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Our reference: jh/EIP

Date: 1 November 2017

## **AGENDA**

**TO: THE MEMBERS OF THE ETHCS AND INTEGRITY PANEL**

### **CUMBRIA POLICE & CRIME COMMISSIONER AND CUMBRIA CONSTABULARY ETHICS AND INTEGRITY PANEL**

A Meeting of the Ethics and Integrity Panel will take place on **Thursday 9 November 2017** in **Conference Room 2**, Police Headquarters, Carleton Hall, Penrith, at **2.00pm**. Please note that a buffet lunch will be served for Members of the Ethics and Integrity Panel.

**V Stafford**  
**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.

**Please note that there will be a dip sample session of Misconduct Files on the morning of Thursday 2 November. Dip Sampling of public complaint files will take place on the morning of Thursday 9 November.**

### **PANEL MEMBERSHIP**

Mr Michael Duff  
Mrs Lesley Horton  
Mr Alan Rankin (Chair)  
Mr Alex Rocke

# **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**

### **4. NOTES OF THE PREVIOUS MEETING**

To confirm the restricted notes of the meeting of the Ethics and Integrity Panel held on 21 September 2017 (copy enclosed).

### **5. CIVIL CLAIMS**

To receive and note a report by Cumbria Constabulary on Civil Claims (copy enclosed) - *To be presented by Mr A Dobson, Director of Legal Services.*

### **6. MISCONDUCT**

(a) To receive and note a report by Cumbria Constabulary on police staff misconduct (copy enclosed) - *To be presented by Deputy Chief Constable Skeer.*

(b) To raise any overall issues identified during the dip sample session and discuss progress of allocated actions.

- 7. CITIZEN'S IN POLICING**  
To receive and note an update on the Constabulary's Recruitment Process for Special Constables – *To be presented by Superintendent Jackson*
- 8. INTEGRITY – ANTI-FRAUD & CORRUPTION**  
To receive and note a report by Cumbria Constabulary on work undertaken by the Anti-Fraud and Corruption Unit (copy enclosed) – *To be presented by Deputy Chief Constable Skeer*
- 9. INTEGRITY – COMPLAINTS BY THE PUBLIC**  
To receive and note a report by Cumbria Constabulary on public complaints (copy enclosed) – *To be presented by Deputy Chief Constable Skeer.*
- 10. OPCC COMPLAINTS AND QSPI**  
To receive and note a report by the Office of the Police and Crime Commissioner regarding complaints and quality of service issues received (copy enclosed) – *To be presented by the OPCC Chief Executive .*
- 11. ANNUAL WORK PROGRAMME**
  - (a) To receive a proposed work programme for 2018
  - (b) Consider thematic areas of work to be considered by the Panel in 2018.
- 12. 2018 MEETING DATES**  
To receive a consider proposed meeting dates for the Panel in 2018 (copy enclosed) - *To be presented by OPCC Chief Executive.*

**Agenda Item No 04****ETHICS AND INTEGRITY PANEL**

Notes of a meeting of the Ethics and Integrity Panel held on  
Thursday 21<sup>st</sup> September 2017 in the OPCC Meeting Room, Police Headquarters,  
Carleton Hall, Penrith, at 1.00 pm

**PRESENT**

Mr Alan Rankin (Chair)  
Mr Michael Duff  
Ms Lesley Horton  
Mr Alex Rocke

**Also present:**

Deputy Chief Constable Michelle Skeer (via telephone)  
Detective Chief Inspector Furzana Nazir  
Superintendent Matthew Kennerley  
OPCC Chief Executive Vivian Stafford  
OPCC Executive Support Officer Paula Coulter

**1. APOLOGIES FOR ABSENCE**

Apologies were received from the Head of PSD, Superintendent Sarah Jackson.

The Panel Chair thanked everyone for their attendance at the meeting following which everyone at the meeting introduced themselves

**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 05 May 2017 had been circulated with the agenda.

**Agreed;** that, the notes of the meeting held on 05 May 2017 be approved.

## 5. BODY WORN VIDEO

Superintendent Kennerley gave a comprehensive presentation on body worn video.

Body Worn Video (BWV) was successfully introduced in Cumbria for front-line officers in 2010. Cumbria has purchased 238 devices of which around 160 are operationally deployed currently. Cumbria utilise a pool of devices at each deployment base, and until recently, Cumbria have had no 'back-office' functionality which would allow any option other than all footage being burned to disk. Cumbria currently use Pinnacle PR5 camera – 4hrs recording, HD footage, clickfast clip, date and time stamped footage. Cumbria mandate recording at incidents of Domestic Violence.

The College of Policing key principles were discussed, and it was noted that guidance states continuous non-specific recording is not permitted. It is acknowledged that the footage recorded by body worn video only captures a limited perspective, and is used in support of conventional forms of evidence.

A Member asked a question relating to Data Protection, and it was noted that a piece of work has been undertaken around GDPR and the new regulations. Statutory guidance mandates what recording is permitted, and a paper on this is due in May 2018.

A Member asked for clarification as to why continuous recording was not permitted – it was noted that there has to be a rationale for recording people proportionately, taking images indirectly of individuals not involved in the incident, and retention of the footage for a period of time also had to be taken into account.

Standard Operating Procedures (SOP's) for Body Worn Video have not really changed since BWV was first introduced. A piece of work is going to be undertaken to update the SOP's, and it was agreed that the Ethics & Integrity Panel would be included in the consultation process.

An example of a current BWV camera was shown to Members in the meeting. It was noted that every officer on shift can have access to a camera, and when used it is classed as personal issue, mandated as part of the uniform. When attending certain incidents such as Domestic Violence cases, Officers will be instructed to use the BWV by the FIM in the Control Room.

Currently there is no back office support and Officers have to download the footage at the end of the shift and burn it to a DVD, which in turn needs to go into an evidence store (30 day retention).

Training is mandated via an e-learning package, and includes legal ramifications around the use of the device, IPCC guidelines etc. There is a restriction of use around victims of sexual violence, and body cams are turned off in that instance.

There is an issue around the flexibility of the current system, for example firearms officers require a device that can be mounted on the head. Also around footage management, there is very little ability to audit and there is no current ability to tell if any footage has been deleted.

### Ethical Considerations

- Impact on police-public relationships?
- Impact on prosecution/court hearings?
- Impact on victims?
- Storage and Deletion of Recordings

The BWV key operational business requirements are the need to:-

- Provide officers will reliable, robust, high quality and straightforward to use camera devices with multiple, flexible adaptations.
- Provide an easy to use, intuitive software interface that minimises manual effort in uploading footage, simplifies and standardises the addition of relevant case information and the secure management of footage.
- Enable officers to access and work with BWV footage or other digital evidence from any Force ICT asset, irrespective of location.
- Improve the Forces' ability to receive and manage digital evidence from the public.
- Improve the Forces' ability to manage other forms of video and digital evidence.
- Provide full auditability regarding any activity or action taken regarding BWV footage or other digital evidence stored in the same repository whilst within the Force.

The digital evidence repository needs to be able to handle Constabulary footage as well as evidence that members of the public may also send in and may include drone footage, dash-cam footage, I-phone footage etc. Footage would be checked for potential viruses, and would also be able to share with other agencies (e.g. CPS). The project team is looking at a cloud bases system that can manage all of the requirements and also be totally auditable.

It was noted that the College of Policing mandated use of bodycam for armed officers was going to be a piece of work done regionally, but this is no longer the case. The work is now going to be carried out by each Force which has resulted in a 12 month delay.

The Chair thanked Superintendent Kennerley for his report.

- Agreed;**           that, the
- (i)     Panel note the report;
  - (ii)    Panel will be included in the consultation process of updating the Body Worn Video (BWV) Standard Operating Procedures (SOP's)
  - (iii)   Panel would look again at Body Worn Video in 2018 to see how things have changed.

(Note: Superintendent Kennerley left the meeting at this point).

## 6. GRIEVANCES

The Panel received a report which outlined the number of number of grievances lodged up to 24th August 2017 and a summary of the last 3 financial years. There have been 2 grievances lodged in this financial year, 2017/2018

Culturally in Cumbria officers and staff voiced their concerns and generally matters were dealt with informally. Although this may be good for the individuals involved it did not allow the matters to be recorded and to enable the organisation to learn for the future or make appropriate changes.

The Deputy Chief Constable advised that work was carried out with support groups and staff associations to ascertain whether any issues were being raised with them. It was also noted that reality testing had been carried out by HMIC.

Bullying was discussed, and it was noted that bullying investigations are not classed as a grievance. It was agreed that the Bullying Procedure would be shared with the Panel, and that bullying would form part of the Grievance Report going forward.

**AGREED;** that,

- (i) the report be noted;
- (ii) the Bullying Procedure would be shared with the Ethics & Integrity Panel, and that bullying would form part of the Grievance Report going forward.
- (iii) Detective Chief Inspector Nazir will bring high level figures relating to use of the confidential reporting line to the next meeting.

## 7. INTEGRITY

DCC Skeer presented a report which detailed the work undertaken by the Constabulary's Anti-Corruption Unit. She guided members through the report, commenting on each of the cases listed that had been finalised and those still ongoing providing an update on their current status. She also presented a report which outlined public complaints that the Constabulary had received during the reporting period along with comparison figures for the previous 12 months rolling period.

