
Under 18	16	39	-23	198	305	-107	57	19%
18-30	74	57	17	706	676	30	189	28%
31-40	39	31	8	338	409	-71	90	22%
41-50	25	31	-6	178	264	-86	64	24%
51-60	10	7	3	60	60	0	11	18%
61+	1	0	1	11	12	-1	1	8%
Unknown	20	13	7	133	217	-84	44	20%
All	185	178	7	1624	1943	-319	456	23%

Ethnicity

The data shows no significant trends in relation to ethnicity. It shows a slight reduction of searches of people from a BAME background with 43 in 2018/19 and 32 in 2019/2020.

There has been no identified reason for this slight decrease.

Children

It shows that in 2019/20 FYTD we have searched 107 more children (under 18) than the previous year with a total of 305 children being searched. This is a significant increase.

The highest number of young people were searched in the West TPA, with a total of 134 compared to the 92 in the South and 79 in the North. In October and November alone there were 87 children stop and searched with the 45 of those searches taking place in West TPA. This is much higher than other months. This falls in line with their county lines Operation Earnest and youth violent crime within Workington that was taking place at that time.

We are now in the process of rolling out Child Centred Policing Teams in each of the TPA's. They now will have responsibility for monitoring the stop and search of children. When a child is stop and searched the officer must consider the circumstances in which they have been located. They must consider any vulnerabilities and the safety of the child. If the child is deemed at risk in any way then they should be returned home where possible.

Due to the intrusive and crime related nature of a stop and search the incident will automatically trigger a response of a telephone call/home visit that will be completed by the Child Centred Policing Teams, with the young person and their family within 72 hours to identify any underlying vulnerabilities or intervention opportunities.

Repeat searches

Over the 12-month period 2019/2020, 226 x individuals have been Stop & Searched more than once. However the real figure may be slightly less because some individuals appear more than once due to name spelling and date of birth errors. The most times a person was searched during this period is 5. This is a white male nominal from West TPA who is linked to drugs, alcohol and anti-social behaviour. There are no significant trends.

Searches by officer

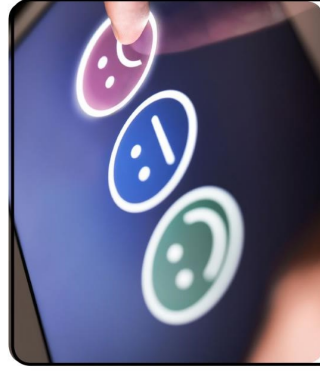
The most searches conducted by an individual officer in 2019/2020 (01/4/19-31/03/20) was 75.

The top 4 officers completing the highest number of stop and searches during this period were all West Proactive Team officers. This links with Operation Earnest which they have been engaged in. We would expect to see a disproportionate number of searches conducted by proactive team officers where stop and search is used as a valid tactic in the prevention and detection of crime.

Professional Standards Department



Public Complaints



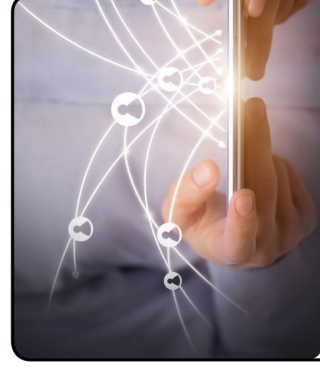
- Deliver a complaints system that is effective and accessible
- Support complainants through the Complaints System
- Inspire greater public confidence in the police complaints system

Conduct



- Investigate conduct matters thoroughly and expeditiously in line with current legislation and guidance
- Provide a transparent service to both the Officers subject to investigations and the wider Constabulary and partners, such as the IOPC/OPCC
- Identify and share Learning and Best Practice

ACU Intel



- Data Disclosure
- APS/APIER
- Vulnerability (Associations, Business Interests/ Secondary Employment)
- Substance Misuse

Table of Contents



Public Complaints

Purpose and Background	4
Complaint Cases and Allegations – Current Quarter	5
Complaint Cases and Allegations – Types	7
Complaint Cases and Allegations – Results	12
Complaint Case and Allegations – National/Local Issues	14
Logs, Crimes and Custody Overview	15
Performance	16
Priority Issues, Discovery/Emerging Issues and Learning and Development	17
Conduct	
Purpose and Background	19
Types and Outcomes	20
Priority Issues, Discovery/Emerging Issues and Learning and Development	21
Public Complaints and Conduct - 4P Plan	23

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

2

Table of Contents



ACU Intel

Purpose and Background	24
Priorities	25
Intelligence Reports	26
Intelligence Reports by PASS	27
Intelligence Reports by Type	30
Intelligence Reports by Area	31
Priority Issues, Discovery/Emerging Issues and Learning and Development	32
ACU Intel – 4P Plan	35

Appendices

1 Allegation Types –2020 Regulations	36
2 Area Overview – North	37
3 Area Overview – South	39
4 Area Overview – West	41
5 Conduct - New Cases	43
6 Conduct - Ongoing Cases	45
7 Conduct – Completed Cases	47
8 PASS Newsletters	48
9 Organisational and Individual Learning	50
10 Intelligence Reports by Type	54
11 Gratuities	55

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

3

Public Complaints Purpose and Background



- Complaints from members of the public with regard the actions and conduct of Police Officers and Staff are currently recorded centrally through the Professional Standards Department (PSD).
- The range of the data for this quarterly report is from 1 April to 30 June 2020.
- Data extracted utilises information from Cumbria Constabulary ICT systems which includes Centurion, the PSD case management system.
- In reviewing information, in addition to Constabulary systems, regard is given to partner agencies including the Independent Office for Police Conduct (IOPC).
- A Public Complaint is any expression of dissatisfaction with a police force that is expressed by or on behalf of a member of the public. Each complaint may consist of one or more specific allegation. Complaint allegations are broken down into a number of categories to assist with recording and analysis. Following the introduction of the new regulations (01/02/2020) all complaints are logged, and unless dealt with "There and Then" within Area are handled by staff within PSD. This can be via immediate Service Recovery (Listen – Say Sorry – Fix It), Reasonable and Proportionate (R&P) enquiries or an Investigation.
- The IOPC uses this data to understand how forces handle public complaints and to assess trends.

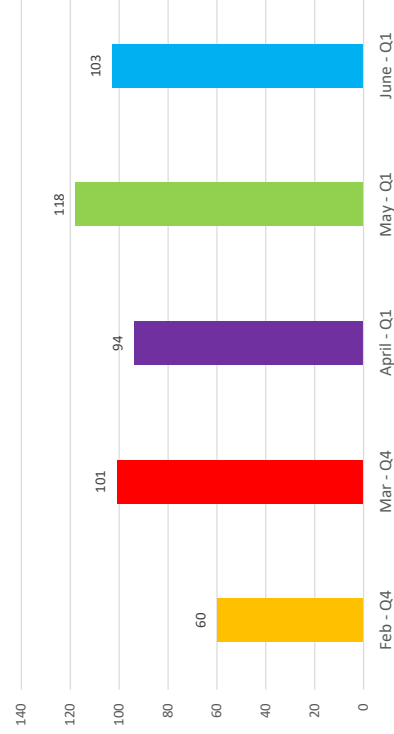
OFFICIAL – SENSITIVE - This document contains information and/or intelligence at GSC Official Sensitive level.
Not to be disseminated outside of Cumbria Constabulary without consultation with the originator

4

Public Complaints: Complaint Cases and Allegations – Current Quarter



Complaint Allegations - 2020 Regulations
Feb-Jun 2020



The graph shows the total complaint **allegations** per month made under the 2020 Regulations for the current quarter Q1 and part of the previous quarter Q4.

The average number of allegations per month are outlined below:

Q4	Feb - Mar Average = 80.5
Q1	Apr - Jun Average = 105
Q1 & Q4	Combined Average = 95

April shows a decrease compared to March. May shows an increase on April followed by a decrease in June.

The first few weeks of lockdown saw a decrease in complaints hence the reduction in allegations in April.

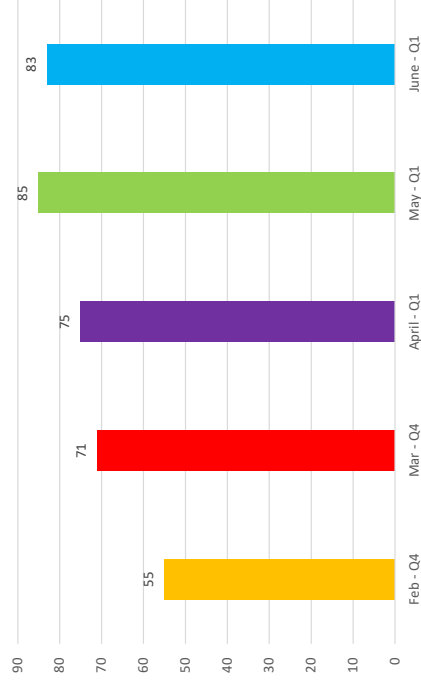
OFFICIAL – SENSITIVE - This document contains information and/or intelligence at GSC Official Sensitive level.
Not to be disseminated outside of Cumbria Constabulary without consultation with the originator

5

Public Complaints: Complaint Cases and Allegations – Current Quarter



Complaint Cases - 2020 Regulations
Feb-Jun 2020



The average number of cases per month are outlined below:

Q4	Feb - Mar Average = 63
Q1	Apr - Jun Average = 81
Q1 & Q4	Combined Average = 74

Note that the number of cases in April did not show the decrease as seen with the number of allegations in April.

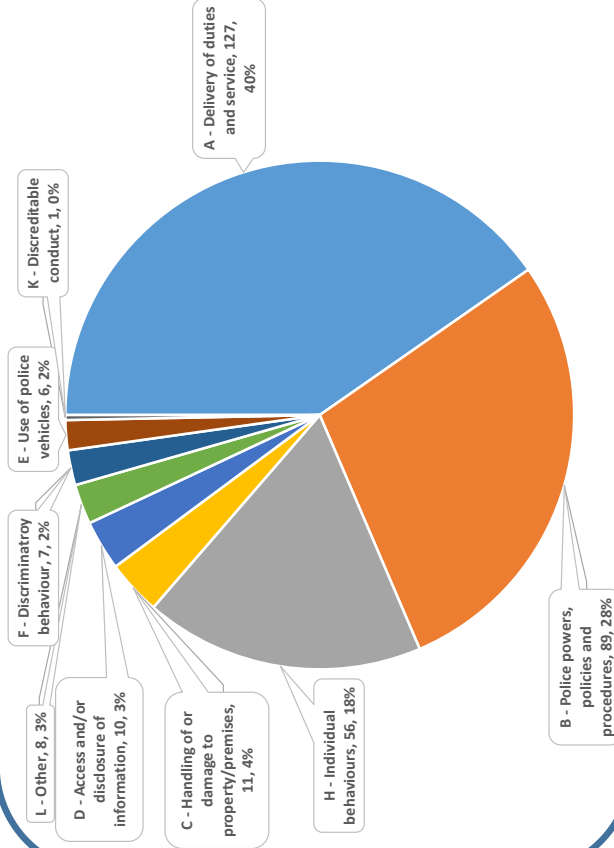
During May and March there were on average 1.4 allegations per case compared to 1.25 allegations per case in April and June.

The new regulations are still being embedded and reviewed regularly.

