**Warwickshire and West Mercia Police and Crime Commissioners’**

**Trust Integrity and Ethics Committee**

 **Draft Terms of Reference**

**Introduction**

The College of Policing introduced the Police Code of Ethics in July 2014. It sets and defines the exemplary standards of behaviour for all of those who work in policing. The Code o​​f Ethics is intended to be used on a day-to-day basis to guide behaviour and decision-making.

To ensure that the Warwickshire and West Mercia Police Forces are embedding and complying with the Code of Ethics, the Warwickshire and West Mercia Police and Crime Commissioners established a joint Trust, Integrity and Ethics Committee in September 2014.

By having a Committee in place, the Police and Crime Commissioners and Chief Constables are making a clear and public commitment to transparent ethical policing.

**Purpose**

Police integrity is critical if the public are to trust the police to use their powers wisely and above all fairly.

The Trust, Integrity, and Ethics Committee exists to enhance trust and confidence in the ethical governance and actions of Warwickshire Police and West Mercia Police, who work together in an Alliance. Consequently, it will consider issues both internal and external to the Forces.

It will help to ensure that the two Forces hold the highest levels of integrity and ethical standards of behaviour.

The Committee will discharge its responsibilities by:

* Promoting the highest standards of ethical conduct.
* Providing a focus for education into ethical issues.
* Monitoring compliance with organisational values.
* Identifying and promoting good practice and behaviours, whilst demonstrating the values of the Police Code of Ethics and seeking opportunities for continuous improvement.

**Terms of Reference**

The Committee will consider, review and make recommendations regarding the following:

**Policy and Procedure**

* Providing advice to those engaged in the development or review of the Forces’ policies and procedures.

**Leadership**

* Supporting and if necessary challenging the ethical conduct of leaders at all levels of the organisation, through the Police and Crime Commissioners.

**Culture**

* Reviewing organisational values.
* Reviewing the implementation of the Code of Ethics through the Cultural Change Programme to ensure compliance across the Alliance.

**People**

* Reviewing staff performance in upholding the values of the Forces and police service.
* Scrutinising inter-personal relations, such as behaviour that may fall short of the conduct threshold but indicate a failure to afford an individual dignity or equality in treatment. This does not include involvement in individual cases.

**Performance**

* + Ensuring operational and organisational performance is measured and delivered ethically, upholding the values of the Forces and the Code of Ethics.
	+ To receive feedback on formal inspections of the Forces from HMIC, the IPCC and any other national body where that inspection relates to integrity, transparency or the handling of complaints and misconduct matters.

**Conduct**

* Oversight of arrangements to protect those who challenge conduct (known as ‘whistleblowers’).
* Oversight of vetting procedures and outcomes to ensure the checks are carried out ethically.
* Monitoring to ensure that investigations are conducted ethically.
* Consider potential ethical conflict in relation to matters such as procurement, hospitality, allowances/expenses and personal association.
* Regularly reviewing a selection of complaint files to satisfy itself that the Forces’ procedures, investigations and outcomes have addressed statutory requirements.
* Monitoring of Forces’ and PCCs’ systems for recording, monitoring and reporting of complaints through regular updates from the Alliance Professional Standards Department.
* Monitoring of performance data regarding complaints to ensure that the Forces have an effective complaints reporting system in place and is identifying and learning from any recurring patterns or themes.
* Reviewing the progress of live complaint cases or misconduct investigations, including appeals, that cause or are likely to cause particular community concern or raise reputational issues.
* Monitoring the proportionality of decision-making in relation to complaints and misconduct allegations, including the potential discriminatory impact on the community, officers and staff of the Forces.
* Monitoring registers and policies maintained by the Forces and the Offices of the PCC (e.g. Gifts and Hospitality Registers) from an ethical viewpoint.

**Appointments, Allowances and Remuneration**

Independent Committee Members are appointed through an open recruitment process. Posts were initially advertised for a two year term, with a two year extension granted by the newly elected Police and Crime Commissioners. Future appointments will be made for a four year term.

Members must live within the Warwickshire or West Mercia policing area and fulfil the criteria in the application pack. This includes successful completion of police vetting at Non-Police Personnel Vetting (NPPV) level 2. Vetting will take place every three years or sooner should there be a change in personal circumstances.

Applicants complete an application form and suitable candidates will be shortlisted for interview. A selection of the five most suitable applicants will be made, regardless of the policing area in which they reside.

Members will receive a remuneration of £1,500 per annum, paid monthly. Members may claim expenses and mileage under the same conditions and at the same rate as Warwickshire and West Mercia police staff. Claims will be processed through the Warwickshire Office of the Police and Crime Commissioner.

**Work Plan**

A Work Plan is in place to record the work that the Committee has completed and the work that will take place going forward. Items for consideration in the Work Plan are agreed at the each Committee meeting, with input from the Committee Members, both offices of the Police and Crime Commissioner and both Police Forces.

