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Our reference: JH/EIP

Date: 30 January 2024

AGENDA

TO: THE MEMBERS OF THE ETHCS AND INTEGRITY PANEL

CUMBRIA POLICE, FIRE & CRIME COMMISSIONER'S ETHICS AND INTEGRITY PANEL

A Meeting of the Ethics and Integrity Panel will take place on **Thursday 8 February 2024** at **1.30 pm** in **Conference Room 2**, Police Headquarters, Carleton Hall, Penrith.

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.

PANEL MEMBERSHIP

Mr Andrew Dodd

Ms Meg Masters

Mr Ben Phillips

Mr Alan Rankin (Chair)

Mrs Alison Ramsey

Mr Alex Rocke

Ms Jane Scattergood

Mr Shaun Thomson

AGENDA

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

1. APOLOGIES FOR ABSENCE

2. DISCLOSURE OF PERSONAL INTERESTS

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

3. URGENT BUSINESS AND EXCLUSION OF THE PRESS AND PUBLIC

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

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

Number	Agenda Item	Allocated Time
4.	NOTES OF THE PREVIOUS MEETING & ACTION SHEET To confirm the restricted notes of the meeting of the Ethics and Integrity Panel held on 9 November 2023 (copy enclosed).	
5.	CORPORATE UPDATE To receive a briefing from DCC Martland and OPFCC Chief Executive Gill Shearer	10 minutes
6.	NATIONAL POLICE RACE ACTION PLAN A six-monthly update on progress of the action plan from <i>Inspector Siraaz Patel</i>	10 minutes
7.	INFORMATION MANAGEMENT COMPLIANCE (a) To receive and note a report by Cumbria Constabulary on their compliance with Data Protection Legislation (copy enclosed) – <i>To be presented by Data & Information Privacy Manager (Lesley Johnson).</i>	10 minutes

	(b) To receive and note a report by the Office of the Police, Fire and Crime Commissioner on their compliance with Data Protection Legislation (copy enclosed) – <i>To be presented by the OPFCC Governance Manager</i>	
8.	CONSTABULARY PROPERTY STORE REVIEW A six-monthly update on progress of the action plan – <i>to be presented by T/Superintendent Gill Cherry.</i>	10 minutes
9.	CCTV SOLUTION SESSION FEEDBACK Feedback from session on the new CCTV Solution	5 minutes
10.	INTEGRITY (i) To receive a report on the work carried out within the Constabulary’s Professional Standards Department, including Complaints by the Public; and Anti-Fraud & Corruption (including officer and staff misconduct) – <i>to be presented by Chief Inspector Hayley Wilkinson</i> (ii) Update on Historic Data Wash outcomes (iii) PSD Business Change – update on current status of root and branch review, capacity, availability, systems and processes (iv) Vetting Decisions – dip sample feedback	20 minutes
11.	DIP SAMPLE SESSIONS The Panel to provide feedback from the following dip sample sessions: 1. Stop and Search 2. Use of Force 3. Custody Detention Scrutiny	10 minutes
12.	OPFCC COMPLAINTS, REVIEWS & QSI’s To receive a report on complaints, reviews and quality of service issues received by the OPFCC - <i>OPFCC Governance Manager</i>	5 minutes
13.	ETHICS AND INTEGRITY PANEL ANNUAL REPORT 2023 To consider and agree the Panel’s annual work programme and meeting dates for 2024 - <i>OPFCC Governance Manager</i>	5 minutes

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Agenda Item No 4a

ETHICS AND INTEGRITY PANEL

Notes of a meeting of the Ethics and Integrity Panel held on
Thursday 9 November 2023 in Conference Room 2, Police Headquarters, Penrith at 2.00 pm

PRESENT

Mr Alan Rankin (Chair)
Mr Andrew Dodd
Mr Michael Duff
Ms Meg Masters
Mr Ben Phillips
Mr Alex Rocke
Ms Jane Scattergood
Mr Shaun Thomson

Also present:

T/Deputy Chief Constable Darren Martland
T/Chief Superintendent Mick Bird
T/Chief Superintendent Dan St Quentin
Chief Inspector Hayley Wilkinson
Data and Privacy Information Manager – Lesley Johnson
Inspector Siraz Patel
Head of Legal Services – Andrew Dobson
Senior Legal Advisor – Tom Young
Director of Corporate Support – Stephen Kirkpatrick
HR Manager – Diane Johnson

OPFCC Chief Executive – Gill Shearer
OPFCC Governance Manager - Joanne Head

The Chair welcomed the new Panel members following their recent appointments and everyone introduced themselves. He took the opportunity to thank Mr Mike Duff for his work on the Panel during the last eight years upon his retirement from the Panel. Mr Duff was presented with a gift and DCC Martland said a few words on behalf of the Constabulary.

42. APOLOGIES FOR ABSENCE

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

43. DISCLOSURE OF PERSONAL INTERESTS

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

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44. URGENT BUSINESS

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

45. NOTES OF THE PREVIOUS MEETING

The notes of the meeting held on Wednesday 9 August 2023 previously circulated with the agenda were agreed.

Agreed; that, the notes of the meeting held on 9 August 2023 were agreed.

46. CORPORATE UPDATE

T/DCC Martland briefed the Panel on work being carried out by the Constabulary. The Chief Constable, Rob Carden, had held a number of roadshows across the force to promote the updated 4 C's. The focus would be on Criminals, Compassion, Care (for victims and witnesses / colleagues) and communities. It had been a challenging few months, busy with operational and high profile incidents, significant investigations and operational challenges during Halloween and bonfire night.

Planning had commenced for Remembrance Sunday parades and potential protest marches; Christmas campaigns including dealing with prolific offenders and serious violence. Burglary dwelling had seen an increased outcome rate with increased arrested and offenders appearing at court. Telematics was giving the force the ability to monitor vehicles and how they used them more effectively and efficiently. It had the ability to advise how they were being driven, when they needed to be serviced and enables us to ensure that they are fit for purpose.

DCC Martland updated members on current staff and officer establishment and plans for future recruitment. HMICFRS had commenced their inspection of the force in April 2023 and were working within the force during that time. It was hoped that the final report would be signed off before the Panel's next meeting. A consultancy review had been carried out in September/October on enabling services. Further details would be provided at the Panel's next meeting.

The OPFCC Chief Executive provided an update on the work of the Office of the Police, Fire and Crime Commissioner would be carrying out in the coming months. The OPFCC had secured £1m from the Home Office following a bid for the Safer Streets 5 programme. This would be used for funding for areas which had been identified as ASB and VAWG hotspots, These being Penrith, Carlisle and Workington.

At the end of the year the Commissioner and OPFCC would be starting to work on the 2024/25 budget and would be looking to consult with the communities of Cumbria regarding potential

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Council Tax precepts. It was recognised that it would be difficult due to increase cost of living by communities.

The relationship between the OPFCC and Cumbria Fire and Rescue Service was growing and developing. A programme to maximise efficiencies was being developed and would include a review of the estate for both police and fire.

AGREED; that,
(i) the updates be noted;
(ii) an update on the HMICFRS report be provided to the February 2024 meeting; and
(iii) an update on the consultancy review be provided to the February 2024 meeting.

47. UPDATES

(a) Body Worn Video

Previously the Panel had been advised that representations had been made at a national level for Body Worn Video recordings to include the previous 30 seconds of sound as it did for the previous 30 seconds of footage when activated.

Chief Superintendent Bird advised the meeting that following recommendations from the National Police Chiefs' Council, a standardised national approach to pre-event buffering will be made to all Cumbria Axon BWV recordings, which took effect from 09:00 hrs Monday 18th September 2023. This change was also supported by the Police Federation

(b) Data Wash

Earlier in the year all police forces were required by the NPCC and HMICFRS to upload all officer, staff, volunteers and contract details and vetting into a national data wash. Following the screening process over 2,000 lines of data were sent back to the force to review. This significant undertaking had been completed by September 2023 with no requirements for PSD to conduct formal investigations.

AGREED; that the updates be noted.

48. DATA BREACH

Following the August meeting, the Panel had asked for a report on the data breach which the Constabulary had reported earlier in the year.

T/Chief Superintendent Bird took the opportunity to apologies to the Panel as they should have been aware of the data breach, via the OPFCC Governance Manager, after the incident had

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occurred. He reassured the Panel that any future incidents the force would inform the Panel at the earliest opportunity.

The Data and Information Management Manager updated the Panel on how the data breach had occurred, what information had been published, for how long and the actions taken by the force. As soon as the force was aware the information had been withdrawn and any affected staff had been informed and were supported. The force were continuing to monitor for any suspicious phishing activity. Processes and procedures had been updated and strengthened following the breach.

A member asked whether enhanced training had been provided to staff and if so was completion of it being audited. The Data and Information Management Manager advised that additional training was being given and this would be repeated on an annual basis. Completion was being audited with noncompliance being addressed.

AGREED; that, the report be noted.

(Note: The Data and Information Manager left the meeting at this point and Inspector Sirraaz Patel joined the meeting)

49. NATIONAL POLICE RACE ACTION PLAN

Inspector Patel guided members through the Constabulary's Race Action Plan and the actions completed by the force in relation to the national model. There was now a first draft of the local plan with a clear governance structure and reporting lines, action owners and areas of business. Meetings were taking place with department leads and explanations provided on how the race action plan applied to them and what they needed to do to enable the force to achieve its overall aims.

There was a requirement to produce evidence on what the force were doing and why a decision had been made not to do some elements. The actions were included with the force improvement plan which enable audits of the work to be carried out. The documents were live which enabled them to be amended and drive work through the different areas of business.

In response to a members question, Inspector Patel advised that the Workforce Leadership Board chaired by C/Supt Quinn would monitor progress against the plan. It had been decided that the force would look at BAME and work with those groups rather than simply focussing on just black communities. It was the intention to roll out a response which was considerate of all communities in Cumbria. DCC Martland advised that work was also going on internally with all officers and staff in relation to recruitment, retention and training.

The NPCC race action plan team would be looking at stakeholder and community mapping to see if other opportunities were available to reach wider audiences. An implementation plan to

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identify stakeholders was developed to enable the force to connect with scrutiny advisory groups. A copy of the document would be shared with the Panel in the future.

AGREED: that,
(i) The report be noted; and
(ii) A full update and copy of the implementation plan be shared with the Panel at the February 2024 meeting.

(Note: Inspector Sirraaz Patel left the meeting at this point.)

50. CIVIL CLAIMS

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

The Panel discussed a number of claims with the Head of Legal Services. The Chair asked whether there were any trends or lessons for the force going forward. The Head of Legal Services advised that no trends had been identified but any learning or changes to work practices where identified had been implemented across the force.

It was noted that following the data breach a claim had been submitted to the force. This was currently being looked at and members were assured that it was unlikely that other claims would be made by individuals.

Agreed; that, the reports be noted.

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

51. OFFICER AND STAFF UPDATE

The Director of Corporate Services briefed the members on the current position within the force. A weekly silver meeting was held and took into account forward plans for the force and currently they were ahead of where it needed to be with its establishment. There were a high number of police staff vacancies and some had been on hold due to review but that these were now being actioned. An updated retention strategy had been developed to assist with this within the force. The force sickness figures had gone down from 3.5% to 2.8% which was pleasing to note.

At their May meeting, the Panel had asked for an update on PCSO recruitment and were advised that currently there were 48 across the force. There was a planned intake in March 2024 which would see numbers getting back to required levels. It was identified that there were some gaps in tutor constables across the force but this was at manageable levels and new officers were being supported.

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A member pointed out that the gender balance within the force had shifted from a 50/50 split to 57% male and 43% female. The Director advised that the force was aware of the change and would seek to try and return to previous levels.

The members noted that following surveys some issues had been raised by officers and staff. DCC Martland advised that senior officers within the force were listening to concerns and taking a “You Said, We Did” approach to resolve some of the issues and communicating with front line staff. Members raised concerns about officer workload and their ability to keep victims and witnesses informed. DCC Martland advised that the average caseload was ten per officer which was manageable.

A member asked why return to work interviews were not being completed when an officer or staff member returned to work from sick leave. The HR Manager advised that some were not being done but that there was no capacity to monitor the completion of the forms. Work was now being done to monitor compliance for return to work conversations and completion of forms. Changes to force policies for long term sickness would see mandatory contact between 7 and 28 days and include a home visit to the individual. DCC Martland advised that a number of support services were being provided through the Occupational Health Department for officers and staff. As part of the new Performance Development Review (PDR) process wellbeing conversations would be a mandatory section to enable officers and staff to speak with their line managers and discuss any issues.

AGREED; that, the report be noted.

52. STAFF GRIEVANCES

Prior to the meeting the Panel had carried out a review of the case which had been finalised during the previous 6 months. There had been no issues identified with how the Constabulary had dealt with the cases reviewed. A member identified that in one of the cases the individual had resigned from the organisation but questioned whether the issue reported had been looked into and resolved. The HR Manager advised that this was being reviewed.

They advised the Panel that 13 new grievances had been lodged with 10 remaining outstanding which was a high number of cases for the force. She reassured the Panel that there was no trend and some of the cases related to the same matter from a number of individuals.

Agreed; that, the report be noted.

(Note: Stephen Kirkpatrick and Diane Johnson left the meeting and T/Chief Superintendent St Quentin joined the meeting at this point.)

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53. RIGHT CARE, RIGHT PERSON

T/Chief Superintendent St Quentin briefed the Panel on the approach the force was taking in relation to vulnerable people who had health or social care needs to ensure that the right person with the right skills, training and expertise met their needs. This approach had been undertaken by Humberside in 2020 and was recognised as national best practice. The force was working closely with health partners to be able to provide this change to service from 8 January 2024.

He assured members that it would not affect the core role of the force. Where the force did not have a legal responsibility to deal with a matter they would be signposting callers to contact the appropriate agency, especially if there was a duty of care with another organisation. Looking at current data there were about 38 calls per day regarding concerns for welfare; 11 of which the force would still attend due to their responsibility.

A member asked whether other organisations had resisted this proposed approach. T/Chief Supt St Quentin advised that they were pushing demand back to those organisations who had a legal responsibility to deal with the matter not the police. There would be additional support within the Comms Centre to support staff when making decisions on calls for service. Testing of the toolkit would be carried out within the next couple of weeks.

A member asked what communication would there be for members of the public to be made aware of the proposed changes. An internal and external communication strategy was being developed. After the Christmas period the force would provide further information, linking in with key partners to ensure messages were consistent.

AGREED; that,
(i) the report be noted; and
(ii) an update on how the programme has been implemented at the May 2024 meeting

54. INTEGRITY

Chief Inspector Wilkinson presented the quarterly report for the Professional Standards Department including public complaints, misconduct and anti-corruption unit performance. She advised that work was ongoing to streamline and standardise the complaint handling process. The department was currently not achieving their key performance indicators (KPI) in relation to service recovery therefore processes were being implemented to address this.

It was noted that there had been a significant increase in the number of complaints being received by the force during the year. Chief Inspector Wilkinson advised that this was in part due to changes within the 2020 regulations and how complaints were detail with throughout the force. A number of internal changes and processes were no longer fit for purpose and a

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review of the department had been commissioned. In response to a question, members were advised that this was not just a force issue but was recognised throughout other forces.

Members questioned why the number of repeat complaints against officers had increased during the last quarter. They were advised that this was due to the increased demand within the department and not being able to advise supervisors early enough for interventions to be implemented. It was also recognised that with the introduction of the Right Care, Right Person initiative it was likely that more complaints regarding Comms Centre decisions, officers and staff would be received in early 2024.

There had been an increase in the number of complaints recorded as it had been recognised that if a matter was recorded as a conduct matter only the complainant would not receive a right to review. The increase would be looked at as part of the next dip sample session in 2024.

Prior to the meeting the Panel had carried out a dip sample of finalised public complaints and police officer/police staff misconduct cases. They had seen good examples of investigation reports and outcome letters, with service recovery using 'Listen, Say Sorry, Fix It' which provided a better outcome for complainants. The members felt that acronyms within letters should be explained to enable complainants to understand and there was a tendency to overuse template letters. It was agreed that there should be the flexibility to tailor a letter to the individual case.

The members were pleased to see that the use of Body Worn Video (BWV) by officers was assisting in dealing with complaints. It was noted that when in custody suites officer BWV was generally switched off due to CCTV being available.

AGREED; that, the report and feedback be noted.

56. DIP SAMPLE SESSION FEEDBACK

(a) Stop and Search

The members reported on the incidents that they had reviewed, commenting that officers were using their BWV and there was now the ability to hear audio for the previous 30 seconds when recordings were commenced. This allowed the Panel to see whether GO Wisely had been used each time. They noted that there had been a 400% increase in the use of the power across the county and increased success rates of convictions.

(b) Use of Force

The Panel had reviewed a number of cases where use of force had been used by officers. One of the incidents included mental health cases where officers had used good communication

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skills. There was also one which had the use of TASER and the members commented on the very good administering of first aid after the firing had occurred.

(c) Custody Detention Scrutiny

During the session the members had reviewed a number of custody detention cases. They reported that some use of force forms were not being completed by all officers. For one of the cases the members felt that a diversionary approach would have reaped more benefits and more experienced officers had a calming effect. They noted the due diligence of custody sergeants to continually update custody records for all individuals throughout their detention.

(d) Violence Against Women and Girls Conference

One of the Panel members had attended the Constabulary's conference on 3 October 2023. The event had been well attended by a wide range of partners which established a strong position. During the conference there had been discussions on internal scrutiny, social services were working with employers to raise awareness and ask if they were aware or could spot domestic violence symptoms within their workforce.

AGREED; that, the dip sample feedback be noted

57. PANEL TERMS OF REFERENCE

The OPFCC Governance Manager presented updated terms of reference for the Panel. These illustrated the inclusion of Cumbria Fire and Rescue Service and the work which the Panel were doing for Cumbria Constabulary, Cumbria Fire and Rescue Service and the OPFCC.

AGREED: that, the updated terms of reference be approved.

58. 2024 ANNUAL WORK PROGRAMME AND MEETING DATES

The OPFCC Governance Manager provided the Panel with the 2024 work programme. This would be further developed during 2024 where more areas of work were identified.

AGREED: that, the 2024 work programme and meeting dates be agreed.

59. CASE SAMPLE PROTOCOL

The OPFCC Governance Manager presented an updated case sample protocol. This identified the procedures adopted by agreement with Cumbria Fire and Rescue Service and Cumbria Constabulary.

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AGREED: that, the updated Case Sample Protocol be approved.

Meeting ended at 4:35 pm

Signed: _____
Panel Chair

Date: _____

DRAFT

Ethics and Integrity Panel – (Police) Action Sheet: 09/11/2023

Agenda Item 04b

Minute Number / Topic	Action to be taken	Person responsible OPFCC / Force	Report back to Panel	Date action completed	Review Date
DATE OF MEETING: 09 August 2023					
Property Store Review	An update on the Property Store Review		February 2024		
Custody Detention Scrutiny	Future reports provide a breakdown of detention times which was due to language/interpreter services		Frequency to be agreed		
Force Information Management	The February report provide an update on the Publication Scheme project.		February 2024		
DATE OF MEETING: 09 November 2023					
Corporate Update	(i) An update on the HMICFRS report (ii) An update on the consultancy review		February 2024		
National Race Action Plan	(i) A full update and copy of the implementation plan be shared with the Panel at the February 2024 meeting.		February 2024		
Right Care, Right Person	(i) An update on how the programme has been implemented at the May 2024 meeting		May 2024		

Ethics and Integrity Panel



Peter McCall
POLICE, FIRE & CRIME
COMMISSIONER

Title: Police Race Action Plan

Date: 26th January 2024

Agenda Item No: 06

Originating Officer: Sirraaz Patel

CC: Ch Insp Sherlock, Mel Sale

Executive Summary:

Cumbria Police remain committed to improving policing services for Black officers and members of the public. The commitment to explain or reform the disproportionality that exists within policing systems, activity and processes, was committed to by the 44 forces in England and Wales in 2020, as part of the NPCC and College of Policing joint Police Race Action Plan.

This update provides the Ethics and Integrity Panel with an overview of the Constabulary's direction of travel.

1. Introduction & Background

- 1.1 The Police Race Action Plan was initiated in May 2022 which set out changes across policing to improve outcomes for Black people who work within or interact with policing.
- 1.2 The Plan is split into four workstreams which focused on the following (in order):
 - Represented – Ensuring good internal representation with onwads progression plans and having black voices support scrutiny of police activity and plans.
 - Not over policed – Use of powers and collection of data
 - Involved – Ensuring black people have a voice to influence their police service.
 - Not under protected – Supporting vulnerability in black communities.

The above four pillars provide the framework for delivering the localised PRAP.

- 1.3 Nationally, The PRAP remains in a state of consultation following the appointment of Dr Alison Haydari in as the new programme lead in August 2023.
- 1.4 The second iteration of the Plan remains unpublished and is subject to change following evaluation by the central [NPCC and CoP] team's consultation outcomes.
- 1.5 Dr Haydari has not set her vision and ambitions for the PRAP.

- 1.6 Cumbria Constabulary remains resolute to deliver on its commitment to progressing and implementing a localised Police Race Action Plan to improve the experiences of Black residents, service users and its Black officers and staff.
- 1.7 In November 2023, the Chief Officer Team appointed DCC Martland as the PRAP portfolio holder with a clear direction of travel.
- 1.8 The Constabulary will use the National PRAP outcomes framework to evaluate our localised plan. The actions of the Plan aligned to the Chief's Four C's and Peel Thematic inspections criteria for GOOD or OUTSTANDING. Sussex and Merseyside have both achieved OUTSTANDING for areas of their PRAP work.
- 1.9 Those involved with coordinating the Constabulary's Implementation Plan, are working closely with police forces who are advanced in areas of their localised PRAP delivery (South Wales, Merseyside & Bedfordshire, MET (training packages).
- 1.10 Prior to a localised plan, relevant change was achieved by the Positive Action Unit and NPT through the Safer Neighbourhoods Board. Every NPT Inspector was tasked to ensure that their engagement plans captured the voice of black people within their localities. This meets the requirement under the Pillar 'Involved' as it allows local delivery to be cognisant of the needs and views of black residents and service users.

2. **Localised PRAP activity update**

- 2.1 The tactical Plan has been adopted by the four workstream leads.
- 2.2 Actions have been allocated a Strategic Lead and Tactical Lead by the workstream Leads.
- 2.3 The strategic and tactical leads have benchmarked their actions to identify additional activity / investment needs, or removal of any identified actions no longer required.
 - All action have a RAG rating and priority level allocated.
- 2.4 Work is ongoing to understand intersectionality, to avoid duplication or silo working. We are scrutinising all implementations plans including NPT, VAWG, Positive Action, Retention Strategy and will continue with any identified implementation plans.
- 2.5 Stakeholder mapping is a continuous process with countywide and localised stakeholders being engaged as they are identified.

3. **National alignment**

- 3.1 It is our understanding, Cumbria is currently aligned to the national pilot milestone, with the exception of Section 163/4 data recording/reporting and scrutiny.
 - This work has been delayed due to a query on the time implications and functionality of the new system.

- This action, which is under national scrutiny, should be adopted within the coming weeks as a priority.

3.2 Diversity Manager, Melanie Sale, continues to act as PRAP SPOC, attending national PRAP meetings to feed back to workstream leads and action owners.