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

6

Public Complaints: Complaint Cases and Allegations - Types



The chart shows the complaint allegations recorded by group type for this quarter. The new 2020 Regulations consist of 46 types of allegations making up 11 allegation groups [Appendix 1](#)

A - Delivery of duties and service remain the most common type of complaint under 2020 regulations. This category has however seen a *decrease on Q4 falling from 57% to 40% this quarter.*

B – Police powers, policies and procedures remain second most common type of complaint. This category has seen an *increase from 20% in Q4 to 28% in Q1.*

H - Individual behaviours remain third most common type of complaint. This category has seen an *increase from 9% in Q4 to 18% in Q1.*

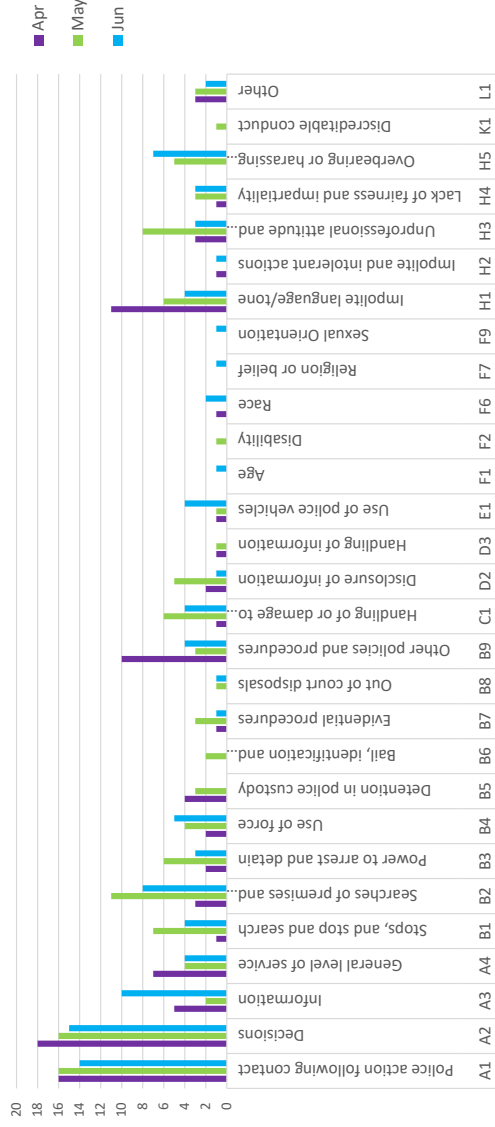
OFFICIAL – SENSITIVE - This document contains information and/or intelligence at GSC Official Sensitive level.
Not to be disseminated outside of Cumbria Constabulary without consultation with the originator

7



Public Complaints: Complaint Cases and Allegations – Types

Complaint Allegations – Type/Month Q1



The graph shows the total complaint **allegations** per month made under the 2020 Regulations for Q1 .

May shows highest number of complaint allegations with peaks in the following categories:

Police powers, policies and procedures- B1, B2 & B3

Handling of or damage to property/premises – C1

Access and/or disclosure of information – D2

Individual behaviours – H3

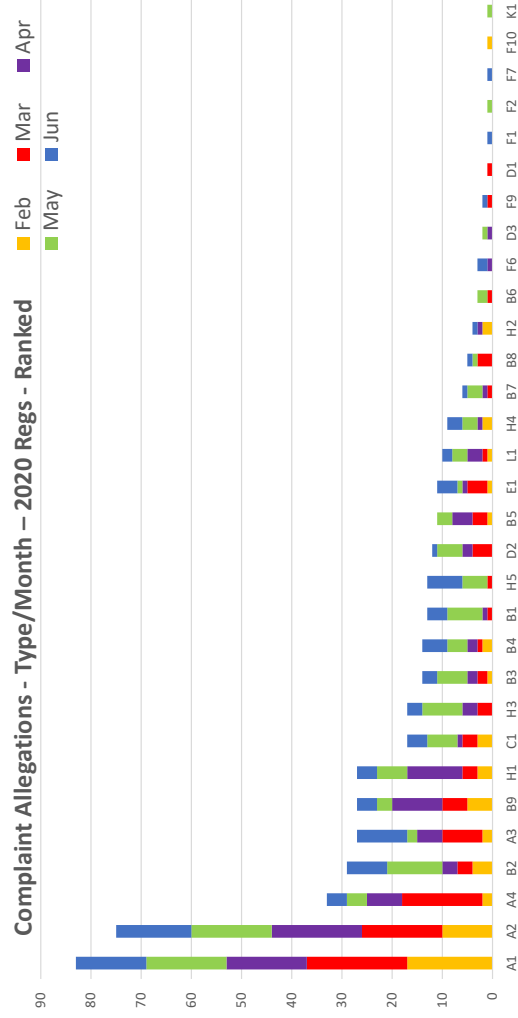
April peaks on H1, B9 and A2 coincide with the Covid-19 common allegation types peaking in Apr/May. See *Covid-19 slide 14*.

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



Public Complaints: Complaint Cases and Allegations – Types

Complaint Allegations - Type/Month – 2020 Regs - Ranked

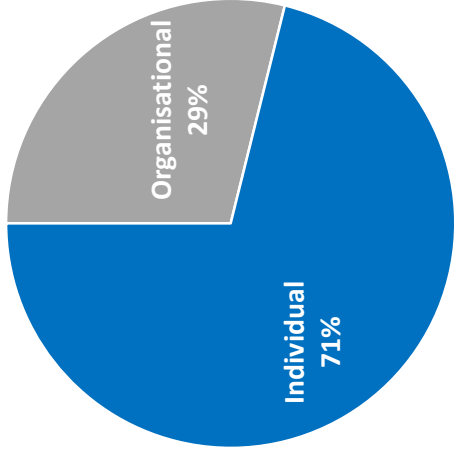


The graph shows complaint **allegations** per month made under the 2020 Regulations for the current quarter Q1 and part of the previous quarter Q4. These are ranked in order of most common complaint type.

Appendix 1 – 2020 Regulations

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

Public Complaints: Complaint Cases and Allegations – Types



Complaint allegations fall under two categories. These can be split into Organisational allegations logged/recorded against the organisation (force) and individual allegations which are attributed and logged/recorded with a named individual officer/staff member.

The new regulations have a greater emphasis on recording under Organisational where appropriate.

For complaints per Area see [Appendices 2-4](#).

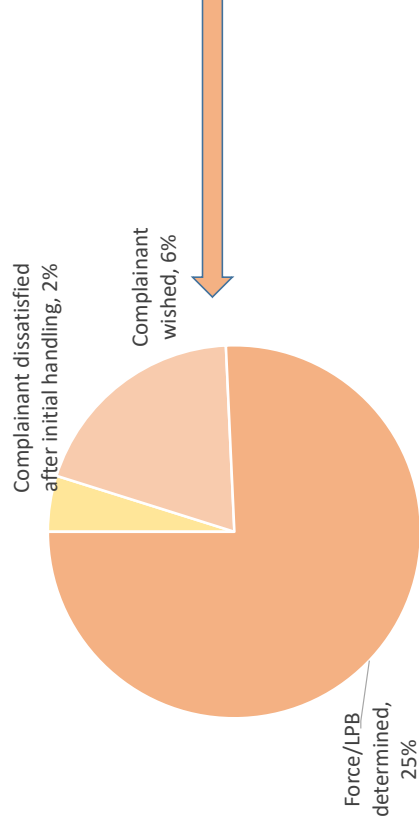
OFFICIAL – SENSITIVE – This document contains information and/or intelligence at GSC Official Sensitive level.
Not to be disseminated outside of Cumbria Constabulary without consultation with the originator

10

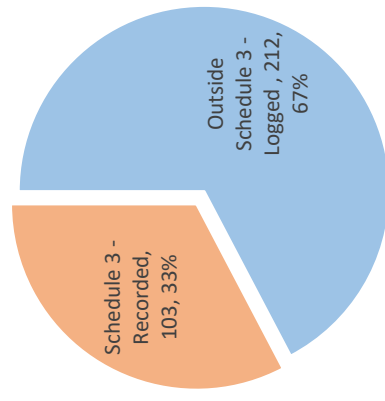
Public Complaints: Complaint Cases and Allegations – Types



Reasons for Schedule 3 Recording % of all Q1 Complaint Allegations



Complaint Allegations Logged vs Recorded



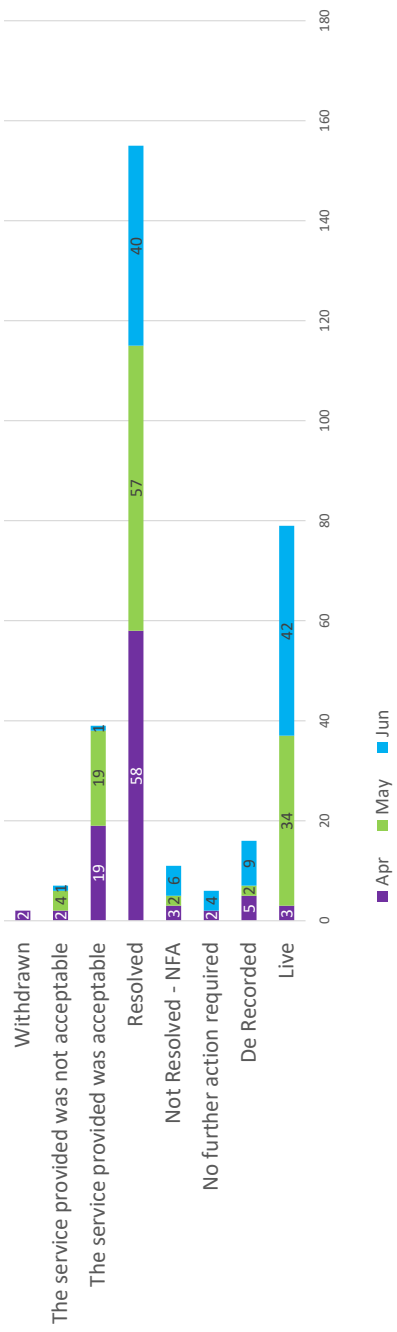
OFFICIAL – SENSITIVE - This document contains information and/or intelligence at GSC Official Sensitive level.
Not to be disseminated outside of Cumbria Constabulary without consultation with the originator

11

Public Complaints: Complaint Cases and Allegations - Results



The below chart shows the complaint allegation results per month for this quarter, live cases also included for information.



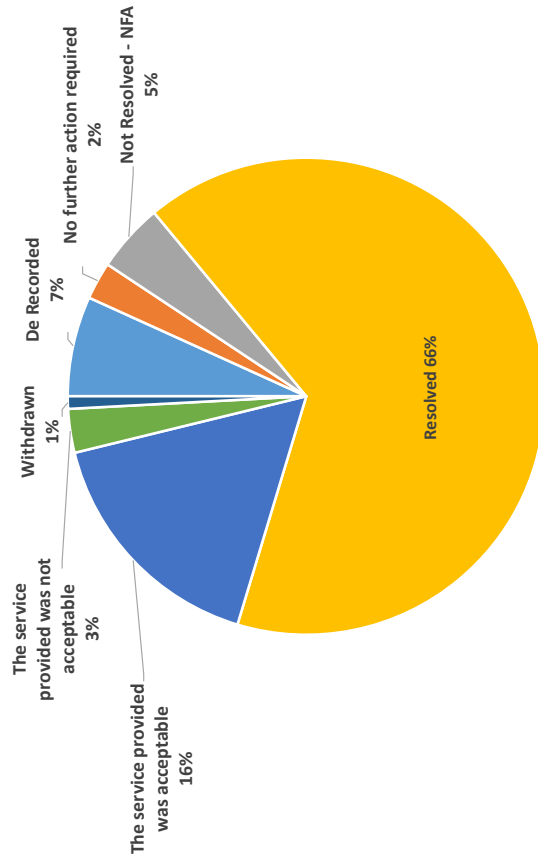
OFFICIAL – SENSITIVE - This document contains information and/or intelligence at GSC Official Sensitive level.
Not to be disseminated outside of Cumbria Constabulary without consultation with the originator

12

Public Complaints: Complaint Cases and Allegations - Results



The below chart shows the outcomes of the complaint allegations which have been finalised this quarter.