- IPCC data continues to show that Cumbria complaints per 1000 employees remains lowest in MSF (most similar forces Lincolnshire 512, Norfolk 319, North Wales 290) and also MSF/national averages:
  - Q4 Apr 16 to Mar 17, Cumbria: 207, MSF average: 332 National average: 279
- The IPCC data also shows that Cumbria remains the 5<sup>th</sup> best in the country for average number of days to locally resolve allegations.
- The current 12 month rolling figures show that cases increased by 15.35% and there has been an increase in allegations by 4.60% in comparison to the last 12 months.
- A breakdown of allegations shows that West and South TPA's have reduced their level of allegations But North TPA, HQ and UOS.
- The main group showing an increase is incivility by 22 (40.7%).

Peter McCall

- Allegations upheld by PSD have reduced by 9 allegations (50%) comparing the last period the current 12 months. The number of Local resolutions has increased overall by 19 (9.69%)
- The number of Force appeals continue to reduce, IPCC appeals have increased.
- The number of upheld appeals for the IPCC has reduced proportionately compared to the last period (from 30% to 24% of results), upheld Force Appeals have remained stable at 9%.

Key events within the county were discussed (Kendal calling; Appleby Horse Fair etc.) and it was agreed that going forward the Report would include Key Events & if this had caused a rise in incivility.

Page 9 of the Report detailed that in September 2016 a complainant stated they were arrested by Officers and transported to another station. The complainant has made a separate complaint in respect of how they were transported to Manchester but believes that the officers' actions were based on their religion, racial background and culture. The result was No case to answer however, learning was identified and shared. It was agreed that this case would be looked at specifically when dip sampling.

- Agreed;** that,
- (i) the Panel note the report;
  - (ii) future reports include Key Events and whether this had caused a rise in incivility complaints; and
  - (iii) Detective Chief Inspector Nazir provide the identified case to the next dip sample session.

**Meeting ended at 3.45 pm**

**Signed:** \_\_\_\_\_  
Panel Chair

**Date:** \_\_\_\_\_

# Ethics and Integrity Panel



## Title: Police Staff Discipline and Misconduct

**Date:**

**Agenda Item No: 06**

**Originating Officer: Kerry Rogerson, HR Manager**

**CC:**

### **Executive Summary:**

The Constabulary has a Disciplinary Policy and Procedure, which affords the opportunity to resolve cases quickly and effectively at the lowest possible management level. This report provides a summary and analysis of the cases, which have been dealt with in the six months preceding this year's meeting of the Panel

### **Recommendation:**

That, the Ethics and Integrity Panel note the Report.

## **1. Introduction & Background**

1.1 This report details the number of police staff discipline and misconduct cases dealt with during the period 1 May 2017 and 31 October 2017.

## **2. Issues for Consideration**

2.1 Twelve members of Police Staff were the subject of disciplinary proceedings in accordance with the Constabulary Policy on Police Staff Discipline. Six staff members were female, six were male. None were of a minority ethnic origin.

2.2 Of the twelve cases;

- two were subject of a public complaint and jointly investigated with PSD with one case NFA and one receiving words of advice,
- one case was subject to potential gross misconduct and Disciplinary Hearing the result being not proven,
- one case was subject to misconduct and Disciplinary Hearing resulting in a Written Warning
- two cases were subject to a criminal investigation, one case was NFA and one case required further staff disciplinary investigation with management words of advice provided.

- Overall five cases were no further action and five received words of advice in relation to conduct.

2.3 There are currently four further cases which are ongoing and not subject to review by the panel at this time.

2.4 No appeals were heard during this time period.

### **3. Implications**

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

#### **3.1 Financial**

Please see Equality Implications

#### **3.2 Legal**

Please see Equality Implications

#### **3.3 Risk**

Please see Equality Implications

#### **3.4 HR / Equality**

If the provisions of the Employment Rights Act 1996 are breached in terms of unfair dismissal the there would be implications for the Constabulary which may lead to financial and status loss.

If any equality or diversity issues are identified that would lead to unlawful discrimination being proven then there would be implications for the Constabulary which may lead to financial and status loss.

# Ethics and Integrity Panel



## Title: Citizens in Policing Report

**Date: 27 September 2017**

**Agenda Item No: 07**

**Originating Officer: Martin Loebell, Chief Inspector (HR)**

**CC:**

### **Executive Summary:**

The Constabulary has brought together the Special Constabulary, Police volunteers and cadet scheme under a single Citizens in Policing team. This report provides an update on the current work and position in relation to recruitment of special constables.

### **Recommendation:**

That, the Ethics and Integrity Panel note the Report.

### **1. Introduction & Background**

1.1 This report details the position as 13<sup>th</sup> October 2017. The citizens in policing team is a newly formed team and is reviewing our current strategy in this area.

### **2. Issues for Consideration**

- 2.1 The Citizens in Policing agenda covers the areas of special constables, volunteers in all their aspects and volunteer police cadets (VPCs).
- 2.2 Cumbria has a strong record with regard to the Special Constabulary and the use of police volunteers. Recruitment for volunteers is done through our Website and through positive engagement within our communities through our PCSOs and neighbourhood teams who actively seek out people who could assist the Constabulary. Recruitment to the Special Constabulary is currently done through two distinct methods – recruitment events where we advertise for people to join the specials and recruitment of specials through the policing qualification through the University of Cumbria. This is mostly done through our website and social media (Facebook, Twitter, Snap Chat and Instagram)
- 2.3 The newly formed citizens in policing team is led by CI Loebell and supported by a dedicated sergeant and 2 police constables. The 2 constables are the tactical leads for each of the strands (Special Constables, Volunteers and Cadets). These should be dedicated officers and to ensure organisational support, it may be worth considering that they are aligned to the resource function in The People Department rather than Community Safety due to the biggest challenges being

recruitment and wider issues within Corporate Support. CI Loebell, who works within People department, provided a cross over from People to the operational arena.

PC Murray who previously ran citizens in policing has remained on the CiP team and she will lead on the new Police Cadet scheme. PC Mossop was previous in learning and development and delivered many of the specials courses. He will take the lead on specials and volunteers with Sergeant Tatton providing day to day leadership.

Governance is being reviewed but will most likely take for the form of a strategic Citizens in Policing board chaired by a senior police leader, and then supporting work stream working groups delivering the force strategy. The Citizens in Policing board would answer to Ops Board or Business Board, dependent on organisational desire (TBC).

- 2.4 At present we have 82 active Special Constables who regularly turn out for the Constabulary. This is made up of 65 operational specials and a number in training etc. We also have 50 Police volunteers working in specific role areas.
- 2.5 The introduction of the Citizens in Policing team in October 2017 shows an investment in this area with an aim to grow the number of police volunteers and to ensure we have the right workforce mix.
- 2.6 The Constabulary has plans for four Specials intakes each year each with a maximum of 18 people per intake. The recent amendment to the recruitment process improved our success rate from 50% to 80% in the last few intakes. This amendment simplified the recruitment process and has seen more people be successful in becoming specials. We continue to lose Special Constables to the regular's service and this trend is likely to continue as the force actively recruits during 2018-2020. The force is looking into ways to recruit specials and retain them in post. Many of the applicants for the special constabulary join with the aim of becoming regular officers and see this route as a good way of gaining knowledge and experience.  
We will still continue to have an intake of University Specials each January.
- 2.7 We are reviewing the training programme for Specials to ensure any "blockers" (e.g. when we run the training, where, format – face to face vs distance learning etc.) and reviewing the relevance of course content to ensure we can maximise the time spent volunteering.
- 2.8 Further meetings are planned with ACC Webster to refresh and renew our Citizens in Policing vision, mission and strategy.

### **3. Implications**

#### **3.1 Financial**

Under review pending any change in strategy

#### **3.2 Legal**

None

#### **3.3 Risk**

None identified

#### **3.4 HR / Equality**

None identified



## Constabulary Report to OPCC

## Agenda Item 9

**TITLE OF REPORT:** INTEGRITY – COMPLAINTS BY THE PUBLIC

**DATE OF MEETING:** 9<sup>th</sup> November 2017

**ORIGINATING OFFICER:** Superintendent Jackson – Head of People Department

**PART 1 or PART 2 PAPER:** PART 1

### Executive Summary:

*No more than 100 words.*

- IPCC data continues to show that Cumbria complaints per 1000 employees remains lowest in the MSF (most similar forces Lincolnshire 103, Norfolk 75, North Wales 64) and also against MSF/national averages:
  - Q1 Apr 17 to Jun 17, Cumbria: 63, MSF average: 76 National average: 68
- The IPCC data also shows that Cumbria is the 6<sup>th</sup> best in the country for average number of days to locally resolve allegations.
- The current 12 month rolling figures show that cases increased by 20.28% and there has been an increase in allegations by 17.24% in comparison to the last 12 months.
- A breakdown of allegations shows that West and South TPAs have reduced their level of allegations. All other areas show an increase of between 9 (31.03%) and 62 (57.94%).
- The main group showing an increase is Unprofessional conduct by 49 (34.51%).
- Allegations upheld by PSD have reduced by 11 allegations (57.89%) comparing the last period with the current 12 months. The number of Local resolutions has reduced overall by 15 (4.89%)
- The number of Force appeals continue to reduce, IPCC appeals have increased.
- The number of upheld appeals for the IPCC has reduced proportionately compared to the last period (from 31.3% to 20.8% of results), upheld Force Appeals have reduced by 50%.

