



**TRUST, INTEGRITY AND ETHICS COMMITTEE**  
**Friday 21 November 2014**

**Attendees:**

**Warwickshire OPCC:**

**Ron Ball (Chair) Police and Crime Commissioner (RB)**

**Neil Hewison Chief Executive (NH)**

**Rebecca Parsons Policy and Research Officer (RP)**

**West Mercia OPCC:**

**Bill Longmore Police and Crime Commissioner (BL)**

**Barrie Sheldon Deputy Police and Crime Commissioner (BS)**

**Andy Champness Chief Executive (AC)**

**Police:**

**Steve Eccleston Superintendent (Supt)**

**Independent Members:**

**Chris Cade (CC)**

**Susanna McFarlane (SM)**

**Clive Parsons (CP)**

**Jane Spilsbury (JS)**

**Tony Ward (TW)**

**Apologies:**

**Debbie Mullis Warwickshire OPCC Policy and Research Officer (DM)**

**1. Welcome and Introductions**

Ron Ball opened the meeting and welcomed the committee members. It was anticipated that an independent member would chair the committee at the next meeting. The members discussed that they may wish to rotate the role of chair and they would discuss this further outside of the meeting. It was raised that in future there maybe media interest of the committee and ideally one member of the committee would act as committee spokesperson. SM advised that she felt whoever liaised with the media would benefit from media training beforehand. Chair agreed this could be arranged if need be.

**2. (1) Minutes of the Meeting held on 22 September 2014**

It was raised that Eric Wood was not in attendance at the last meeting contrary to the minutes on Page 1.

The remainder of the minutes of the committee meeting held on the 22nd September 2014 were deemed to be a true and accurate record.

## **(2) Matters Arising**

Hard copy of HMIC Crime Data Integrity report to be sent to Committee members once published.

## **3. Work Plan**

NH presented the draft work plan to the committee and advised that the work plan needs to be relevant and topical. NH explained the role of Her Majesty's Inspectorate of Constabulary (HMIC) and the recent report HMIC have produced in relation to Crime Data Integrity. NH suggested that this report could be the primary focus of the committee to start with.

It was discussed that it would be beneficial for the committee members to visit the Communication Centre to enable them to relate to the processes being spoken about. In addition to this for them to meet with the Alliance Bureau and Alliance Registrar to gain an understanding on how the Alliance manage crime. This will enable the committee members to develop an insight into which areas of work they need to focus upon.

AC reported that since the draft work plan has been circulated, it has been raised by the Scottish Police Authority about armed police officers responding to non-fire arm related issues whilst armed. The Scottish Police Authority has written to all PCCs highlighting this issue. BS explained how armed officers operate and that they are routinely armed even when not dealing with fire armed offences.

CC discussed that there have been two recent cases in the media following the deaths of two individuals following the use of police tasers. AC advised that the two cases CC has mentioned relate to potential overuse of force.

NH reiterated that it would be beneficial for the committee to commence their work looking into crime data integrity as this is a key area and impacts on public confidence.

BL reported that he experienced a problem getting into a police station recently and raised whether the committee could potentially look at accessibility of getting into police stations and if the force have got it right. BL explained that he rang the bell at the station and it was evident someone was in, however there was no answer, so he rang again and eventually got an answer. BS questioned whether this was a trust issue for the committee and in his opinion it was more of a reputational issue.

BS advised the group that he had received an anonymous letter raising potential integrity issues around vehicle breakdowns. If the police attend a road traffic accident (RTA) and the force have to contact a company to remove the vehicle, it could prove potentially very profitable for one company if they are the firm repeatedly called out. AC raised that this needs to be looked into first by the Professional Standards Department (PSD), as it is unclear what the committee could look into.

NH advised that if a matter has already been raised by the force itself or by an independent body (HMIC as an example) then it should be looked into by the committee to identify if there are potential integrity issues. DM will act as a record keeper for the work the committee have undertaken.

**Action: DM to send hard copy of HMIC Crime Data Integrity report to committee members once published.**

#### **4. Complaint DIP Sampling Update**

CP and TW updated the committee on the work they have undertaken to date. The following key points were noted. CP and TW have undertaken two sessions of DIP sampling to date. The system that has been adopted is that one week before the monthly session is held, TW and CP are forwarded a list of complaints finalised over a six month period from which they chose six to be reviewed in detail from each Force. In addition CP and TW select three cases of alleged gross misconduct on which they are briefed and only comment on due process as many of the cases are still subjudice. TW and CP go through the complaints in detail and record comments for further reference to the DPCCs. CP and TW reported the system is working well and they have identified a number of areas for improvement in the overall management of complaint recording and reporting.