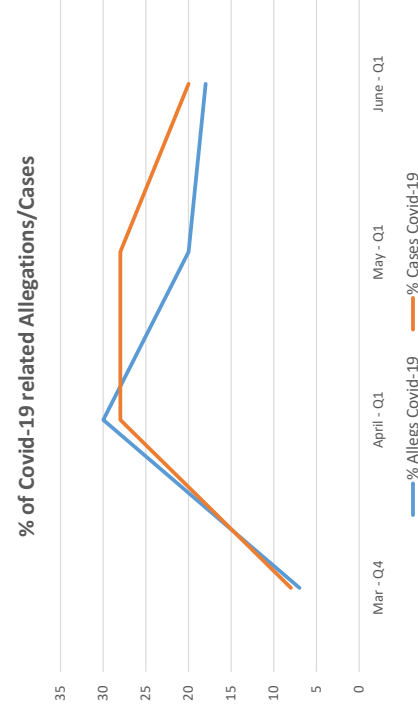
OFFICIAL – SENSITIVE - This document contains information and/or intelligence at GSC Official Sensitive level.
Not to be disseminated outside of Cumbria Constabulary without consultation with the originator

13

Public Complaints: Complaint Cases and Allegations – Local/National Issues



The graph shows the complaint allegations and cases which have, at least in part, been made due to factors relating to Covid-19. These complaints have been made force wide and have varied, including individuals attending holiday/second homes being asked to leave the area as per national guidance to complaints regarding officers not wearing PPE.



The % of Covid-19 related allegations peaked in April with nearly a third of all complaint allegations sighting Covid-19, with over a quarter of cases relating to at least one Covid-19 allegation in April and May. The % of allegations and cases linked to Covid-19 at the end of the quarter are showing a downwards trend, albeit they are still making up a fifth of the complaint allegations.

The types of complaints in Q1 relating to Covid-19 correlate with the ranking of the Q1 allegation types, in order, and with the most quoted reason for the allegation per category:

- A A2 Decisions
- B B9 Other policies and procedures
- H H1 Impolite language/tone
- H3 Unprofessional attitude/respect

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

Public Complaints: Logs, Crimes and Custody Overview



- There were **243** cases logged in the current quarter and **315** allegations logged under 2020 Regulations. The below table outlines the numbers of logs, crimes and custody attendances this quarter. The number of logs has increased in Q1 compared to Q4, however, the crimes recorded and custody attendances (particularly voluntary attendance) have decreased in Q1 compared to Q4.

	Incident logs	Crimes	Custody (ex VA)	Voluntary Attendance (VA)	Total Custody
April	7115	2163	569	41	610
May	8216	2653	776	77	853
June	7414	2782	748	123	871
Total	22745	7598	2093	241	2334

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

Public Complaints: Performance



Case completion performance for cases completed in Q1

Case Completion Time	Number of Cases	Average number days to complete
<=30 days	212	2
<=60 days	11	41
<=90 days	4	74
<=120 days	4	103
>120 days	6	260

90% cases are completed in less than 30 days, with average time being only 2 days

Note no IOPC figures comparing force performance expected until Autumn 2020

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

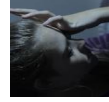
16

Complaints :



Priority Issues

- Complaint allegations and cases have seen an overall uplift in this quarter (Q1 2020-2021) compared to last quarter (Q4 2019-2020). However, Q1 is the first quarter solely under 2020 Regulations, the previous quarter was split between the 2012 and 2020 Regulations; an uplift was expected. The number of cases has increased month on month (Feb-May) from the implementation of the 2020 Regulation followed by a slight decrease in the 5th month (Jun).
- The most common type of complaint allegations fall under **A1 Police action following contact** and **A2 Decisions** (A -Delivery of duties & service); this is similar to previous Q4.



- The area with the most complaints remains as North (North comprises of North TPA as well as HQ). The most complaints relate to North-TPA followed by South, West and then North-HQ. Most common types of complaints for all areas are **A2 Decisions** followed by/or equal to **A1 Police action following contact**, North, South and West have the same combined numbers for both with HQ slightly less. North does however show two other higher peaks of complaints not mirrored to the same extent in the other areas, **B2 Searches of premises and seizure of property** and **H1 Impolite language/ tone** [Appendices 2-4](#)

- Lessons Learnt** (18) - Organisational (5) and Individual (13) – show a range of allegation types/groups under both 2012 and 2020 Regulations. Common lessons concern the *Investigation Process -Other neglect or failure on duty (Unprofessional Conduct – 2012 Regulations)*. 5 lessons (3 Organisational and 2 Individual) concerned the same single complaint from 2018. Noted that the majority of lessons relate to young in service officers. [Appendix 9](#)


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

17


Complaints :



Discovery/Emerging Issues

-  Nearly a third of complaints are being logged/recorded as Organisational which follows the emphasis of the new 2020 Regulations. *Systems are being adapted to allow complaints to be logged as Organisational by Area in the next quarter to allow for further analysis of this data.*
- SLT's are being consulted on how best to circulate learning in relation to Public Complaints as the majority are now dealt with by staff within Professional Standards meaning that Area may no longer be aware of possible trends with their staff.
- Complaints are being dealt with swiftly with 90% completed on average within 2 days. Complaints under the 2020 Regulations are mostly dealt with outside of Schedule 3 (67%). From the 33% recorded under Schedule 3, 25% were recorded due to force determination; only 2% recorded due to complainant being dissatisfied with the original handling of their case outside of Schedule 3. The majority of complaint allegations were resulted as Resolved (66%) this quarter.
- The % of Covid-19 related complaint allegations peaked in April with nearly a third of all complaint allegations sighting Covid-19. In April and May over a quarter of cases related to at least one Covid-19 allegation. The % of allegations and cases linked to Covid-19 at the end of the quarter are showing a downwards trend, albeit they are still making up a fifth of the complaints.

Learning and Development

-  The new Police Complaints and Conduct Regulations came in on 01/02/20. The new processes continue to be embedded and reviewed on a monthly basis with learning disseminated across the Constabulary.
- Training for Staff Investigators to PIP level 1 is continuing, with one Investigator progressing her portfolio and another due to attend the relevant courses when Covid-19 guidance allows.

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

Enquiries to: Mrs J Head
Telephone: 01768 217734

Our reference: jh/EIP

Date: 28 October 2020

AGENDA

TO: THE MEMBERS OF THE ETHCS AND INTEGRITY PANEL

CUMBRIA POLICE & CRIME COMMISSIONER AND CUMBRIA CONSTABULARY ETHICS AND INTEGRITY PANEL

A Meeting of the Ethics and Integrity Panel will take place on **Friday 6 November 2020** at **1.00 pm**. Due to Government Guidelines in response to COVID-19 the meeting is being held via telephone conference facility.

Details of how to access the meeting will be emailed to participants separately.

Note: The Panel will carry out a dip sample session during the morning.

G Shearer
Deputy Chief Executive

PANEL MEMBERSHIP

Mr Michael Duff
Mrs Lesley Horton
Mr Alan Rankin (Chair)
Mr Alex Rocke

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

4. NOTES & ACTIONS FROM THE PREVIOUS MEETING

- (a) To confirm the restricted notes of the meeting of the Ethics and Integrity Panel held on 6 August 2020 (copy enclosed).
- (b) To receive updates from actions taken at the last meeting in relation to the Auto Attendant and TASER.

5. ETHICAL SUB-GROUP

To receive a briefing from Insp Jo Edgar on the Constabulary's proposal to set up an Ethical Sub-Group.

6. CIVIL CLAIMS

To receive and note a report by Cumbria Constabulary on Civil Claims
- To be presented by Mr A Dobson, Director of Legal Services.

7. INTEGRITY

To receive a report on the work carried out within the Constabulary's Professional Standards Department, including:

- (a) Complaints by the Public; and
- (b) Anti-Fraud & Corruption (including officer and staff misconduct)

8. GRIEVANCES

To receive and note a report by Cumbria Constabulary on police staff misconduct and grievance cases - *To be presented by Superintendent Lisa Hogan.*

9. OFFICER RECRUITMENT & PROMOTION

To receive an update on the current status regarding police officer recruitment, positive action and promotion processes - *To be presented by Superintendent Lisa Hogan.*

10. OPCC COMPLAINTS AND QSPI

To receive and note a report to be presented by the *OPCC Deputy Chief Executive* regarding

- (a) OPCC Complaints & Reviews; and
- (b) Quality of Service Issues received

11. COVID-19 REGULATIONS

To provide the Panel with an update to questions raised during the dip sample session; and advise on unconscious bias training rolled out across the Force – *Deputy Chief Constable Webster*

12. PANEL TERMS OF REFERENCE, 2021 ANNUAL WORK PROGRAMME & MEETING DATES

To consider and agree the Panel's terms of reference, annual work programme and meeting dates for 2021 - *To be presented by the OPCC Deputy Chief Executive*



Peter McCall

Agenda Item No 4

ETHICS AND INTEGRITY PANEL

Notes of a meeting of the Ethics and Integrity Panel held on
Thursday 6 August 2020 via video conference facility at 2.00 pm

PRESENT

Mr Alan Rankin (Chair)
Mr Michael Duff
Mr Alex Rocke
Mrs Lesley Horton

Also present:

Assistant Chief Constable Andy Slattery
Superintendent - Lisa Hogan
Chief Inspector – Gaynor Wardle
Chief Inspector – Jo Walker
Chief Inspector – Ben Swinson
Chief Inspector – Jon Sherlock
Detective Inspector – Paul Jenner
OPCC Deputy Chief Executive - Gill Shearer
OPCC Governance Manager - Joanne Head

The Chair thanked everyone for attending the video conference and the Constabulary for all their hard work during the COVID-19 pandemic. He hoped everyone was staying safe and well.

24. APOLOGIES FOR ABSENCE

No apologies for absence were received as all Panel members were present.

25. DISCLOSURE OF PERSONAL INTERESTS

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

26. URGENT BUSINESS

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

27. NOTES OF THE PREVIOUS MEETING

The notes of the meeting held on 1 May 2020 previously circulated with the agenda were agreed.

Agreed;that, the notes from the previous meeting be agreed.

28. COMMUNICATION CENTRE UPDATE

Circulated with the meeting papers the Panel had been provided with an update on the CCR Systems project's progress to date and the action plan. Prior to the COVID-19 lockdown work had been carried out to analyse what information was coming into the CCR and what could be focused upon to initially deal with demand, ensuring that the right staffing levels were within the CCR teams to cope with the demand. COVID had delayed the progression of this but some work had been implemented such as changes to the initial message when dialling 101 to provide information regarding other agencies. It was noted that the abandonment rate was now about 2 minutes which would tally with the length of the announcement message. It was important to ensure that the failure demand was preventable, however members commented that 2 minutes was a long time to listen to a message. Chief Inspector Wardle advised that they were continually looking into this and she would bring an update to the next meeting.

