Peter McCall

Agenda Item No 4

ETHICS AND INTEGRITY PANEL

Notes of a meeting of the Ethics and Integrity Panel held on
Thursday 10 February 2022 via video conference facility at 2.00 pm

PRESENT
Mr Alan Rankin (Chair)
Mr Michael Duff
Mr Alex Rocke
Ms Jane Scattergood

Also present:
Police & Crime Commissioner – Peter McCall
Chief Superintendent – Lisa Hogan
Detective Chief Inspector Craig Smith
T/Detective Inspector – Simon Gray
Chief Inspector – Jon Sherlock
OPCC Deputy Chief Executive – Gill Shearer
OPCC Governance Manager - Joanne Head
Guest - Ms Lesley Horton

The Panel Chair took the opportunity to introduce Ms Jane Scattergood who had recently been appointed to the Panel. Everyone introduced themselves and Jane thanked them for their warm welcome. Lesley Horton had recently resigned from the Panel and the Police and Crime Commissioner, Panel members and others present at the meeting thanked her for her contribution to the Panel since its inception 7 years ago. Along with the other members she had shaped work of the panel and having a keen eye for scrutiny provided assurance to the communities of Cumbria. Lesley thanked everyone for their kind words and said how much she had enjoyed the work of the panel and would miss everyone involved.

The Panel Chair also advised that Deputy Chief Constable Mr Webster could not be at the Panel meeting as he was attending a confirmation hearing having recently been successful in being the selected candidate for the position of Chief Constable with Cleveland Police. Everyone wished him well in his new position.

1. APOLOGIES FOR ABSENCE

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

2. DISCLOSURE OF PERSONAL INTERESTS

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

3. URGENT BUSINESS

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

4. NOTES OF THE PREVIOUS MEETING

The notes of the meeting held on 4 November 2021 previously circulated with the agenda were agreed.

It was noted that the scheduled Data Ethics Consultation Group meeting had been postponed and was now due to take place on 23 March 2022.

Agreed; that, the notes of the meeting held on 4 November 2021 were agreed

5. SPITGUARD ANNUAL REPORT

Chief Inspector Jon Sherlock presented the annual report on the Constabulary's usage of SpitGuards. During 2021 the number of times a SpitGuard was used had decreased from 36 incidences in 2019 to 25 incidents in 2021; with a gender breakdown of 17 males and 8 females. During 2020 and 2021 there had a been a number of individuals who had threatened officers that they had COVID and would spit at the officer.

Members were pleased to note that with the exception of 1 incident, body worn video had been activated when a SpitGuard was being applied. This afforded an independent record and assurance for both the individual and the officer.

A member asked whether there was a lower age limit for a SpitGuard to be applied. C/Insp Sherlock advised that there was not although extra safeguards were taken where the individual was a child and the SpitGuard was removed as soon as possible.

The OPCC Deputy Chief Executive proposed that the use of Body Worn Video when dealing with individuals and applying SpitGuards should be included in the PASS newsletter. This would enable officers and staff to have a wider understanding of the issues and good practice.

Agreed; that, the
(i) report be noted; and
(ii) the Constabulary include within the PASS Newsletter about using BWV when applying a SpitGuard.

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

6. OPCC INFORMATION MANAGEMENT COMPLIANCE

The OPCC Governance Manager presented to members a report which detailed the OPCC's compliance in relation to Freedom of Information Requests and Subject Access Requests. The OPCC continued to see an increase in the number of Freedom of Information (FOI) and Subject Access Requests (SAR) received during 2021; with the same pattern being realised in 2022. Of those received the OPCC were responding to more themselves as the work of the Police and Crime Commissioner developed and that of the Partnerships and Commissioning team.

The OPCC was also seeing complainants who were requesting complaint reviews routinely submitting FOI and SAR requests as part of that process. A member asked whether the OPCC had sufficient resources to deal with the increase in requests. The OPCC Deputy Chief Executive advised that work was currently being carried out to assess demand and the resources required to deal with it. This would also include the increase in the number of complaint reviews that were being received.

The Panel were advised that the Constabulary would be presenting their report in relation to information management compliance to the August meeting in line with the annual work programme.

Agreed; that,

(i) the report be noted; and

(ii) the Constabulary present their information management compliance report to the August meeting in line with the annual work programme.

7. CONTACT WITH THE PUBLIC REVIEW

The Panel had previously been advised that a copy of the Anti-Racist Cumbria report would be provided in late 2021. When asked, Chief Superintendent Hogan advised that the report remained draft and was currently with Chief Officers. Deputy Chief Constable Webster had asked for further information as the Constabulary had contacted Durham University regarding their people survey and there was a real disparity between the two surveys. The Panel were advised that the report should be ready by the end of February and that a copy of it would be provided to them.

The Constabulary were also working on a Conscious Inclusion package following meetings with Durham Constabulary regarding their training package. This was forming how the Constabulary identified and shaped its future training and work was being carried out with potential providers. The Anti-Racist Cumbria report would help to inform this work and ensure that the training being provided was impartial.

It was intended to roll this out in the summer/autumn following internal consultation and working with the Independent Advisory Group (IAG). Chief Superintendent Hogan advised that following a recent HMICFRS inspection the Constabulary had received a good grading in relation to its culture.

Chief Superintendent Hogan advised the Panel that the Constabulary were awaiting the Anti-Racist Cumbria report which would be received within the next couple of weeks. Two officers from the force were visiting Durham Constabulary to see what their training package entailed. These would then form part of how the Constabulary identified and shaped its future training. To enable the Constabulary to carry out this work it was agreed that an update would be provided to the Panel at their May meeting.