4. Governance

4.1 The governance for the localised Plan has been progressed by Ch Supt Kennerly.

4.2 DCC Martland is positioned as RSO.

4.3 Data reporting sets are actively being considered to present to relevant boards.

4.4 Workstream leads or strategic leads are responsible for scrutinising disproportionality data sets and presenting them to the relevant, agreed boards.

4.5 Relevant boards have been identified at strategic, tactical and operation levels (Stop and Search, Use of Force and others) to provide the required accountability and scrutiny across the organisation to keep momentum and implement effective change.

4.6 PRAP updates are to be reported at Confidence and Equality Board as an agenda item.

5. Workstream highlights

5.1 Represented

5.1.1 Action 2.1, L&D are arranging to send a Trainer on the next CoP Train the Trainer course (Thursday 29th February) This will enable our trainers to deliver upstander training for racism, providing a tool kit of ways to challenge internal incidents of racism.

5.1.2 Action 2.2, The Positive Action Unit have created an implementation plan that aligns with a 2.2 and the Retention Plan. This work was advanced before the localised Plan but is actively being enhanced with all actions to have effective functionality in place by End of Feb 2024.

5.1.3 Action 2.3, Ann Dobson, Head of Central Services Department has progressed the Constabulary's Ethnicity Pay Gap report, which is ready to include in the March Diversity report.

5.1.4 Ann Dobson has been introduced to the central work of the NPCC PRAP for EPG and is looking at how our data reporting aligns to theirs with a view to progressing this area in the most effective way – this work is one of the most progressed for the national PRAP and the fact we can provide our EPG in March's Diversity Report means we are aligned with the progress the nation PRAP are expecting for this action.

5.1.5 Action 2.5, Is being fulfilled by undertaking the CoP Upstander training, and the enhancements to the VIG and Supporting Staff Associations and Networks.

- SLT have shown commitment to minoritised colleagues through attendance at VIG and regular meetings with chairs and EDI leads and The EDI team have increased their support for Staff Networks and Associations and VIG. The Governance and TORs for VIG have been updated as a result.

5.1.6 A specialist data working group has been proposed and initiated to undertake benchmarking and gap analysis on current data recording requirements and the needs of PRAP for effective data scrutiny. The group includes IMS, Policing Futures, Crime and Incident Recording Registrar, PRAP leads and EDI leads.

5.1.7 We are part of a CoP pilot with GMP to increase minoritised representation in our Operational Support Units. This is a real accolade with other forces watching for the outcome to adopt.

5.2 Not over policed

5.2.1 The Constabulary are aligned with national guidance and best practice for Taser and BWV.

5.2.1.1 Following a college of policing academic review on the disproportionality of Taser, CC Lucy D'Orsi corresponded the recommendations which are predominantly national level and we are watching the CoP for the guidance that will need to follow.

5.2.1.2 NPCC BWV guidance has been adopted for 30 second audio and visual prerecord, to be started at point of deployment.

5.2.2 Nationally stop and search progress has been on hold due to a super complaint. However, we have created a new dashboard to scrutinise our data on for individual officer and deployment areas. Triggers are being worked on to flag disproportionality in officer stop searches.

5.2.3 we are not aligned with Section 163/4 vehicle stops

5.3 Involved

5.3.1 Barrow has piloted NPT actions to create a map for data capture and activity to undertake.

5.3.1.1 In Barrow, SGT Gareth Sargent has undertaken Stakeholder Mapping identifying many groups and individuals who need to be kept informed about our PRAP activity. These Stakeholders will be able to feedback their thoughts on their experience of policing and feedback on our PRAP activity depending on their preferences.

5.3.1.2 In Barrow, BME community engagement is underway with key stakeholders Furness Multicultural Community Forum, Furness Refugee Support, Operation Forward and others.

5.3.1.3 Barrow is looking at setting up police desks at groups/locations/or events that are attended by BME members of the public.

5.3.2 Current pilot work being initiated in Barrow:

5.3.2.1 Bi-monthly Police desk to be carried out at FMCF

- 5.3.2.2 Establishing contacts in the BAME Network through partner agencies I.E Furness General Hospital
 - 5.3.2.3 Targeted BME PAC surveys with confidence, effectiveness and satisfaction questions.
 - 5.3.3 Each NPT should record all engagement activity with underrepresented communities on Microsoft Planner. The Barrow NPT Work Deck contains a “tile” named “Barrow - Underrepresented/Minority groups - Police Interactions” for this purpose.
 - 5.3.4 Next action is to Align Kendal and Cumberland NPT teams with the work Barrow have piloted.
 - 5.3.5 The IAG and SIAG website landing pages are being enhanced. Both general and targeted recruitment in Barrow will be undertaken for SIAG and WAF IAG with a view to evaluate and roll out across the constabulary if effective and legitimate.
- 5.4 Not under protected**
- 5.4.1 Cumbria Constabulary have initiated a collaboration with the Community Safety Partnership to support antiracist practices being embedded in all of Cumbria’s public service providers (NHS, FIRE, Councils). This was initiated by Supt Blaiklock and will be support by the Positive Action Unit.
 - 5.4.1.1 All CSP members are creating implementation Plans to be discussed at a meeting in the first week of Feb. This illustrates the commitment of the constabulary to removing discrimination in policing and across Cumbria.
 - 5.4.1.2 CPS Race Action Plan Steering Group is taking place with attendance from our SPOC and workstream strategic lead in February.
 - 5.4.1.3 Similar work is ongoing with Sellafield, BAE, Carlisle United and the University of Cumbria.
 - 5.4.2 New anti-Racism training is being incorporated into the 24/25 L&D calendar to include trauma awareness and deescalation and upstander training.
 - 5.4.3 The Child Centered Policing Team are including unique Trauma in Black Children as part of their training – this is currently being developed and has gained national interested by the central PRAP
 - 5.4.4 Actions 5.4 and 5.5 are under review. There has been feedback from Black people that they do not feel mentoring is a way to remove racist practices and is exploitative. We will continue to engage with Stakeholders on this action to understand consensus.

6. Identified risks across all workstreams.

- 6.1 Resourcing the additional workloads for effective and timely progression
- 6.2 Current data recording – gaps and limitations
 - 6.2.1 A PRAP specific data working group is being set up for February 24, to meet the data recording needs. The core attendance includes the Crime and Recording registrar, Policing Futures, IMS, Analysts, PRAP SPOC, CCMPA Chair and Chief Supt Kennerely.

- 6.3 Increased Data scrutiny - resourcing additional activity.
- 6.4 The delay between the launch of NPCC PRAP and local stakeholder engagement may lead to an increased lack of trust in our commitment to becoming antiracist.
- 6.4.1 We have been engaging with stakeholders on a our Safer Neighbourhoods action plan and through IAGs and Siags amd through Positive Action since the initiation of the NPCC PRAP. We will be transparent in our communications to all stakeholders as we progress with actions and will engage to seek their feedback and respond with updates and helpful information.

Inspector Siraaz Patel

DEI / CIP / PA / Driver Training

Ethics and Integrity Panel

Cumbria Constabulary Information Management Compliance

Date: 8th February 2024

Agenda Item No: 07

Originating Officer: Kerry Carson and Lesley Johnson

Executive Summary:

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

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

Recommendation:

That the members of the Panel note this report.

1. Introduction and Background

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

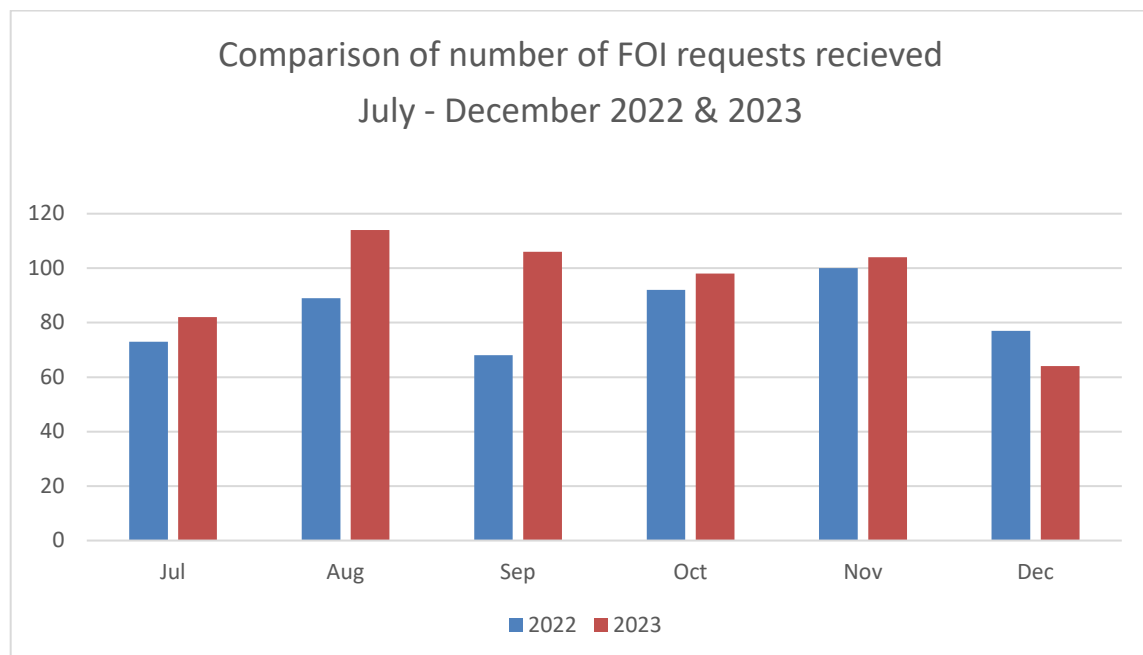
1.4 The Information Management Team, which forms part of the Digital, Data, and Technology Command, is responsible for receiving, recording, collating internal responses, and responding to freedom of information and subject access requests received by the Constabulary.

2. Issues for Consideration

2.1 Freedom of Information Requests (FOI)

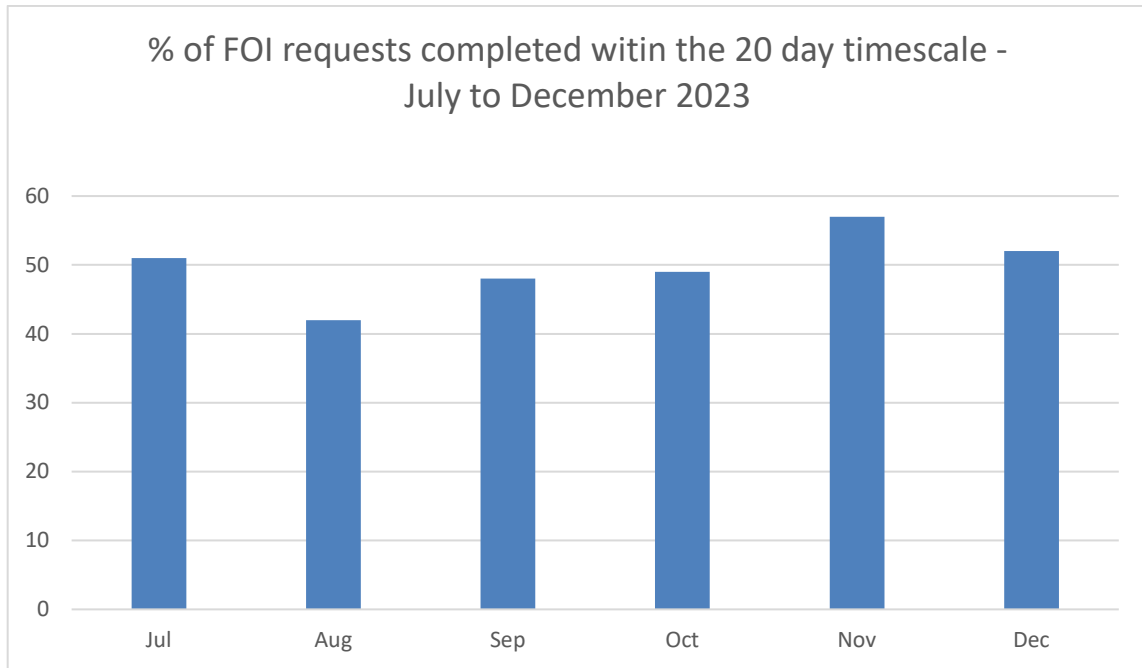
2.1.1 In the six-month period between July 2023 and Dec 2023, 568 freedom of information requests were received, compared with 499 the previous year. This reflects an increase of 69 (12%) requests compared to the same period last year.

2.1.2 The chart below shows the number of FOI requests received by month for the same period (Jul – Dec) for years 2022 and 2023.



2.1.3 A total of 1213 Freedom of Information requests were received in 2023, compared with 1001 in 2022. (17% increase in 2023) Should the above trend continue, the Team is likely to see an increase in requests for 2024 of around 212 compared to 2023, i.e. a projected total of 1425.

2.1.4 Compliance to the 20-day timescale has fluctuated over the six-month period, as is reflected in the below chart.

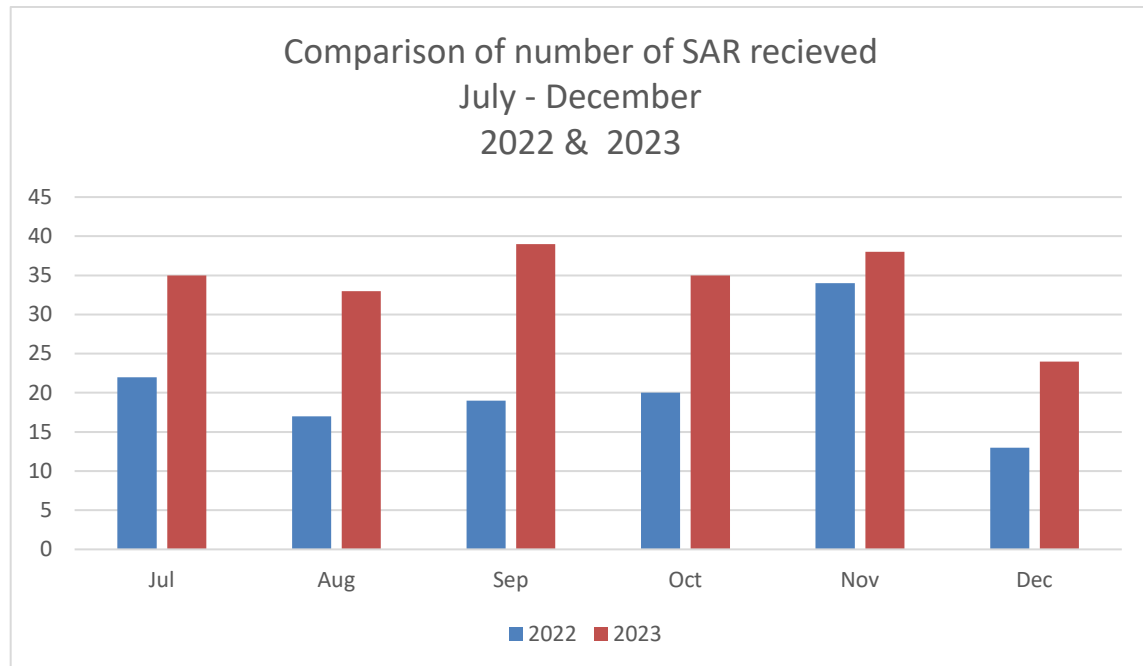


- 2.1.5 The percentage of FOI requests completed in time has descended in general for this period, falling from the year's highest of 94% in March, to 42% in Aug and then rising again to 48/49% in Sep/Oct and 57% in Nov. The average compliance rate for the year was 65%.
- 2.1.6 The mean compliance rate for all police forces in England and Wales for these months is not currently available.
- 2.1.7 The increase in FOI requests during this period is largely attributed to an increased interest in information relating to 'hot-topic media attention subjects', such as information relating to dangerous dogs. This has resulted in increased work for the dog section with many requests nearing the time limit. Late internal responses from departments required to provide the necessary information have contributed to a backlog of work within the FOI Team, which in turn has impacted latterly on compliance rates. However, this has now improved with many departments.
- 2.1.8 The FOI Team have assisted the IMS department in producing a PowerBi to enable the team to collate statistical performance figures and have established a monthly 'housekeeping' action to maintain a healthy and accurate spreadsheet.
- 2.1.9 Due to staff abstractions for annual leave and internal staff moves, alongside new procedures, there has been an impact on performance and the compliance rate which has also contributed to the backlog of work.
- 2.1.10 The constabulary introduced an Early referral procedure earlier in the year. The purpose of this is to ensure that Chief Officers are notified of all FOI requests that are identified as having a potential impact on public confidence and reputation at the earliest opportunity. The aim of this process is to improve the accuracy and timeliness of information released and to facilitate a proactive and collaborative post disclosure response. In addition to this, a record of all FOI requests is provided weekly for Chief Officer Group.

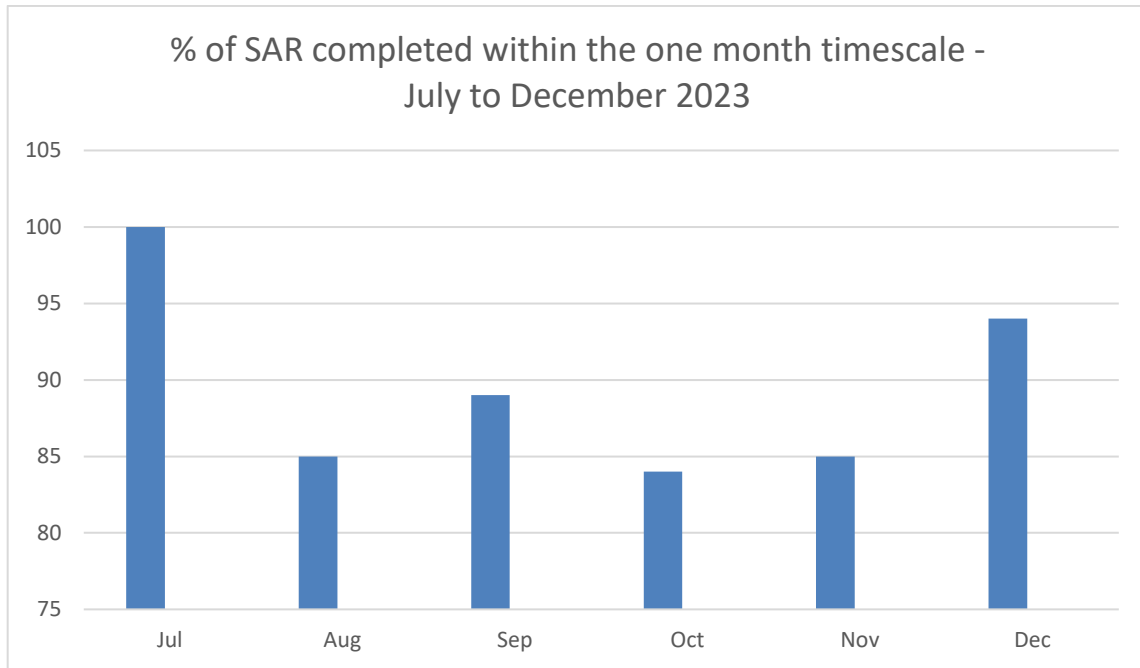
2.2 Subject Access Requests (SAR)

2.2.1 In the six-month period between July 2023 and December 2023, 204 subject access requests were received, compared with 125 the previous year. This reflects an increase of 79 (63%) compared to the same period last year. In 2022 there were 234 requests 2024 saw an increase of 128 to 362 (55% increase)

2.2.2 The chart below shows the number of SAR requests received by month, for the same period (Jul – Dec) for the years 2022 and 2023.



2.2.3 The chart below indicates Cumbria Constabulary compliance to the one-month timescale over the six-month period.



2.2.4 The compliance for Cumbria Constabulary has generally been very good over this period, starting with 100% in July, dipping to lows of 85/84% in August/October, and back up to 94% in December. The nationwide compliance rates for SAR are also currently unavailable.

2.2.5 As previously reported, the Constabulary continues to receive requests from officers and staff. Even though the number of these requests remains relatively small, the time taken to process them is generally high. Such requests tend to be more time-consuming and complex than requests from members of the public. Requests for access to video and/or audio recordings (such as body-worn videos) can also take a disproportionate amount of time to process.

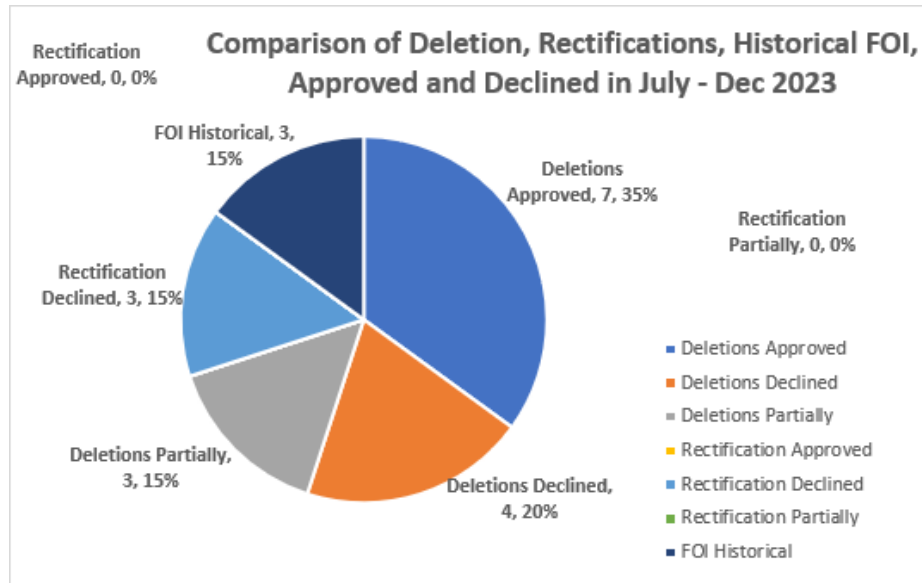
2.2.5 The goal of the Publication Scheme, which the Constabulary is required to implement, is to notify the public of the information that is easily accessible and make it simple to obtain.

We now have an effective service for the general public to make a SAR/FOI request via the redesigned website. This is being used effectively and is more efficient for staff and customer.

Ongoing recommendations and improvements include proactive website disclosure of FOI compliance as well as publication of datasets and material as required by the Publication Scheme to improve compliance with s19 of the FOIA.

A 'gap analysis' exercise has recently been undertaken to identify gaps between what should be published and what is and is not currently available. Work is ongoing with other departments regarding their responsibility to upload relevant information for publication. This is a very large piece of work, recognised by the NPCC referral Unit, and continues to be studied.

2.3 Other Data Subject Rights



2.3.1 In the six-month period between July 2023 and December 2023, there have been 20 requests under the Right to Erasure and Right to Rectification where individuals can request to have inaccurate personal data rectified, or request for its deletion.

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

3. Other Considerations

3.1 'Protecting from Within'

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

A total of 37 recommendations were made intended to support PSNI and to minimise the risk of any such data breach happening again. They were based on findings throughout the review. Many of the recommendations are relevant to all police forces, and Chief Constables are to be encouraged to ask themselves the question of how safe, and how well prepared their forces are. The Gold Commander who carried out the review will decide on what force actions are required and this is expected to be circulated later this month. Ahead of this report the Chief Information Officer, Data Protection Officer and Information Privacy team are conducting a gap analysis and RAG rating where the Constabulary are in relation to each of the reports recommendation. However, it is worth noting that many of the recommendations are specific to PSNI.