A number of despatch roles could be carried out using mobile data devices and SAAB although this would not be possible until an upgrade was installed at the end of 2020.

Training staff within the CCR was an important element of achieving success. Although having police officers within the CCR provided the skills and knowledge to deal with calls, they were being provided with training to develop their call handling skills. Team development days were being introduced to provide empowerment and leadership to the CCR staff.

CCR staff had been split into 3 teams to enable social distancing based at police headquarters, Carlisle and a training room. This had improved staff welfare and enabled them to feel empowered in their decision making. Some staff were able to work from home and deal with the 101 emails which came into the CCR.

When asked what the timeframe for the project was, Chief Inspector Wardle advised that there had been delays due to COVID-19 and the Constabulary were keen to see changes implemented in February/March 2021. They had recently met with the service providers and pressed the urgency of the project and had been advised they would provide proposals within an 8-week timeframe.

Following a question Chief Inspector Wardle advised that the call answering time in July for 999 calls was 8 seconds and 101 calls were an average of 3 minutes 20 seconds.

AGREED; that,
 (i) the reports be noted; and
 (ii) an update be provided to the next meeting on work carried out in relation to the information announcement at the beginning of calls.

(Note: Chief Inspector Wardle and Chief Inspector Walker left the meeting at this point)

29. OFFICER RECRUITMENT

A report had been provided to the Panel with the meeting papers which outlined the current position of planned officer intakes for the financial year 2020-2021.

Superintendent Hogan advised that the Constabulary were on target with their proposed intakes, although there had been some challenges due to the social distancing restrictions. These included not being able to meet the candidates face to face and physical tests not taking place until after all

other assessments had been carried out, however to date no candidates had failed this. Discussions had been held with the College of Policing in relation to the SEARCH process as some issues had been identified, especially with a number of sessions timing out early thereby not allowing candidates to complete them. Following a members question Superintendent Hogan advised that no candidates were unsuccessful at application, a small number failed at interview but a high number failed at the SEARCH assessment. Members were assured that should a candidate fail the SEARCH assessment they were able to re-apply after 3 months.

The Constabulary had secured 100 places on the SEARCH assessment with a priority for BAME candidates. A member asked what the numbers were for white candidates and Superintendent Hogan stated she would provide the Panel with some comparison figures.

It was pleasing to note that candidates who were applying were from predominantly within the county and a number were from BAME communities. This was due to work carried out by the positive action team. Superintendent Hogan advised that she would provide a report to the next meeting on how this approach had helped the Constabulary to re-shape and retain its workforce.

A member asked what work was being done to ensure retention of police officers once they were appointed and during their careers. They were advised that Learning and Development were had been working with the positive action teams to develop a internal programmes to progress talent and create a buddy system for new recruits. They had also developed a Police Officer to Sergeant programme which had seen positive results and been well received by those using it. A report on this would be provided to the next meeting.

AGREED: that,
(i) the verbal update be noted;
(ii) a report be provided to the next meeting on how the positive action approach had helped the Constabulary to re-shape and retain its workforce.
(iii) Comparison figures between BAME and white candidates to be provided to the Panel; and
(iv) a report on the police officer to sergeant programme to be provided to the next meeting.

(Note: Superintendent Hogan left the meeting at this point.)

30. USE OF TASER

During the morning the Panel had carried out a dip sample of forms regarding the use of TASER. They reviewed 20 forms where the TASER had been fired and 20 forms when it had been used but not actually discharged.

They had noted that the Use of Force form which was used had not been specifically developed for TASER usage, rather this usage had been added on. This meant that it did not allow officers to notate fully what tactics had been used up to the point of the TASER being discharged. This would not allow any oversight of the form to know fully what had occurred when the TASER had been used.

The Panel noted that within the forms where TASER had been discharged there were three occasions when Sergeants had not used Body Worn Video, with this occurring twice with the same Sergeant. Chief Inspector Swinson advised that he would review these incidents and the other matters raised during the dip sample process and report back to the Panel.

- AGREED;** that,
- (i) the feedback be noted; and
 - (ii) Chief Inspector Swinson report back to the Panel on the issues identified during the dip sample session.

(Note: Chief Inspector Swinson left the meeting at this point.)

31. STOP AND SEARCH

The Panel had been provided with an annual report on the Constabulary's use of Stop and Search powers during the reporting period of 1 April 2019 to 31 March 2020. During the morning the Panel had carried out a dip sample session of Stop and Search forms which were completed also within the reporting period.

The Panel Chair advised that out of the 40 forms which they reviewed only 2 were deemed to be non-compliant which would hit the 95% compliance rate, however there were in fact 17 which they identified as requiring improvement as had the business improvement unit. A number of the forms indicated that body worn video had not been activated during the stop and search. Although there would be instances where an officer was not wearing body worn video a member asked whether or not an improvement plan was to be developed. The main issue was the information contained within the form rather than the stop and search being illegal. Had many of the forms provided more detail it would have provided a better picture of the circumstances and would stand scrutiny should there be a challenge.

Chief Inspector Sherlock advised that he would look at the issues in further detail and change the way in which the information on compliance was presented within the annual report.

- AGREED;** that,
- (i) the report be noted; and
 - (ii) the presentation of the annual report be changed on how the information was reported on compliance.

32. INTEGRITY

Detective Inspector Jenner presented a quarterly update on public complaints, officer and staff misconduct and work carried out by the Anti-Corruption Unit. He advised that the new complaint regulations which came into effect from 1 February 2020 meant that all expressions of dissatisfaction were logged which accounted for the increased numbers. Two thirds of complaints were dealt with by service recovery with the remaining complaints dealt with by an investigation.

It was noted that the report now contained vehicle accidents where an officer was at fault. DI Jenner advised that to date all incidents had resulted in the officer undertaking the Practice Requires Improvement process.

The Constabulary had carried out an internal campaign regarding APSG and sexual harassment. Members asked that they be provided with the outcome of the results and any subsequent action plan to deal with issues.

The Panel were guided through the remainder of the report and provided with information regarding finalised and ongoing misconduct cases within the Constabulary. A member raised a question in

relation to gratuities where an organiser had refused to disclose a value. ACC Slattery advised that he look into this and provide the Panel with an explanation as to what it was for.

- AGREED;** that,
- (i) the report be noted;
 - (ii) the Panel be provided with the results of the APSG/Sexual Harassment campaign; and
 - (iii) ACC Slattery provide the panel with an update in relation to gratuities.

33. COVID-19 REGULATIONS

On 18 May 2020 and 8 July 2020 the Panel had carried out two separate dip sample sessions regarding Fixed Penalty Notices (FPN) which had been issued to ensure that the reasons provided were reasonable and proportionate.

During the second session the Panel had looked particularly at FPN's which had been issued to those members of the public who identified as being from a BAME community and those who were classed as white. The Panel had raised a number of questions in relation to the comparison of the samples and issues identified. Chief Inspector Sherlock advised that information had been gathered to respond to the Panel's questions and this was to be provided to them by DCC Webster upon his return from leave. This would then enable the Panel to consider at their next meeting whether any further work was required.

It was noted that 40% of the tickets issued were to people who did not live within the county and therefore the demographic compared to that of the county could potentially show disproportionality against BAME communities. This had been widely reported within the local and national media with ACC Slattery providing a detailed explanation in the press and to the Panel.

In response to a member's question on whether police officers received unconscious bias training Superintendent Hogan advised that training had been rolled out across the force and she would provide the Panel with the date.

- AGREED;** that
- (i) Verbal update be noted;
 - (ii) DCC Webster upon returning from leave provide a briefing for the Panel with an update to questions raised during the dip sample session; and
 - (iii) the panel be advised of the date when unconscious bias training had been rolled out across the Force.

Meeting ended at 4.00 pm

Signed: _____
Panel Chair

Date: _____

Ethics and Integrity Panel



Peter McCall

Agenda Item No 08

TITLE OF REPORT: Constabulary Grievances

DATE OF MEETING: Nov 2020

ORIGINATING OFFICER: Diane Johnson - HR Manager

PART 1 or PART 2 PAPER: PART 1 (OPEN)

Executive Summary:

The report provides a position overview in respect of ongoing, finalised and newly submitted grievances for the period 01 November 2019 until 31 October 2020.

Generally reporting occurs every 6 months, due to COVID no review took place in April 2020.

Recommendation:

- That the Ethics and Integrity Panel note the report.

1. Introduction and Background

- 1.1 The attached Grievance Statistics Report shows the number of grievances lodged during the period 1 November 2019 up until 31 October 2020, together with a summary of ongoing and finalised cases within the reference period.
- 1.2 Included in the report is an overview of the characteristics of those lodging grievances. The report identifies the gender and race of those submitting grievances as well as an overview as to the nature of the grievance. In addition, statistics relating to whether the aggrieved is a police officer or member of staff and whether the grievance relates to alleged discrimination have been included.
- 1.3 Summary position is as follows:
- 9 grievances were ongoing or opened during the reference period with 3 outstanding at the end.
 - There were 2 new grievance lodged in this reporting period.
 - 3 of these grievances have been categorised as withdrawn by the Constabulary due to lack of response from the aggrieved individual.
 - A number of issues raised relate to dissatisfaction regarding perceived less favourable treatment. This can be directly from line management or as a result of the application of a policy or procedure.
 - Grievances dealt with during this period are generally split equally between male and female and are all from a white, British ethnicity.

The one grievance finalised as unresolved is directly linked to alleged disability discrimination under the Equality Act.

This is a longstanding case which reasonable and numerous options for resolution have been offered. The individual is currently absent from work with the case being managed in accordance with the medical advice received from the Force Medical Adviser.

2 grievances are on hold and relate to the same individual, these are currently being reviewed by the Constabulary's Legal Department.

- 1.4 Following the introduction of the Constabulary Mediation service, 3 cases have been managed through this route – whilst one was unsuccessful with the remaining ongoing neither have resulted in the submission of a formal grievance.
- 1.5 1 grievance previously recorded as unresolved at stage 3 which related to alleged disability discrimination was considered at Employment Tribunal in January 2020. The result being that all claims were dismissed.
- 1.6 The period comparison data shows that over the last 2 reference periods no grievances have been formally resolved. It should however be noted that a number have been referred for consideration under the correct alternative procedure and 3 have been withdrawn due to lack of engagement by the individual.

No resultant action is required at present however the resolution rate will be monitored over the coming reference periods to identify whether any additional guidance / support is required for the stage managers.

It should be noted that the Grievance Policy, Procedure and Guidance documents are being reviewed and will include an informal stage.

2. Issues for Consideration

2.1 Drivers for Change

Links to Police & Crime Plan and priorities; legal requirement; efficiency requirement; improvement.

- There are no identified emerging trends or patterns at the time of submitting this report.

3. Financial Implications and Comments

Budget implications – one off and/or on-going costs, savings, growth, capital and revenue.

3.1 Please see Risk and Equality Implications

4. Legal Implications and Comments

Including advice received.

4.1 Please see Risk and Equality Implications

5. Risk Implications

Including any mitigating actions that can be taken.

