

**Joint Audit and Standards Committee**  
**05 July 2021**

**Standards Update**

**1. Overview of Governance and Scrutiny Processes**

1.1 There are 2 key meetings through which the PCC and Chief Officers exercise governance and scrutiny of PSD and the wider standards and ethics agenda:

- The Fairness, Policy and Standards Delivery Board; and
- The PCC – PSD Quarterly Performance meeting.

1.2 The force also have an Internal Ethics Committee (IEC). The Committee does not provide a governance, scrutiny or audit function. It is an independent committee that acts in an advisory and guidance capacity on matters relating to ethical practice and is accessible to all members of West Mercia Police.

1.3 A brief update from each meeting has been provided as part of this paper.

**2. Fairness, Policy and Standards Meeting**

2.1 The last Fairness, Policy and Standards meeting was held on 29/04/21. The meeting is chaired by the Deputy Chief Constable (DCC).

2.2 The meeting covered a range of topics including:

- The fairness, policy & standards delivery plan;
- Fairness at work review;
- Promotions process review;
- Professional standards performance report; and
- IEC update.

2.3 A 'deep dive' on the promotions process review had been commissioned in January, and as such, was the key focus of the meeting. As stated in previous reports, the PCC had raised concerns regarding the promotions process as part of a formal Holding to Account meeting with the Chief Constable (August 2020).

2.4 The DCC sought assurance that the review had maintained momentum, and an update on progress to date was provided (summarised below):

- The force conducted a survey at the end of 2020 to understand experiences of the promotions process. The results of the survey were shared at the meeting;
- A second survey had been sent to those who had taken part in the 2021 Sergeant and Inspector promotion boards;
- Analysis of promotions / workforce data undertaken and presented;

- Contact made with other forces to identify alternative approaches to the current interview-only format;
- The force had evaluated the current promotions process against the good practice guidance issued by the College of Policing. A number of areas for improvement were identified.

2.5 The DCC wanted to see more dynamic change in this area. The Head of People & Organisational Development (People & OD) took away an action to review the delivery plan to determine what could be delivered in quicker time, with a focus on acting / temporary promotion opportunities.

2.6 The next meeting will be held on 29/07/2021.

### **3. Internal Ethics Committee (IEC)**

- 3.1 A West Mercia-specific IEC was established in December 2019. The committee has since developed a revised Terms of Reference (ToR) which outlines the purpose, objectives, membership and administration of the group.
- 3.2 The committee has an independent Chair from the University of Worcester, and a new vice Chair has recently been appointed (a West Mercia Police Inspector).
- 3.3 The IEC was previously attended by an independent member of the PCC's Trust, Integrity and Ethics (TIE) Committee. When the TIE committee was disbanded, the responsibilities of the JASC were extended to include Standards and Ethics.
- 3.4 In 2019, the JASC ToR was amended to include a commitment to attend the IEC and share information between the two committees. As an interim measure, the IEC has been attended by the PCC's Policy Officer who acts as a conduit between both groups.
- 3.5 An extraordinary meeting of the IEC was held on 12/03/2021 to review progress over the last year, and to identify opportunities to drive activity which had stalled somewhat as a result of the pandemic.
- 3.6 The meeting discussed the nature of Chief Officer support, how to solicit increased engagement from the workforce, synergies with established governance boards/ committees and future membership.
- 3.7 As part of these discussions, the PCC's Policy Officer was asked to clarify the role of the JASC in terms of standards and ethics, similarities and differences between the committees, and how the committees have and could work together moving forward.
- 3.8 The ToR for the committees are vastly different, and there are no concerns regarding duplication of effort. However, it was felt that the

informal debates and discussions at IEC could be useful to the JASC in identifying emerging ethical issues to inform the standards work plan.

- 3.9 It was agreed that once a JASC lead for Standards was identified, they would be put in contact with the IEC chair / vice chair to agree working practices moving forward.
- 3.10 Updates and actions from the IEC are reported to the Fairness, Policy and Standards Board and the Regional / National Ethics Committee where appropriate.

#### **4. Quarterly PSD Performance Meeting**

- 4.1 The PCC has a quarterly performance meeting with the Head of PSD and the Senior Complaints and Misconduct Manager.
- 4.2 The last meeting took place on 30/04/2021. An overview of complaints performance and live misconduct matters was provided.
- 4.3 There has been a considerable increase in the volume of complaints received following the implementation of the new regulations in February 2020. This was anticipated as the complaint reforms included a change in the definition of a complaint, to include any expression of dissatisfaction against the police.
- 4.4 It is PSD's ambition to retain as many complaints within the department as possible, to reduce demand on local policing areas and to improve the timeliness, standards and consistency of complaint resolution for the public.
- 4.5 Integral to this is the utilisation of the triage team to resolve complaints informally outside of Schedule 3 of the Police Reform Act. It is now standard practice for every complainant to receive a telephone call from the triage team to discuss their complaint at the front end, with the hope of informal resolution where appropriate, (however it should be noted that a proportion of complaints will always be recorded under Schedule 3 due to the severity of allegations or the wishes of the complainant).
- 4.6 In line with these ambitions, PSD have set an internal aspiration to resolve 75% of complaints through the triage team. Across Q4, 71 – 80% of all complaints were resolved through the triage team. This has led to a considerable reduction in demand on Local Policing teams, as well as improved timeliness of response for members of the public.
- 4.7 There was a 26% increase in conduct offences in 2020/21 (+15 conducts). A number of operations recorded last year involved >5 officers, which has impacted on the annual statistics. However assurance was provided by the Head of PSD that all matters were assessed and recorded in line with statutory guidance.