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

review. Many of the recommendations are relevant to all police forces, and Chief Constables are to be encouraged to ask themselves the question of how safe, and how well prepared their forces are. The Gold Commander who carried out the review will decide on what force actions are required and this is expected to be circulated later this month. Ahead of this report the Chief Information Officer, Data Protection Officer and Information Privacy team are conducting a gap analysis and RAG rating where the Constabulary are in relation to each of the recommendations.

- 3.1.3 The Constabulary recorded 80 data breaches in 2023 and made 6 referrals to the Information Commissioner's Office. To date the ICO have been satisfied that the mitigation put in place to contain the breach and subsequent action that no regulatory or enforcement action has been given. The Information Management team have conducted CPD sessions to officers and staff across the organisation and saw an increase in the number of breaches being recorded due to increased awareness.

3.2 **Data Protection and Digital Information Bill**

- 3.2.1 The Data Protection and Digital Information (No2) Bill is currently progressing passage through Parliament and is expecting to receive Royal Assent in Spring 2024. There will be changes made with the new legislation that will have an impact on policing specifically around vexatious or excessive subject access requests and time limits for responding to data subjects.

The Bill will be amending the current threshold for refusing excessive or vexatious subject access requests from 'manifestly unfounded or excessive' to 'vexatious or excessive' and retaining the ability for organisations to charge a reasonable fee for a request which is deemed 'vexatious or excessive'.

This will remove ambiguity that exists in the current threshold and will provide greater confidence to refuse requests and alleviate pressure on vital resource that can be used for other activities.

UK GDPR controllers can already extend the time period to respond to a SAR by up to two months, but law enforcement must currently respond to all SARs within one month. The time limit up to two months will extend to include law enforcement processing respond to complex requests and will also allow law enforcement to pause the applicable time period where further information is required from the data subject.

The ability to pause a time period will reduce the challenges of working to different timeframes by law enforcement when responding to complex requests under both the UKGDPR and Part 3 and will allow more consistent and accessible responses will increase confidence for data subjects.

Ethics and Integrity Panel



Peter McCall
POLICE, FIRE & CRIME
COMMISSIONER

OPFCC INFORMATION MANAGEMENT COMPLIANCE

Date: 25 January 2024

Agenda Item No: 07b

Originating Officer: Joanne Head, OPFCC Governance Manager

Executive Summary:

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

Recommendation:

That, the members of the Panel note the report.

1. Introduction & Background

- 1.1 This report is to provide information to the Panel, acting on behalf of the Commissioner, so the Panel can assure the Commissioner that the OPFCC are complying with the Freedom of Information Act and the Data Protection Act.
- 1.2 The Chief Constable and the Police, Fire & Crime Commissioner (the Commissioner) are required to comply with the Freedom of Information (FOI) Act, the Environmental Information Regulations where applicable and the Data Protection Act. Set out within the legislation is how a request is to be processed and within what timescales.
- 1.3 On an annual basis the Commissioner agrees a "Funding Arrangement" with the Chief Constable. This arrangement sets out the terms and conditions under which the Commissioner will provide funding to the Chief Constable during the Funding Period. Detailed within Section 17 of the Funding Arrangement the Chief Constable will comply with their obligations detailed within the Data Protection Act 2018 and the General Data Protection Regulations (GDPR) effective from 25 May 2018. Where appropriate the Chief Constable must notify individuals that their personal data may be transferred to the

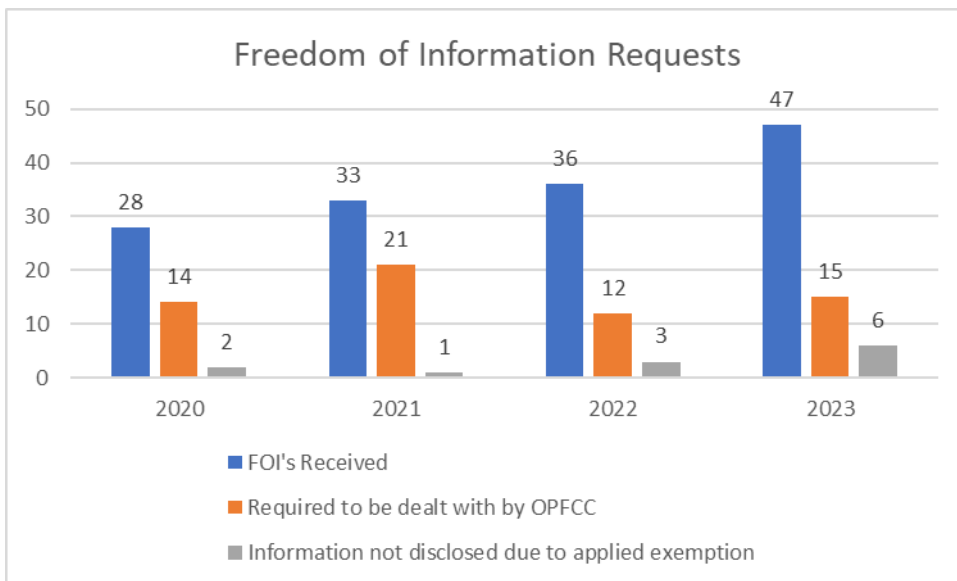
Commissioner as required under the funding arrangement. They should ensure this is carried out via a secure means of transmission.

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

2. Issues for Consideration

Freedom of Information Act

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



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

YEAR	N° of Requests Received	Within 20 working days	Over 20 working days	Request withdrawn	Internal Reviews	ICO Appeals
2020	28	26	2	0	0	0
2021	33	29	4	0	0	0
2022	36	33	3	2	1	1
2023	47	41	7	0	0	0

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

2.5 Information Provided:

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

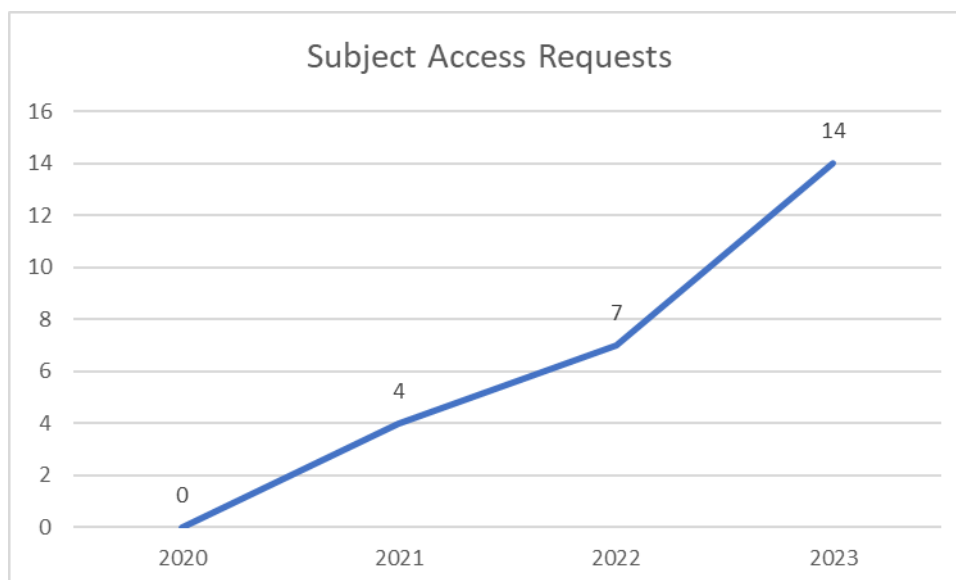
- 2.6 Having received a request, where the OPFCC does not hold the information as the information requested relates to the Constabulary; the requestor is advised of this and where appropriate provided with the contact details of the Constabulary.
- 2.7 Information is sometimes not disclosed due to an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

- 2.9 The OPFCC endeavours to be as open and transparent as possible with regards to the work it and Commissioner carries out. By taking this approach it also enables members of the

public to access such information and therefore negate the need for the public to request information via the FOI Act.

Data Protection Act – Subject Access Requests

- 2.10 Below is a chart detailing the number of requests received since 2019. As can be seen, the OPFCC does not as a matter of course receive or deal with large quantities of SAR's.



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

YEAR	N° of Requests Received	Within 1 month	Over 1 month	Request withdrawn	ICO Appeals
2020	0	0	0	0	0
2021	4	4	0	0	1
2022	7	7	0	2	0
2023	14	14	0	0	0

It is noted that 2023 showed an increase in the number of requests received. All 14 requests were seeking information potentially held by Cumbria Constabulary, therefore were provided with the relevant information to make a request to the appropriate body.

- 2.12 In 2023 no Data Protection breaches were identified.

3. Joint Data Protection Officer

- 3.1 With the introduction of the Data Protection Act 2018 and the General Data Protection Regulations (GDPR) on 25 May 2018, the OPCC was required to appoint a Data Protection

Officer. Their role is to inform and advise the Data Controller of their obligations under the UK GDPR and other relevant data protection laws; and be the first point of contact for the Information Commissioner.

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

4. Implications

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

Ethics and Integrity Panel



Constabulary Property Store Report

Date: 26 January 2024

Agenda Item No: 08

Originating Officer: Insp Kye Renyard

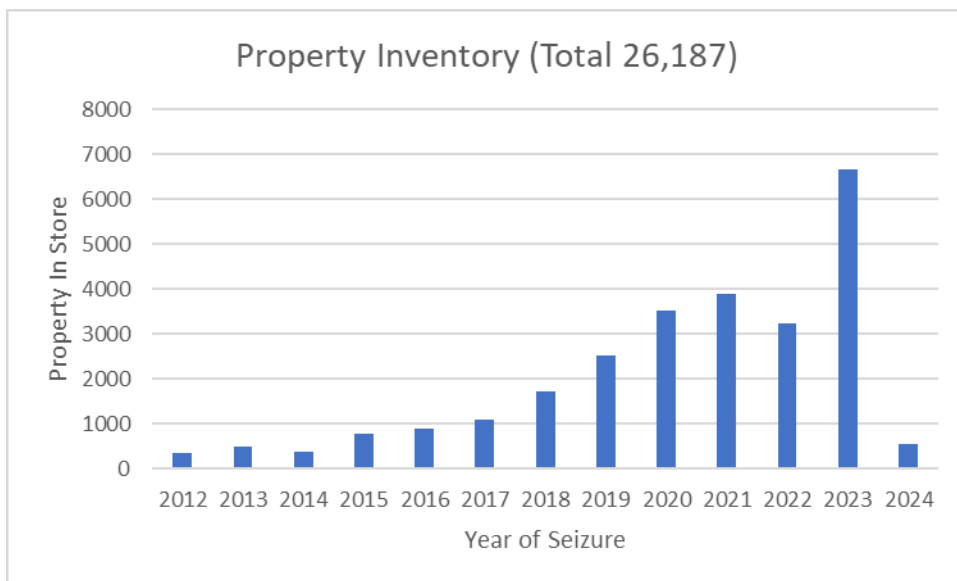
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Executive Summary:

There has been no significant change to the overall disposition of Constabulary property stores since the last report. Where the previous report sought to provide reassurance that remedial activity had been implemented to address deficiencies, the theme of this report is the establishment of a sound governance framework to enable sustained continuous improvement.

Actions have been centred on driving down the property inventory. The graph below shows the current number of seized property records, totalling 26,187, a reduction of 4,456 property register entries from 30,643 in the previous report.

Contracts have been agreed with Wilson's Auctions and Rebike for the disposal of seized and found property. These contracts will generate a modest income, however, will also reduce the number of items being sent to landfill and save on disposal costs.



Recommendation:

There are no recommendations seeking approval within this report. The Panel are asked to note the report.

1. Introduction & Background

1.1 To maintain consistency with the previous report, this report will detail activity against five key areas, restructure and staffing, freezer capacity and management, security and governance, health and safety and property disposal.

The Constabulary Property Portfolio Lead has transitioned to T/Supt Cherry since the previous report. A number of improvements have been implemented during this period, most notably the establishment of a governance framework which provides clear direction and oversight, whilst enabling collaboration with the Mark 43 property workstream. This coordination between the business as usual management of property and the project team will reduce implementation risk whilst ensuring the project is aligned to Constabulary needs.

2. Issues for Consideration**2.1 Restructure and Staffing**

Since the previous report the Constabulary has completed the recruitment and induction of all dedicated Property Assistants. These individuals are in post now, working directly to the Front Counter and Property Team Leaders in each BCU. Each main property store has a dedicated Property Assistant significantly improving ownership and accountability.

There is currently no intention to review the property establishment. Staff changes will be managed through routine HR processes with the property governance framework enabling appropriate escalation of issues where necessary.

2.2 Freezer Capacity and Management

The previous report detailed improvements to the Constabulary management of frozen evidence already implemented. There was an outstanding action to progress a business case for the replacement of domestic freezers with commercial alternatives. In progressing the business case indicative quotes were obtained from a single supplier, the costs associated with the proposals are c.£100,000 + VAT.

The business case has been drafted however, due to current financial pressures a further option is being considered, allowing an incremental implementation to spread the cost over four to five financial years.

2.3 Security and Governance

T/Supt Cherry has introduced a monthly property governance meeting, a copy of the terms of reference and agenda can be found at Annex A to this report. The agenda enables oversight of the

property inventory, with updates from the area Team Leaders, Deputy Property Lead, Health and Safety, and Mark 43.

This structured approach provides appropriate scrutiny of internal processes and enables a forum for continuous improvement. As a result, the property inventory is continuing to reduce with in-store items down 14.5% since the last report. For transparency a copy of the property inventory breakdown from the previous report is included at Annex B.

The consolidation of the property registers from 2012 onwards is continuing to prove challenging. Due to changes in the data recorded over the last decade, it has not been possible to amalgamate the existing lists into one document. Constabulary ICT continue to explore options to simplify the process as access to the data will enable more effective performance management. At present, ICT are exporting and consolidating the registers on a monthly basis ahead of the governance meeting, this will continue until a more automated system can be devised.

Two areas of security concern have been remediated since the last report. A transit property store has been introduced in Hunter Lane police station to bring the flow of property in that location into compliance with Force policy. In addition, the Hunter Lane transit and main property stores have been brought onto the PAC system enabling access to be recorded and monitored.

2.4 Health and Safety

A reduction in the total property inventory has reduced the general clutter within the property stores, inevitably this has made the stores safer places to work with easier access. Health and safety is an agenda item within the monthly governance meeting and actions are being managed against a Health and Safety Action Plan. There are currently no existing issues requiring escalation to the panel.

2.5 Property Disposal

Since the previous report contracts have been agreed with Wilsons Auctions and Rebike. This is a significant step forward for the property portfolio and enables an alternate disposal option for both seized and found property.

Aligned to the Constabulary strategy, specifically Community Focus, Rebike are a not for profit organisation based in Carlisle, they provide training and work placements for disabled and disadvantaged adults enabling engagement with vulnerable communities. Going forward the Constabulary will gift unclaimed seized and found bicycles to Rebike.

Wilsons Auctions provide a service to a number of Constabularies nationally, this contract will enable the disposal of unclaimed seized and found property, as well as Constabulary property. Willsons will facilitate the sale of a number of items that are expensive for the Constabulary to dispose of, including Nitrous Oxide, UV light bulbs, fertiliser, power tools and televisions. Although the revenue generated is likely to be modest, this will represent a cost saving and reduce the Constabulary carbon footprint.

Further work is progressing in the disposal of digital devices. The sensitive nature of material on many seized devices has resulted in delays to the contract being agreed with ICT Reverse whilst due diligence is conducted. ICT Reverse have provided a comprehensive accreditation pack which the Constabulary ICT department are currently working through.

The introduction of a governance framework is facilitating the flow of continuous improvement recommendations from the recently established team. The Westmorland and Furness Team Leader has recently challenged a previous assumption that property must be retained for the duration of a convicted offenders sentence. Working collaboratively with Force Legal the position has been clarified with, in many cases, property suitable for disposal after 28 days.

2.6 Conclusion

Significant remedial activity was undertaken throughout 2023. The completion of these remedial actions, recruitment and the establishment of a property team supported by a governance framework is delivering improvements to the management of property across the Constabulary. The inventory is reducing, this will improve staff capacity, enabling greater compliance. The focus throughout this year will be building upon recent successes to create a culture of continuous improvement and establish an optimum inventory, where the items seized each month are comparable to those disposed of.

3. Implications

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

3.1 Financial

N/A

3.2 Legal

N/A

3.3 Risk

N/A

3.4 HR / Equality

N/A

3.5 I.T

N/A

3.6 Procurement

N/A

3.7 Victims

N/A

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)

ANNEX A – Property Governance

ANNEX B – Property Inventory August 2023

ANNEX A – Property Governance

Chair	Ch Supt. Portfolio holder To ensure consistent & corporate delivery of property management across Cumbria	Vice Chair	Deputy Property Lead
Frequency	Monthly	Duration	1 hr

Property Governance – Terms of Reference



Purpose – To provide strategic direction and oversight to the property teams	
Objectives	Members
<ul style="list-style-type: none"> Provide strategic direction to the property teams force wide. Monitor and drive performance across the property teams as set out within the performance framework. Identify strategic property issues and trends force wide and ensure appropriate action is taken. Support activity within NPCC and APP guidelines and ensure processes and policies are sufficient to achieve these. Ensure consistent property management force wide. Promote force wide network of sharing good practice and lessons learned to continuously improve service delivery. Identify opportunities for CPD and training to equip the property team with appropriate skills. Ensure the maintenance of a safe working environment within the property stores. Review and support wellbeing and welfare of staff and officers including reward and recognition. 	<ul style="list-style-type: none"> Chair – Superintendent Property Portfolio Vice Chair – CI/Insp Deputy Property Lead BCU Front Counter and Property Team Leaders BCU Property Portfolio Insp Health and Safety Advisor Estates representative Mark43 representative <p>Other representatives may be invited to attend at the discretion of the Chair based on need or request</p>

Audit and link to documentation			
Face to Face	No	Teams Site	No
Teams Meeting	Yes	OneNote	Yes
Meeting Recorded	No	Action	Yes
Minutes Recorded	No	Decisions	Yes
		Risk Register	No

To deliver an outstanding police service to *Keep Cumbria Safe*



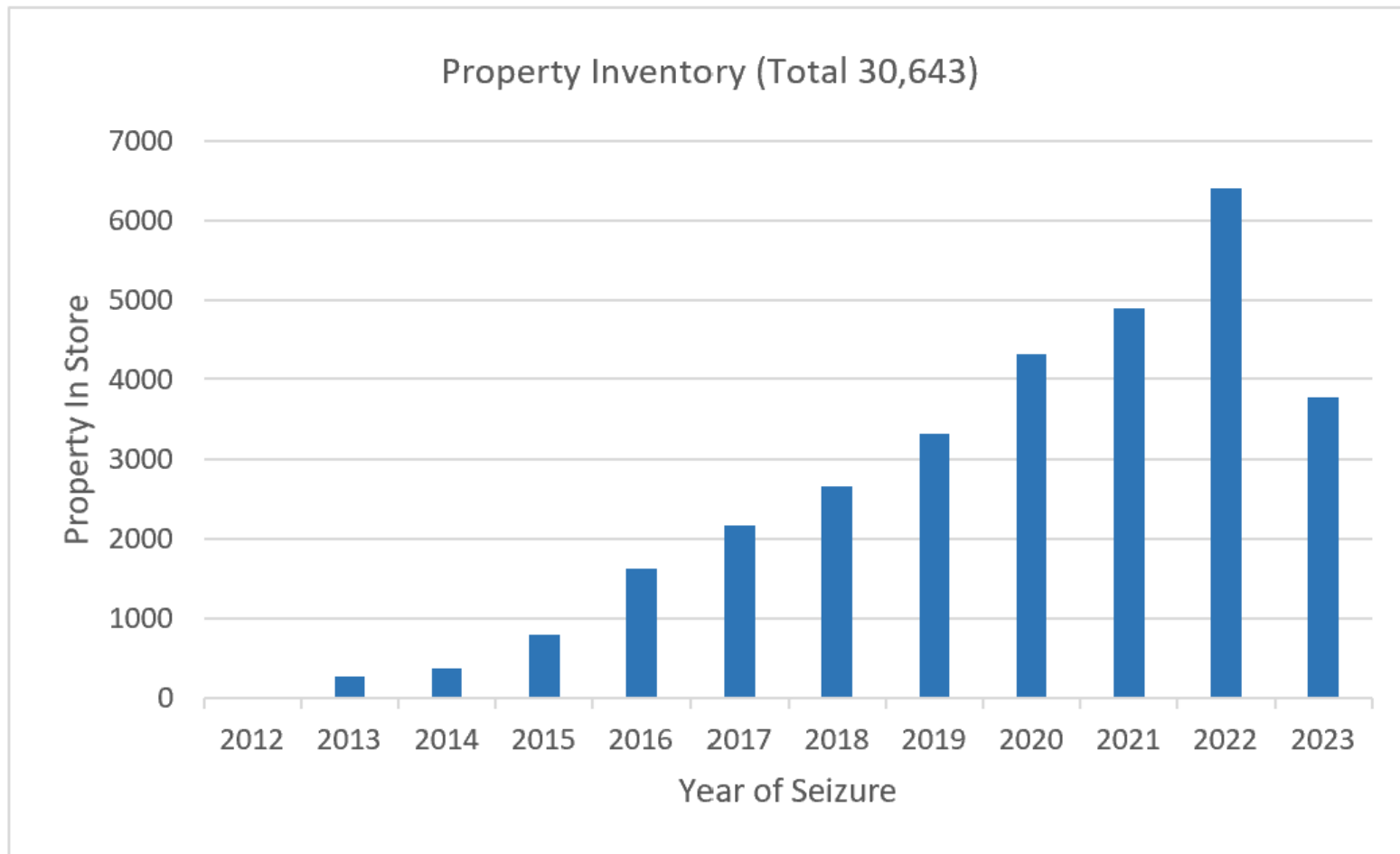
Property Governance: Monthly Meeting Agenda

Teams Meeting

Agenda	Speaker
1. Apologies	Chair
2. Actions from the previous meeting	Chair
3. Inventory management <ul style="list-style-type: none"> Property register breakdown (by year) Items in / out 	Deputy Property Lead
4. Area updates (Cumberland and Westmorland & Furness) <ul style="list-style-type: none"> Store capacity (Transit / Main / Freezer) Disposal Audits Staffing 	Front Counter Team Leaders
5. Improvements <ul style="list-style-type: none"> Wilson's Auctions Rebike ICT Reverse Cannabis disposal 	As appropriate
6. Health and Safety <ul style="list-style-type: none"> Review of the Health and Safety Action Plan 	Deputy Property Lead / Health and Safety Advisor
7. Mark 43	TBC
8. Any Other Business	As appropriate
9. Recognition	As appropriate
10. Date of next meeting	Chair

To deliver an outstanding police service to *Keep Cumbria Safe*

ANNEX B – Property Inventory August 2023





Professional Standards Department
Ethics and Integrity Panel Report
2023/2024 Q3

January 2024

T/DCI Hayley Wilkinson – Head of Professional Standards

Lauren Curwen – Force Intelligence Analyst, Anti-Corruption Unit

OFFICIAL – SENSITIVE

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

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

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

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

This report covers 2023/2024 Quarter 3 (Q3), 01/10/2023 to 31/12/2023. Figures in this report are correct as of 05/01/2024.