- 5.1 With any complaint which is potentially linked to the employment relationship there is the risk of employment tribunal or judicial review should the matter not be resolved. 2 cases are currently being dealt with by the Constabulary's Legal Department.
- 5.2 Through working in partnership with Unison and the Federation the aim is to continue to avoid formal proceedings and resolve issues in an informal manner to the satisfaction of all parties. The new Grievance procedure will clearly identify the informal and formal stages.
- 5.3 Specific items impacting on equality are raised through the Diversity and Inclusion Group (DIG) to ascertain if there are any issues that the Constabulary should be dealing with. At this time no issues have been raised.
- 5.4 The People Department will continue to meet with the Federation and Unison when necessary to discuss issues that are emerging and look to informally resolve them prior to a formal grievance being submitted. The Constabulary proactively engages to address concerns.

6. HR / Equality Implications and Comments

Including any actions arising from Equality Assessment.

- 6.1 The management of grievances transferred to the HR Department in May 2018. Now that a significant period has passed the procedure and recorded data is currently being reviewed to identify any efficiencies or improvements.
- 6.2 HR and Legal Services will be reviewing the judgement of the Employment Tribunal case to identify any lesson to be learned with a view to appropriate dissemination within the Constabulary.
- 6.3 The internal pool of accredited mediators is available for utilisation through the Constabulary Mediation Scheme. The intention is to publicise the Mediation Scheme alongside the revised Grievance procedure.

7. Supplementary Information

7.1 List any relevant documents and attach to report

Such as Business Cases, Equality Assessments, PIDs, Media Strategy.

- Appendix 1 - Grievance Data for the reference period
- Appendix 2 - Grievance Comparison Data

Ethics and Integrity Panel



Peter McCall

Title: Update on Operation Uplift, Positive Action and Promotion Processes

Date: 20 October 2020

Agenda Item No: 09

Originating Officer: Kate Ruddick (HR Manager)

CC:

Police Officer Intakes

The Constabulary have the following intakes planned for the financial year 2020-2021:

- 26 October 2020 - Course B20 Degree Holder Entry Programme – x 18 students
- 07 December 2020 - Course D20 Police Constable Degree Apprenticeship - x 18 students
- 15 March 2021 - Course B20 Degree Holder Entry Programme – x 18 students

In April 2021 the Degree Holder Entry Programme (DHEP), which is a DC Pathway programme, will commence with 16 places available. This particular scheme was advertised in September 2020 and received over 160 applications. The programme is aimed at anyone who wishes to work as an operational police officer for the Constabulary whilst obtaining a two-year graduate diploma in Professional Policing Practice (PPPD).

In relation to the current number of applicants in the pipeline for the other Constabulary PC schemes we currently have the following:

- Degree Holder Entry Programme – 175 Applicants
- Police Constable Degree Apprenticeship – 228 Applicants

We are currently reviewing the 2021-22 Recruitment plan to balance the intakes following the shift in applications for the DHEP programme.

Positive Action Initiatives

A Positive Action Team is now fully established with bi-weekly meetings being held; chaired by a Uniform Sergeant (PS Patel) and the Diversity Manager. These meetings discuss the

progress of existing candidates and explore any further initiatives to assist in the recruitment of additional candidates.

As part of this process applications are sent from HR to the team. They are assigned a mentor immediately and guided through each stage of the process via direct individual contact from their mentor.

Additional initiatives have also been introduced including targeting relevant communities with tailored recruitment materials and online events held throughout September and October.

Comparison figures – BAME Applicants (at the time of writing)

	DHEP PC	PCDA	DHEP DC
BAME	18	8	10
White British	114	116	135
Total *	132	124	145
% BAME	14%	6%	7%

**Please note some candidates chose not to disclose and numerous applicants are due to be progressed due to high volume*

The table above details the percentage of those categorised as BAME across all three strands of PC Recruitment. There has been a significant increase in applicants across PC recruitment which also includes an increase in BAME Candidates.

Comment from PS Patel:

Positive action (PA) is a work in progress and has started enjoying some success which has resulted in a growth of 0.2% to our BAME establishment. This is very much the start of the process and whilst the success rate may appear low at this time, we are adding to an overall establishment of 1.9. The forecast at this time suggests that we will exceed our target of being representative in line with our demography by 2023. PA has also galvanised the 4 qualifying staff support groups and encouraged them roll out of the 8 point plan for the buddying scheme along with better links and engagement with L&D which is going to promote overall wellbeing and better career development through the 'Spotlighting' programme.

Police Sergeant Promotion Process

Promotion Process – Focus Groups

BACKGROUND

In December 2019, HR visited all main stations within the Constabulary to discuss the current promotion process, seeking feedback on strengths and weaknesses.

28 individuals attended overall, varying from Constable to Chief Inspector rank. Some had been unsuccessful in recent processes, some successful. Feedback provided was professional and objective.

Current Process

The following National Police Promotion Framework stages were discussed:

Step 1 – Competence in current rank

Step 2 – Examination of Law and Procedure (click here for further information on the Step 2 legal examination)

Step 3 – Local selection process and matching to vacancies

Step 4 – Temporary Promotion (12 months) and work-based assessment

The primary focus within the Constabulary's remit to amend remains at Step's 1 and 3, which were the focus of the discussions.

Recent promotion processes relevant to these steps for both Sergeant and Inspector promotion have typically included:

Step 1 – written support from an individual's Sergeant and Superintendent to undertake the Sergeant or Inspector exam. This is followed by central checks on formal performance or misconduct procedures.

Step 3 – an anonymised paper sift (depended on numbers), this does include one score from senior management within the individual's department. If successful, candidates are invited to a board, consisting of a ten-minute briefing exercise and then several competency-based questions around the Competency and Values framework.

FEEDBACK

Strengths of current process – Feedback

Key themes that came from the focus groups in relation to what Officers prefer about the current process are:

- The current process is thorough, fair and impartial – with particular reference to the anonymity of the paper sift
- Individuals welcome the scoring element by the Superintendent
- There is a clear audit for decisions

Weaknesses of current process – Feedback

Key themes that came from the focus groups in relation to what Officers would like to see improved about the current process are:

- The current process assesses a "performance" on the day of the board

- The process is not a “true reflection” of who are the best people for the roles
- Individuals have submitted the “same” application form on different occasions, some years the application is passed and others it fails – perception that paper sifting is subjective
- Individuals are “rehearsing” to pass a board, in one area reference was made to individuals paying a retired Superintendent from the North East to pass the boards
- Evidence of individuals “example hunting” for boards, resulting in sometimes questionable management decisions at the potential detriment of the Constabulary
- The process is not a true reflection of the skills and experience required for a Sergeant or Inspector
- Lack of influence from senior management in the individual’s department
- Too many individuals are being supported forward for the exam / temporary promotion with management support, which is resulting in unsuitable individuals being substantively promoted.
- Some individuals on flexible working patterns believe they must increase their hours to undertake temporary promotion

2020 Sergeant Promotion Process:

Following the feedback and submission of findings to COG, the 2020 process was redesigned with the following amendments:

- A streamlined application form requesting only a 500-word submission
- Further emphasis on line management and senior management endorsement
- Boards held in a neutral venue
- Representation from neutral panel members (not HR or senior management)

The amendments to the process resulted in positive feedback from candidates and a high pass rate of 70%; and of those 54% were female.

Ethics and Integrity Panel



Peter McCall

Title: OPCC Complaints & Reviews

Date: 6 October 2020

Agenda Item No: 10a

Originating Officer: Joanne Head

CC:

Executive Summary:

In accordance with the Police Reform and Social Responsibility Act 2011 the Police and Crime 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 & Crime Commissioner.

1. Introduction & Background

- 1.1 The Office of the Police & Crime Commissioner (OPCC) 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 OPCC 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 OPCC

- 2.1 Detailed below is a table illustrating the number of complaints which have been received by the OPCC up to 30 September 2020. The complaints received were all regarding police officers below the rank of Chief Constable and the Police and Crime Commissioner has no statutory responsibility to deal with such matters.

All complaints received are responded to, explaining that the Police and Crime Commissioner does not have any statutory authority to investigate such complaint, and it is the overall responsibility of the Chief Constable. Contact details are provided for the Constabulary's Professional Standards Department (PSD) who are the appropriate body to deal with such complaints. If requested, the OPCC will forward the correspondence to PSD on behalf of the complainant.

2014	2015	2016	2017	2018	2019	2020
13	2	22	5	16	21	22

- 2.2 Generally the public are more aware of the Police and Crime Commissioner, the roles and responsibilities he has and the procedures to be followed regarding making complaints about police officers and staff or the Constabulary.

Commissioner Complaints

- 2.3 Complaints made regarding the Police and Crime Commissioner are dealt with by the Police and Crime Panel (PCP). 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.
- 2.4 Chapter 4, Section 30 of the Police Reform and Social Responsibility Act 2011 details the circumstances in which a Police and Crime Commissioner could be suspended this being that the Commissioner has been charged with an offence which carries a maximum term of imprisonment exceeding two years. The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 details the role of the PCP.
- 2.5 Any complaint regarding the Commissioner is sent to Cumbria County 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/ OPCC 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.

- 2.6 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.
- 2.7 Detailed below is the number of complaints regarding the Commissioner, Mr Peter McCall, whereby the OPCC has been requested to provide information to the Police and Crime Panel. The table illustrates by what method they were dealt with.

YEAR	N° of Complaints Received	Complaint not about the PCC	Dealt with by informal resolution	Police & Crime Panel investigation
2017	2	0	2	0
2018	5	0	5	0
2019	0	0	0	0
2020	0	0	0	0

- 2.8 The majority of the complaints received relate to individuals who are dissatisfied with the way in which the Commissioner has carried out his duties or work he has undertaken in their opinion, rather than his personal conduct.

2.9 Chief Constable Complaints

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 her personal conduct.

- 2.10 The table below illustrates the number of complaints received from 1 January 2017 to 30 March 2020. There are no complaints outstanding. The changes in regulations now 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 OPCC.

YEAR	N° of Complaints Received	Recorded	Not Recorded	Dealt with by informal / local resolution	Investigation	IOPC Appeal
2017	4	2	2	2	0	1
2018	3	3	0	3	0	2
2019	3	0	3	0	0	0

YEAR	N° of Complaints Received	Not Logged	Logged	Dealt with by NFA	Investigation	IOPC Appeal
2020	3	1	1	1	0	0

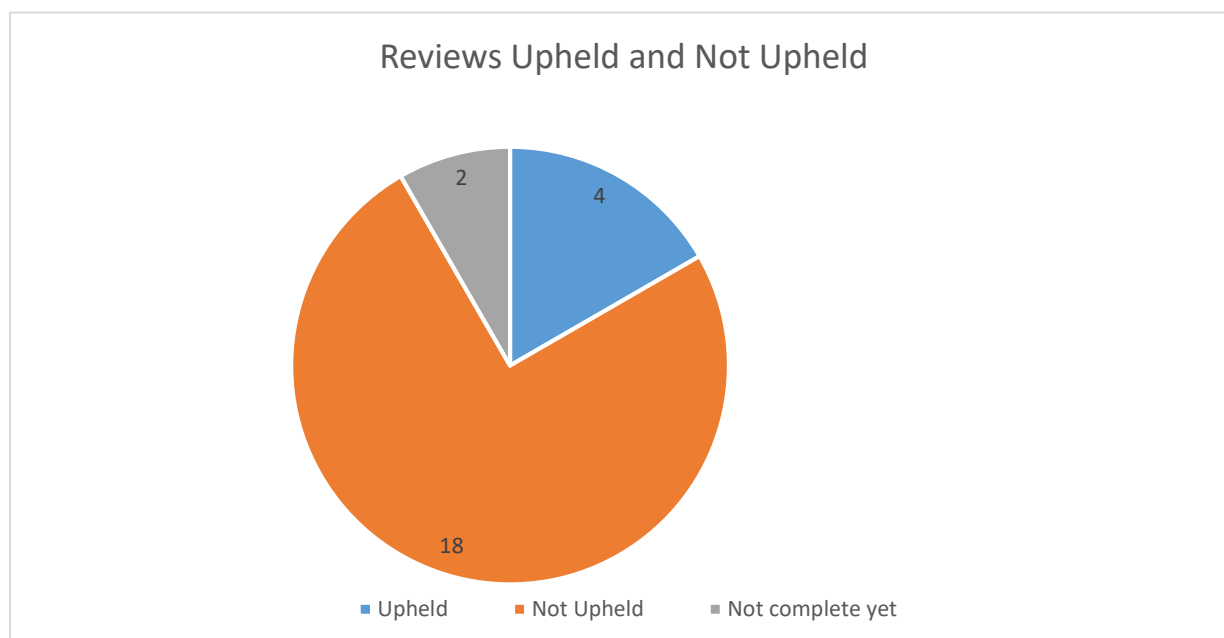
2.11 OPCC Staff Complaints

No complaints have been received regarding any member of OPCC staff during the reporting period.