### Recommendation:

*Set out clearly the recommendation to be approved, using bullet points and ensure references are included to previous decisions on this matter. Any alternative options considered should not be outlined here but in the 'introduction and background' section.*

- To continue to issue PASS Newsletters, Best Practice and Forcenet when trends are identified and publicise expected standards of ethical behaviour, good practice, learning and signpost staff to help/reporting lines via PASS Newsletters, Best Practice and Forcenet.
- To circulate trends regarding types of allegation and outcomes to the TPA's.
- To continue to raise awareness and implement delivery plans linked to the People department, some examples being Code of ethics, Abuse of Authority for Sexual Gain (AASG) and Vetting

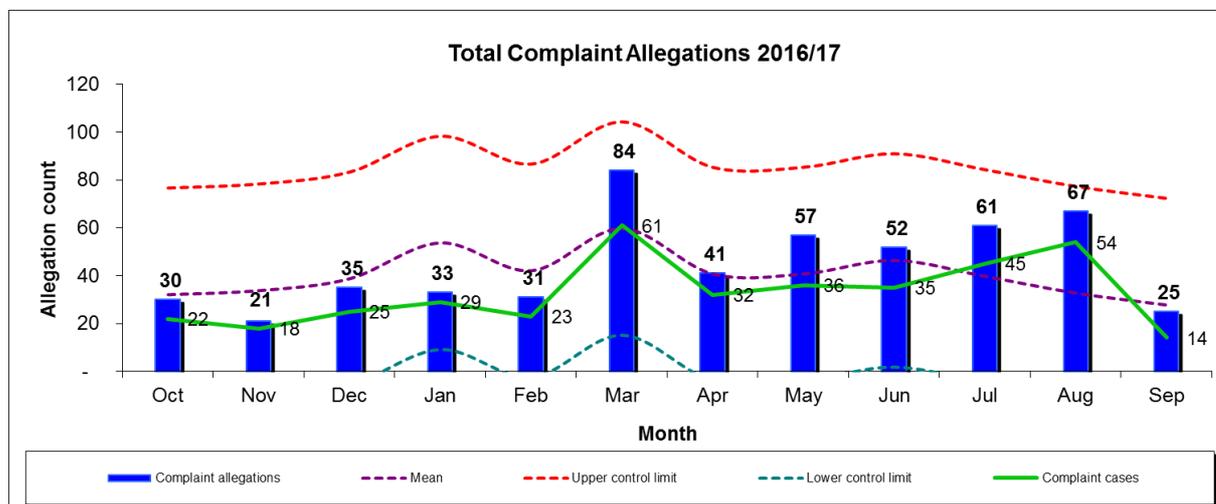
MAIN SECTION

1. Introduction and Background

Alternative options considered, evaluation, benefits – anything not covered in sections below etc.

1.1 Complaint Allegations

The below chart shows levels of complaint cases and allegations in the last 12 months from October 2016 to September 2017: -



The chart shows fluctuating levels of complaint allegations and cases. Over the 12 month period the total allegations are 537 and cases are 394.

The significant peak in cases and allegations in March is not without historic precedence and had been identified as a potential risk in the last strategic assessment.

The increase in cases and allegations in the period May to August is due to the following:

- Feedback from a recent HMI inspection led to the Force considering and recording more Local Resolutions (LR) where appropriate, rather than using "There and then".
- The complaint is now recorded as a miscellaneous matter when it is a "There and then", by recording it as a LR the details of the staff that are subject of the complaint is captured and recorded against them.

The table below shows the total number of cases and allegations including direction and control for 12 months to the end of September 2016 and 2017. The figures show that the numbers of allegations and cases over the current 12 month period have increased compared to the last 12 months, however, proportionately the number of allegations per case have reduced from 1.46 to 1.36. The peak in March has significantly contributed to the increase although figures for the quarter are increased on the three year average as explained above.

	12 Month Rolling to Sept 2016	12 Month Rolling to Sept 2017	Percentage Change
Cases	312	394	26.28%
Allegations	458	537	17.24%

\*Including Direction and Control cases/allegations.

## Allegations broken down into TPA/Area.

The table below shows the numbers of allegations and cases broken down into areas:-

Area	Allegations			Cases		
	12 Month Rolling to Sept 2016	12 Month Rolling to Sept 2017	Change	12 Month Rolling to Sept 2016	12 Month Rolling to Sept 2017	Change
North	107	169	62	76	130	54
South	135	127	-8	87	88	1
West	142	130	-12	79	91	12
UOS	29	38	9	24	28	4
HQ/Other	45	73	28	32	57	25
<b>Total</b>	<b>458</b>	<b>537</b>	<b>79</b>	<b>298</b>	<b>394</b>	<b>96</b>

\*Including Direction and Control cases/allegations.

Complaint cases have increased when comparing the current 12 month period with the previous 12 months with a significant increase in North TPA and HQ/Other in the period.

The table shows an increase in allegations with the largest increase in North TPA followed by HQ, only South shows a reduction over the 12 month period.

## 1.2 Area Allegation group breakdown (Glossary of allegation types at end of document)

The table below shows the allegations broken down into area and group: -

12 Month Period	Group	North	South	West	UOS	HQ	Grand Total
12 Month Rolling to Sept 2016	Breaches of PACE K,L,M,N,P,R	9	16	23	1	2	51
	D&C	15	15	7	14	17	68
	Discrimination F	3	2	3	0	0	8
	Incivility U	11	12	15	6	7	51
	Malpractice G,H,J	5	6	9	0	2	22
	Oppressive Behaviour A,B,C,D,E,Y	31	39	34	4	1	109
	Other W	1	3	1	1	1	7
	Unprofessional Conduct S,T,V,Q,X	32	42	50	3	15	142
<b>12 Month Rolling to Sept 2016 Total</b>		<b>107</b>	<b>135</b>	<b>142</b>	<b>29</b>	<b>45</b>	<b>458</b>
12 Month Rolling to Sept 2017	Breaches of PACE K,L,M,N,P,R	12	13	13	0	1	39
	D&C	22	13	21	7	30	93
	Discrimination F	3	1	2	0	1	7
	Incivility U	32	18	18	12	10	90
	Malpractice G,H,J	9	5	4	1	6	25
	Oppressive Behaviour A,B,C,D,E,Y	20	29	18	4	4	75
	Other W	4	5	4	1	3	17
	Unprofessional Conduct S,T,V,Q,X	67	43	50	13	18	191
<b>12 Month Rolling to Sept 2017 Total</b>		<b>169</b>	<b>127</b>	<b>130</b>	<b>38</b>	<b>73</b>	<b>537</b>

\*Including Direction and Control case/allegations.

## Item 9 - Q2 Report to OPCC Integrity Part 2 Complaints

The largest increases have been seen in the following: -

- North TPA - Unprofessional Conduct (35)
- North TPA - Incivility (21)
- West TPA – Direction & Control (14)
- HQ – Direction & Control (13)

The group that saw the largest percentage increase in the current 12 month period when compared to the previous 12 months was Other however the low level of figures for this category means this is not significant.

Unprofessional Conduct has the greatest increase up 49 (34.51%) to 191 for the period.

Incivility has a significant increase in the period up 39 (76.47%).

The largest reductions have been seen in the following: -

- North, South & West TPAs - Oppressive Behaviour (-11, -10 & -16).
- West – Breaches of PACE (-10)

The four main groups are Unprofessional Conduct, Oppressive Behaviour and incivility, the data has been interrogated and where trends have been identified this has been highlighted below:

- Unprofessional Conduct saw an overall increase of 79 allegations (34.51%) to 191 allegations with Other Neglect or Failure in duty increasing by 29 (125.0%) and Lack of Fairness Impartiality by 9 (34.62%). North TPA showed the highest increase of 35, 21 of which were Other Neglect or Failure in duty, but only South showed a reduction in this group, there have been no trends identified in relation to the increase or the decrease. This information will be disseminated to the the relevant Commanders via Area reports.
- Direction & Control (D&C) saw an overall increase of 25 allegations (36.76%) to 93 allegations with Organisational Decisions increasing by 34 (170%) and Operational policing policies which increased by 7 (233.33%) there have been no trends identified in relation to the increase or the decrease. Areas showing particular increases were West TPA, UOS and North TPA.
- Incivility increased by 39 (76.47%) to 90 allegations. As highlighted above the largest increase was in North TPA increased by 21 on the previous period to 32, however Incivility has increased in all areas.
- Oppressive Behaviour showed a reduction of 33 allegations (43.42%). West TPA showed the greatest reduction, reduced by 16 to 19, of which Other Assault reduced by 11, both North & South TPA also reduced and Other assault reduced by 9 and 8 respectively.
- There were 2 Sexual Assaults in the 12 month period with no allegations in the previous period. The allegations being: **Allegation 1.** An adult female stated that she was stopped in her car by male officers whose behaviour was inappropriate and she made an allegation of a sexual assault. **This was investigated and not upheld, the complainant did not appeal.** **Allegation 2.** An adult male stated that following his arrest he was strip searched and he alleged that there was a sexual motive behind the strip search. **This is currently live and being investigated.**