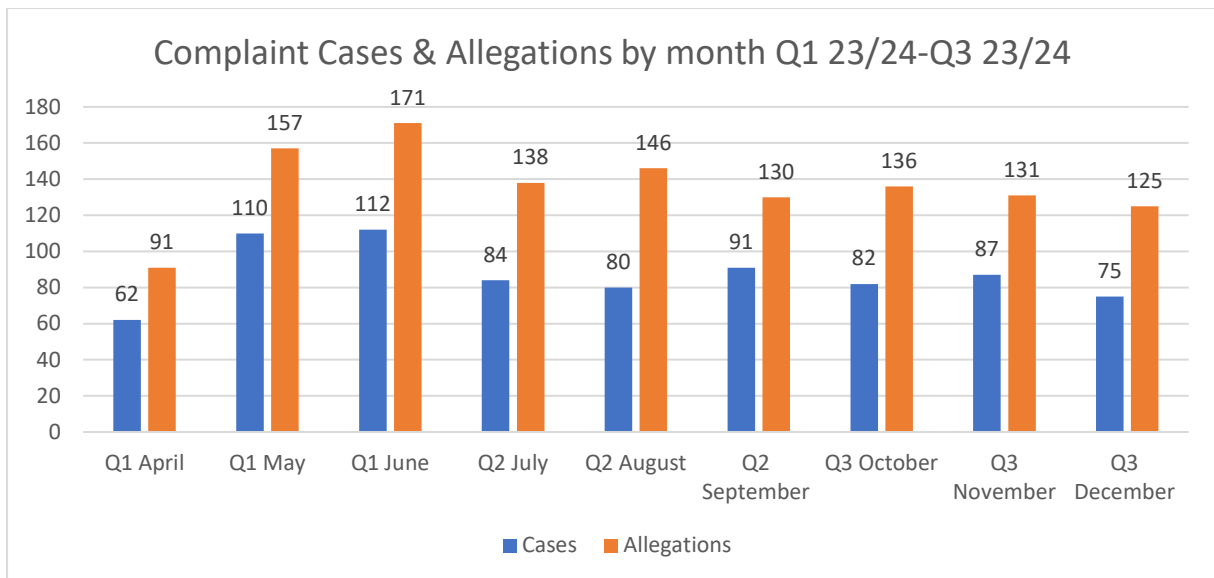
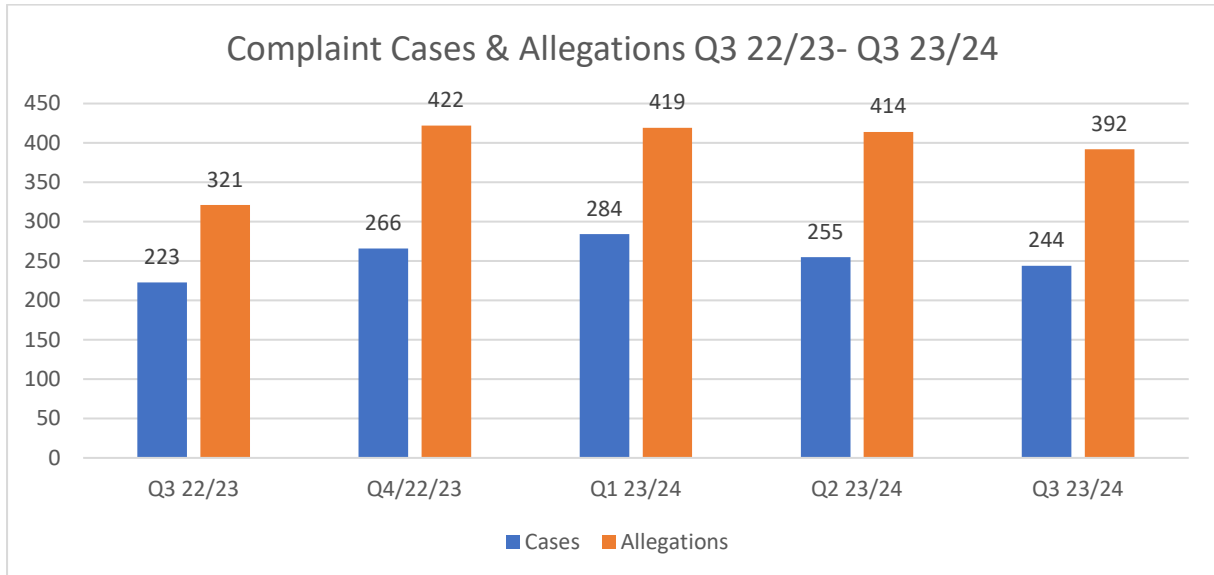
Conduct, Anti-Corruption Unit Intelligence, and certain commentary within the Public Complaints sections are not for publication. Please consult with the Head of Professional Standards prior to publishing any of the contents of this report.

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

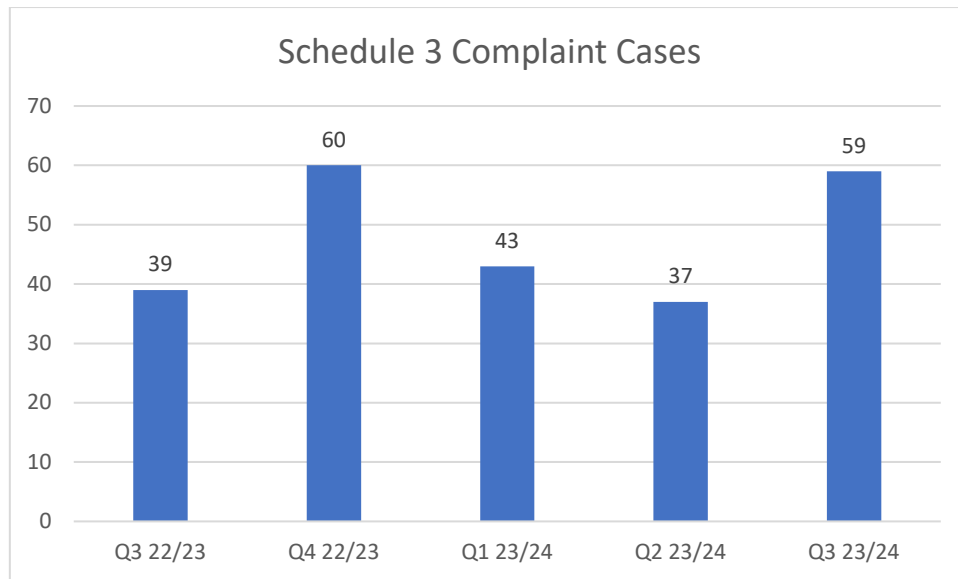
Unless otherwise stated, the below sections relate to allegations recorded within a given quarter and added to a case which has been logged/recorded in the same quarter. They do not include allegations which have been logged/recorded but added to an earlier quarter's case, e.g., allegation recorded in Q1 but added to a Q2 case; this is to allow more like for like comparisons between quarters.

Public Complaints

Complaints (expressions of dissatisfaction) have decreased in Q3 when compared with Q2. Cases have decreased by 4% and allegations have decreased by 5%. This small decrease in both cases and allegations coincides with decreases in the number of incidents and crimes reported when compared with Q2 ([Appendix C](#)).



Schedule 3 complaints cases have significantly increased in Q3 compared to Q2. This quarter has seen 59 schedule 3 complaint cases which is a 59% increase when compared to Q2 where there were 37 cases.



The higher number of schedule 3 complaints in this quarter may be due to improved understanding of recording, however, I believe there is also a correlation with the decreased performance in handling times for expressions of dissatisfaction..

Handling Times

The time between cases to received to initial contact has continued to improve in Q3. The figures for Q2 23/24 are in the first tables and those of Q3 23/24 are shown underneath.

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

Q2 23/24	July	August	September
0-5 days	72	81	78
6-10 days	3	1	3
11-20 days	2	1	2
21-30 days	4	1	1
Over 31 days	0	0	0

Q3 23/24	October	November	December
0-5 days	77	84	72
6-10 days	2	1	1
11-20 days	1	1	2
21-30 days	1	0	0
Over 31 days	1	0	0

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

Q2 23/24	Outside of Schedule 3	Schedule 3
0-5 days	205	35
6-10 days	5	2
11-20 days	5	0
21-30 days	4	2
Over 31 days	0	0

Q3 23/24	Outside of Schedule 3	Schedule 3
0-5 days	181	54
6-10 days	0	4
11-20 days	4	0
21-30 days	1	0
Over 31 days	0	1

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

Q2	July	August	September
0-5 days	84	81	81
5+	6	2	2

Q3	October	November	December
0-5 days	78	85	74
5+	4	1	1

A total of 237 cases (98% including De-Recorded cases) were logged within 7 days of having been received in Q3, this percentage is higher to that of the previous quarter, Q2 (96%).

Average Finalisation Times of Cases Logged/Recorded and Finalised

Finalisation figures include only cases logged in Q3 and finalised in Q3, they do not include roll over legacy cases from previous quarters, this allows a fair comparison between quarters.

	Average number of days to finalise Complaint Case Outside Schedule 3	Average number of days to finalise Complaint Case Schedule 3
Q1 21/22	17.5	31.4
Q2 21/22	4.91	31.81
Q3 21/22	7.15	26.88
Q4 21/22	5.98	26.09
Q1 22/23	6.73	21.5
Q2 22/23	10.4	20.6

Q3 22/23	18 <i>(Including De-Recorded Cases)</i>	30 <i>(Including De-Recorded Cases)</i>
Q4 22/23	17.44 <i>(Including De-Recorded Cases)</i> 150 Finalised 81 Cases remain Live	44 <i>(Including De-Recorded Cases)</i> 7 Cases Finalised 54 Remain Live
Q1 23/24	30.08 113 Finalised 69 Live	35.66 3 Finalised 34 Live
Q2 23/24	19.2 153 Finalised 65 Live	52.2 7 Finalised 27 Live
Q3 23/24	29.06 121 Finalised 64 Live	42.2 15 Finalised 33 Live

Within this quarter we can see a significant decrease in performance with the time taken to finalise cases. In Q2 only 28.12% of cases were finalised within 28+ days, however in Q3 75% off all cases finalised were done in 28+ days. This figure is like that of Q1 62.93% of cases finalised where done within 28+ days. It should be noted that in this quarter there were 'days of action' on the 23/11/23 and the 5/12/23 whereby a significant number of historical cases were reviewed and finalised so this will account for the large number of cases closed in the 28+ category.

Q2 23/24	Days to Finalise	Count of Cases
1 Week	0-6 Days	15
2 Weeks	7-13 Days	27
3 Weeks	14-20 Days	46
4 Weeks	21-27 Days	27
Over 4 Weeks	28+ Days	45
Remain Live	N/A	92

Q3 23/24	Days to Finalise	Count of Cases
1 Week	0-6 Days	6
2 Weeks	7-13 Days	2
3 Weeks	14-20 Days	10
4 Weeks	21-27 Days	16
Over 4 Weeks	28+ Days	102
Remain Live	N/A	97

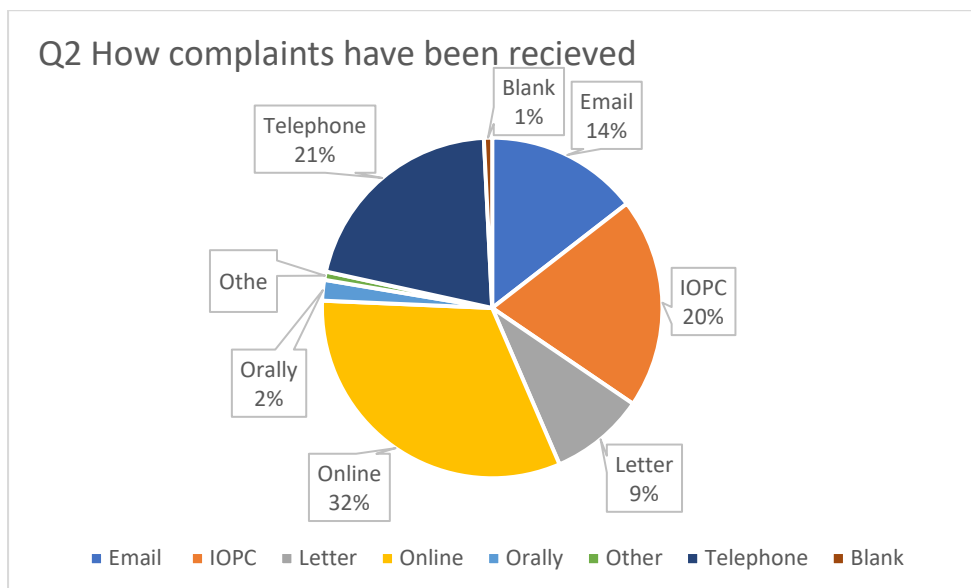
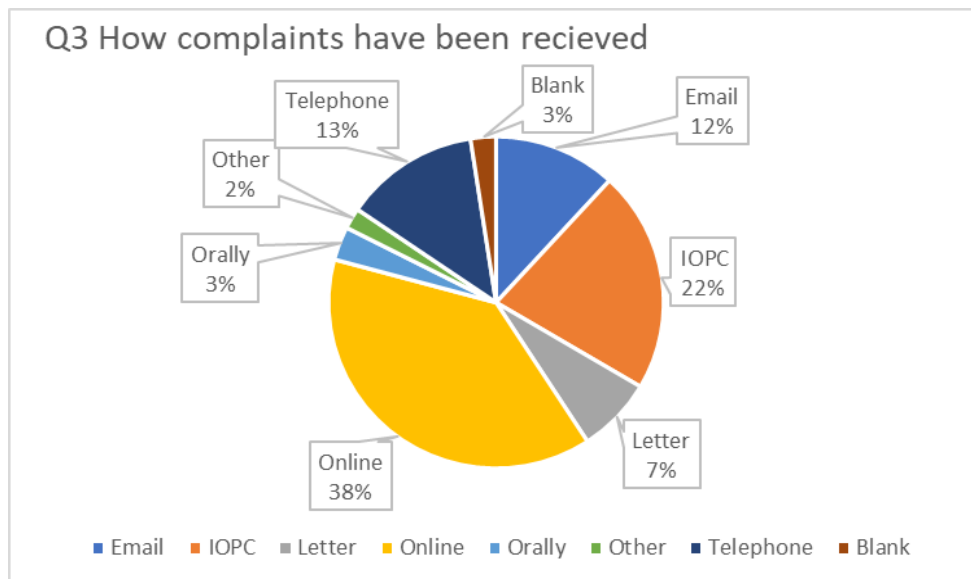
The total number of cases logged/recorded in Q3 and finalised in Q3 was 136 and those logged/recorded in Q3 and remaining live at the end of Q3 is 97. This is a 55/39 split and shows a small decrease in performance compared to 83 which was a 63/36 split.

During Q3 79% of cases were *Resolved*, 3% were *Not Resolved NFA*, 6% The service provided was acceptable, 1% the service provided was not acceptable, 2% Not determined if the service provided was acceptable, 1% No case to answer an 8% De recorded. (*Appendix F*).

Complaints demand has been logged as a risk on our command risk register. I have taken the decision to suspend the answer machine service for a short time until we have a fit for purpose process to answer the phone to complainants. We have met with Ian Kennedy to discuss reviews and received advice. The business change review should progress imminently, and we are exploring options to help support the review.

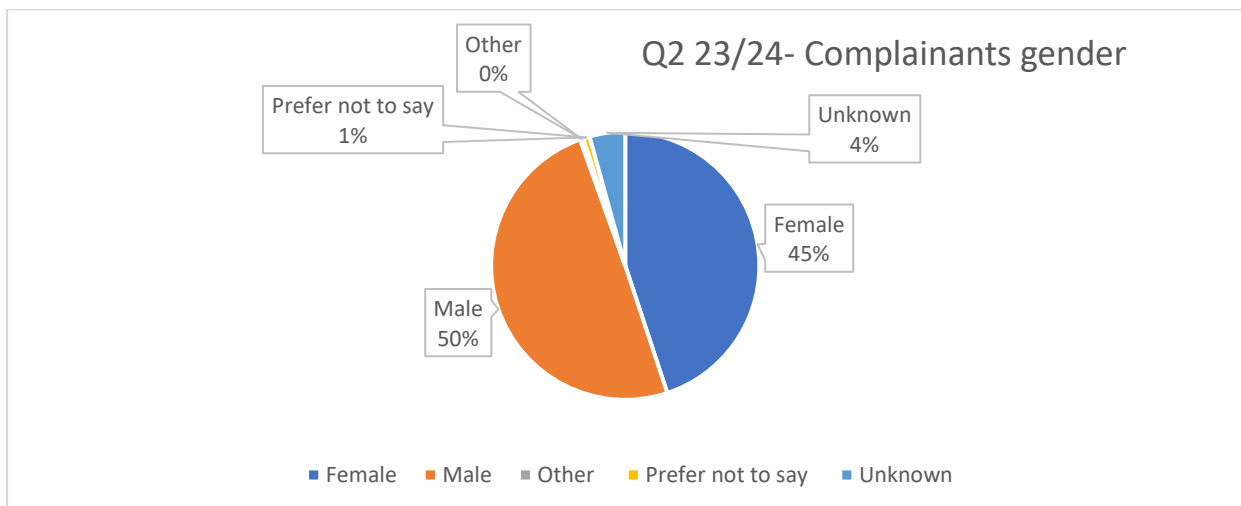
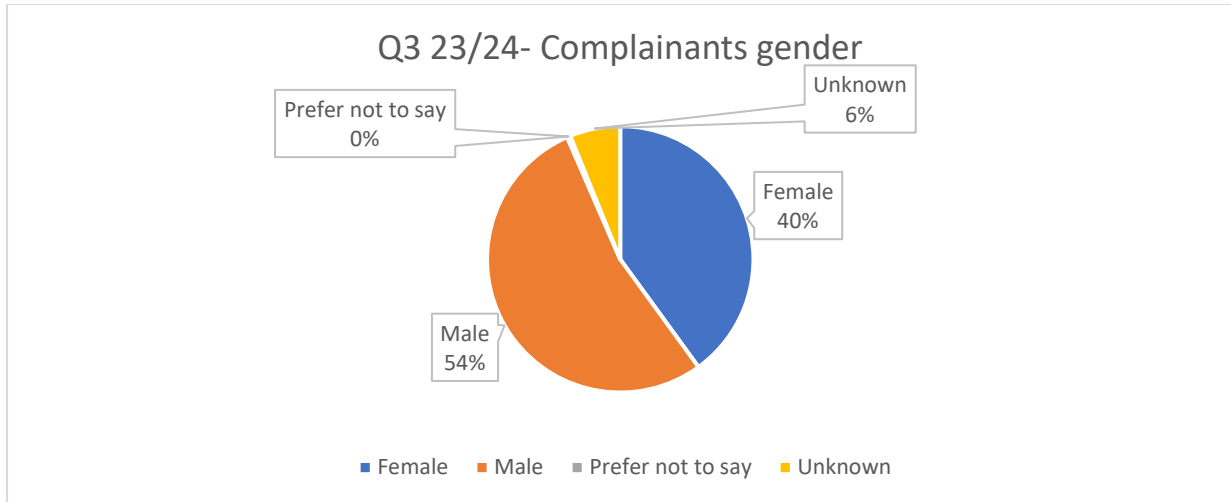
Complaints Received

During Q3 244 complaints (including 11 De-Recorded) were received through various routes; Online complaints remain the most common. There has been a small increase in the number of complaints received online and through the IOPC. The number of complaints received via telephone has decreased from 21% in Q2 to 13% Q3. The overall percentage in all other routes are similar to that of Q2.



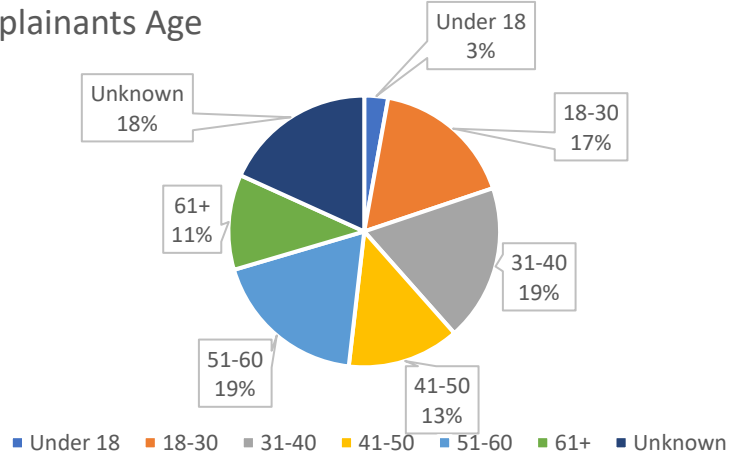
Complainant Characteristics

From the Complainant Characteristics data available, complaints are still more likely to be submitted from Males (54%) rather than Females (40%). This an increase of 4% for male complainants and a decrease of 5% for female complainants when compared to Q2.

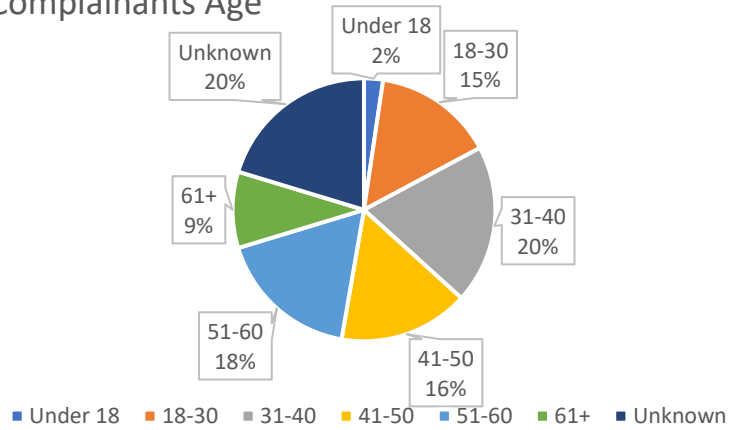


For the complainants Age the overall percentage in all age categories have remained similar to those of Q2.