2.12 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. From that date to the 30 September 2020 the OPCC has received 24 requests for reviews.

2.13 The reviews are undertaken by an independent review officer to provide additional independence and transparency to the process. Of the 24 reviews received, 1 is yet to be completed, 18 have not been upheld with 5 being upheld.



2.14 Upon the completion of their review the independent review officer will provide a written determination which is then provided to the complainant. This outlines what they have reviewed, taken into consideration and their final decision.

- 2.15 Where the review is upheld, they may provide recommendations for the Constabulary's Appropriate Authority to consider. Within the legislation and statutory guidance, the Appropriate Authority must advise the OPCC and the complainant within 28 days of whether or not they will carry out the recommendations. The Commissioner, nor the OPCC, have any authority to direct or instruct the Constabulary to carry these out. However, as the ethos of the new process is to learn and improve, the recommendations are generally accepted and implemented.
- 2.16 Two complainants who did not have their review upheld wrote to the OPCC to say thank you for taking them seriously and making them feel like they had been listened to.
- 2.17 As part of the new legislation the Constabulary have the ability to deal with issues identified with performance and this is done by identifying practice which requires improvement (PRI). The Reflective Practice Review Process (RPRP) is then utilised to address the issues raised. This process relates to behaviours and actions that previously were captured and handled within formal investigations and disciplinary proceedings as allegations of misconduct and often resulted in lower level actions and outcomes including, Management Advice, or no further action in some instances. It is the intention of the new 2020 regulations that disciplinary proceedings are focused and applied to serious breaches of the Standards of Professional Behaviour, where it is clear that a formal disciplinary sanction (at a minimum a written warning) is justified.

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 OPCC'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.

Ethics and Integrity Panel



Peter McCall

Title: OPCC Quality of Service & Policing Issues

Date: 28 October 2020

Agenda Item No: 10b

Originating Officer: Lisa Hodgson, Governance Officer

1. Introduction & Background

1.1 The Office of the Police & Crime Commissioner (OPCC) 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. These are regarded as quality of service and policing issues (QSPI). This report focuses on QSPI's received between 01/04/2020 & 30/09/2020, in this period a total of 331 QSPI's were received.

1.2 Our service standard is that:

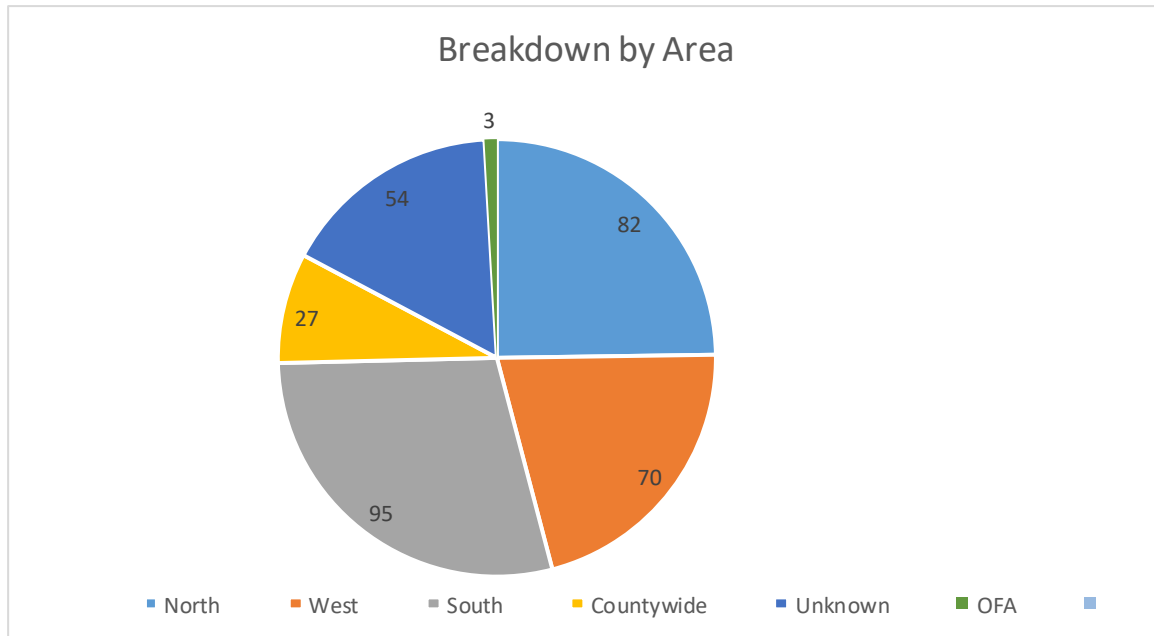
- An acknowledgement is sent out on the day of receipt of the correspondence advising them that they will receive a full response from the OPCC within 28 days. Should the matter take longer to conclude updates are provided on a 28 days basis until the matter is finalised.
- Where possible a response will be provided at the earliest opportunity and is often before 28 days.

1.3 A system has been developed within the OPCC to acknowledge, log and monitor the resolution of the issues raised. Once a QSPI is logged within the OPCC it is then allocated appropriately. Predominantly the majority of issues are passed through to the Chief Constable's Office who then allocate it to the appropriate Neighbourhood Policing Team (NPT) or department to deal with. Regular contact between OPCC staff and the Chief Constable's Office takes place to ensure that matters are progressed in a timely manner.

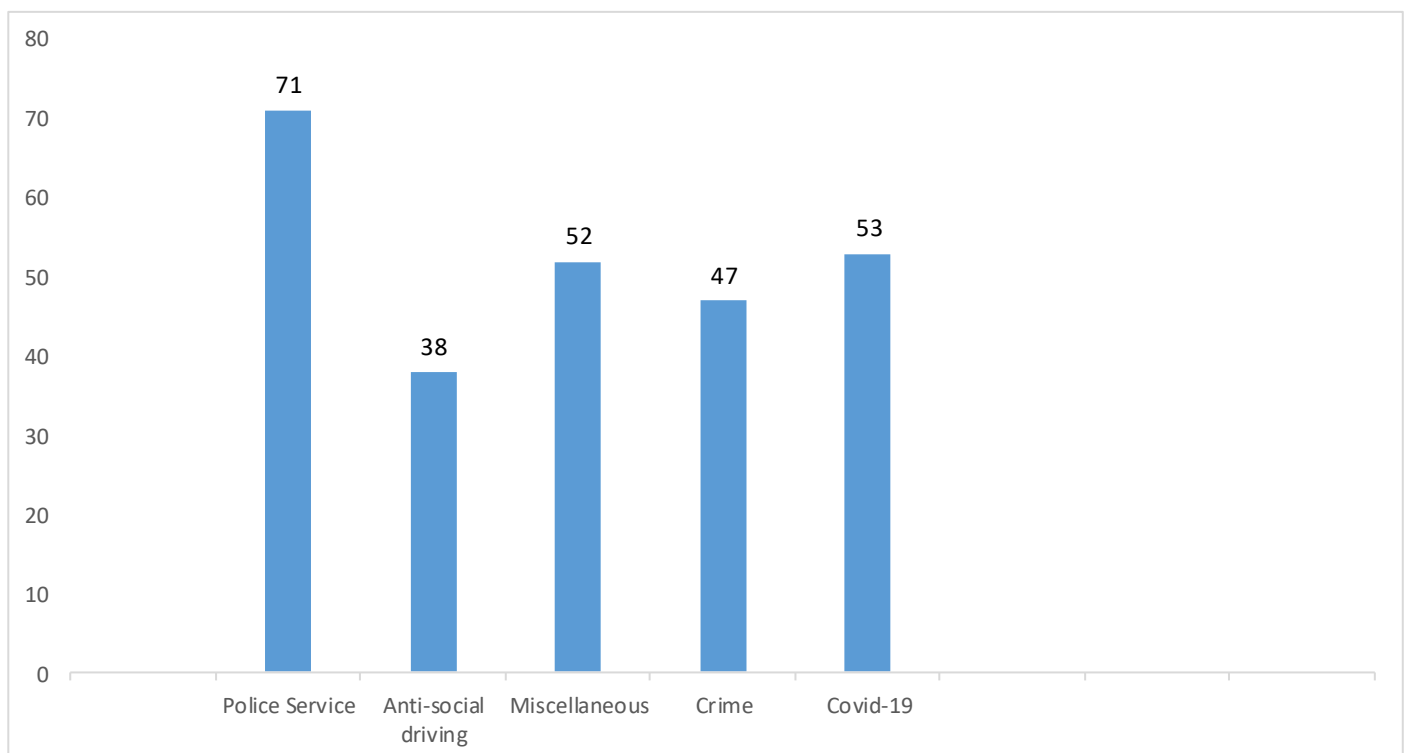
1.4 Where an urgent matter is received, the OPCC will contact the Chief Constable's office to ensure that the matter is progressed immediately. Since its inception the number of QSPIs received and dealt with by the OPCC has increased year on year as can be seen from the figures below:

2013	2014	2015	2016	2017	2018	2019	2020 (up to 31/09/2020)
98	198	167	235	270	350	435	415

1.5 Below is an area breakdown of where the complainant is based in Cumbria. When contacting the OPCC an individual may not always provide their location which is recorded as 'unknown'.



1.6 Members of the public will contact the OPCC regarding a broad range of issues. The Commissioner will write to every individual using information provided by the Constabulary, within the OPCC or other partner organisations. Below is a breakdown of the top issues raised from 1 April – 30 September 2020.



Further details of each identified category are provided below.