## Item 9 - Q2 Report to OPCC Integrity Part 2 Complaints

In the current 12 month period the following PASS Newsletters and Best Practice guidance have been issued in respect of identified issues: -

LESSON LEARNED CATEGORY	DISSEMINATION By / To	BRIEF DESCRIPTION
<b>October 2016</b>		
Organisational	CI UOS	Issues regarding recording of gender of transgender female on incident log - referred to as "He". Contact with CI Comms to update call card - also discussed with Sarah Dimmock regarding any training issues going forward
Organisational	DCI to West	Guidance to PPU officers whenever they are required to provide information based on a report composed by another professional in any non- sworn professional proceedings such as case conferences, they must make that clear to all persons present before giving that information. (identified on appeal outcome)
<b>November 2016</b>		
Organisational	Allerdale Borough Sergeants	Inspector will also ensure that Sergeants are reminded to review seized property when they have their regular meetings with staff, in order to prevent unnecessary retention of property and improve the service provided to members of the public
<b>December 2016</b>		
Organisational	Force wide	Link to IPCC Bulletin 28
Organisational	Pass Newsletter Force wide	Pass Newsletter No 25 with Advice for Police officers for the festive period
Organisational	Force email	National/International Anti Corruption campaign over the Christmas period, the campaign looked at various areas. Day 1 - Making sure our officers & Staff maintain the highest standards this festive season. (Covered areas on Passwords, access to systems and Disclosure.)
Organisational	Force email	Day 2 - Police Officers and staff reminded to consider the Code of Ethics and always comply with policy and procedure.
Organisational	Force email	Day 3 - Police Officers and staff reminded about using Social networking sites.

## Item 9 - Q2 Report to OPCC Integrity Part 2 Complaints

Organisational	Force Orders	Considerations when offering a Simple Caution. When considering whether to offer a Simple Caution an offender's antecedents must be taken into account. Before deciding whether to offer a Simple Caution the views of the victim must be established and taken into account alongside wider public interest factors
Organisational	Force email	Days 3 to 8 - Police Officers and staff were made aware of a case study that was linked to Abuse of Authority for Sexual gain. Reporting lines were circulated and they were encouraged to report any concerns they had.
Organisational	Force email	National/International Anti Corruption campaign (cont'd) Day 9 - Officers and staff reminded about the number of complaints that related to incivility.
Organisational	ForceNet	Allegation that a Breach of Code C of PACE had occurred whilst the individual was detained in custody. The investigation was greatly assisted by the entries recorded on the custody record by the custody sergeant which were comprehensive, detailed and in accordance with APP.
Organisational	Force email	Day 10 - Officers and staff reminded about maintaining the highest standards possible and fitness for duty over the festive period.
Organisational	Force email	Day 11 - Police Officers and staff were reminded to wear their ID and check visitors ID, whilst on Police premises.
Organisational	Force net	Following a complaint that there had been a Breach of Code C of PACE, whilst an individual had been detained in custody. The Investigating officer found that their investigation was greatly assisted by the entries recorded on the custody record by the custody sergeant which were comprehensive, detailed and in accordance with APP.
<b>January 2017</b>		
Organisational	ForceNet	Members of the public alleging that officers are using mobile phone/Kelvin device whilst driving marked police vehicles

<b>February 2017</b>		
Organisational	Personal Safety Instructors	Trainers to remind staff during PST to check Force orders and keep up to date regarding completion of use of force forms and consideration of use of PAVA in custody suites
Organisational	PNC entry	Following complaint investigation it was identified that custody officers should be aware that early assistance of an Appropriate Adult for complainant may assist in managing his mental health and wellbeing during future detention in custody
<b>March 2017</b>		
Learning Point	Email to PSD officers & staff	Email sent to wrong email address. Officer & Staff in PSD reminded to check email address before sending emails.
Custody	Custody	Guidance to all custody staff regarding breast feeding mothers in custody.
<b>April 2017</b>		
Learning the Lessons Bulletin	ForceNet	IPCC Bulletin 29 (Custody)
Organisational	South TPA Inspectors	To record summary offences on police systems in a way that time constraints for prosecution are highlighted more clearly.
Organisational	ForceNet	Remind all staff of the need to respond to e-mails from members of the public in a timely manner and to switch on their automatic reply in Outlook when out of office. In addition, make sure that any automatic reply does not reflect badly on themselves or the constabulary.
Organisational	ForceNet	Regarding return of property when many items. Staff awareness that when taking property out of exhibit bags and placing in a box it could get mixed up and could result in challenge to the Constabulary
Organisational	ForceNet	Provide owners with checklists when their property is seized so they can identify what has been returned.
<b>May 2017</b>		
Organisational	Pass Newsletter Force wide	Recent Misconduct Hearing outcome
Organisational	ForceNet	Reminder to all staff of the parameters for submission of use of force form - including for compliant escort
<b>June 2017</b>		
Organisational	ForceNet	Using bodycam - pictures speak louder than words and footage often helps to provide a balanced and undeniable version of events. Completion of Use of Force Form - documenting why techniques were used. Completion of electronic PNB at earliest opportunity to provide a record of events and enable credibility on accuracy

Organisational	Pass Newsletter Force wide	Recent Misconduct Hearing outcome
Organisational	ForceNet	Reminder to officers regarding the necessity to charge Body Cams following use and upon conclusion of shift
<b>July 2017</b>		
Organisational	PSD	Circulate reminder to staff within PSD to bring any potential conduct matter not part of their investigation to the appropriate authority for assessment.
Organisational	Constabulary website	Website now includes: "Calling From An Area Where 101 Is Not Available: If you wish to speak to Cumbria Police and are calling from an area where 101 is not available you can contact us on (+44) 0300 124 0111"
Individual	Individual	PC to attend Advanced driver Course. Out of area
<b>August 2017</b>		
Organisational	Email to custody officers in South	Regarding provision of leaflet to DPs, victims and witnesses in relation to 'release under investigation' information
<b>September 2017</b>		
Organisational	PASS Newsletter Force wide	Recent Misconduct Hearing Outcome (Rogers)
Organisational	PASS Newsletter Force wide	Recent Special Case Hearing outcome (Lister)

### 1.3 Repeat Officer Strategy

Officers who meet the criteria for the repeat officer strategy (Subject of 3 complaint cases in a 12 month period) are brought to the attention of the Professional Standards Department Tactical Tasking and Co-ordination Group on a monthly basis where the complaints made against them are assessed following which appropriate guidance and support is provided.

There were 31 officers who met the repeat officer strategy in the current period, 7 of these officers had more than one entry under the strategy in the period, which is an increase of 15 on the previous period. The Complaints Manager is liaising with the TPA Commanders regarding issues around these identified officers highlighting opportunities for learning, development, force training and bodycam use. Also how officers that receive more complaints due to being easily identifiable, via ethnicity or accent, can be supported.

Twelve of the identified officers are in West TPA, accounting for 18 entries and 14 in South TPA with 17 entries. North TPA and UOS have 3 and 2 officers and entries respectively. One of those subject to the strategy in the period is easily identifiable through ethnicity, this officer has welfare and support in place. Of the rest 19 officers showed no clear issue or trend identifiable. Those where concerns were identified related to communication and poor handling of specific situations.

#### 1.4 Dissatisfaction Reports

There were 49 dissatisfaction reports recorded in the current 12 months which is a reduction of 9 when compared to the previous 12 month period. The main categories reported on in the lower level dissatisfaction reports over the 12 month are regarding similar issues to those reported on in the complaint cases, these being neglect/fail duty and incivility which combined form 45% of dissatisfaction reports in the period.

The Complaints Manager has introduced a new system where PSD will attempt to resolve minor discrepancies through service recovery, "There and then", and not record them as complaints. All this information will be transferred onto Centurion. Going forward there will be no Dissatisfaction forms only "There and Then" service recovery which will capture all relevant information to ensure no patterns of behaviour are missed, linking to officer details so enabling better examination of issues for individuals and general trends. The complaints team have recently attended respective AMT'S with a clear steer that supervisors are required to manage the performance of their staff rather than simply record a complaint. These cases will continue to be reported on in this document under the title There & Then.

#### 1.5 Diversity

There have been 5 allegations of discriminatory behaviour by the police recorded during the current 12 month period which is stable compared to the previous 12 months.

November 2016 - A complainant stated that he had been charged with a driving offence because they are male, when a female had previously had the same type of accident but not been charged. Not Upheld - by PSD.

March 2017 –Complainant on behalf of their child, has complained that officers involved in the arrest or detention have either instigated or covered up Institutional racism, a hate crime and/or disability discrimination. In appeal period.

April 2017 - Complainant states the information provided by the police to Children's Services was incorrect. They have had information released to them by Children's Services and no mention is made of the fact that they had been subject of domestic abuse by their ex-partner however the reverse is clearly recorded. They consider this is discriminatory. In addition there is no mention of loss of/damage to property which they believe was undertaken by the ex-partner. Currently live.

May 2017 - Complainant states that they were arrested, handcuffed and sworn at by the arresting officer and alleges that the arresting officer did this because they is Scottish. Currently live.

September 2017 - The complainant states that they were in a vehicle that had broken down due to a burst tyre. When police finally attended the complainant states the officer made comments to them which shocked and insulted them and felt were unprofessional making reference to sensitive incidents which had nothing to do with them. They further state that they are concerned that this type of behaviour is victimising behaviour aimed towards their family who come from a travelling background. Currently live.