TW and CP advised that the general handling of complaints is dealt with in a fair and professional manner and the committee must congratulate the PSD for the overall diligence of the staff despite its very high workload.

TW and CP highlighted that there is one major criticism which has been reflected in the samples on a number of occasions and that is the inordinate amount of time it has taken to achieve satisfactory resolution of the complaint. Too often months are taken and whilst it may take time to obtain more information regarding the complaint from outstations, the apparent lack of urgency sometimes leads to the complaint being escalated by the complainant; on occasion to the IPCC, which does not reflect well on the forces.

BL agreed with the issues identified by TW and CP and accepted the criticisms they made. He advised that new processes are now in place which aim to improve the handling of complaints.

CP reported that David Shaw, Chief Constable for West Mercia Police, has asked if the DIP sampling by the committee can be extended to complaints resulting in disciplinary action against police officers. It was discussed that police officers are vulnerable, as any member of the public, to make mistakes. Jeremy Williams is going to brief CP and TW against specific cases which may draw media attention. TW commented that a memorandum of understanding is required around for this area of work and it is key that names of police officers are retracted. It was felt by the committee that a degree of experience is required to undertake this work due to the nature of the size of the files therefore there should be succession planning within the committee.

TW advised that one recommendation he has made is in relation to the wording of the letter to the complainant once the case is concluded.

The Chair advised that he has picked up on the frustration from complainants on the time taken for complaints to be addressed, and in his opinion it magnifies the problem. TW reported that if a case is escalated to the IPCC then it can take 5-6 months to resolve which is not the PSD's fault.

NH reported that any recommendations TW and CP make should be made to the committee so the committee can evidence to the public what work they have undertaken. DM to act as record keeper. NH requested that any reports and recommendations made in relation to Warwickshire cases should be sent to Warwickshire Deputy PCC.

The Chair sought clarification on the process CP and TW were undertaking and asked if it was necessary to give the forces 10 days notice on which cases they were going to DIP sample as this was not technically DIP sampling. BS echoed the chairs' view that what was currently being undertaken was not DIP sampling. SE advised many of the cases are held electronically and the majority of the paper files are at the PSD, however if on the 3rd December TW and CP wish to change the numbers of the cases they have chosen to review he is happy to meet with them at 9am and pull out different files. TW and CP accepted this offer.

**Action: SE to meet with TW and CP at 9am on 3.12.14 to enable them to select different files to review than the ones already requested.**

## **5. Compliance with Complaint Timescales and the Use of Local Resolution**

Supt. Steve Eccleston talked the committee through his prepared PowerPoint presentation. A hard copy of the presentation slides were provided to committee members. The following points were noted. SE briefed the committee and explained that the IPCC define a complaint as 'an expression of dissatisfaction'.

SE advised that in Warwickshire, if deemed appropriate, complaints are triaged to the local SNT managers and if the complainant, following contact by their local SNT manager, no longer wishes to make a formal complaint then the case is closed. In most cases a complainant is just seeking an explanation or an update.

The committee asked if the public have to continue to complain to just to get an update on their case. SE reported that the Forces are obliged to record complaints and all complaints are monitored on the force system and are kept track of.

SE explained that the force attempt to differentiate between a concern and a complaint. Within a complaint the complainant may raise more than one allegation.

Comparing Warwickshire and West Mercia police with their most similar forces, SE discussed that a force should be concerned if their complaint recording numbers are very low, and likewise should be concerned if their complaints are very high. If a force receives a high number of complaints it may be an indication that their staff are acting too harshly. In Wiltshire and Gloucestershire they record everything as a complaint so their figures are high.

Within the alliance PSD, like other areas of business, have suffered financial cuts which has resulted in the professional standards department in Warwickshire, and the one in West Mercia, being unified into one PSD for the alliance. Due to this change the number of complaints managers were reduced, which in turn caused a backlog. SE commented that the alliance have to invest resources if they want a timely and efficient PSD, but it is a difficult decision to make as often priority is given to resource frontline officers rather than PSD.