2. Identified Issues

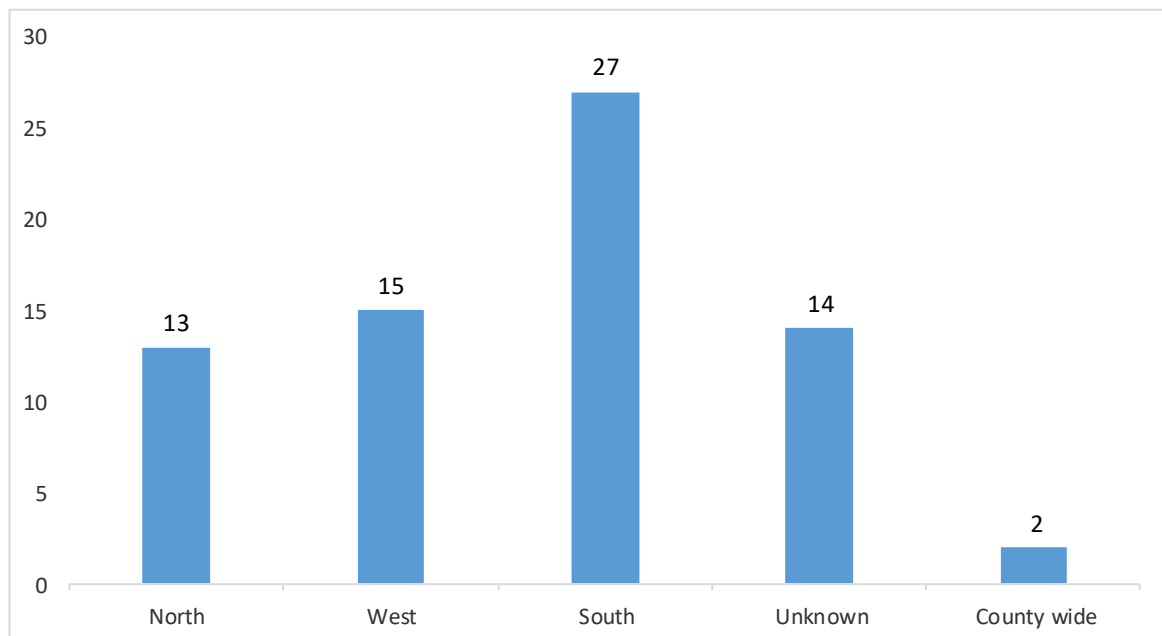
2.1 In each instance, the OPCC helps to facilitate the individual to be provided with a tailored response or explanation to the issues that they have raised. On many occasions the matter is dealt with at a local level, with police officers and staff making contact or visiting the individual. This then enables the Constabulary to find out more about the issue and look to implement a suitable solution or resolution for not only them but on occasions the wider community.

2.2 Where matters are passed to the Constabulary the OPCC is advised of progress and of either a final solution, which has been agreed with the individual, or information/advice relating to their issues.

2.3 Members of the public also contact the OPCC for advice and clarification on a variety of topics and issues. There are five categories that are the most common areas of complaint and further details on these are provided below:

2.4 Police Service

During this reporting period, 71 concerns were raised in relation to the level or standard of policing service they received. A breakdown by area is included below:



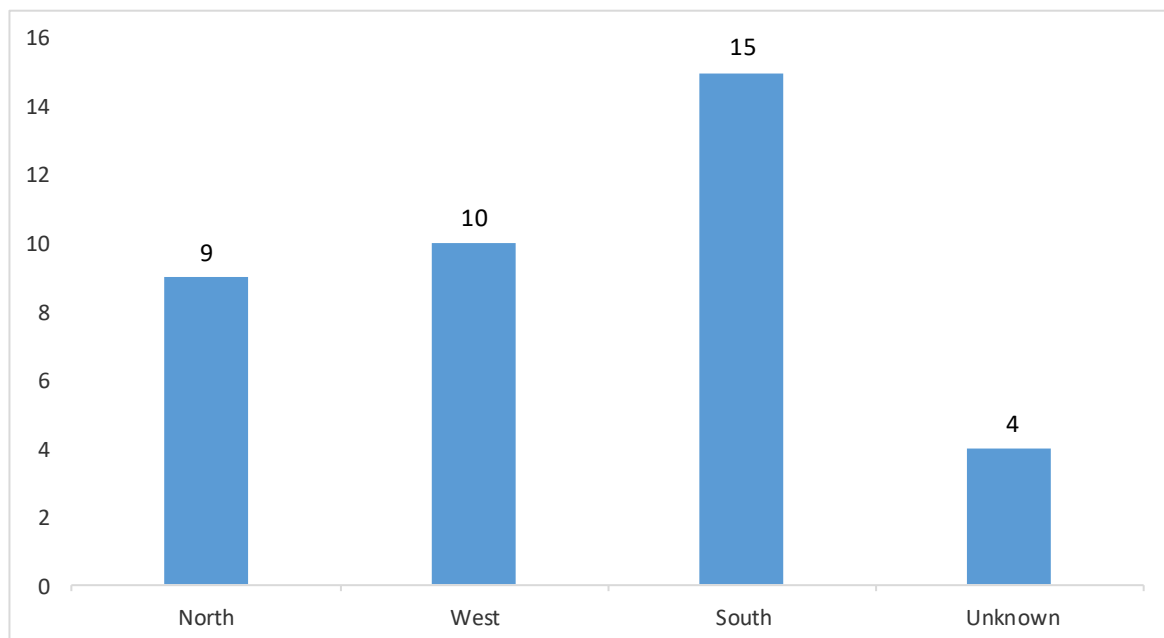
The concerns logged within this category indicate that the individual is unhappy with the level of policing service they have received and/or the outcome of the investigation. The OPCC has identified that a large number of these concerns are triggered by the lack of communication or updates received from the Police during an investigation. When the OPCC responds 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 a local officer to go and visit or telephone the individual to provide clarity regarding the investigation and advice of any other action that can be taken by the individual.

A number of these concerns have enabled the OPCC and Chief Constable's Office to identify areas where improvements can be made. Further training and advice to officers involved in those instances can be implemented where a need is identified. In addition, processes and procedures may be re-issued as a reminder to teams or the whole Constabulary where appropriate.

2.5 Transport Issues

'Transport Issues' covers a range of concerns such as: speeding, general driving issues; damage to vehicles; parking issues; abandoned vehicles and cyclists on pavements. The main concerns raised being anti-social driving. In the majority of cases the OPCC arranged for police contact to be made with the individual, enabling the local policing team to gather as much information and intelligence directly from the member of public as possible. This can then be used in future policing plans and patrol strategies for that area. Community speed watch groups have also been set up in some areas following intervention from the OPCC.



Many concerns in the North of anti-social driving during this period was regarding an issue of speeding/anti-social driving in Penrith. Complainants were advised that the anti-social use of vehicles in Penrith is a priority community concern at the Eden Local Focus hub. Just prior to the implementation of lockdown restrictions, proactive officers from the Eden district undertook a joint operation with the Constabulary Roads Policing Unit to address concerns around anti-social driving in the town, enforcing driving and vehicle-related offences. This

was accompanied by a directed social media campaign. Numerous fixed penalty notices were issued, as well as warning notices under section 59 (Police Reform Act 2002) for vehicles used in a manner causing alarm, distress or annoyance. The country entered lockdown shortly after, which temporarily halted a number of the issues experienced.

Since the easing of lockdown restrictions, with the increased use of vehicles on our roads, the Constabulary have assured me that anti-social use of vehicles remains a key priority. The Constabulary are currently running two county- wide operations; Operation Vulcan, which concentrates on the anti-social use of vehicles in key locations, as well as Operation Dreadnought, which aims to tackle dangerous and due care driving offences. I am reassured that, under the aforementioned operations, enforcement activity is ongoing to tackle this issue.

2.6 Miscellaneous

The OPCC has received 52 QSPI's recorded as 'Miscellaneous'. Alone, these would not be statistically significant, however these do need to be captured in some way. Some examples of QSPI's logged in this category include - police policies, market traders, E-scooters & E-bikes and hunting. These QSPI's are dealt with in exactly the same way being provided with a detailed response to the query/concern raised.

2.7 Crime

During the reporting period the OPCC has received contact from 47 members of the public regarding crime. Some examples of concerns raised and logged in this category include rural crime, neighbour issues, cold callers, concerns for welfare of a child, cybercrime and dog theft.

With assistance from the Chief Constable's office, each individual case is 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.

Where there is a welfare concern, this would be passed through to CCR for an immediate assessment who would provide a welfare check if required.

2.8 Covid-19

The OPCC received 53 complaints in relation to the current Coronavirus (Covid-19) pandemic up until 30/09/2020. Many of the concerns raised during lockdown were from people who are supportive of the police approach but are concerned that residents near them are not following the instructions and are putting them at risk.

Many people have contacted the Commissioner seeking clarification if they can travel to certain areas of the UK. Each person has been advised they must follow the local restrictions in their area.

The Commissioner has been fully supportive of all advice and messages given from Cumbria Constabulary, all in line with the government instruction which is changing frequently. All complainants have been encouraged to continue reporting anyone not following the instructions as soon as possible or at the time it is happening to enable the police to take action where appropriate and necessary. All police forces are being asked to ENGAGE with communities, EXPLAIN the restrictions and ENCOURAGE people to comply and as a last resort this could be ENFORCED with a summons.

2.9 Compliments

The OPCC has received 5 forms of correspondence thanking the Commissioner and/or the Police for the service provided. It is important to recognise the compliments received and these are always shared where possible with the individual officers, and the Chief Constable.

This number does not include those that have contacted the OPCC in relation to Coronavirus and been supportive of the policing of the guidance.

3. **Local Focus Hubs**

Within each of the three policing areas work continues in Local Focus Hubs. These Hubs are located: Allerdale & Copeland; one in Carlisle City Centre and two in the south of the county in Barrow and Kendal.

The hubs, due to their multi-agency approach enables them to respond to a wide variety of issues in an efficient manner. The hubs bring together organisations such as the police, local councils, housing associations, drug and alcohol support services, Environmental Health, licensing, enforcement, planning, Trading Standards, Fire & Rescue and locally represented charities; they also have the ability to link in with Highways and CRASH.

A wide variety of issues can be referred into the Hub from a number of agencies including the Constabulary. When a QSPI is referred to a hub they will encourage local PCSO's and Problem Solving Officers to resolve the issues prior to the hub taking on the issue. Various methods are used to ensure reports and actions are followed up with individuals being updated and any referral kept open until the issue is resolved. Weekly meetings are held with all the organisations to discuss a broad range of issues. On a number of occasions areas of both ASB and vulnerable victims have been identified which were previously not known to the police. Such issues would then be fed into monthly tasking meetings that set priorities for the police and partner agencies.

The hubs have proved a valuable tool in assisting individuals and communities with resolutions for a wide range of issues by working together. Often issues reported to the OPCC or the Police are not in fact policing issues, but by using a joined-up approach, solutions can be found. The Constabulary are able to use the information within the local

focus hubs to influence and priorities issues within communities. Once these are initially resolved, continued oversight ensures that problems do not arise again.

4. Making a Difference

As previously stated, all QSPI's are provided with either a resolution to their issues or information to assist them to understand any decisions or rationale. Where issues are dealt with through the local focus hubs it is recognised that working with individuals has resulted in changes to not only their personal lives but also that of the wider communities.

This type of work is replicated throughout many of the QSPI's received and actioned by the OPCC. Meaning that the Commissioner is ensuring that the issues raised by communities within Cumbria are responded to and in the majority of cases resolved. As with all QSPI's the information provided by individuals is used not only to resolve their issues but to allow the Constabulary to look at the wider community and scope whether similar issues are being experienced by others. Quality assurance work is carried out to monitor issues longer term and this information can then be used to inform local policing teams and the work that they carry out.