## 1.6 Performance

Allegations finalised in the period regardless of when the allegations were recorded.

Allegation Result Description	12 Month Rolling to Sept 2016	12 Month Rolling to Sept 2017	Change
De Recorded	12	12	0
Disapplication - by Force	87	18	-69
Local Resolution - by Division	197	241	44
Local Resolution - by PSD	110	51	-59
Not Upheld - by Division		4	4
Not Upheld - by PSD	283	120	-163
SR Case to answer	5	2	-3
SR No case to answer	2	3	1
Upheld - by PSD	19	8	-11
Withdrawn - by Force	23	15	-8
Withdrawn - by IPCC	6		-6
De Recorded	12	12	0
<b>Grand Total</b>	<b>756</b>	<b>486</b>	<b>-270</b>

The IPCC in the most recent report (Q1, Apr 2017 to Jun 2017) assess Cumbria's performance for average number of days to finalise Local Resolution and Investigations:

- Average number of days to locally resolve allegations – Cumbria 40, MSF average 77 and National average 67. Cumbria has increased by 6 days and the MSF by 18 and national figures have remained stable.
- Average number of days to finalise cases – Cumbria 65, MSF average 98 and National average 97. Cumbria has reduced compared to the same period last year which had 73 days.
- Average number of allegations per 1000 employees cases – Cumbria 63, MSF average 76 and National average 68. Same Quarter last year Cumbria was at 55.
- Cumbria is the 6<sup>th</sup> best in the country for the average number of days to locally resolve allegations.

In the current 12 month period, 486 allegations were finalised compared to 756 in the previous period.

The greatest increase (by 44, 22.34%) was Local Resolutions by TPA, Not Upheld by PSD has reduced (by 163, 57.60%). As a proportion Local Resolution has increased from 41.26% in the last period to 61.60% in the current period. This is mainly down to the following main issues:

1. A greater emphasis on dealing with complaints that are better suited to Local Resolution rather than undergoing an extensive investigation and having a third

## Item 9 - Q2 Report to OPCC Integrity Part 2 Complaints

party (Complaints Investigators) deliver a decision. By directly participating in the solution to the dispute the majority of complainants come away from the process with a more meaningful level of understanding.

2. The Complaints Manager's remit is therefore to deal directly in resolving the dissatisfaction rather than get embroiled in an investigation that can be time consuming and bears no resemblance to restoring public confidence.
3. The average time to deal with a Local Resolution is 35 days as opposed to 110 days in respect of a Local Investigation.
4. The time frame for dealing with Local Resolutions is 40 days. Reminders are sent out to Inspectors/Sergeants after 25 days, hence more are been completed within the required timeframe, hence the quicker turnaround.

## 1.7 Force and IPCC Appeals

Result	Force Appeals 12 months rolling to Sept 2016	Force Appeals 12 months rolling to Sept 2017	IPCC Appeals 12 months rolling to Sept 2016	IPCC Appeals 12 months rolling to Sept 2017
Upheld/Partially	3	2	5	5
Not Upheld	24	5	10	14
Withdrawn				
Not Valid			1	
Live	2	7		5
<b>Total</b>	<b>29</b>	<b>14</b>	<b>16</b>	<b>24</b>

The above data highlights that the number of IPCC appeals have increased by 50% (8) and the number of force appeals has reduced by 51.72% (-15). The percentage of upheld Force appeals has reduced in this reporting period by -33% (1) compared to the previous 12 months. IPCC Appeals upheld results have remained stable.

Upheld Force Appeals have reduced from 10.3% to 14.3% (3 of 29 compared to 2 of 14).

Upheld IPCC Appeals have reduced from 31.3 to 20.8% (5 of 16 compared to 5 of 24).

### 1.8 Direction and Control Complaints

Direction and control complaints are from members of the public complaining about how the constabulary is run rather than actions of individuals. Over the current 12 month period direction and control complaints have increased by 25 (37%) when compared to the previous 12 month period particularly in Organisational decisions although to a lesser extent in Operational policing policies.

<b>Allegation Result Description</b>	<b>12 Month Rolling to Sept 2016</b>	<b>12 Month Rolling to Sept 2017</b>	<b>Change</b>
General policing standards	11	3	-8
Operational management decisions	34	26	-8
Operational policing policies	3	10	7
Organisational decisions	20	54	34
<b>Grand Total</b>	<b>68</b>	<b>93</b>	<b>25</b>

Issues raised in the last quarter include complaints about method decisions for specific cases, custody, property and timeliness.

## APPENDIX

Group	Allegation Ref	Allegation Title
Breaches of PACE	K	Breach of Code A PACE on stop and search
	L	Breach of Code B PACE on searching of premises and seizure of property
	M	Breach of Code C PACE on detention, treatment and questioning
	N	Breach of Code D PACE on identification procedures
	P	Breach of Code E PACE on tape recording
	R	Multiple or unspecified breaches of PACE which cannot be allocated to a specific code
Direction & Control	01	Operational policing policies
	02	Organisational decisions
	03	General policing standards
	04	Operational management decisions
Discrimination	F	Discriminatory behaviour
Incivility	U	Incivility, impoliteness and intolerance
Malpractice	G	Irregularity in relation to evidence/perjury
	H	Corrupt Practice
	J	Mishandling of Property
Oppressive Behaviour	A	Serious Non-Sexual Assault
	B	Sexual Assault
	C	Other Assault
	D	Oppressive conduct or harassment
	E	Unlawful/unnecessary arrest or detention
	Y	Other Sexual Conduct
Other W	W	Other
Unprofessional Conduct	Q	Lack of fairness and impartiality
	S	Other Neglect or Failure in duty
	T	Other Irregularity in Procedure
	V	Traffic Irregularity
	X	Improper disclosure of information

# Ethics and Integrity Panel



## Title: OPCC Complaints

**Date:** October 2017

**Agenda Item No:** 10a

**Originating Officer:** Joanne Head

**CC:**

### Executive Summary:

In accordance with the Police Reform and Social Responsibility Act 2011 the Police and Crime Commissioner has a responsibility in relation to conduct and complaints. The Commissioner is the appropriate authority for complaints and conduct matters relating to the Chief Constable 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.

### Recommendation:

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

#### 1. Introduction & Background

- 1.1 The Office of the Police & Crime Commissioner (OPCC) receives a number of 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 OPCC 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.
- 1.3 Regular contact between OPCC staff and the Constabulary staff officers takes place to ensure that the matters are progressed in a timely manner and that an author is updated of progress or the final result as soon as possible.

## 2. Issues for Consideration

### Complaints received by the OPCC

- 2.1 Detailed below is a table which illustrates the number of complaints which have been received by the OPCC. In brackets are the number of those complaints which were passed to Cumbria Constabulary to deal with, these were all regarding police officers below the rank of Chief Constable, the Police and Crime Commissioner has no statutory responsibility to deal with such matters. As can be seen from the figures detailed below a large proportion of the complaints received by the OPCC, the Commissioner is unable to deal with.

2013	2014	2015	2016	2017
29 (19)	13 (8)	2 (2)	22 (22)	5 (5)

- 2.2 The reduction in the number of complaints received by the OPCC indicates that the public are more aware of the Police and Crime Commissioner, the roles and responsibilities he has and the procedures to be followed regarding making complaints about police officers and staff or the Constabulary. Appended to the report is a breakdown of the complaints received up to 31 October 2017 (Appendix 1).

### Commissioner Complaints

- 2.3 Complaints made regarding the Police and Crime Commissioner are dealt with by the Police and Crime Panel (PCP). 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.
- 2.4 Chapter 4, Section 30 of the Police Reform and Social Responsibility Act 2011 details the circumstances in which a Police and Crime Commissioner could be suspended this being that the Commissioner has been charged with an offence which carries a maximum term of imprisonment exceeding two years. The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 details the role of the PCP.
- 2.5 Any complaint regarding the Commissioner is sent to Cumbria County 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 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.
- 2.6 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.

- 2.7 The Panel will be aware that Police and Crime Commissioner elections were held on 5 May 2016. Following the election the Commissioner, Mr Peter McCall, was elected. Detailed in the table below is the number of complaints received regarding the previous Commissioner, Mr Richard Rhodes, (RR) and the current Commissioner, Mr Peter McCall (PM). The table illustrates by what method they were dealt with.

YEAR	N° of Complaints Received	Complaint not about the PCC	Dealt with by informal resolution	Police & Crime Panel investigation
2016 RR	2	0	2	0
PM	0	0	0	0
2017	2	0		

- 2.8 The majority of the complaints received relate to the way in which the Commissioner has carried out his duties or work he has undertaken rather than his personal conduct. The two complaints against the current Commissioner remain outstanding and are being considered by the Police and Crime Panel.

#### 2.9 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.

- 2.10 The table below illustrates the number of complaints which were received from 1 January 2016 to 31 October 2017. There are no complaints outstanding.

YEAR	N° of Complaints Received	Recorded	Not Recorded	Dealt with by informal / local resolution	Investigation	IPCC Appeal
2016	4	4	0	1	1	3
2017	4	2	2	2	0	1

- 2.11 A complainant has the right of appeal to the IPCC if they feel that a complaint should be recorded or is unhappy with the outcome of the resolution process or investigation.