Q3 23/24 Complainants Age

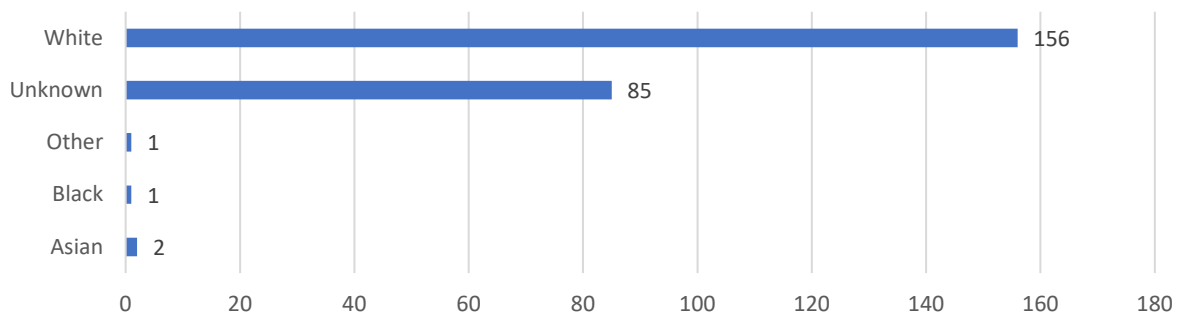


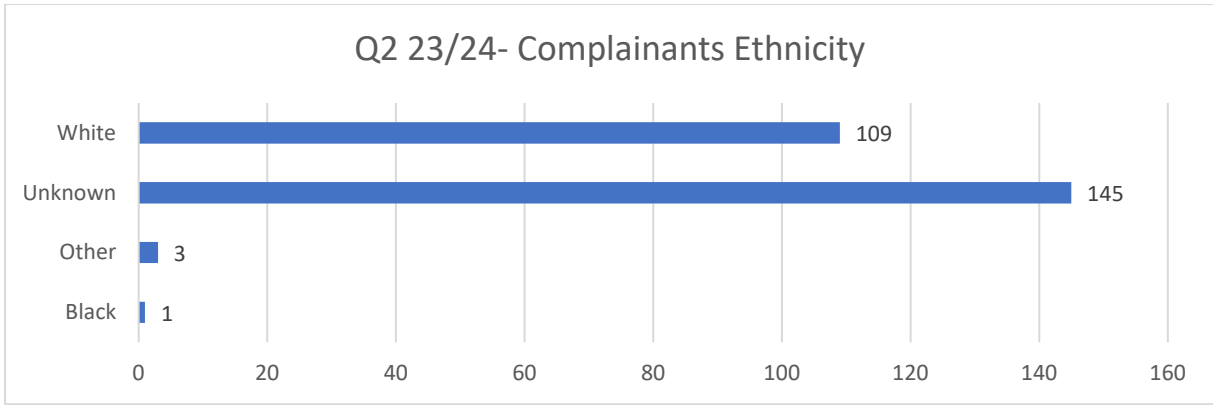
Q2 23/24- Complainants Age



There has been a significant reduction in the number of complainants in the 'unknown' ethnicity category in Q3 compared to Q2. In Q2 the Ethnicity of the complainant was unknown for 56% of cases, whereas in Q3 this has now gone down to 35%. This shows that we are now starting to see some improvements with diversity data being captured.

Q3 23/24 Complainants Ethnicity



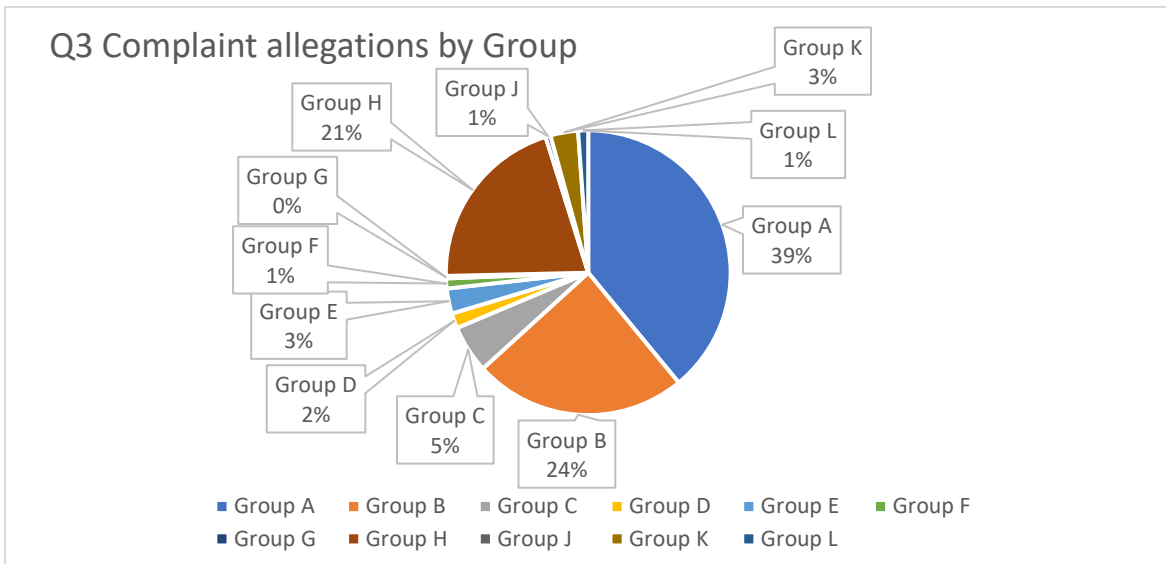


See [Appendix D](#) for breakdown of *Complainant Ethnicity: Self Classification*.

We have invested time in continued professional development (CPD) training days for PSD staff, and introduced a performance management framework, including finalisation quality assurance checks and dip sampling regards quality.

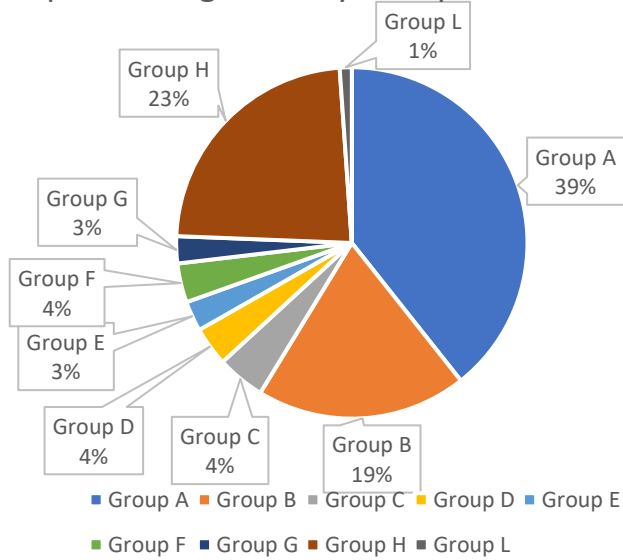
Complaint Allegations

Most complaint groups have a similar share of allegations in Q3 when compared with Q2. The most common complaint group continues to be *Group A – Delivery of duties and service*, however, unlike previous quarters where group H has continuously been the second most common, this quarter has seen an increase in Group B complaints, and this is now second. The number of group B complaints have increased by 5% and the number of Group H complaints have reduced by 2%, with Group H now the third most common complaint category.



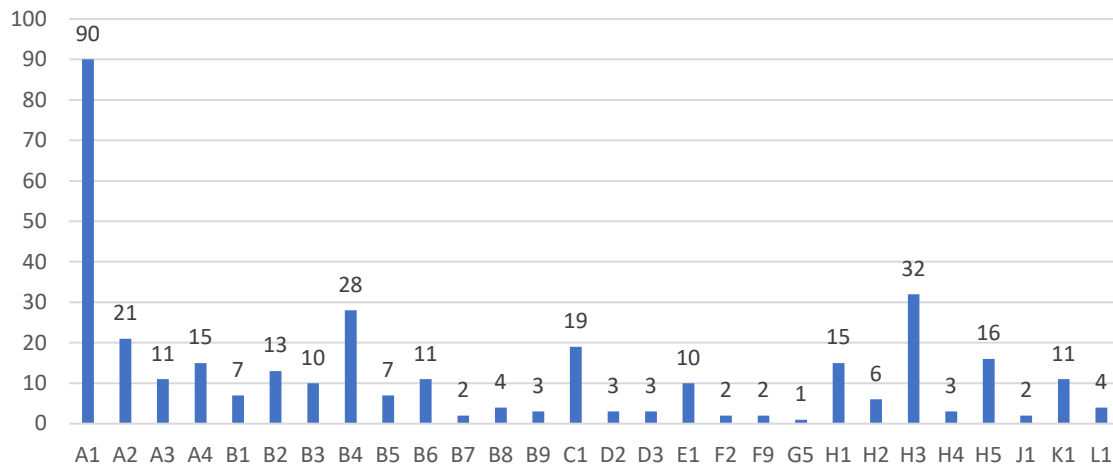
Complaint Group
A-Delivery of duties and service

Q2 Complaint Allegations by Group



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

Q3 23/24 Complaint allegations by Sub type



See [Appendix B Table B3](#) for comparison with Q2.

Group H – Individual Behaviours

	Q1 21-22	Q2 22-23	Q3 22-23	Q4 22-23	Q1 23-24	Q2 23-24	Q3 23-24	% Change Q2 to Q3
Group H	67	68	59	90	76	84	72	Decrease of 14%

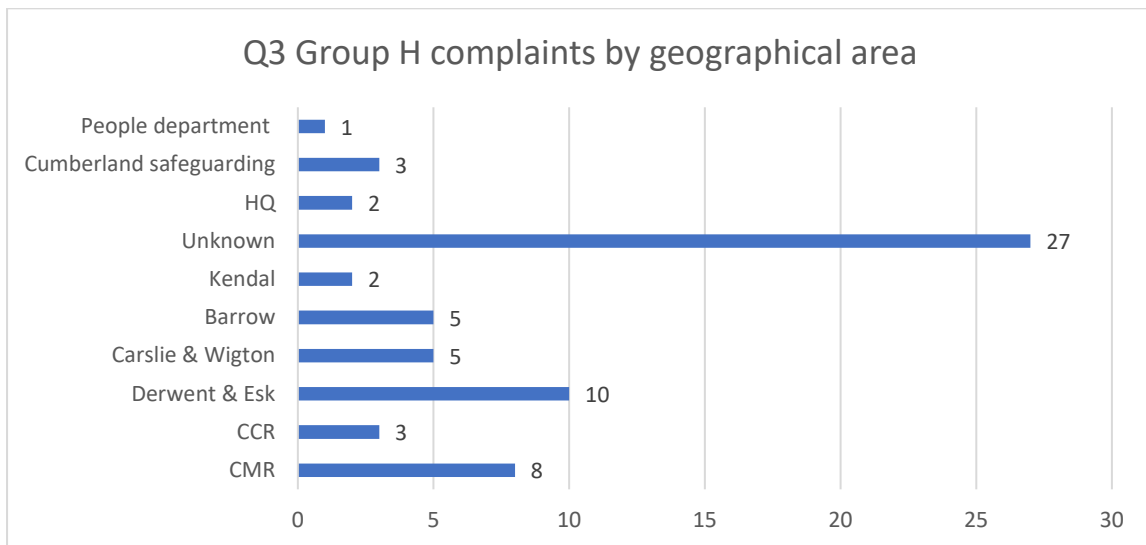
When comparing the Group H figures from Q2 to Q3 there has been...

- **H1 Impolite language and tone**, a decrease from 28 to 15.

- **H2 Impolite and intolerant actions**, a decrease from 8 to 6.
- **H3 Unprofessional attitude and respect** an increase from 18 to 32.
- **H4 Lack of fairness and impartiality** a decrease from 9 to 3.
- **H5 Overbearing or harassing behaviours** a decrease from 21 to 16.

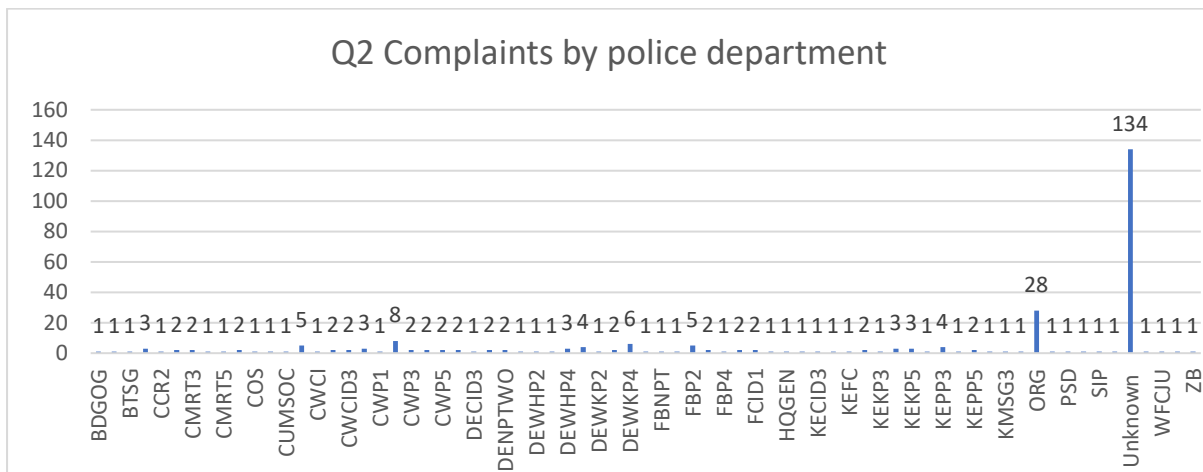
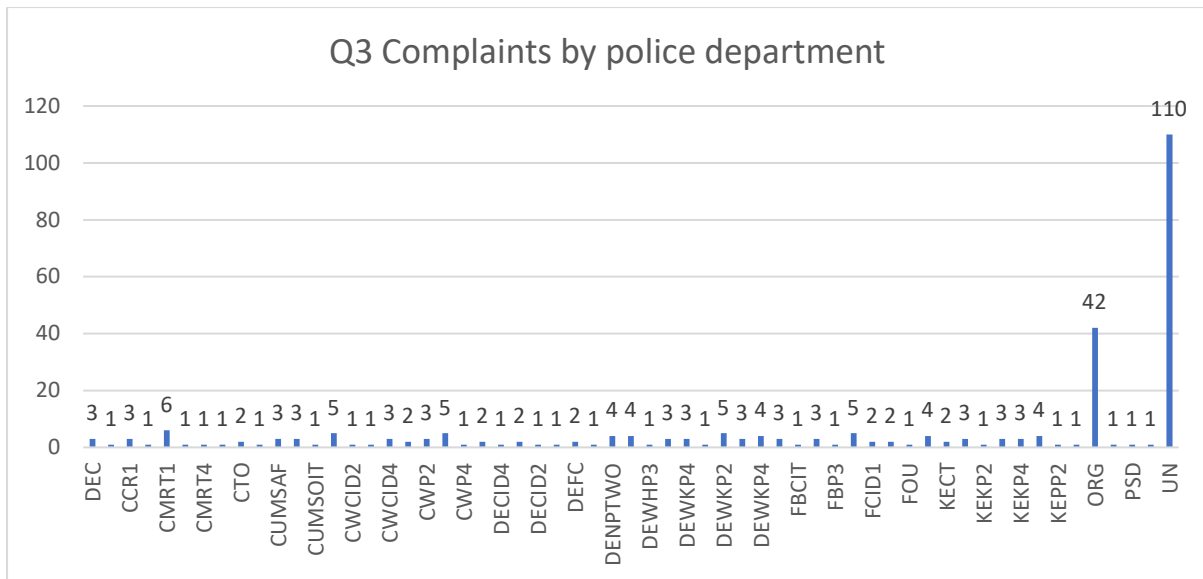
Of the 72 complaint cases citing an allegation from Group H, 11 of these refer to national factor *Call Handling* and 19 for *Investigations*.

There are 65 officers noted on Group H complaints, 27 of these are repeat officers with 3 or more complaint/conduct cases against them in the last 12 months. The area with the most Group H complaints is Unknown with 27 complaints, second is CMRT1 with 4 complaints and third is CCR1 with 3 complaints. Out of all of the group H complaints there was only one learning identified.



Right care, right person is not yet implemented, however, a culture shift towards this may contribute to increased H3 complaints for CCR and CMR. However, the unknown numbers prevent proper insight into this.

Complaints by Department



Data concerned with the complaints received by police department is now available. However, the data shows that the 'unknown' category is the largest with 110 complaints being part of this category which means a full analysis of the complaints by department cannot fully be achieved.

Addressing the number of unknowns is something that we will focus on improving the quality on by including this in the quality assurance finalisation check / dip sampling.

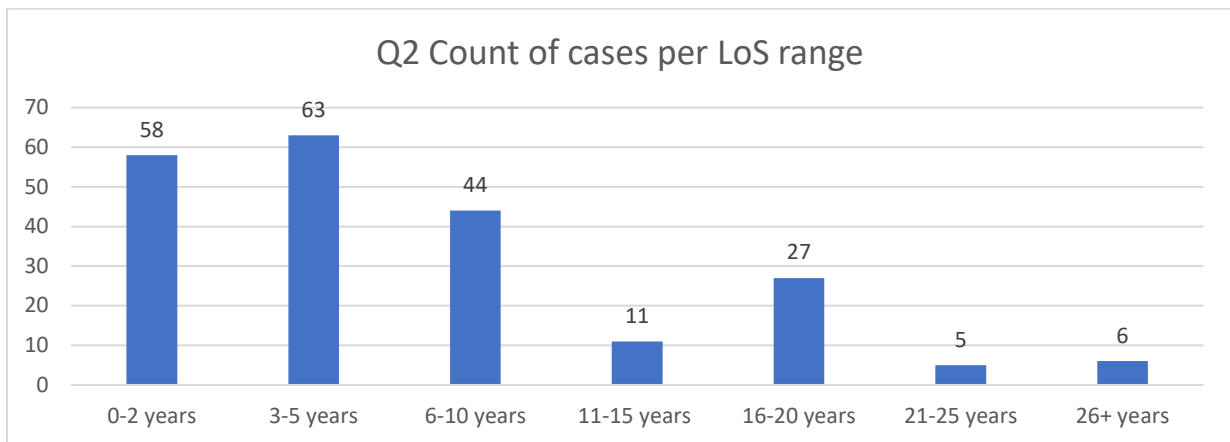
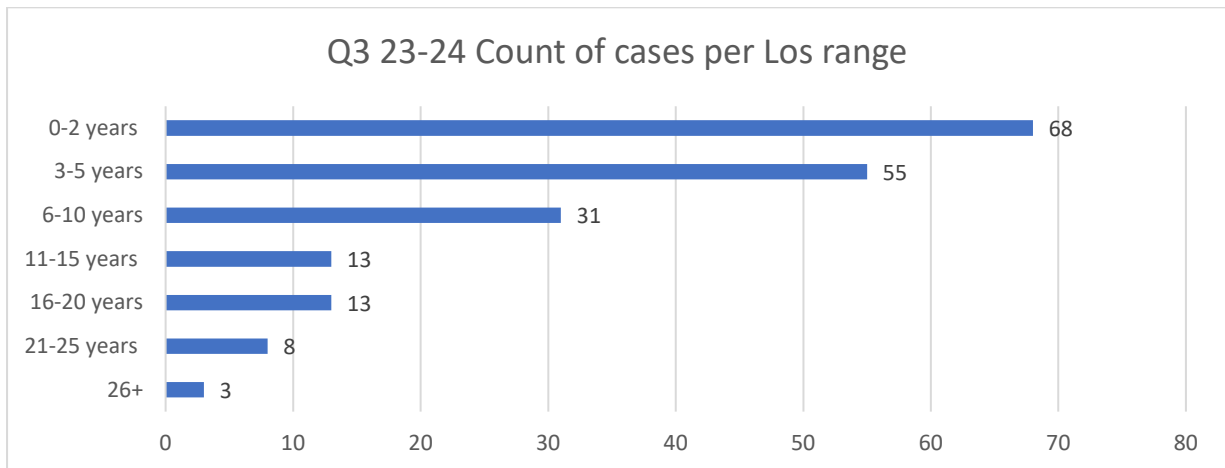
Referrals to the IOPC

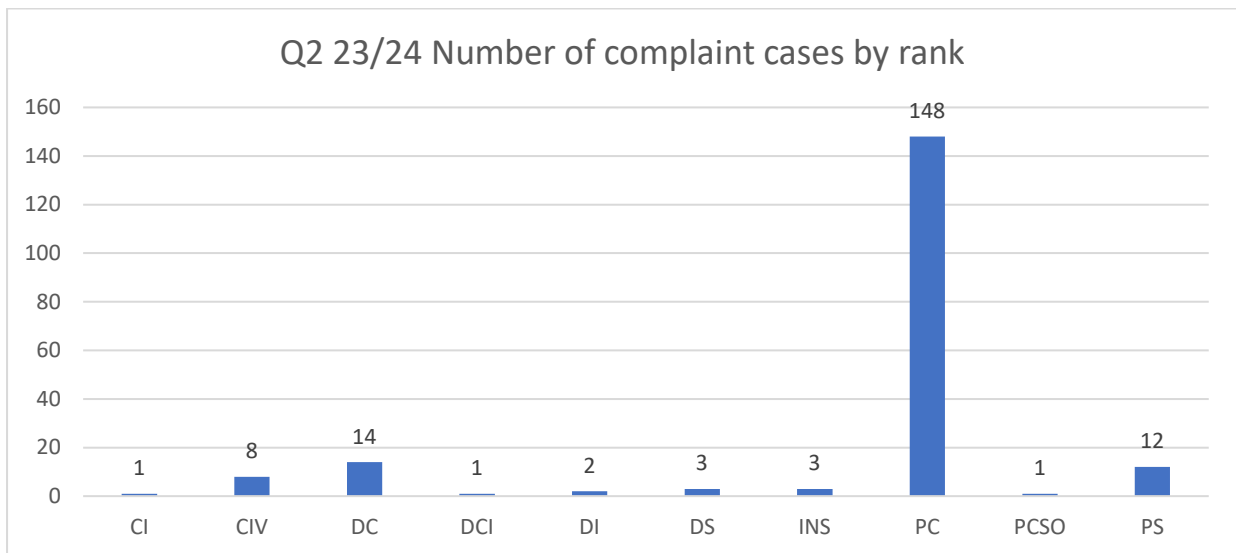
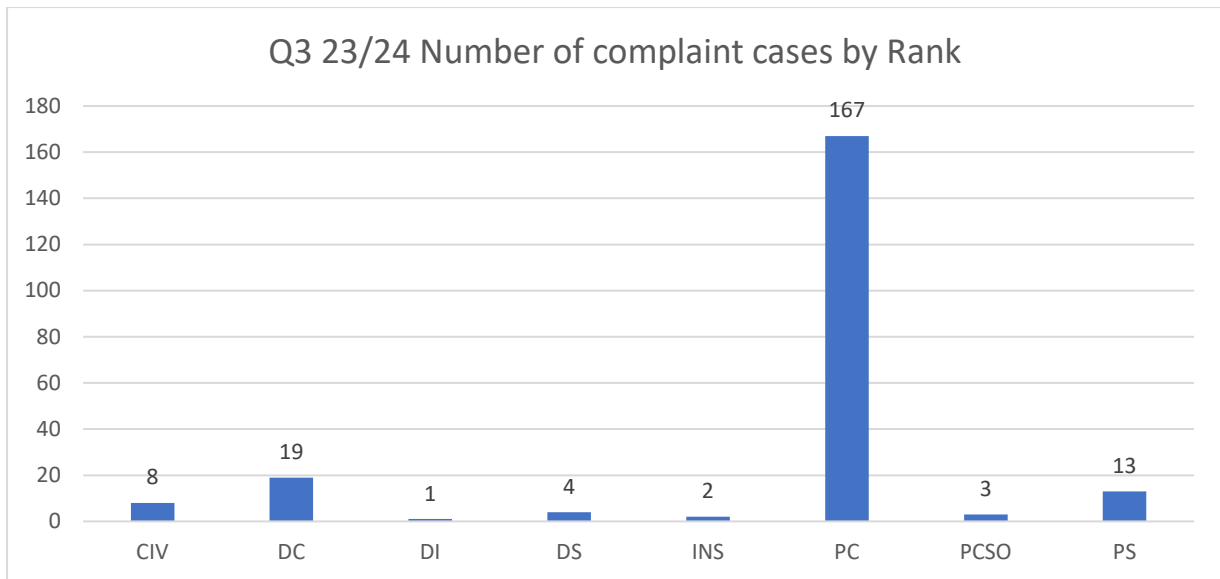
Between October and December 2023, Cumbria Constabulary referred a total of 6 cases to the Independent Office for Police Conduct (IOPC), 3 of these resulted from complaints and 3 from conduct cases.