The Work Plan is managed by the Warwickshire Office of the Police and Crime Commissioner and will be published on the Warwickshire and West Mercia Police and Crime Commissioners’ websites.

**Meetings**

Meetings will take place quarterly and will alternate between the West Mercia Police Hindlip Hall site and the Warwickshire Police Leek Wootton site.

Meetings will be open to the public to attend, other than when restricted items are being considered. Any restricted agenda items will be clearly marked on the agenda and members of the public will be asked to leave the meeting. Members of the public may not speak at a meeting but can observe.

Meeting dates, agendas and public meeting papers will be published on the Warwickshire and West Mercia Police and Crime Commissioners’ websites prior to the meeting date.

Committee agendas are set by the Warwickshire Office of the Police and Crime Commissioner (OPCC), in collaboration with the Committee Chair. Warwickshire OPCC administers the committee on behalf of both PCCs.

Meetings will be attended by:

Independent Committee Members

Warwickshire and West Mercia Police and Crime Commissioners

Warwickshire and West Mercia Police and Crime Commissioners’ Chief Executives

Warwickshire Police and Crime Commissioner’s Policy and Research Officer

Warwickshire Police and Crime Commissioner’s Office Manager

Warwickshire Police Deputy Chief Constable (or representative) on behalf of both Police Forces

There is also an open invitation to both Chief Constables to attend. Both Chief Constables receive the meeting papers and have the opportunity to input to the meeting through the Force representative.

In addition, guests will be invited to the meeting to provide presentations and updates to the Committee on behalf of the Forces and external organisations, as outlined in the Work Plan.

Outside of scheduled meetings, Members will undertake work as required in the Work Plan.

**Operational Principles**

To allow the TIE Committee to carry out its responsibilities effectively, relationships with the following are essential:

* PCCs for Warwickshire and West Mercia.
* Chief Executives of both areas.
* Office of the Police and Crime Commissioners.
* Chief Constables of both Forces.

The Work Plan is regularly updated with input from the PCCs, Chief Constables and Committee Members, which will include some or all of the following key activities:

* Dip sampling of complaints, ongoing gross misconduct and misconduct cases.
* Reviews of files or cases.
* Commissioning of an audit or investigation into a particular aspect of police work as and when required.
* Requesting an update, overview or presentation on a particular topic of interest to the Committee.
* Considering new or revised Force policies and procedures to provide an ethical viewpoint to the Forces and PCCs.

The Committee is not there to act on behalf of members of the public on their complaint cases and will not consider requests to assist with ongoing complaint matters.

The Committee will publish an Annual Report outlining the work completed during the year.

The Committee Terms of Reference will be reviewed on an annual basis.

**Terms of Reference for Complaint Dip Sampling**

Two Independent Members of the Committee will conduct complaint dip sampling on a monthly basis.

The dip sampling process is administered by the West Mercia Office of the Police and Crime Commissioner on behalf of both PCCs.

A minimum of three closed complaints from each Force will be reviewed at each session to determine if they have been appropriately dealt with by the Professional Standards Department. Feedback will also be provided where issues are identified, for example, Members might suggest amendments to the standard letters sent to complainants.

In addition, Members will receive an update from the Professional Standards Department on misconduct matters and appeals taking place.

A quarterly report will be provided to the Trust, Integrity and Ethics Committee outlining the number of complaints reviewed, the issues raised, any themes identified and any other relevant updates on complaints and misconduct.

**Police Ethics Committee**

In 2017, the Warwickshire and West Mercia Police Forces established an internal Ethics Committee. The Committee has been set up to support the ethical development of the Forces and to supplement the Trust, Integrity and Ethics Committee

The purpose of the Alliance committee is to provide a sounding board for ethical issues faced in everyday policing situations; thereby allowing officers and staff to submit issues or dilemmas affecting their work and working environment, to allow a discussion and consideration before submitting a view back to the force.

Membership of the Alliance Committee will include an Independent Member of the Trust, Integrity and Ethics Committee. The Police Force link officer to the Committee will provide an update on the outcomes of each quarterly meeting to the Trust, Integrity and Ethics Committee.

If themes or patterns emerge from the Committee, these will be fed in to the Trust, Integrity and Ethics Committee for further consideration.

**Warwickshire and West Mercia Joint Audit Committee**

The Warwickshire and West Mercia Police Forces and PCCs established a Joint Audit Committee in 2013. The Committee comprises four Independent Members and meets quarterly. The Committee consider issues such as, risk management, internal control and corporate governance as well as overseeing audit arrangements and reviewing financial statements.

There is the potential for overlap between the two Committees, for example, around reviews of gifts and hospitality. The remit of each Committee when conducting these pieces of work needs to be clear.

As such, the public minutes and Work Plans of the Committees will be shared with Members and reviewed by the Committee lead officers for the Police and Crime Commissioners, to identify any overlap, or indeed, any opportunities to work together.

The Chair of the Trust, Integrity and Ethics and the Chair of the Audit Committee will meet as appropriate to discuss any work areas that might apply to both Committees.