#### 2.12 OPCC Staff Complaints

No complaints have been received regarding any member of OPCC staff during the reporting period.

### **3. Implications**

- 3.1 Financial - there are no additional financial costs associated with dealing with these complaints, quality of service issues.
- 3.2 Legal – none identified.
- 3.3 Risk - None identified, beyond that to the OPCC'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.

### **4. Supplementary information**

Appendix 1 – Complaints received by the OPCC

# Ethics and Integrity Panel



## Title: OPCC Quality of Service & Policing Issues

**Date: October 2017**

**Agenda Item No: 10b**

**Originating Officer: Joanne Head**

### 1. Introduction & Background

- 1.1 The Office of the Police & Crime Commissioner (OPCC) receives a number of telephone calls and emails from members of the public who wish to raise issues or dissatisfaction about some element of the policing service they have experienced. These are regarded as quality of service and policing issues.
- 1.2 Our service standard is that:
  - An acknowledgement will be sent out on the day of receipt of the correspondence advising them that they will receive a full response from the OPCC within 28 days. Should the matter take longer to conclude updates will be provided on a 28 days basis until the matter is finalised.
  - Where possible a response will be provided at the earliest opportunity and is often well before 28 days.
- 1.3 A system has been developed within the OPCC to acknowledge, log and monitor the resolution of the issues raised. Once a QSPI is logged within the OPCC it is then allocated appropriately. Predominantly the majority of issues are passed through to the Chief Constable's Office who then allocate it to the appropriate Territorial Policing Area (TPA) or department to deal with. Regular contact between OPCC staff and the Chief Constable's Office takes place to ensure that matters are progressed in a timely manner. The staff officers have access to the same information and QSPI spreadsheet as the OPCC and will update it accordingly.
- 1.4 Where an urgent matter is received then the OPCC will directly contact the Chief Constable's office to ensure that the matter is progressed immediately.
- 1.5 Since its inception the number of QSPI's received and dealt with by the OPCC has increased as can be seen from the figures below:
  - 2013 - 98
  - 2014 - 198
  - 2015 - 167
  - 2016 - 235

- 2017 - 219 (up to 31 October 2017)

1.6 The OPCC has received correspondence from groups or organisations who raise an issue regarding a particular matter. These include:

- February 2015 – 124 emails regarding Hunting within Cumbria
- October 2015 - 173 letters regarding the positioning of CCTV cameras across Cumbria
- February 2016 - 83 emails regarding Fox Hunting within the County

Although these matters were classed as one matter within the appendices every email and letter received an individual response, resulting in the yearly figures increasing to:

- 2013 - 98
- 2014 - 198
- 2015 - 167 + 297 = 464
- 2016 - 235 + 83 = 318
- 2017 - 219 (up to 31 October 2017)

1.7 As can be seen from the appendices the issues raised by members of the public are very broad ranging but it is primarily the Constabulary who provide the response either at a personal level or provide the information to the OPCC to write to the individual. Of the 219 QSPI's processed up to 31 October 2017 the OPCC itself provided the response to 40 (18%) with the Constabulary either via direct contact or providing information for the OPCC to respond with provided information for 179 (82%).

## 2. Making A Difference

2.1 In each instance the OPCC helps to facilitate the individual to be provided with a response or explanation to the issues that they have raised. On many occasions the matter is dealt with at a local level, with police officers and staff making contact or visiting the individual. This then enables the Constabulary to find out more about the issue and look to implement a suitable solution or resolution for not only them but on occasions the wider community.

2.2 Where matters are passed to the Constabulary the OPCC is advised of progress and of either a final solution which has been agreed with the individual or information/advice relating to their issues.

2.3 Every QSPI will receive a tailored response from the OPCC in answer to the issues that they have raised.

2.4 Members of the public also contact the OPCC for advice and clarification on a variety of topics and issues. Again these will all receive a response either providing the information sought or signposting the individual to the correct organisation who can assist them.

2.5 The OPCC has received a number of letters of thanks for the help and support they have provided. On some occasions the author has acknowledged that they did not get the final outcome they had hoped for but thanked the OPCC for the work they have carried out to assist them in being provided with the correct information.

- 2.6 A number of people also write to the Commissioner regarding complaints they wish to make about Cumbria Constabulary. As the Police and Crime Commissioner does not have any statutory authority to deal with complaints between the rank of Chief Constable, these are logged and the individual advised that their complaint will be forwarded to the Professional Standards Department to deal with it.

### 3. Organisational Learning

- 3.1 On a six monthly basis the OPCC will analyse the information it has received via the QSPI process. This enables us to look at any trends or patterns regarding issues which are concerning the public, see how the OPCC has facilitated an outcome or service recovery for the Constabulary and whether there is any organisational learning.
- 3.2 Detailed below illustrates the amount of shared learning between the OPCC, the Constabulary and the Professional Standards Department relating to the total number of QSPI's dealt with during 2017 (up to 31 October 2017):

94% shared learning with TPA's  
5% shared learning with PSD  
1% shared learning with HR

In 100% of the QSPI's received during 2017 the OPCC provided advice or information; or was the conduit through which the Constabulary contacted and resolved the issue with the individual.

- 3.3 As can be seen from Appendix 1 the nature of the top five issues raised within 2016 and 2017 are:

Issues Raised	2016	2017
Police Resources / Police Service	91	38
101	14	21
Anti-Social Behaviour	14	18
Car Parking / Driving Issues	11	34
Fraud	6	6

- 3.4 Where an issue is repeatedly being reported or raised by members of the public the commissioner will be advised and he may seek to look into the cause of these issues himself. An example of this would be in relation to 101. In 2016 a number of members of the public telephoned the OPCC to complain about their ability to get through on the 101 service. The Commissioner took this matter up with the Chief Constable and now receives weekly reports on the performance of the 101 service.

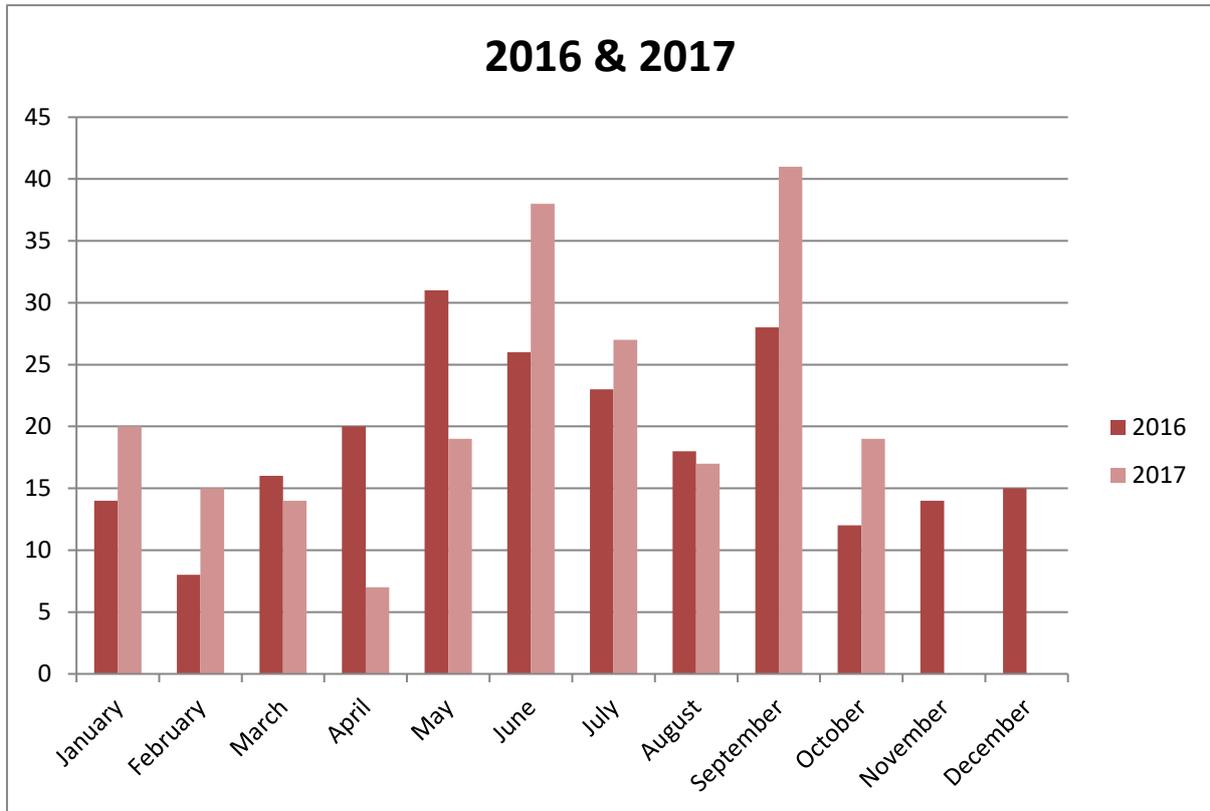
#### **4. Implications**

- 4.1 Financial - there are no additional financial costs associated with dealing with these complaints, quality of service issues.
- 4.2 Legal – none identified.
- 4.3 Risk - None identified, beyond that to the OPCC's reputation if it does not deal with the issues raised appropriately and proportionately according to the merits of the individual case.
- 4.4 HR / Equality - none specifically identified.