Agreed; that,

(i) the verbal report be noted;

(ii) a copy of the Anti-Racist Cumbria report be provided to the Panel prior to their May meeting; and

(iii) a copy of the conscious inclusion work programme be provided to the May meeting.

8. VIOLENCE AGAINST WOMEN AND GIRLS ACTION PLAN

As part of the Constabulary's response to the outcomes of the Sarah Everard case, Chief Superintendent Hogan provided the Panel with a copy of the Interim Violence Against Women and Girls (VAWG) action plan.

Work was being carried out nationally by the National Police Chiefs Council (NPCC) and the work of the Constabulary complimented that work. Contained within the national framework were 3 pillars and Cumbria had initially focused on pillar 3 in relation to creating safter spaces within communities. This included the education of door staff and licence holders, launching the `Ask for Angela' campaign in conjunction with the Safer Streets and Swan Projects. In response to a member's question Chief Superintendent Hogan advised that 75% of what was contained within the action plan was already in place but was now being brought into sharp focus for VAWG. A member asked what overarching governance arrangements were in place to oversee the implementation and were advised that this was being carried out by the Constabulary's Management Board which was chaired by the Deputy Chief Constable. As VAWG applied to everything that the Constabulary did in policing monthly meetings were to be held initially to co-ordinate the work.

A member asked what the Constabulary were doing to interact with health and social care regarding women who have learning disabilities or present with injuries following violence. Chief Superintendent Hogan advised that a lot of information was being shared through the safeguarding department regarding domestic violence and vulnerable victims. It was agreed that this would be provided to the Panel at their May meeting. T/Detective Inspector Gray advised that the MARAC process was now weekly which had good links with health and referred domestic violence cases. The member clarified that they were referring to more adhoc vulnerability and being able to link into the services to receive help and support.

Chief Inspector Smith informed the Panel that the Constabulary had undertaken a review of all cases where sexualised behaviour or inappropriate relationships of officers had been a feature in the past 6 years. The review had confirmed that all matters had been robustly investigated

and all avenues of enquiries had been made. In November 2021 HMICFRS had carried out a thematic inspection in relation to vetting and misogyny. The inspection looked at the culture of the force, setting up individual meetings and focus groups with officers across the force. The report was due to be provided at the end of February, but the initial debrief after the inspection was very positive.

Key messages were being circulated within the Constabulary to enable officers and staff to be empowered feel supported should they want to come forward and report matters.

It was noted that Cumbria was the most gender balanced force within the UK at all levels and Chief Superintendent Hogan confirmed that this was being replicated within the recent officer intakes. The Professional Standards Department were attending sessions at the training school where they engaged with officers to help identify what was acceptable and not acceptable behaviour either internally or externally to the Constabulary. It was important that expectations and standards were clearly set out from the beginning of an officer's career. They also advised on how officers and staff could reach out and the support they needed.

Chief Inspector Smith also advised that an officer had now been appointed to the PREVENT role with a key function being to look at areas of vulnerability either at a national or local level. Chief Superintendent Hogan advised that officers were working with the University of Cumbria to produce an educational play to educate students about VAWG under the Swan Project.

Agreed; that,
(i) the report be noted; and
(ii) an update and updated action plan be provided to the May meeting.

9. INTEGRITY

Chief Inspector Smith guided members through the Integrity report which had been circulated to the Panel prior to the meeting. During the last quarter there had been an increase in the number of complaints which related to race and impolite language which in the main was incivility and curtness. When questioned he advised that these mainly related to officers who had over 15 years' service. With an increase in assaults on officers, politeness and conduct may be complained about. The use of the Performance Requiring Improvement process for officers was being utilised to enable officers to reflect on their conduct. It was agreed that during the next complaint dip sample session that the Panel would look at a selection of these cases.

During the last quarter there had been an increase from the previous quarter of 28.57%, seeing 10 conduct cases recorded. Of the 10 cases, 6 had resulted in reflective practice, 2 learning, 1 was given advice and another a management action plan. All conduct cases were looked at to ascertain whether there were any criminal elements as a matter of course. More than half of the conduct cases recorded in the last quarter related to officer's off duty conduct. Where trends or repeat officers were identified these were highlighted and officers spoken to.

Chief Inspector Smith advised that the Constabulary were the only force to have an electronic PRI system, enabling a visible audit trail. HMICFRS were keen to share the Constabulary's knowledge and experience with other forces.

Agreed; that,
(i) the report be noted; and
(ii) the Panel review a number of race complaints and impolite language complaints as part of the next dip sample.

10. ETHICS AND INTEGRITY ANNUAL REPORT

The Chair presented a draft of the Panel's Annual Report which had been previously circulated. The report detailed the work overseen by the Panel and the thematic sessions they had carried out during 2021. It had been another very challenging year, but the Panel were still able to fulfil their work programme and become involved in new areas of work.

The Chair thanked the Constabulary for their support during 2021, providing them with new challenges and taking onboard the Panel's feedback. The Panel were looking forward to continuing their work and the new thematic sessions which were programmed throughout the year. They hoped that they continued to add value to both the Constabulary and OPCC.

Members were asked to provide any further comments to the OPCC Governance Manager who would collate them and re-circulate a final draft. Once finalised the report would be presented to the Police and Crime Commissioner and also to the Joint Audit Committee.

Agreed; that,
(i) the draft Annual Report be noted; and
(ii) members provide any comments to the OPCC Governance Manager.

Meeting ended at 4.20 pm

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