Ron Ball raised that he was aware of the under resourcing in PSD and he was disappointed to hear they are still under resourced as the public perception of the force is vital for public confidence.

The committee asked if there was a log kept of the police officers complained about. SE confirmed there was a log kept on the force system and this enables them to identify any patterns and intervene if necessary. SE advised that there are very few complaints against Special Constables which could mean with they are very professional or detrimentally to the force they are not being proactive when on duty.

In relation to timescales, SE reported that if a complainant appeals to the IPCC then this can cause a delay of 3, 6 or 9 months. PSD recognise that if a complaint is triaged for local investigation then the complaint may not be given the appropriate priority. A SNT manager, in most cases, will prioritise catching an offender following a serious assault, rather than addressing a complaint.

The Chair advised that the Home Secretary is considering whether disciplinary hearings of police officers should be conducted in public and asked SE for his view on this. SE reported that he has no problem with disciplinary hearings being conducted in public and he feels the benefit of doing so would outweigh any problems that could arise. Due to the general lack of trust in the police, conducting the hearings in public will evidence to the public how robust the system is.

AC reported that he has not observed Warwickshire or West Mercia disciplinary hearings, but has witnessed out of county hearings and he has noted that the quality of the chair is key. Additional training to the chair of public hearings would be beneficial.

SE explained that they have undertaken a review of how PSD manage complaint data and they have identified that until now the force have been closing a case 29 days after they have written to the complainant informing them of the outcome of their investigation and their right to appeal. However the IPCC standards stipulate that a complaint should be closed on the date the complainant is informed of the outcome, therefore the alliance have

closed all their cases 29 days late. The data being currently produced is not truly reflective of performance like to like with other forces. The alliance are going to amend their data to offer a true reflection for this performance year. AC questioned if the IPCC have been informed of this, SE confirmed the alliance have made contact with the IPCC.

SE highlighted that the alliance uphold 7-8% of complaints. 31.3% of Warwickshire complaints are locally resolved and 24.2% of West Mercia complaints are locally resolved.

The committee asked if there is a moderation process overseeing locally resolved complaints. SE confirmed that DIP sampling takes place of locally resolved complaints and the complainants also have an appeal process they can initiate. In addition the IPCC reviews cases between forces.

The alliance PSD model reflects that of the model previously being used in Warwickshire which tasks local SNT managers with addressing local complaints. The identified risk of the Warwickshire model is in relation to timeliness of resolution. The challenge for the force is to deliver the timeliness a specialist team can offer but with local resolution.

SE advised that it is the vast majority of conduct matters, not complaint matters that lead to police officers losing their jobs. The trend in dismissing police officers has increased year on year and the vast majority of officers who do lose their job appeal. The national average for successful appeals following dismissal is 3%.

## **6. Professional Standards Review Update**

Supt. Steve Eccleston advised that an internal review of PSD has been undertaken and recommendations have been made. It was recommended that PSD should be overseen by one Chief Officer and this has been identified as ACC Amanda Blakeman. Previously PSD was overseen by Richard Elkin. The Professional Standards Department will receive oversight from the two DCCs as well.

SE briefed the committee on the difference between misconduct hearings and misconduct meetings. A misconduct hearing is conducted by a DCC and they have the full power to dismiss an officer

## **7. Implementation of Code of Ethics and Cultural Change Programme**

Supt. Steve Eccleston provided the committee members with a hard copy of Code of Ethics and Cultural pack which has been produced for circulation within the force. The vision of the force is evidenced on the front page which is to protect people from harm. The code of ethics is the foundation of this vision and the values of everything the force do. The pack will be used as a staff engagement tool kit which will be disseminated to managers to go through with their teams. In June 2015 DIP sampling of the teams will commence to assess how the programme has been implemented.

SE invited the committee members to attend force training days on the Code of Ethics and Cultural change Programme which was welcomed by the committee.

**Action: SE to invite committee members to training days in their areas.**

## **8. Management of HMIC Reports by Force**

Neil Hewison informed the committee members of the role of HMIC and advised that 5 HMIC inspections have taken place year to date and a further 8 inspections are due this year. In addition to this HMIC have undertaken 4 thematic inspections and two Home Secretary instigated inspections.