- 4.8 Analysis conducted in January 2021 for the themes of conduct breaches shows that from January 2019, the breaches in the main relate to honesty/integrity, use of force, misuse of force systems, racial comments, abuse of overtime, leave or expenses, abuse of position for sexual purpose (APSP) and off duty sexual assaults.
- 4.9 The increase in conduct cases last year was subject to further scrutiny at the PCC's holding to account meeting with the Chief Constable (CC) on 04/06/2021. The CC provided reassurance that the drivers of the increase were understood and that an action plan was in place to address them. The force is drawing on work being done nationally in relation APSP and inappropriate messaging using social media.
- 4.10 As per the new regulations, PSD must provide PCCs and the IOPC with a notification letter for any local investigation (complaint, conduct or death or serious injury matter) recorded after February 2020 which has not been completed within 12 months.
- 1.1 Where a case is subject to an IOPC independent or directed investigation, the IOPC must provide the PCC and the CC with a notification letter where investigations have not been completed within 12 months.
- 1.2 In this context, 'completed' is defined as a final report being submitted to the Appropriate Authority (i.e. does not include the reviews period). Such letters must still be submitted even where cases are subjudice.
- 1.3 The Insp in PSD shares bimonthly data on timeliness with the PCC's policy officer such that each office is sighted on cases approaching the 12 month time frame. Arrangements for monitoring IOPC cases is to be discussed at a forthcoming meeting with the IOPC regional liaison officer (18/07/2021).
- 1.4 To date, PSD have submitted 2 notification letters to the PCC. 0 notification letters have been submitted by the IOPC. The PCC's office have developed a mechanism to monitor the submission of these letters and to provide oversight of trends.

## **2. Dip Sampling**

- 2.1 As set out in previous updates, the PCC's TIE committee used to dip sample finalised complaints on a monthly basis.
- 2.2 The TIE committee was disbanded in July 2018 and the decision was taken to incorporate its functions (including dip sampling) into the JASC.
- 2.3 Dip sampling of complaints has not been undertaken since West Mercia established a standalone JASC.

- 2.4 The future role of the West Mercia JASC in standards and ethics, and the value of dip sampling complaints was discussed as part of the training input at the meeting on 30/03/21.
- 2.5 Further to this training input, the PCC's policy officer and the new JASC lead for standards (Pierre de Carteret) had an initial meeting on the 25/05/2021. During this meeting, Pierre set out his vision for how the standards agenda could be developed.
- 2.6 The value of dip sampling a small number of complaints each quarter was discussed and it was agreed that dip sampling of complaints and other casework should be part of a more robust and holistic approach to audit; i.e. one element of a broader schedule of audit which could include meetings with relevant leads, observing meetings and processes, reviewing policies and procedures and utilising dip sampling / reality testing of a few case studies to triangulate the themes that had emerged throughout.
- 2.7 Areas that may be suitable for audit and scrutiny as part of the standards work stream were discussed including: broadening the scope beyond PSD to include other force departments such as People & OD; complaints related to discrimination; informal resolution of complaints outside of Schedule 3, and the PCC's review function.

### **3. PCC Review Function.**

- 3.1 As of February 2020, the PCC has become the relevant review body (RRB) for low level complaints.
- 3.2 A log has been created to monitor the progress, outcomes and learning for all complaint reviews. This data is also recorded on Centurion (the ICT system used by PSDs nationally), to ensure compliance with national data standards.
- 3.3 Key statistics for the year-to-month (YTM; Apr – May 2021) are set out below:
  - 20 complaint reviews submitted; all of which were valid requests for review;
  - 15 out of 20 reviews have been completed to date.
  - Of the 15 completed reviews, 1 has been upheld with recommendations made to the force. This is an upheld rate of 7%.
  - Of the reviews not upheld (14), 0 identified aspects of oversight learning for the force.
- 3.4 National comparator data is not yet available due to delays with IOPC national data extraction processes. IOPC performance bulletins were due to be reinstated as of Q4 2020/21, however concerns have been raised by nationally by PSDs and OPCCs in regards to the accuracy of the data collated by the IOPC.

3.5 The PCC's office has recently undertaken a review of the reviews function. This review included feedback from PCC practitioners, the Assistant Chief Executive (who is the decision maker on reviews), PSD and Sancus (who support the PCC in undertaking reviews). The feedback from all parties was overwhelmingly positive. However a small number of systems / process improvements were identified and are being progressed internally.