The information collated by the OPCC from QSPI's is subsequently used by the Commissioner to inform his Police and Crime Plan and any subsequent reviews thereof. The Constabulary also uses this information to assist in their implementation of the Police and Crime Plan and local policing plans.

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 OPCC'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.

Ethics and Integrity Panel



Peter McCall

Title: 2021 Panel Terms of Reference

Date: 15 October 2020

Agenda Item No: 12a

Originating Officer: Joanne Head

CC:

Introduction

This report sets out the proposed terms of reference for the Ethics and Integrity Panel from 2021 onwards. The purpose of the panel is to provide a forum which challenges, encourages and supports the Police and Crime Commissioner and the Chief Constable in monitoring and dealing with integrity and ethical issues within Cumbria Constabulary and the Office of the Police and Crime Commissioner.

Recommendation:

That, the Panel note and accept the terms of reference.

Terms of Reference

The terms of reference are reviewed by the OPCC on an annual basis to ensure that they adequately reflect the work that is to be carried out. They allow either the OPCC or the Constabulary flexibility to ask the Panel to undertake various thematic sessions and tasks in addition to the normal work programme to assist and benefit both organisations.

The panel when considering ethics and integrity issues within both organisations provide strategic input and support in relation to such issues.

Included within the updated terms of reference is the proposed introduction of an Ethical Group by the Constabulary. This would be a sub-group which would report to the Ethics Panel on the work they have carried out as identified within the proposed terms of reference.



Peter McCall

Ethics and Integrity Panel – Terms of Reference

Purpose:

The purpose of this panel is to provide a forum that challenges, encourages and supports the Police and Crime Commissioner and the Chief Constable in monitoring and dealing with integrity and ethical issues within Cumbria Constabulary and the Office of the Police and Crime Commissioner.

The panel will consider ethical and integrity issues within both organisations providing strategic input and support in relation to the same. The panel has no decision-making powers.

Terms of Reference:

- 1) Promote and influence professional ethics in all aspects of policing with the ability to test the Commissioner and the Chief Constable on the integrity of both organisations.
- 2) Regularly review Constabulary complaint files to ensure procedures, investigations and outcomes have been followed; and are addressed in accordance with statutory guidelines published by the Independent Office of Police Conduct (IOPC). Ensuring best practice and lessons learned are acted upon and disseminated appropriately.
- 3) Regularly examine complaint review files completed by the Office of the Police and Crime Commissioner (OPCC) to ensure they are carried out in accordance with legislation and statutory guidelines published by the IOPC.
- 4) Regularly review police officer and police staff misconduct files and grievance files to ensure cases are dealt with in a fair and timely manner in line with legislation, processes and procedures.
- 5) To maintain an overview and monitor performance in relation to conduct, complaints, claims against the force, quality of service, procurement and integrity matters to ensure statutory responsibilities are met and ensure good governance.
- 6) Monitor the Police and Crime Commissioner and the OPCC with regard to their implementation and adherence to the Code of Ethics/Code of Conduct.
- 7) To review registers maintained by the Constabulary and OPCC including gifts and hospitality, interests, and secondary employment.

- 8) To monitor the Constabulary and the OPCC in their data legislation compliance responsibilities. Including Freedom of Information and Subject Access Request compliance.
- 9) To undertake and scrutinise thematic areas and other ethical work when required. Identifying issues or lessons and reporting the Panel's findings to the Commissioner and the Chief Constable.
- 10) To support the Commissioner and Chief Constable in the development of policies and procedures in relation to integrity, ethical issues and confidential reporting.
- 11) To provide a quarterly report and annual report on the work carried out by the panel, including the raising of any issues or concerns. The report to be presented to the Police and Crime Commissioner's public meeting and be published on the Commissioner's website.
- 12) Where appropriate the Panel Chair may invite advisors to provide specialist or legal advice to support the work of the panel.
- 13) To annually review the Terms of Reference and annual work programme to ensure they allow the panel to fulfil its role effectively. Any amendments to be approved by the Police and Crime Commissioner and Chief Constable.

Ethical Sub-Group

The Constabulary may routinely or periodically set up an Ethical sub-group to raise awareness of new processes and technologies being considered to improve service delivery. The purpose of this group would be to facilitate an open environment to examine and discuss the impacts, risks, opportunities and consequences of any new methods of using personal data. The group would engage with independent members to identify and capture societal attitudes and any unintentional consequences arising from changes to how personal data is processed.

The work undertaken by this group and subsequently agreed work programme will be reported to the Ethics and Integrity Panel on a quarterly basis where work is being undertaken. This will allow them to have a view on the wider ethical issues of both the Constabulary and the OPCC. An identified member of the Ethics and Integrity Panel will sit as part of this group to provide continuity.

Ethics and Integrity Panel



Peter McCall

Title: 2021 Panel Work Programme & Meeting Dates

Date: 2 October 2020

Agenda Item No: 12b

Originating Officer: Joanne Head

CC:

Executive Summary:

The Police & Crime Commissioner and the Chief Constable both wish to ensure high standards of integrity and ethical working within their respective organizations. In order to achieve that objective and provide openness and accountability to the public they have established the Ethics & Integrity Panel.

Recommendation:

That, the Panel considers and agrees the proposed work programme and meeting dates for 2021.

1. Introduction & Background

- 1.1 The Ethics and Integrity Panel were established in February 2015 and upon its formation it was agreed that the Panel would meet on a quarterly basis throughout the year.
- 1.2 An annual work programme is agreed to enable the Panel to fulfil its terms of reference and scrutiny role. The programme is managed to ensure wherever possible meetings are balanced in terms of volume of work and annual reviews are incorporated.
- 1.3 Meeting dates are set up to correspond with the reporting cycle of the Constabulary to ensure that reports contain the most up to date information possible.
- 1.4 Following each Panel meeting a report is prepared and presented to the Police and Crime Commissioner at the next available Public Accountability Conference meeting.

2. Issues for Consideration

- 2.1 When considering the meeting dates for 2021 thought has also been given to the dip sample sessions that the Panel members carry out in relation to public complaints, police officer/ police staff misconduct cases and grievance cases. These are held approximately 1 week prior to the Panel Meeting.
- 2.2 The proposed meeting dates for 2020 are:
- ❖ Thursday 4th February
 - ❖ Wednesday 5th May
 - ❖ Thursday 5th August
 - ❖ Thursday 4th November
- 2.3 The additional dip sample sessions for public complaints and misconduct files have been arranged as follows:
- ❖ Wednesday 28th April @ 9.00 am / 2.00 pm
 - ❖ Wednesday 27th October @ 9.00 am / 2.00 pm
- 2.4 In addition to the cyclical information to be reviewed and considered, the panel could be asked to review additional areas of work. These could include:
- Critical Incidents
 - HMIC Inspections
 - Serious Case Reviews
 - Thematic areas of Performance
 - Public Concerns
 - Review of Policies and Procedures
- 2.5 How such reviews were undertaken would need to be agreed, ensuring that the panels work did not interfere with any ongoing or appeal processes. The findings of the panel would be reported to the Police and Crime Commissioner and the Chief Constable.
- 2.6 The panel provide an annual report to the Police and Crime Commissioner and the Chief Constable on the work they have carried out during the year. It identifies any issues or concerns they have found, and where learning has been identified.

3. Appendices

App 1 2021 Annual Work Programme

Ethics & Integrity Panel Annual Work Programme 2021

February 2021	May 2021	August 2021	November 2021
<p>THEMATIC DIP SAMPLE: Dip sample an agreed area of business within the Constabulary or OPCC.</p> <p>THEMATIC SESSION: Mental Health Detention (annual review)</p> <p>Potential Topics: Reflective Practice Review Process (RPRP) Practice Requires Improvement Process (PRI)</p>	<p>PUBLIC COMPLAINT FILES: Dip sample finalised public complaint files held by the Constabulary.</p> <p>REVIEW FILES: Dip sample finalised review files held by the OPCC.</p> <p>MISCONDUCT – OFFICER & STAFF DISCIPLINE: To dip sample officer and staff discipline cases</p> <p>THEMATIC SESSION: Secondary Business</p>	<p>THEMATIC DIP SAMPLE: Dip sample an agreed area of business within the Constabulary or OPCC.</p> <p>THEMATIC SESSION: Stop & Search (annual review) (include BWV usage) - ethnicity</p> <p>Potential Topics:</p>	<p>PUBLIC COMPLAINT FILES: Dip sample finalised public complaint files held by the Constabulary.</p> <p>REVIEW FILES: Dip sample finalised review files held by the OPCC.</p> <p>MISCONDUCT – OFFICER & STAFF DISCIPLINE: To dip sample officer and staff discipline cases</p>
<p>INTEGRITY</p> <p>(a) Public complaints performance; and (b) Anti-fraud & corruption unit report; (c) Files which are 12 months or over & every 6 months thereafter</p>	<p>INTEGRITY</p> <p>(a) Public complaints performance; and (b) Anti-fraud & corruption unit report; (c) Files which are 12 months or over & every 6 months thereafter</p>	<p>INTEGRITY</p> <p>(a) Public complaints performance; and (b) Anti-fraud & corruption unit report; (c) Files which are 12 months or over & every 6 months thereafter</p>	<p>INTEGRITY</p> <p>(a) Public complaints performance; and (b) Anti-fraud & corruption unit report; (c) Files which are 12 months or over & every 6 months thereafter</p>
<p>ANNUAL REPORT: To consider the annual report to be provided to the Commissioner on the work carried out by the Panel.</p> <p>FOI & DPA COMPLIANCE: To receive a report on the Constabulary and OPCC's compliance with statutory legislation</p> <p>THEMATIC SESSION: Report back to the meeting on the outcome/findings of the morning session.</p> <ul style="list-style-type: none"> Mental Health Detention Anti-Social Behaviour 	<p>CIVIL CLAIMS: To receive a report on Civil Claims to monitor any trends/issues and how learning/training has been implemented.</p> <p>GRIEVANCES: To receive a report on Grievances against the Constabulary identifying any trends or issues.</p> <p>MISCONDUCT – OFFICER & STAFF DISCIPLINE: To receive a combined report on officer and staff discipline.</p> <p>OPCC COMPLAINTS & QSPI: To receive a report on complaints and quality of service issues received by the OPCC.</p> <p>SPECIAL RECRUITMENT: A report on the Constabulary's recruitment of Specials.</p>	<p>STOP AND SEARCH FORMS: Annual dip sample of the Constabulary's stop and search forms.</p> <p>CODE OF ETHICS/CONDUCT – to be included annually within the Misconduct / OPCC Complaints report on their compliance</p> <p>FOI & DPA COMPLIANCE: To receive a report on the Constabulary and OPCC's compliance with statutory legislation</p> <p>POLICE OFFICER/SPECIALS RECRUITMENT:</p> <p>THEMATIC SESSION: Report back to the meeting on the outcome/findings of the morning session.</p>	<p>CIVIL CLAIMS: To receive a report on Civil Claims to monitor any trends/issues and how learning/training has been implemented.</p> <p>GRIEVANCES: To receive a report on Grievances against the Constabulary identifying any trends or issues.</p> <p>MISCONDUCT – OFFICER & STAFF DISCIPLINE: To receive a combined report on officer and staff discipline</p> <p>OPCC COMPLAINTS & QSPI: A report on complaints and quality of service issues received by the OPCC.</p> <p>ANNUAL WORK PROGRAMME: to approve the work programme and meeting dates</p>