1 evidential procedure, 1 Race/Sexual assault, 1 Use of police systems, 1 discreditable conduct/use of force 1 handling or damage to property/overbearing or harassing behaviours/sexual assault/use of force and 1 discreditable conduct.

Length of Service

In Q3 a total of 191 individuals were cited as the subject, however, 67 of the total cases do not cite any known individuals. This is likely due to the number of cases still Live at the end of Q3, thus, the below data is again to be considered with caution.





In Q3 when an individual has been identified as the subject it is police officers with less than 5 years' service, who are most likely to be subject of the complaint. These findings are the same as Q2 and Q1. The highest number of complaints for LoS range is 0-2 years' experience with 68 cases (37%). The highest age range in Q2 was 3-5 years' experience. The second highest complaint category per LoS range is 3-5 years with 55 cases 29%. As shown in the above chart, as the length of experience increases the number of complaints significantly decrease.

These figures reflect those previously discussed regarding a young workforce, and those young in-service predominating public facing roles. Following the code of ethics being embedded, some internal communications work will be done around prevention and building strong working relationships between PSD and other areas of business, e.g., Human Resources and Learning and Development.

Vetting

The vetting team processed 201 vetting applications within this period, broken down as follows:

- NPPV's = 102
- PCSO's = 2
- Police Officer applications (including internal moves) = 53 with 2 rejected.
- Transferees = 5
- Specials = 2 with 1 rejected.
- Police Staff applications (including internal moves) = 37 with 2 rejected.

There are no pending applications, conditional clearances, or withdrawals during the vetting process.

Regulatory changes to vetting will be introduced later this year, which will impact on demand in vetting units and PSDs generally. Not least, we will start to see an increase in internal vetting refusals, as has been the national trend following the Casey review findings.

Other Updates and Hot Topics

Organisational Learning

Lessons Learnt in Q3 spanned a variety of topics ([Appendix H](#)), 14 Lessons were issued in Q3, a reduction of 4 compared to Q2. Themes have included lack of updates and the quality of investigations.

We have introduced an organisational learning SharePoint page to keep a record of this for staff to refer back to.

Freedom of Information (FOI) Requests.

This quarter saw an increase in FOI requests, particularly concerning vetting and sexual misconduct. We have a solution to reduce the demand that answering each FOI brings, whilst providing sufficient information to the public. However, we are conducting some fact finding with other forces before it is published.

New Code of Ethics and supporting Code of Practice Overview

The 'code' consists of two separate but complementary products:

1. The 2023 **Code of Ethics** – helping people to be the best policing professionals they can be (retained name due to brand recognition but is actually guidance, not legislated)

- **Ethical policing principles** – to help people make the right decisions and actions - (supports ethical considerations in using the NDM)
- **Guidance on ethical and professional behaviour** – to help people do the right thing – sets out expectations for ethical and professional behaviour.

2. The Code of Practice for ethical policing

- New separate Code of Practice
- For chief officers and to provide the organisational and cultural environment to promote ethical behaviour

The 2023 Code of Ethics:

Code of Ethics 2023

The aim of the new code:

Fewer principles, better explained

Clearer expectations and practical advice

Focus on reflection and learning

Developed by policing for everyone in policing

Clarity on when expectations are not met



Working together
to prevent crime

2023 ethical policing principles

Fewer and better explained

doing the right thing

Courage

- Taking responsibility
- Setting an example
- Challenging unprofessional behaviour and practice
- Being honest, open and accountable
- Encouraging feedback and scrutiny

in the right way

Respect and empathy

- Listening with care and respect
- Listening to and understanding different perspectives
- Understanding the impact of emotions and welfare
- Responding to individual needs
- Being fair and impartial

for the right reason

Public service

- Delivering a service to be proud of
- Acting lawfully
- Understanding and responding to community needs
- Reflecting on and applying knowledge and experience
- Improving our self, our peers and profession

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Guidance for professional and ethical behaviour in policing

- Applies and provides support for everyone in policing

- Positive workplace culture
- Does not cover all situations
- Uses inclusive and positive language and to give clarity about:
 - being a member of the policing profession
 - being open, honest and candid
 - fairness and respect
 - decision making
 - recognising the opportunity to learn
 - challenging unprofessional behaviour
 - when behaviour does not meet expectations
- Guidance (not a code)

The Code of Practice for Ethical Policing:

Provides direction to chiefs and forces around institutional and cultural conditions to support ethical behaviour.

- Ensuring professional, ethical, and respectful behaviour
- Challenging unprofessional behaviour
- Staff welfare
- Ensuring openness and candour
- Supporting continuous professional improvement
- Recognising and responding to misconduct

The 2023 Code of Practice for ethical policing has been developed to help forces create the environment and culture where people can follow the Code of Ethics and succeed.

Appendices

Appendix A - Public Complaint Cases and Allegations Q3 2021-2022 to Q3 2023-2024

Chart A1 Q3 2021-2022 to Q3 2023-2024 Complaint Cases and Allegations

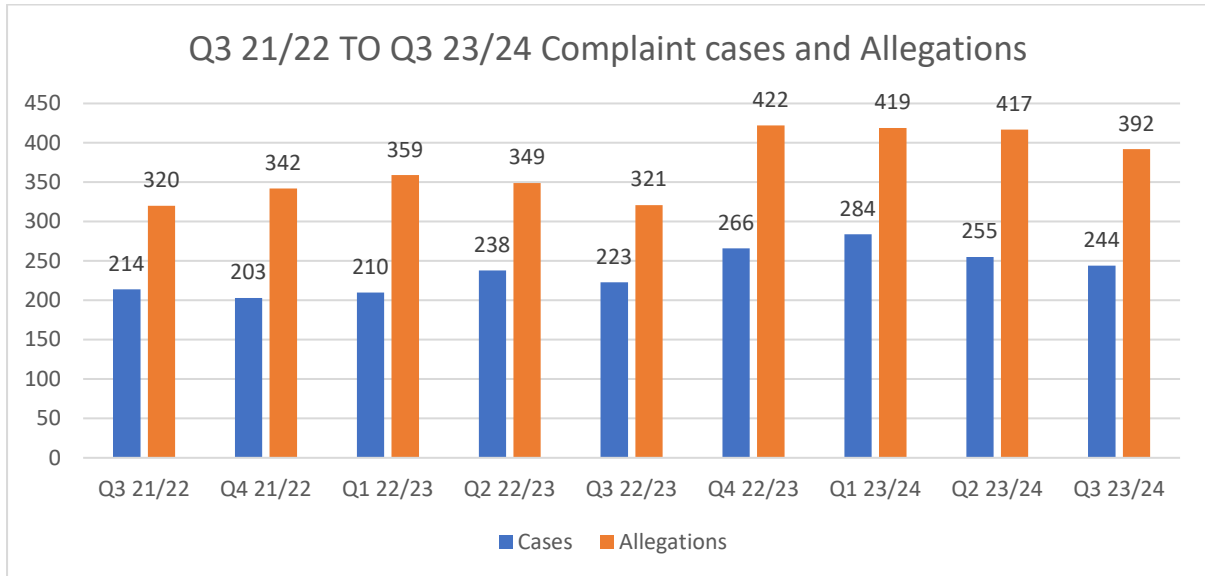
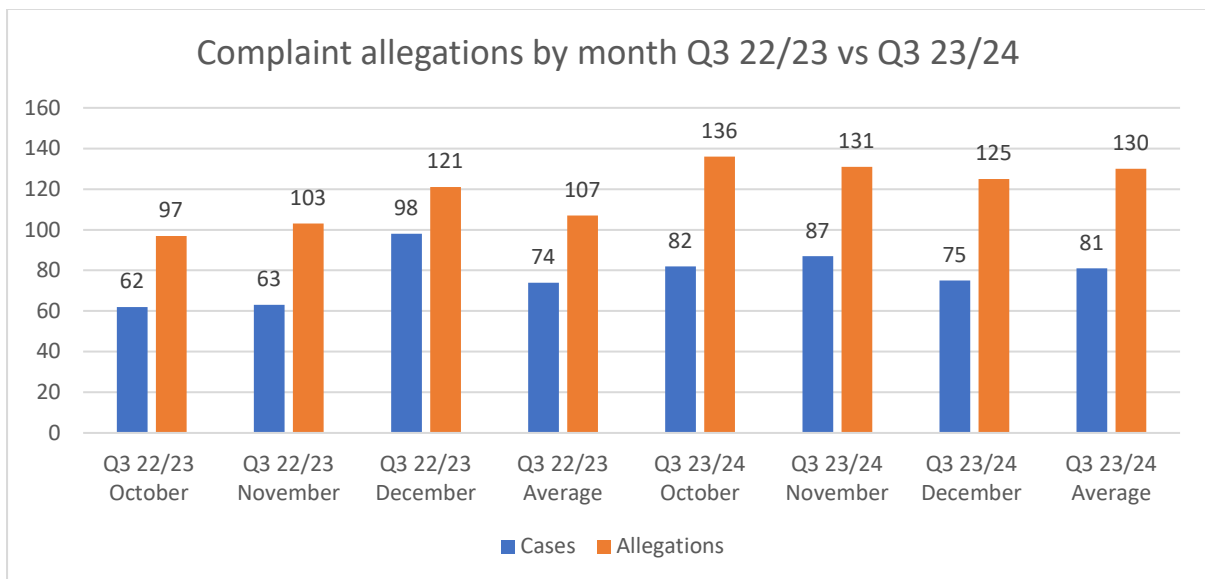


Chart A2 Q3 2022-2023 vs Q3 2023-2024 Complaint Cases and Allegations by Month



Appendix B – Public Complaint Allegations by Complaint Groups

Chart B1 Complaint Allegations by Group Q3 2022-2023 vs Q3 2023-2024

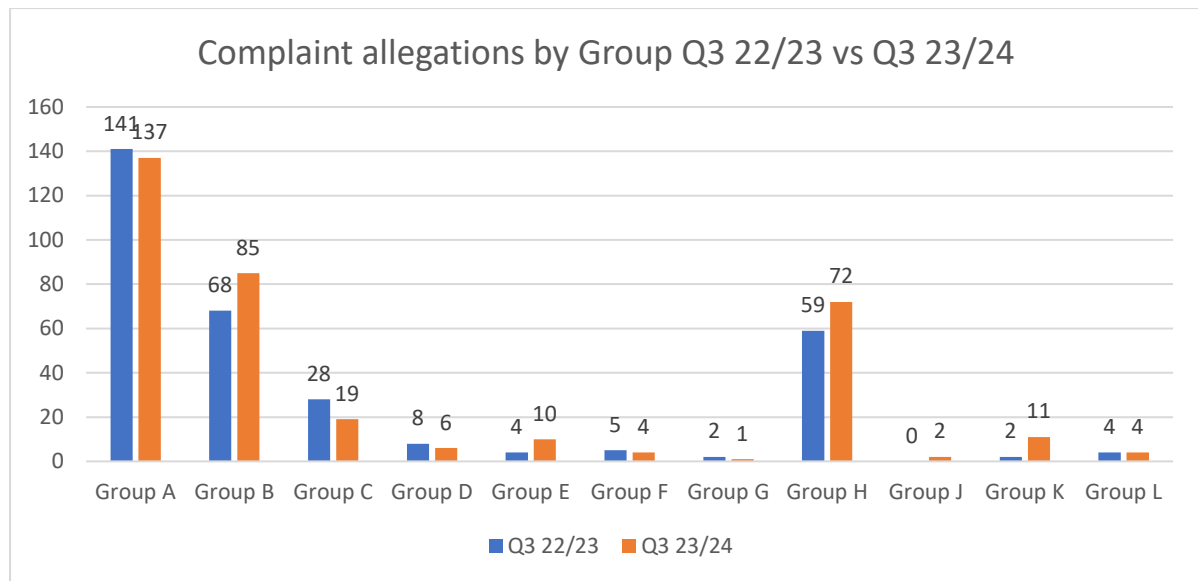
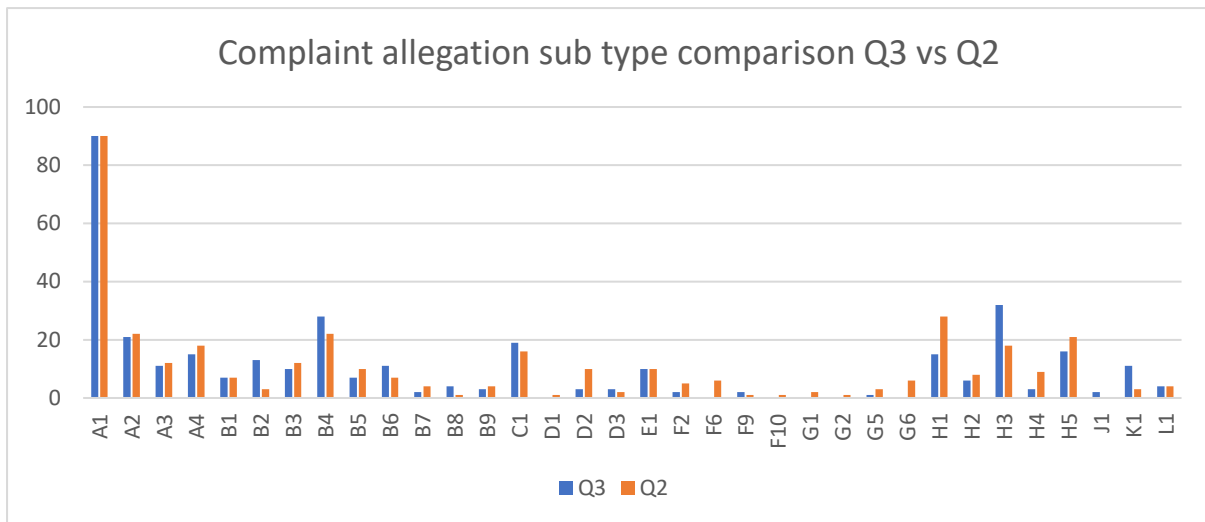


Table B2 Count of Allegations per Complaint Group (excluding De-Recorded) for the previous year

	Q1 22-23	Q2 22-23	Q3 22-23	Q4 22-23	Q1 23-24	Q2 23-24	% change Q2 23-24
Group A	165	153	141	188	174	142	-18%
Group B	81	74	68	83	73	70	-4%
Group C	9	18	28	30	17	16	-5%
Group D	7	12	8	10	4	13	+225%
Group E	9	6	4	8	11	10	-9%
Group F	8	6	5	8	12	13	+8.33%
Group G	2	0	2	0	4	9	+125%
Group H	67	68	59	90	76	84	+10.5%
Group J	0	0	0	1	0	0	-100%
Group K	3	2	2	3	4	3	-25%
Group L	8	9	4	1	2	4	+50%

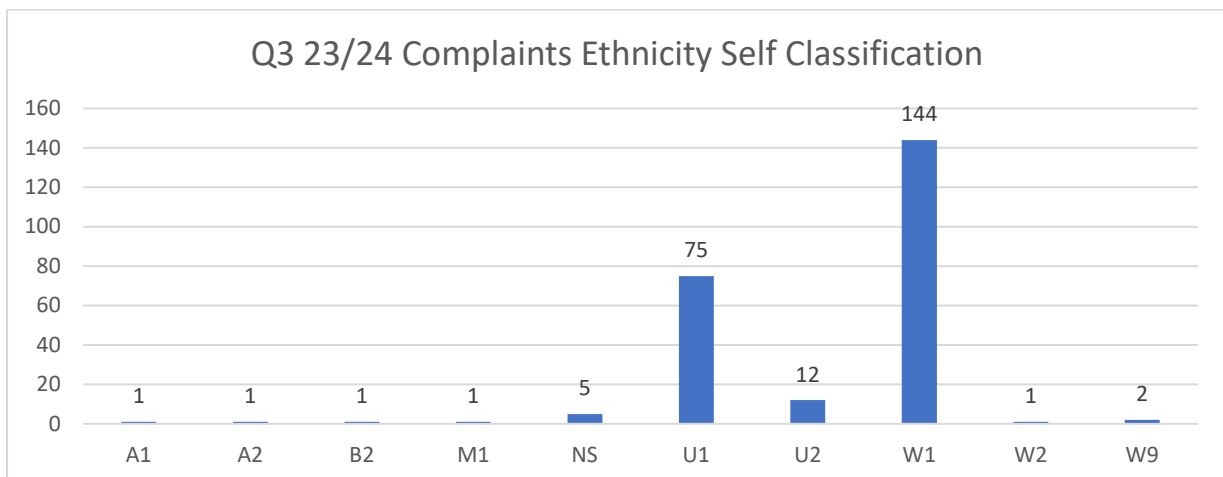
Table B3 Allegation Sub-Types (excluding De-Recorded) Q3 vs Q2



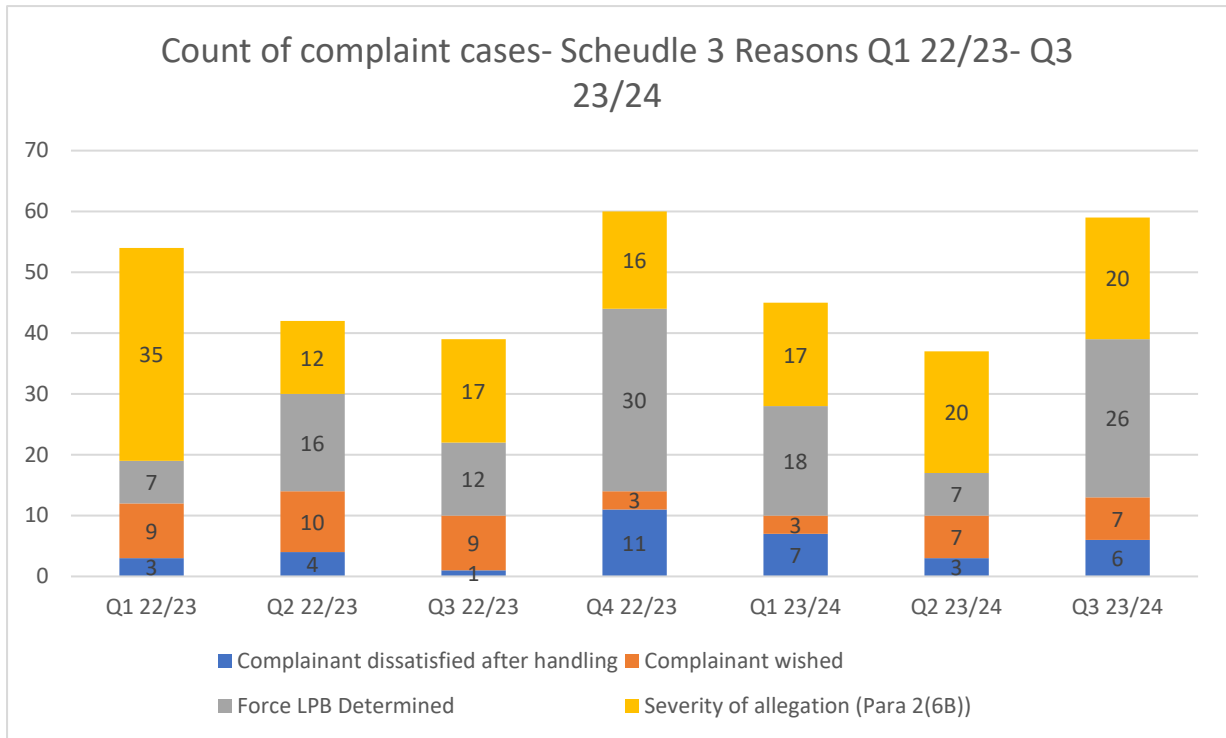
Appendix C – Q3 Incidents, Crimes and Custody Figures

	2023-2024 Q2	2023-2024 Q3	% Change Q2-Q3
Incident logs	23422	22579	-3.59%
Incident logs minus dupes/errors	22459	21681	-3.46%
Crimes	8842	8534	-3.48%
Custody: Arrests	2606	2711	+4.02%
Custody: Voluntary attendance	876	797	-9.01%
Custody Total	3482	3508	+0.7%

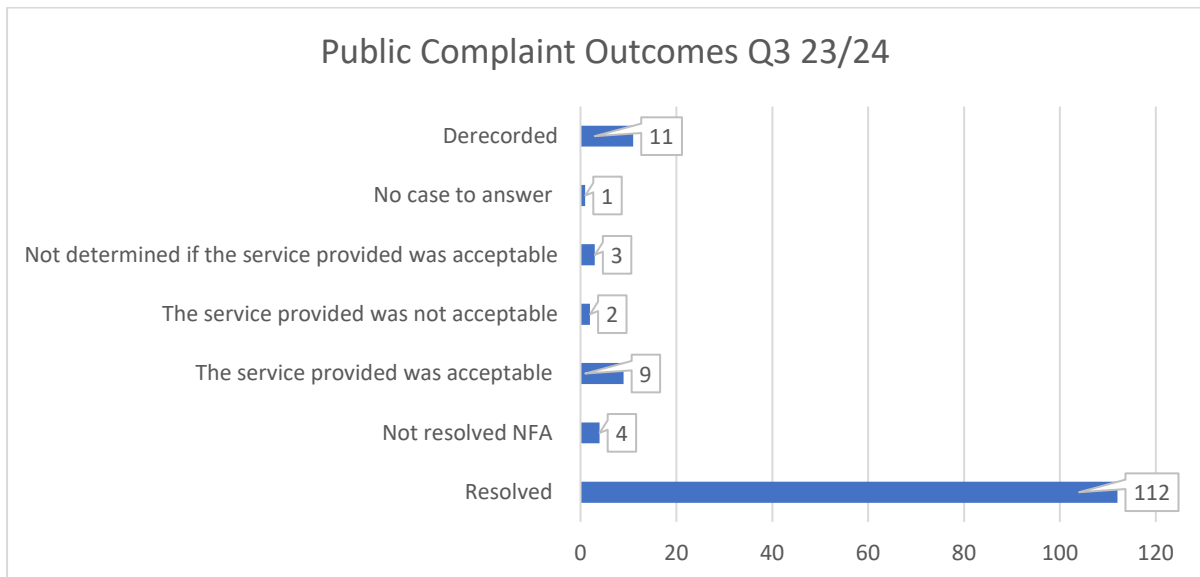
Appendix D – Complainant Characteristics



Appendix E – Schedule 3 Reason



Appendix F – Public Complaint Outcomes



Appendix G – 2020 Complaint Groups and Allegation Types

Complaint Group	Code	Complaint Allegation Type
Delivery of duties and service A1 – A4	A	A1 Police action following contact A2 Decisions A3 Information A4 General level of service
Police powers, policies and procedures B1 – B9	B	B1 Stops, and stop and search B2 Searches of premises and seizure of property B3 Power to arrest and detain B4 Use of force B5 Detention in police custody B6 Bail, identification and interview process B7 Evidential procedures B8 Out of court disposals B9 Other policies and procedures
Handling of or damage to property/premises	C	C1
Access and/or disclosure of information D1- D4	D	D1 Use of police systems D2 Disclosure of information D3 Handling of information D4 Accessing and handling of information from other sources
Use of police vehicles	E	E1
Discriminatory behaviour F1 – F10	F	F1 Age F2 Disability F3 Gender reassignment F4 Pregnancy and maternity F5 Marriage and civil partnership F6 Race F7 Religion or belief F8 Sex F9 Sexual orientation F10 Other
Abuse of position/corruption G1 – G6	G	G1 Organisational corruption G2 Abuse of position for sexual purpose G3 Abuse of position for the purpose of pursuing an inappropriate emotional relationship G4 Abuse of position for financial purpose G5 Obstruction of justice G6 Abuse of position for other purpose
Individual behaviours H1 – H5	H	H1 Impolite language/tone H2 Impolite and intolerant actions H3 Unprofessional attitude and disrespect H4 Lack of fairness and impartiality H5 Overbearing or harassing behaviours
Sexual conduct J1 – J3	J	J1 Sexual assault J2 Sexual harassment J3 Other sexual conduct
Discreditable Conduct	K	K1
Other	L	L1

Ethics and Integrity Panel



Peter McCall
POLICE, FIRE & CRIME
COMMISSIONER

Title: OPFCC Complaints & Reviews

Date: 26 January 2024

Agenda Item No: 12a

Originating Officer: Joanne Head

CC:

Executive Summary:

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

The Commissioner is the appropriate authority for complaints and conduct matters relating to the Chief Constable and the Chief Fire Officer 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. The Chief Fire Officer is the appropriate authority for any complaints regarding fire employees.