#### **5. Supplementary information**

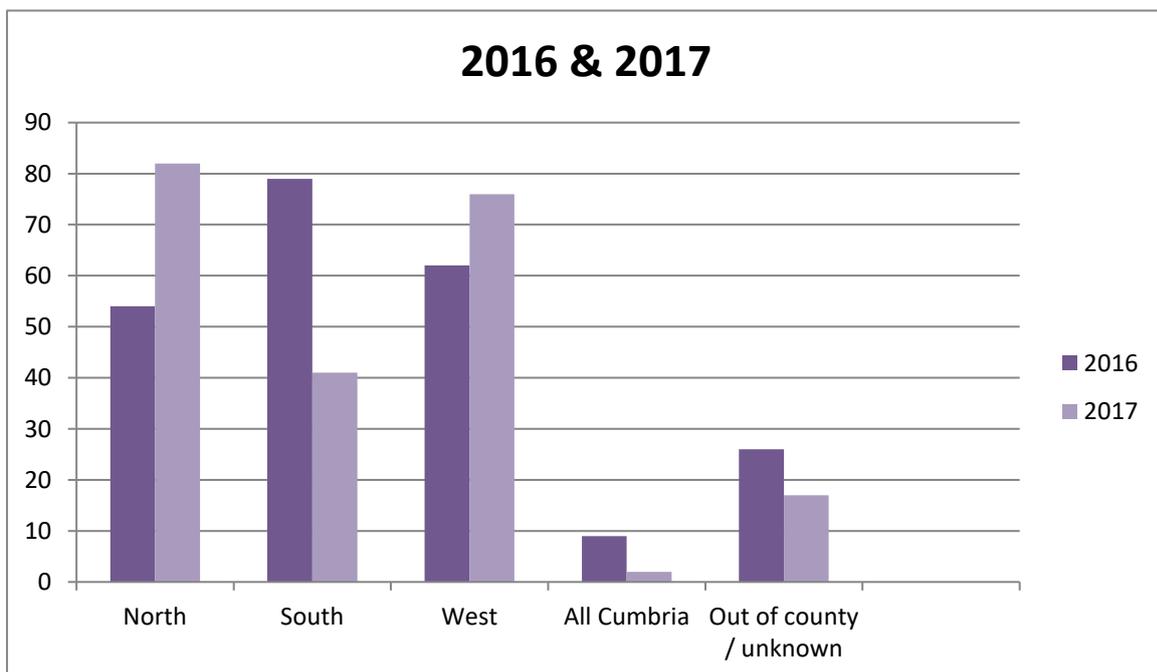
Appendix 1 – Quality of Service issues received by the OPCC

**QSPI'S PER MONTH**



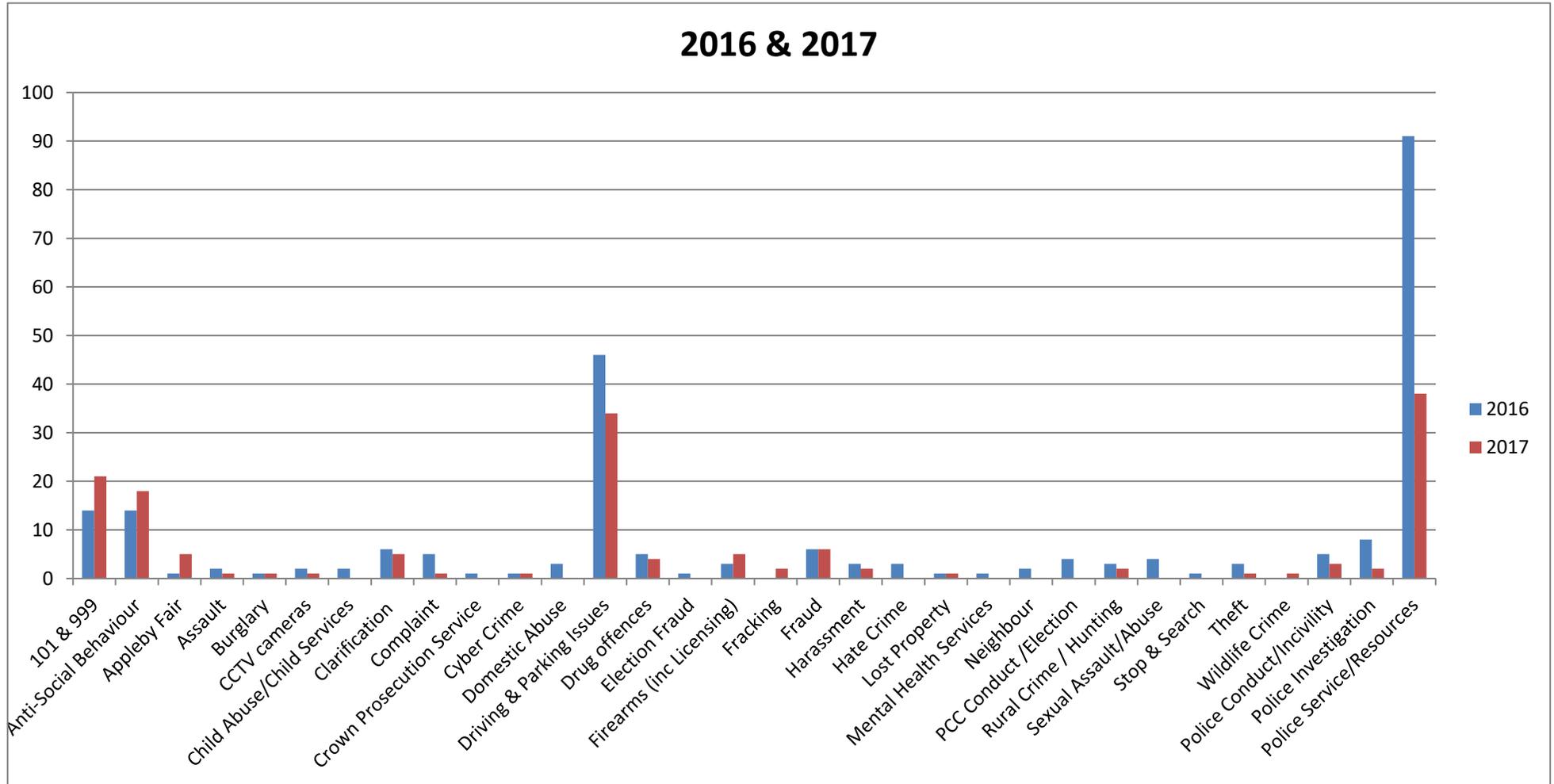
It can be seen from the above chart that in June, July and September 2017 there was an increase in the number of QSPI's received. This can be attributed to the Commissioner holding surgeries throughout the county and members of the public attending to raise issues and concerns.