The approach by the force and by the two PCCs has now been agreed that one Chief Officer will lead with a core team on the inspection and will look at the area of work identified by HMIC before they arrive. The team are required to send the requested policies and documents to the inspectorate prior to their arrival. Once HMIC have attended and inspected, a Hot Debrief takes place before they leave. Following this debrief the core team meet to commence work on the recommendations HMIC have highlighted. HMIC take 8 weeks to write their full report and a factual check is completed by the force before it is published publically. There is an embargo date set by HMIC before the report is released to the media.

NH advised that he recognises this is a defensive approach to take but also a common sense approach as the inspectorate often look at old data which is now inaccurate.

## **9. HMIC Crime Data Integrity Review**

HMIC Crime Data Integrity report is currently under embargo therefore has not been circulated prior to the meeting. NH gave an example that for the recent Crime Data Integrity report there was a 21 action plan included and this volume of work created by HMIC impacts on the force.

The Chair explained that the Government say police officers should be patrolling the streets, however as HMIC has increased in size the government has taken money off the forces and used it for HMIC to produce reports, more often than not are headline grabbing reports which are not helpful at all. TW commented that this has not changed since the Police Authority days.

BS discussed that he had been taken on a tour of the crime bureau and observed the process of recording crimes and he was pleased with what he saw. The HMIC report stated that 77% of crimes were recorded correctly. The West Mercia Chief Constable is currently doing a road show to officers and highlighting examples of where crimes have not been recorded properly. Examples include a boy who was throttled at school which resulted in bruising, the school dealt with the matter, the parents reported the incident to police and the police took no further action on the basis the school had dealt with it.

**Action: DM to send hard copy of HMIC Crime Data Integrity report to committee members once available for public publication.**

## 10. Rape 'No Crimes'

Ron Ball reported that he has recently commissioned a report from the force on rape conversion rates which was presented at the Police and Crime Panel. Furthermore the force are looking at the last 5 years of rape allegations that were not crimed, these cases are being re-examined, however it would be beneficial for the committee to undertake their own independent scrutiny of this.

BS advised that since the last meeting he has liaised with Martin Lakeman, former Head of the Child Protection Unit and Victim Services and he has offered to assist the committee to undertake the work.

A draft Terms of Reference for this piece of work was circulated prior to the meeting. It was highlighted that the redaction of confidential data is very important. Following discussions it was agreed by all that at present the committee should look at rapes that have been reported and no crimed only and the review can be expanded if need be. The committee should look at what the force are doing now so review rapes that have been reported and no crimed over the most recent 12 month period, up to 31.10.14.

The committee asked for clarification on the term 'no crimed'. NH advised that a crime of rape recorded can be:

- 1) Investigated, put to the CPS, charge made and court hearing.
- 2) Investigated, insufficient evidence to put to the CPS, No Further Action (NFA)
- 3) Reported, crimed and then no crimed. No crimed could mean the victim has withdrawn their statement or possibly been too drunk to remember the facts.

NH reported that the contentious area of the three identified above is around no criming as it means that no crime has not taken place, and that this is entirely a police decision.

Due to the scale of the work it was agreed by all that the Terms of Reference need to be scoped out further outside of the meeting.

**Action: Finalise Terms of Reference and for them to be presented at next committee meeting.**

## 11. Public Attendance at Meetings

Discussion undertaken on when and how to implement parameters for public attendance. BL advised that this should be dealt with by the two Chief Executives. It was agreed that if any matters discussed were not able to be disclosed via Freedom of Information (FOI) then the public should be asked to leave.

CC highlighted the need for administration and papers to be available for any members of the public who do attend.



## **12. Any Other Business**

SM reported that she has been contacted by Adrian Blackmore from the Audit committee and he raised that there were potential areas of overlap of the work being undertaken by the Audit committee and the Trust, Ethics and Integrity committee. AC acknowledged that there may be some areas of overlap and the TIE committee has been placed on the risk register. However the purpose of this committee is to look at integrity and ethics. The audit committee mainly look at financial matters. AC reported that if there are any areas of overlap that this can be dealt with.

**Action: Copy of TIE committee minutes to be sent to Audit committee.**

The committee asked if they need any ID for their role. Chair agreed it would be beneficial and agreed this could be organised.

**Action: DM to arrange for ID to be produced for committee members.**

## **13. Date of Next Meetings**

2pm, Wednesday 11 February 2015, in the Willison Room, Hindlip