Recommendation:

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

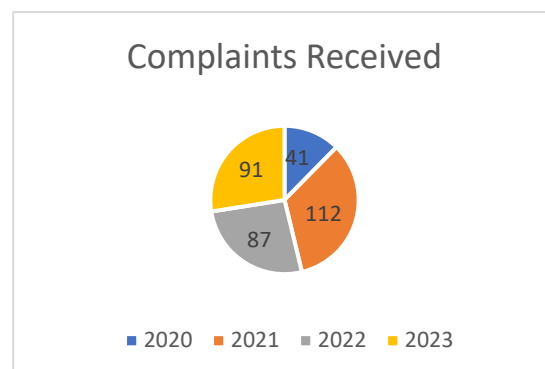
1. Introduction & Background

- 1.1 The Office of the Police, Fire & Crime Commissioner (OPFCC) receives telephone calls and emails from members of the public who wish to make complaints about police officers and/or police staff under the rank of Chief Constable. As this is a matter for the Chief Constable to deal with a process has been developed with the Constabulary to forward such complaints onto the Constabulary's Professional Standards Department, advising the complainant accordingly.
- 1.2 Some issues which are brought to the attention of the OPFCC do not constitute a complaint but are regarding quality of service issues. Again, a system has been developed with the Constabulary to pass on the issues to the Chief Constable's Secretariat. The issues are then raised at a local level with the OPCC being kept updated as to progress and advised of either a final solution which has been agreed or a final response which the Commissioner will then send to the author. A separate report is provided to this meeting.

2. Issues for Consideration

Complaints received by the OPFCC

2.1 This chart details the number of complaints which have been received by the OPFCC up to 31 December 2023. The complaints received were all regarding police officers below the rank of Chief Constable and the Commissioner has no statutory responsibility to deal with such matters.



2.2 There is a noted increase in the number of members of the public who are writing to the Commissioner regarding complaints about the Constabulary. This can be attributed to the visibility and increased awareness of the Commissioner's role; and a noted increase in the number of complaints being process by PSD. Where this occurs the OPCC will explain that the 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 OPFCC will forward the correspondence to PSD on behalf of the complainant.

Commissioner and Deputy Commissioner Complaints

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

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

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

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

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

2.7 There are currently no active complaints being dealt with by the Police, Fire and Crime Panel.

2.8 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 his personal conduct.

2.9 Changes in regulations mean that where it is apparent that the complaint is not in relation to the conduct of the Chief Constable and may in fact relate to that of officers below this rank, they are then automatically sent to the Constabulary's Professional Standards Department to deal with the issues raised. This would mean that the complaint is not in fact logged with the OPFCC. During 2023 the OPFCC received two complaints against the previous Chief Constable, Mrs Michelle Skeer. Neither complaint was logged as they did not relate to the conduct of the Chief Constable, rather they referred to officers below that rank. They were subsequently re-directed to the Professional Standards Department to be dealt with. The complainants were provide with full details leading to the decision. From 1 August 2023 Mr Rob Carden became Chief Constable. No complaints have been received regarding Mr Carden.

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

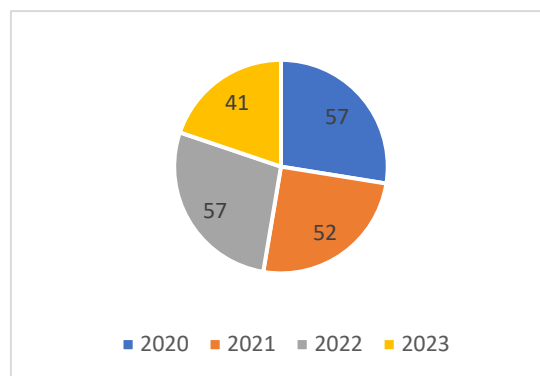
2.10 OPFCC Staff Complaints

During 2023 no formal complaints were received by the OPFCC regarding any member of staff.

2.11 Complaint Reviews

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

2.12 During 2023 the OPFCC received a total of 41 complaint review requests. Three reviews were withdrawn as they were requested prior to the completion of the complaint handling and four upon receipt identified that the OPFCC was not the Relevant Review Body (RRB). One review is yet to be completed. Of the 33 reviews that were completed by the OPFCC eleven (32%) were upheld. This is the highest rate of upheld reviews since 2020. This figure should consider that during 2023 the Constabulary received 1,073 complaints of which 293 were dealt with inside Schedule 3, resulting in only 3.82% of complainants requesting a review of their outcome to the OPFCC. Thirty-four cases were dealt with by investigation, with a right of review to the IOPC.



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

2.14 Where the review is upheld, they may provide recommendations for the Constabulary's Appropriate Authority to consider. Within the legislation and statutory guidance, the Appropriate Authority must advise the OPFCC and the complainant within 28 days of whether or not they will carry out the recommendations. The Commissioner, nor the OPFCC, have any authority to direct or instruct the Constabulary to carry these out. However, as the ethos of the new process is to learn and improve, the recommendations are generally accepted and implemented. On average complaint reviews take 20-30 days from receipt to finalisation, however this will depend upon the complexity of the matter and staff availability to carry out and administer the review process.

3. Implications

- 3.1 Financial - with the added statutory responsibility for undertaking complaint reviews there is an additional cost for the independent review officer. This is seen as value for money as they are only paid for the work that they carry out, there are no ancillary costs as there would be if they were an employed member of staff.
- 3.2 Legal – none identified.
- 3.3 Risk - None identified, beyond that to the OPFCC's reputation if it does not deal with the issues raised appropriately and proportionately according to the merits of the individual case.
- 3.4 HR / Equality - none specifically identified.

Ethics and Integrity Panel

Title: Quality of Service issues – Police



Date: 25 January 2024

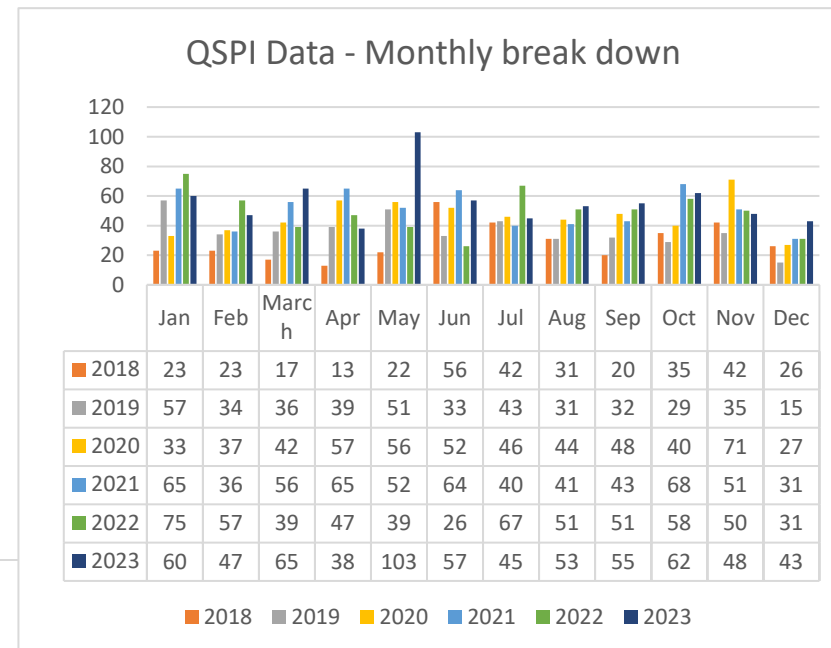
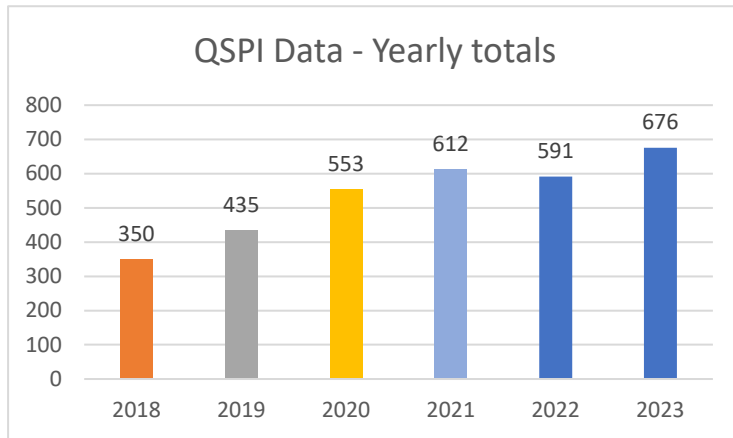
Agenda Item No: 12b

Originating Officer: Lisa Hodgson, Governance Officer

1. Introduction & Background

1.1 This report focuses on QSPIs received between 01/07/2023 – 31/12/2023, in this period a total of 306 QSPIs were received.

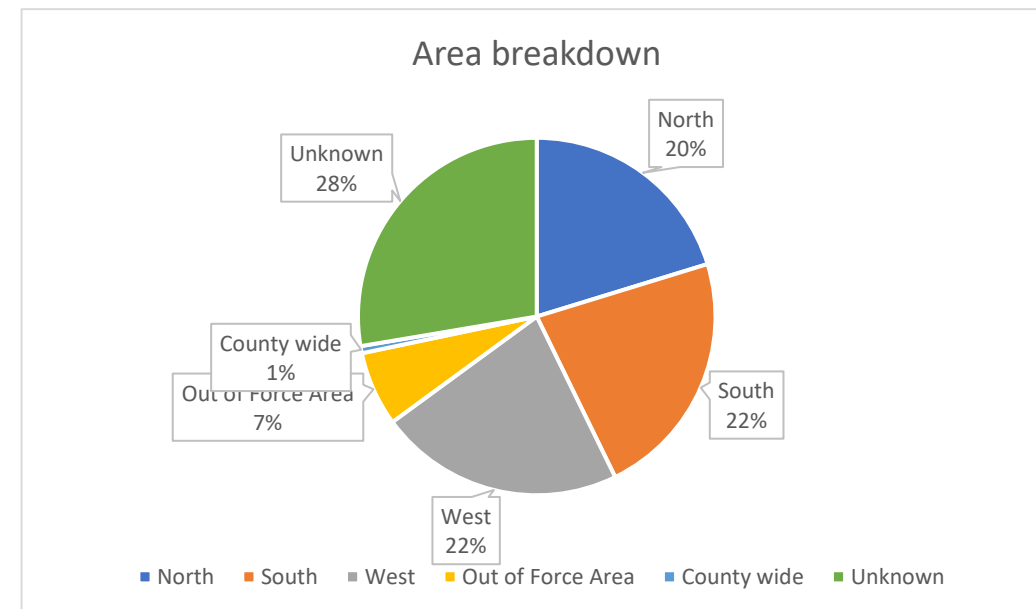
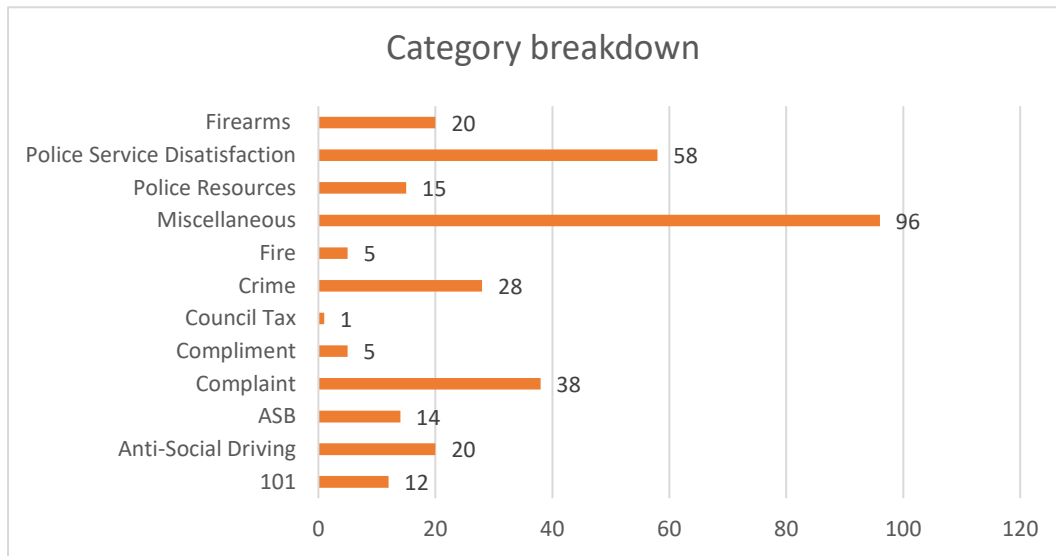
1.2 The OPFCC receives a number of telephone calls, letters and emails from members of the public who wish to raise issues or dissatisfaction about some element of the policing service they have experienced, or concerns they have within the community. These are regarded as Quality of Service and Policing Issues (QSPI).



1.3 Members of the public will contact the OPFCC regarding a broad range of issues. The Governance Officer has weekly meetings with the Staff Officers within the Chief Constable’s Office to discuss the correspondence received and determine the most appropriate action. Following further information received (from OIC’s/ subject matter experts etc.) the Commissioner will write to each individual using information provided by the Constabulary, within the OPFCC or other partner organisations. Shown here is a breakdown of the issues raised, as can be seen from this chart, the top 4 issues raised were:

1. Miscellaneous – 96 QSPIs were received
2. Police Service Dissatisfaction – 58 QSPIs were received
3. Crime – 28 QSPIs were received
4. Firearms Licencing – 20 QSPIs were received

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



2. Identified Issues

2.1 Miscellaneous

The OPFCC has received 96 QSPIs recorded as 'Miscellaneous'. Alone, the QSPIs recorded as 'Miscellaneous' would not be statistically significant however these do need to be captured in some way. QSPIs in this category include cases such as: Fox hunting; operational and ongoing policing matters; auto speed-watch devices; correspondence from members of the public suffering from mental health episodes that require a multi-agency approach; street begging (not genuinely homeless); correspondence regarding Home Office sponsorship; cyber-hacking; issues relating to other police force areas and non-police matters. These QSPIs are dealt with in exactly the same way being provided with a detailed response where appropriate to the query/concern raised.

2.2 Police Service Dissatisfaction

During the reporting period, 58 concerns were raised in relation to the level or standard of policing service received. The concerns logged within this category indicate that the individual is unhappy with the level of policing service they have received and/or the outcome of the investigation. A number of these concerns are triggered by the lack of communication or updates received from the Police during an investigation. When a response is provided to these cases, we include details of what has happened during the investigation and why. If appropriate we also include contact details for the officer in the case (OIC) to enable the individual to make direct contact, should they require any further updates. In some cases, we arrange for an appropriate officer to visit or telephone the individual to provide clarity regarding the investigation and advise of any other action that can be taken by the individual.

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

2.3 Crime

The OPFCC received 28 QSPIs in relation to ongoing crimes. With assistance from the Chief Constable's office, each individual case was looked into to determine the best course of action. In some instances, the author may not have reported the issue to the police, therefore this would be sent to CCR for a log to be created and allocated to an officer. The author would be updated with this information and advised that they would be contacted directly by an officer to progress.

2.4 Firearms Licensing

The OPFCC received 20 QSPIs during this period in relation to the delay in Firearms Licensing renewals and new applications. The Commissioner has been assured by the constabulary that they are doing all they can to work through the backlog as quickly as possible. We understand that ACC Blackwell continues to lead regular meetings to provide Chief Officer oversight and support of the action plan and in addition, the Constabulary are required to provide the PFCC

with monthly updates which are provided to the policing minister. However, from 01/01/24 - 17/01/24 the OPFCC have already received another 4 pieces of correspondence regarding this, the matter does appear to be escalating again. From the most recent correspondence, applicants' licenses expired at the end of 2022, therefore their temporary permits have already or are about to expire.

The Constabulary's response to this matter was to improve and digitalise operating processes whilst seeking to invest further to increase resources, digitalisation work is complete with both systems having been implemented and used operationally. Additional resources have been agreed by Chief Officers to ensure the department has the capacity to deal with demand, this includes two administrative posts, two new decision maker roles, and an increase in firearms enquiry officers. We understand that all positions are filled as of the first week in January 2024 which following training, will assist further with efforts to reduce outstanding backlogs. The risk concerning capability and capacity has also been recorded on the force strategic risk register which continues as a live risk.

2.5 The OPFCC regularly advises the Constabulary about the types of QSI's it receives to enable them to utilise this valuable information to inform its policing across the county. An update from the Constabulary at the meeting can be provided.

3 Compliments

The OPFCC has received 5 forms of correspondence thanking the Commissioner and/or individual Police Officers for the service provided, these are always shared with the individual officers, and the Chief Constable.

4 Making a difference

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

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

Meetings between the OPFCC and Chief Superintendent Bird have been set up to discuss issues and trends identified by members of the public who write to the PFCC regarding policing issues and police service provision. This will ensure that the Constabulary are utilising the information held by the OPFCC to inform policing in local areas.

Significant work has been undertaken by the Constabulary to deliver 'right care, right person'. This will ensure the most appropriate agency responds to deal with those in mental health crisis. The force has also previously invested significantly in mental health co-ordinators to improve the multi-agency response to those in crisis.

Victim updates are focused on in daily pacesetters to ensure any victim care that is overdue is raised and resolved. Since this has been introduced, the Constabulary see very few that are overdue. This is also reported on in performance meetings (including Strategic Performance Board) to ensure this is focused on and improved. In addition, the uplift of officers has seen average workloads per officer reduced, which provides greater capability to focus on victim care.

Chief Superintendent Bird can provide further details to the panel should this be required.

Driving Issues

Using funding secured by the Partnerships and Commissioning Team from Safer Streets Fund 5, Cumbria Fire and Rescue have allocated a dedicated officer to lead and focus on engagement and education of drivers and young people with the aim of promoting safer and considerate driving. SSF5 funding also paid for new materials to be developed to be delivered using Virtual Reality headsets from January 2024 to create a fully immersive experience to encourage engagement, additionally VR is believed to work well for the neurodiverse. CRSP partners work jointly to deliver engagement and education –

- within secondary schools,
- for groups such as Young Farmers and youth projects,
- at events such as agricultural shows, community events and car shows,
- in anti-social driving hotspots such as Sainsbury's car park.

Engagement includes use of VR materials, presentations and/or discussions about safer driving and vehicles and can include talks by the bereaved who have lost loved ones in road collisions, use of the Crash Mini and general youth outreach work.

Safer Streets

The Partnerships & Commissioning Team continues to secure funding from the Home Office Safer Streets Fund and lead on the delivery of projects to help neighbourhoods feel safer, reduce crime and anti-social behaviour, help the local communities feel heard and build confidence in the Constabulary and partner agencies.

Safer Streets Fund Round 4 concluded on 30th September 2023 and focused on Carlisle and Barrow to tackle anti-social behaviour being reported in the town centres, mainly attributed to young people. The project delivered improvements in town centre street lighting in both Carlisle and Barrow, lit Keenan Park and the skate park in Bitts Park in Carlisle to make the public feel safer and prevent unwanted activity being carried out in the darkness. Automatic number plate recognition (ANPR) cameras were installed to allow police to monitor and intercept suspect vehicles. Local Authority Enforcement Officers were trained in

conflict resolution and extra kit such as new radios, body worn videos and body-armour was provided for when they are on duty. 3 teams of youth outreach workers were deployed responding to partner data and intelligence held on ASB so targeting areas where need was demonstrated. Youth ASB caseworkers offered support to 42 victims of ASB, with 39 engaging. Of those that completed the intervention 100% of victims were satisfied, had increased feelings of safety, increased feelings of wellbeing and would recommend the service to others. 18 PCSOs received Level 3 crime prevention training, 1 Crime Prevention Officer received Level 4 crime prevention for practitioners training, and 80 multi-agency staff received training in best practice for ASB Case Review. Multi-agency events called 'Be Safe, Stay Safe' took place at the major colleges in the towns (targeting young people 16-18 yrs) to raise awareness about the effects of anti-social behaviour, County Lines, exploitation and how to keep safe generally and online. The events also highlight the variety of support agencies available and how to access. In addition, the "Your Life, You Choose" symposiums were delivered in 18 secondary schools, educating young people on the consequences of crime, anti-social behaviour and the importance of making healthy life choices. This work was supported by media campaigns.

Safer Streets Fund Round 5 commenced on 1st October 2023 and runs to 31st March 2025. Originally the OPFCC were awarded £1m, but in December the Home Office reduced the amount allocated to each force area necessitating project plans to be re-written. Working with the Constabulary and Local Focus Hub partners 3 project areas have been identified:

- Carlisle, Hammonds Pond – Public realm lighting, youth outreach/ASB victim workers and training of drone pilots to primarily tackle ASB and VAWG.
- Workington, The Line – Physical improvements, youth outreach/ASB victim workers and training of drone pilots to primarily tackle ASB and VAWG.
- Penrith – youth outreach/ASB victim workers and anti-social driving initiatives to primarily tackle ASB and anti-social driving.
- Partners are providing elements as matched funding to support the projects including staffing hours and maintenance.

Property Fund

The Property Fund redistributes funds by offering small grants to community groups to support activities which offer positive opportunities to young people and the community area to prevent crime and to make the community safer.

In November 2023, the Property Fund re-opened, inviting many communities and organisations to apply for funding. After careful consideration, funding was provided to 46 successful applicants - offering £100,018.71 between local groups and clubs across Cumbria. This is the highest distribution of funds from the Property Fund to date. Demonstrating the importance from the PFCC and DPFC in giving back to the community.

Various sports clubs were given funding across Cumbria – which remains to be an effective way to keep youth away from crime (particularly anti-social behaviour). It is also effective in developing life skills, people skills and self-motivation/confidence.

Funding was also granted to groups to target diversity and inclusivity within Cumbria, examples of this was funding distributed to Kendal Pride to facilitate a series of training and workshops for adults and young people in the lead up to the event. Furthermore, funding was also distributed to Multicultural Cumbria to facilitate a 12-week project aimed at diaspora communities including people seeking asylum and refugees in the Carlisle area. A range of activities will take place here, from football matches, cooking activities, carrom board competition etc.

Additionally, funding was granted to community events in Carlisle (Botcherby Community Association) and Maryport (The Ewanrigg and Netherton Tenants Association) . The incentive being that it helps bring families in the community together and provides a financial relief for those families too (offering food, drinks, fairground rides etc).

Consultations

A survey was carried out to research how support services commissioned by the OPFCC had helped victims, and to gain an understanding about individual experiences of being a victim of crime. 102 members of the public responded to the survey and 21 of those offered to be contacted by the Victims' Quality Champion. Many of those who came forward to speak to the Victims' Quality Champion wanted to share experiences about the police rather than support so despite the relatively high number of respondents the learning was fairly limited on support services, however very valuable in its own right.

Keep Safe

The Partnerships & Commissioning Team continues to develop and manage "Keep Safe" which is the service available free of charge to all victims of crime and anti-social behaviour across Cumbria delivered by the Constabulary. This service provides crime prevention advice to victims, and where necessary target hardening measures to their homes so they can feel safer in their day to day lives. For the period 1st July 2023 – 31st December 2023 459 individuals received support from Keep Safe, compared to 303 cases from the same period in 2022. Dip samples are conducted monthly to ensure the victim is satisfied with the service they have received with 100% of those asked providing a positive review of the Crime Prevention Officers response.

5. Implications

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

Ethics and Integrity Panel



Peter McCall

POLICE, FIRE & CRIME
COMMISSIONER

Title: Ethics and Integrity Panel 2023 Annual Report

Date: 29 January 2024

Agenda Item No: 13

Originating Officer: Joanne Head, OPFCC Governance Manager

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, Chief Fire Officer 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 2023 Annual Report; and
2. Provide feedback to inform the final version to be presented to the Police, Fire and Crime Commissioner a; and the Joint Audit Committee in May 2024.

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, Chief Fire Officers 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 2023. 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 – 2023 Ethics and Integrity Panel Annual Report



Peter McCall

POLICE, FIRE & CRIME
COMMISSIONER

Ethics & Integrity Panel

2023 ANNUAL REPORT

Cumbria Office of the Police, Fire and Crime Commissioner

1-2 Carleton Hall, Penrith, Cumbria, CA10 2AU | commissioner@cumbria-pcc.gov.uk

Tel: 01768 217734

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Foreword from the Panel Chair

Welcome to the 2023 Ethics and Integrity Panel Annual Report.

I have had the pleasure of being Chair of the Ethics and Integrity Panel since 2016. This will be my last annual report as I step down from the role in February 2024. The Panel's purpose has always been 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 achieves this 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 are entirely independent of the Office of the Police, Fire and Crime Commissioner and Cumbria Constabulary. From 1 April 2023 the remit of the Panel expanded to include Cumbria Fire and Rescue Service and we are now developing a work programme to include this area of business.

Over the last 12 months we have continued to see challenge and change for the people of Cumbria. This can be attributed to many reasons, not least us still dealing with legacy issues from the pandemic; the increasing challenges of the cost-of-living crisis, and of course societal issues and political instability that affect us all in both the UK and abroad. The Panel have been hugely impressed by the resilience, commitment, focus and determination to serve our county; constantly striving to offer the fire and the policing service that the public require. This is a great credit to the organisations and their officers and staff.

I am delighted that during 2023 we have recruited additional members to the panel, and along with more members who will join in 2024, this has broadened and deepened our capability, insight and importantly, our diversity. Whilst the Panel membership is from a diverse range of backgrounds and experience, we have two things in common. We and our families live in the county and are committed to seeing the area thrive and we all share the strong desire to ensure that Cumbria Constabulary and Cumbria Fire and Rescue Service continues to deliver high quality services to the public, while maintaining Cumbria as the safe and secure place to live that it currently is.

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

While 2023 has been an incredibly challenging year, we have enhanced our work programme, and have adapted to look at a number of thematic areas. The information in this, and our other quarterly reports, helps to promote a wider understanding and awareness of performance and ethical approach of both Fire and the Constabulary.

We hope that you find the report useful and informative and on a personal level I would like to thank all colleagues I have worked with over the last 9 years in developing, evolving and growing the role of the panel, and our work.

Alan Rankin

Ethics and Integrity Panel Chair

The Police and Crime Commissioner, Peter McCall



2023 has been a year of change for not only my office but for the Ethics and Integrity Panel. From 1 April 2023 I took on Fire Governance and the Panel are now encompassing this area of business into their annual work programme. I am incredibly grateful for the commitment, professionalism, independent and pragmatic approach taken by the Ethics and Integrity panel in their work. They provide effective and sensible challenge which enables my office, the Constabulary and Fire to take stock and indeed to change practice where necessary in order

to improve the service we are all here to deliver to the public of Cumbria.

The ability of the panel to evolve and undertake in-depth scrutiny of specific areas provides not only myself but also the communities of Cumbria with additional assurance. It seeks to achieve this by acting as a critical friend in the work it oversees.

Whilst we are blessed with highly professional, dedicated and committed police officers, staff, firefighters and fire staff we must always be ready to examine performance to ensure that each organisation maintains the highest possible standards, when often faced with difficult and challenging circumstances.

I look forward to working with the Panel in 2024.

Peter McCall

Police, Fire and Crime Commissioner for Cumbria

The Chief Constable, Rob Carden



As a Constabulary we consistently strive to provide members of the public with an outstanding police service to keep Cumbria safe.

The ongoing transformation of the force has delivered significant improvements in performance and service delivery to communities across Cumbria over the last 12

months; the breadth of these improvements covers a range of areas including call handling, response to calls, crime data integrity, standards of investigation, outcome rates, proactivity and crime prevention. However, in order to build public confidence in policing, it is imperative that our police officers and staff continue to demonstrate the highest ethical and moral standards.

The important work of the Panel provides us with the independent scrutiny to ensure that we demonstrate the highest standards of ethical performance and continue to respect a national model of policing based on the principle of 'policing by consent'.

Rob Carden

Chief Constable, Cumbria Constabulary

About the Ethics and Integrity Panel

The Ethics and Integrity Panel challenge, encourage, support and promote and influence high standards of professional work and ethics within Cumbria Constabulary, Cumbria Fire and Rescue Service and the Office of the Police and Crime Commissioner (OPFCC); ensuring that these are effective in all organisations. This report provides an overview of the work that the Panel has carried out during 2023.

The Panel meets privately on a quarterly basis to enable open and frank discussions. The 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, Fire Service and OPFCC's performance in areas that relate to ethics and integrity. The purpose of this is to promote openness, transparency and public confidence.

A programme of work is developed and agreed on an annual basis enabling the Panel to fulfill its terms of reference and scrutiny role. Where necessary the Panel will also provide scrutiny for areas identified during HMICFRS inspections to enable the implementation of recommendations to be monitored. In addition, they have critical and important thematic issues referred to them by both Cumbria Constabulary, Cumbria Fire and Rescue Service and the Office of the Police, Fire and Crime Commissioner. This enabled the Police, Fire and Crime Commissioner and the Chief Officers to be provided with independent reassurance.

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/>

The membership of the Panel in 2023 was:

Andrew Dodd	Mike Duff
Alan Rankin	Alex Rocke
Megan Masters	Ben Phillips
Jane Scattergood	Shaun Thomson

Work of the Panel During 2023

Code of Ethics and Code of Conduct

The Panel's role is to ensure that both the Constabulary, Fire Service and the Police, Fire and Crime Commissioner have embedded within their organisations the respective **Code of Ethics** and **Code of Conduct**.

The Panel have been provided with assurance whilst carrying out their role that all organisations take the ethos of the Code of Ethics and Code of Conduct 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 re-election in May 2021 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 the work of the Police and Crime Commissioner. These principles encompass the Commissioner's work locally and whilst representing Cumbria in regional and national forums.

Equally importantly, all the OPFCC members of staff adhere to a **Staff Code of Conduct** which is based upon the model Code of Conduct for Local Government Employees and incorporates the principles arising from the Nolan Report, providing a framework for all employees in terms of official conduct

During 2023 the Panel did not identify any complaints received from either members of staff or the Commissioner regarding conduct or integrity. During 2024 the panel will also ensure that the Code of Ethics is embedded within Cumbria Fire and Rescue Service.

Public Complaints



At their quarterly meetings the Panel received performance data from the Constabulary on the number of complaints received, how these have been managed and whether they were within the required timescales. From these reports there were areas which had again seen an increase in complaints being received, these being impolite language, unprofessional attitude, lack of impartiality, overbearing or harassing behaviours. The Panel undertook to specifically review some of these complaints to see if there were any trends or concerns.

During 2023 the Panel carried out two dip sample sessions within the Constabulary's Professional Standards Department (PSD) in which they reviewed a total of 62 files. They carried out the dip samples directly via the Centurion system enabling members to view all information, actions and outcomes on the live system. Panel members spoke directly with case workers regarding any issues or concerns.

Following the sessions any recommendations or comments were collated within an action sheet to ensure that they are completed and where appropriate implemented in a timely manner. Some of these include:

- The importance of linking intelligence reports and information received within the Professional Standards Department to the Comms Centre to inform any future incidents.
- Ensuring that complaint handling is clear and understood by both the complainant and the complaint handler; and information is sent to the correct identified correspondence address.
- Having robust property procedures in place to reduce the number of lost or damaged property claims.
- Some excellent case work was identified, with good work carried out by local policing teams to deal with complaints and social issues. Responses were often clear and explained fully the issues and outcome to the complaint.
- Officers not using body worn video when dealing with incidents or members of the public continued to be an issue, or the footage is not marked and retained. Although the situation has improved significantly over recent years. Some complaints could have been dealt with quicker and more effectively if this independent evidence had been available.

During the year it was noted the significant increase in the number of complaint and misconduct cases which staff and officers were dealing with. A Review of PSD has been commissioned and will be carried out during the early part of 2024, which the Panel welcomed.

Quality of Service Issues



The Office of the Police, Fire and Crime Commissioner received 675 letters, emails and telephone calls from members of the public who wished to raise issues or dissatisfaction with the Commissioner, highlighting issues that were concerning local communities. Many of these related to operational policing and the OPFCC liaised with the Chief Constable's Staff office to provide information or a solution for the individual. The types of issues raised are varied and detailed below are some of the categories:

- The Police Service Dissatisfaction in relation to the standard of service provided or received.
- Crime – drug dealing, rural crime and ongoing 'in progress' ASB neighbour issues.
- Fox Hunting
- Anti-Social Behaviour
- Miscellaneous – how crime figures are recorded, DBS check process and CCTV cameras.

Many of the solutions were provided by the Constabulary in conjunction with local policing teams, local focus hubs and partner agencies, including local educational establishments, to see to identify the underlying causes of crime or behaviours and seek to support and deter individuals from going on to make further adverse live choices. The information gathered is used to look at how assistance or changes can be provided not only locally but throughout Cumbria. The Commissioner also uses the information to implement local initiatives to make a difference to local communities. Some of these included Safety of Women at Night (SWAN), Safer Streets Projects in Whitehaven and Workington, and funding for local projects through the 'Property Fund'.

After the 1st April 2023 when the Commissioner took on the responsibility for Fire governance, the OPFCC received eight contacts from the public which related to:

- Fire Resources (buildings and fire fighters)
- Miscellaneous/general issues
- Fire Consultation

The OPCC also received a number of compliments thanking the Commissioner, Constabulary or Fire for the service they provide.

Complaint Reviews



From 1 February 2020 the Office of the Police, Fire and Crime Commissioner (OPFCC) has carried out **Public Complaint Review** outcomes of when requested by the complainant. During 2023 the OPFCC received 41 review requests, which 11 (32%) of those carried out were upheld. The Panel dip sampled a number of reviews and felt that they had been dealt with appropriately and within a timely manner. Where a review had been upheld and recommendations made, the Constabulary had carried out further work providing the complainant and OPFCC with their findings and outcome. Identified learning from the upheld reviews was collated and disseminated within local teams and more widely across the force.

The OPFCC does not carry out this function in relation to complaints made to Cumbria Fire and Rescue Service. During 2024 the Panel will be looking at complaints received by Fire as part of their annual work programme.

Misconduct Police Officer & Police Staff



The Panel received information on a quarterly basis relating to **Police Officer and Police Staff Misconduct** from the Constabulary's Professional Standards Department. This enables the Panel to monitor performance in relation to these areas of business and consider any patterns or trends across the whole organisation.

As part of their work programme the Panel have reviewed misconduct files twice during 2022. During the session the Panel reviewed all completed files, providing views and recommendations for any improvement in the way information was provided, how cases were handled or the public perception of the handling of such cases. Nearly half of the cases related to officers' conduct when they were 'off-duty'. The Panel were pleased to note that the quality of the files was being maintained and that actions were being fully recorded within each case.

Misconduct – Fire Employees



The Panel carried out their first dip sample session of **Fire Employee Misconduct** cases in October, reviewing 10 cases which had been dealt with during previous 12 months. Prior to the Commissioner undertaking Fire governance, conduct cases had been dealt with by the County Council's HR department. These were now being dealt with by dedicated HR staff within Cumbria Fire and Rescue Service. Improvements could be seen in how files were dealt with and details of actions or sanctions being imposed and followed up. The Panel were particularly pleased to see that following the conclusion of each misconduct case it was internally reviewed to ascertain where improvements could be made in future cases or within the service.

Grievances



On a six-monthly basis the Panel have reviewed **Grievances** being processed by the Constabulary. Although the Constabulary's HR Department dealt with all grievances, they link in with the Anti-Corruption Unit to ensure matters were cross referenced. In April and October 2023, the Panel reviewed a total of 6 finalised cases and discussed each one in turn with the HR Manager. Generally, the grievances were regarding policies and procedures or action taken against an individual. For any officer or member of staff leaving the organisation the Panel were keen that detailed conversations were held with individuals to help understand the issues and make improvements to officer and staff employment. The Panel had assisted the Constabulary in reviewing the draft management of change process. The Panel's 2024 work programme will include reporting by Cumbria Fire and Rescue Service of their grievance cases and dip sample sessions.

Civil Claims



On behalf of the Police, Fire 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 such information throughout the organisation to avoid future risks and claims. There had been an increase in the number of Employment Tribunals some of which had been upheld; and in the number of public liability cases being lodged. Learning had been identified and implemented across the force and the Panel will monitor this as part of their dip sample and report process.

Young in Service Officers



The Panel continued to monitor **Young in Service Officers** following their recruitment process as part of Operation Uplift from 2020 to 2023. Due to the large proportion of officers with less than 3-6 years' service being on front line duties the Panel sought assurance that these officers were being supported, had a designated tutor constable and a reasonable workload. The summary findings were:

- Officers' young in service carry around 10% more workload than officers from other groups. However, the average workload by officer number was higher for the group with 3-6 years-service (this is due to the fact there are less officers in the 3–6-year group than the young-in-service group).
- Complaints - Male officers received more complaints (allegations) than female officers mostly in the 3-6 years' service group.
- Officers with more than 3 years-service are more likely to be assaulted than those who are young-in-service

Recruitment – Fire Fighters



In November 2023 the Panel had reviewed the '**On-Call' Recruitment** process being carried out by Cumbria Fire and Rescue Service. It was important that the campaigns were tailored to the different communities across Cumbria. The Fire Service were offering open days and developing virtual sessions to enable potential candidates to speak with firefighters, particularly female firefighters to attract more females into the role. Members provided feedback on the recruitment packs particularly in relation to potential candidates having to provide availability and offered suggestions on different groups to approach. This area of work will continue to be reviewed during their 2024 work programme.

Police Officer & Staff Wellbeing



During 2023 the Panel monitored **Officer and Staff Wellbeing and Sickness**. During the second half of the year force absence rates had reduced from 4% at the same point in 2022 to 2.8% at the end of September 2023. Tutor constables were recruited to support the new officers when they were working within the policing teams and more were being recruited with the aim of having 2 tutor constables per policing team.

In November 2023 the total headcount for the Constabulary was 1,393 with additional funding for a further 29 officers being realised in 2024-25. Further recruitment of Police Community Support Officers (PCSO) was planned in March 2024 to increase numbers as at the end of 2023 there were only 48 across the county. The Panel would be monitoring this process as part of the 2024 work programme.

Information Management



During 2023 the Panel received six monthly reports on how the Constabulary and Office of the Police, Fire and Crime Commissioner were complying with their statutory duties in relation processing and managing data. This included Freedom of Information Requests, Subject Access Requests and data processing. Both organisations continued to see a year-on-year increase in the number of requests being received. The reports also identified whether any data breaches had occurred and how these were dealt with, including whether or not they had been reported to the Information Commissioner's Office and the subsequent outcomes. In November 2023 the Panel were updated on a data breach which had occurred, the actions taken and that processes and procedures had been updated and strengthened following the breach.

Violence Against Women and Girls



In February and August, the Panel were provided with updates on the work being carried out by the Constabulary to deliver an array of services in response to offences such as domestic abuse, sexual crime and patterns of behaviour. Increased reporting had been realised during the year and was attributed to the work and training of officers to better understand victims needs. A Street Safe tool had provided the public with the opportunity to engage with the police on issues which affected them; and the 'Call it Out' Survey had received 3,000 responses identifying hotspots where police patrols needed to be diverted to. The Panel had been keen to learn of the work being done to encourage ethnic or sectarian religious communities to report incidents, being advised that leaflets had been translated into different languages and a multi-cultural conference had been held on 3 October.

Race Action Plan



Following the National Police Chief's Council (NPCC) identifying five key areas to change internal cultures and inclusivity towards communities the Constabulary had carried out an internal and external consultation process. HMICFRS as part of their cultural audit process had found the force to have an inclusive culture. The Panel were briefed twice during the year on how the Constabulary were progressing this work and how this work would be benchmarked to enable performance and success to be measured. There was a requirement to produce evidence on what the force were doing and why a decision had been made not to do some elements. The actions were included with the live force improvement plan enabling audits of work to be carried out. The force had taken a decision to look at BAME and work with those groups rather than simply focussing on just black communities. The Constabulary were looking at stakeholder and community mapping to identify opportunities to reach wider audiences. A full update and monitoring of the implementation plan would be carried out by the Panel in February 2024.

Property Store



In 2022 the Panel had raised concerns about the number of civil claims being received in relation to lost or damaged property which had been held by the police. A review of all property stores had been carried out with a number of new storage and working practices being implemented. A significant step forward of inventory management had been realised with bar coding of all property locations to enable accurate accounting and auditing of property. The Panel would continue to monitor this work through reports and any reduction in civil claims being made.

Right Care, Right Person



From January 2024, the Constabulary were looking to take a new approach when dealing with vulnerable people who had health or social care needs to ensure that the right person with the right skills, training and expertise met their needs; and where the force did not have a legal responsibility to deal with the matter. This approach would include signposting callers to contact the appropriate agency especially if the responsibility for a duty of care lay with another organisation. Collaborative work with partner organisations had been developed with testing of the designed toolkit taking place at the end of 2023 in preparation for the launch.

Digital Policing



In August 2023 the Panel had been briefed about a project to develop digital policing skills within the workforce using an evidence-based approach. Funding had been secured from the NPCC Science Technology and Research (STAR) fund which was being used to training officers in what digital information could be retrieved from different technology such as doorbell cameras and home routers. Over 500 Domestic Abuse cases had been reviewed to understand what improvements could be made for future investigations. To assist officers a number of guides, short videos and crib sheets were being developed. The members had been keen to ensure that ongoing digital care for victims and witnesses was provided. As part of the toolkit officers would be advised of 'digital hygiene' procedures which could be provided to help with online security and safety. Making victims more resilient, protected and potentially reduce future crimes.

Thematic Sessions

Since its inception, the Panel has delivered a significant programme of work on a planned, dynamic and responsive basis. Detailed below and overleaf are some of the areas the Panel reviewed during 2023:



In early 2023 the Panel sought assurance that the Constabulary were carrying out rigorous **vetting of new officers and staff** being employed, particularly with the pressures of meeting the Operation Uplift target by the end of March 2023. Two vetting dip sample sessions took place during the year the first in February and then a following up session in August 2023. The Panel had found that robust checks had been carried out and where necessary applicants had not been progressed where they did not meet the strict criteria.



The Panel were provided with a demonstration on a new **CCTV System** which the Constabulary were considering. The new system would replace an aging system and provide significantly enhanced capabilities to assist officers and staff in the detention and solving of criminal offences. Further work and training programmes were to be developed during the year to enable the system to be purchased and implemented. The Panel stressed the importance of ensuring the public were aware of the advancements and that it did not have facial recognition capabilities to address and allay any fears or speculation.



Following the findings from the Commission on Race and ethnic Disparities (CRED) report the government undertook to develop a new framework to monitor the use of police powers including **Custody Detention Scrutiny**. As the Panel already carried out monitoring of Stop and Search and Use of Force it was felt appropriate that the Panel should provide the review function for custody detention. The Panel carried out dip samples of custody detention and received performance reports. They raised concerns on the average time of detention disparity between white males and Asian males. It was understood that this was due to time taken for interpreters to attend police stations particularly for police interviews.



During 2023 the Panel undertook quarterly reviews of **Stop and Search** and **Use of Force**, enabling the implementation of HMICFRS recommendations to be monitored. The Panel carry out reviews of incidents via body worn video and completed forms, reviewing 48 separate incidents, which included incidents where the use of **TASER** had also been a factor. In early 2023 the Panel found that although the incidents themselves were being carried out well the completion of the required forms was not. This had also been recognised by the Constabulary had introducing annual refresher training as part of the 3-day personal safety training package and include communication and de-escalation training. The Constabulary were using Stop and Search as a key tool by the proactive policing teams to help prevent and detect crimes.



The use of **Body Worn Video** continued to feature within the monitoring work of the Panel. Noticeably when reviewing Stop and Search or Use of Force incidents the first 30 seconds of footage had no sound when activated by the officer. The Panel felt that this timeframe was often when an officer was introducing themselves and provided a good context of the interaction. The matter had been raised at a national level and in September 2023 the Panel were notified that National Police Chief's Council (NPCC) had agreed a standardised national approach to pre-vent buffering on all Cumbria BWV recordings which would rectify the issue raised by the Panel.

Panel Member Recruitment

During 2023 three separate recruitment campaigns were carried out to allow for succession planning as some of the Panel members retired at the end of 2023 and into the first six months of 2024. It will also allow the Panel to increase their workload as the OPFCC expands its remit in relation to Cumbria Fire and Rescue Service.

As a result of these campaigns four new members were appointed in 2023 with a further three being appointed to commence their roles in early 2024. A programme of Induction training and support from existing Panel members has enabled the newly appointed members to understand their roles and the work of the Panel.

The Panel Chair retires from the Panel in February 2024 and a process to appoint a new Panel Chair was carried out in January 2024.

Conclusion

The Panel continues to develop their role, expanding into other areas of business to assist not only the Constabulary and Fire but enable the Police, Fire and Crime Commissioner to have further and more detailed oversight. They have shown their ability to respond to emerging and changing situations; adapt to understand the issues; work with the Constabulary, Fire and OPFCC to carry out work in addition to that scheduled within their work programme; and provide reassurance to these organisations and the public.

Recommendations and guidance given by the Panel continues to be welcomed; resulting in a number of positive changes and developments to processes and procedures. The Panel's 2024 work programme will continue to ensure that the Panel remain an independent body in their oversight of Cumbria Constabulary, Cumbria Fire and Rescue Service and the Office of the Police, Fire and Crime Commissioner.