**QSPI's per Area**



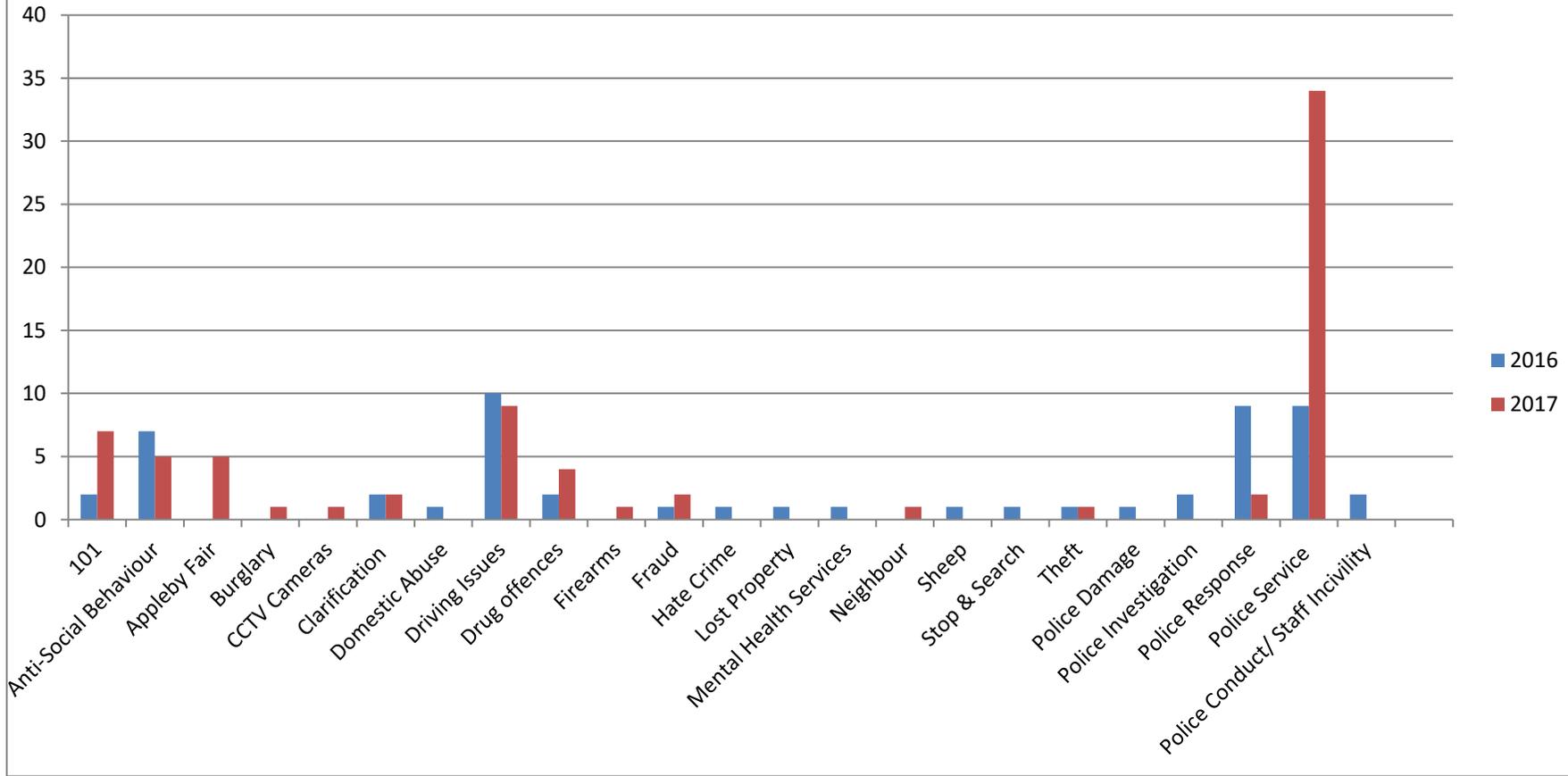
QSPI Categories

**2016 & 2017**

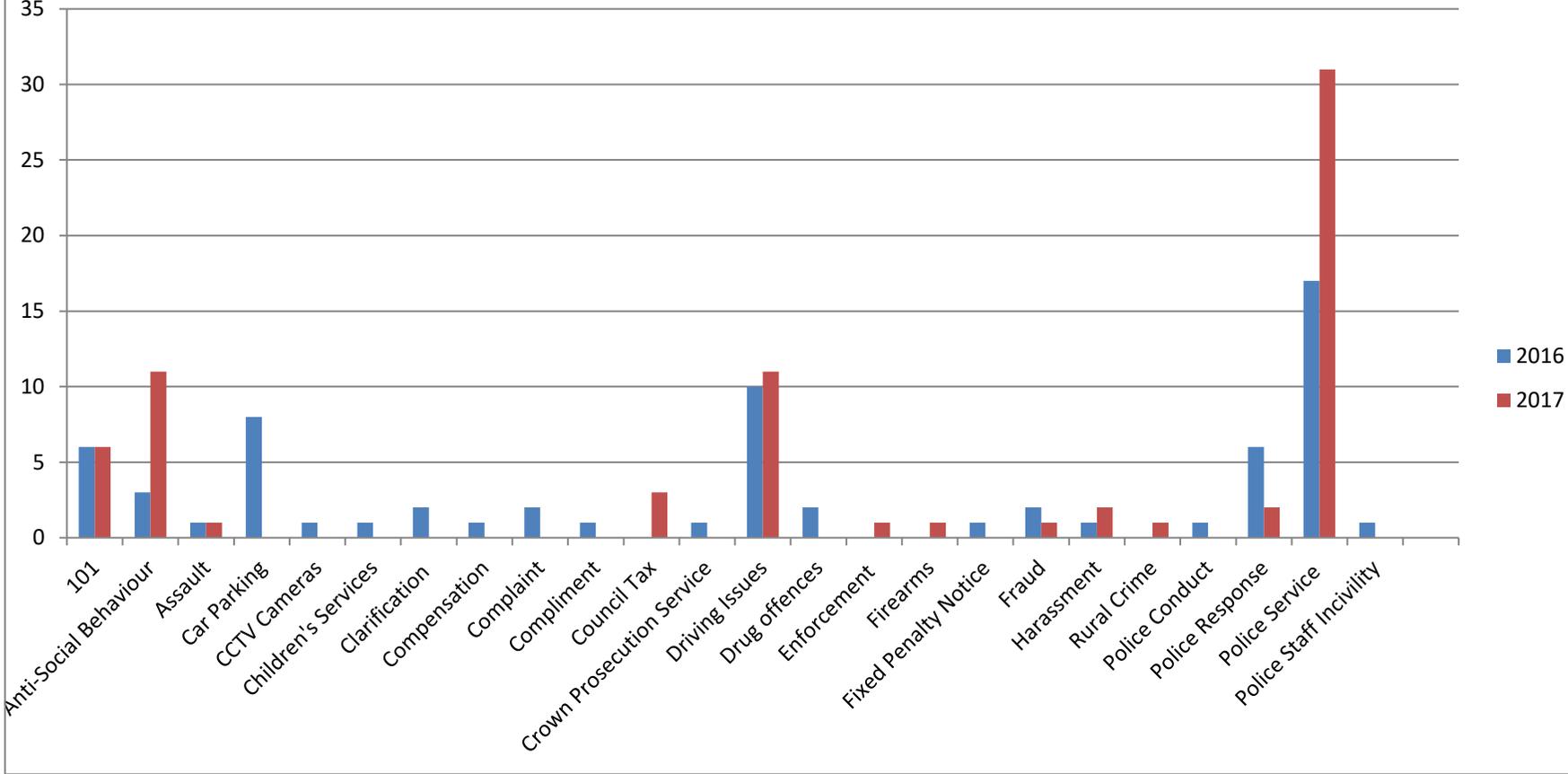


The above figures are for the period 1 January 2016 to 31 December 2016 AND 1 January to 31 October 2017

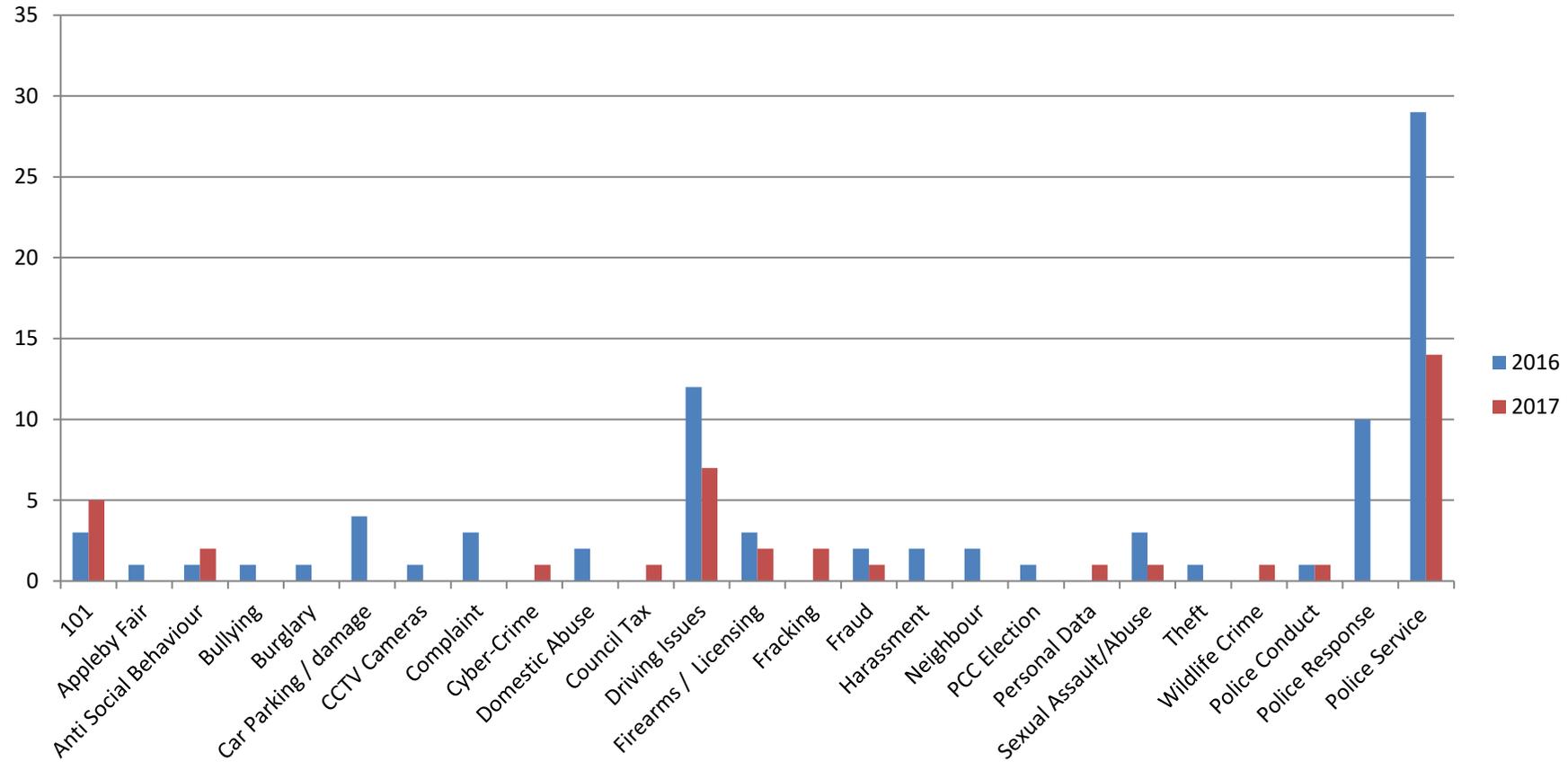
# North Area & Categories



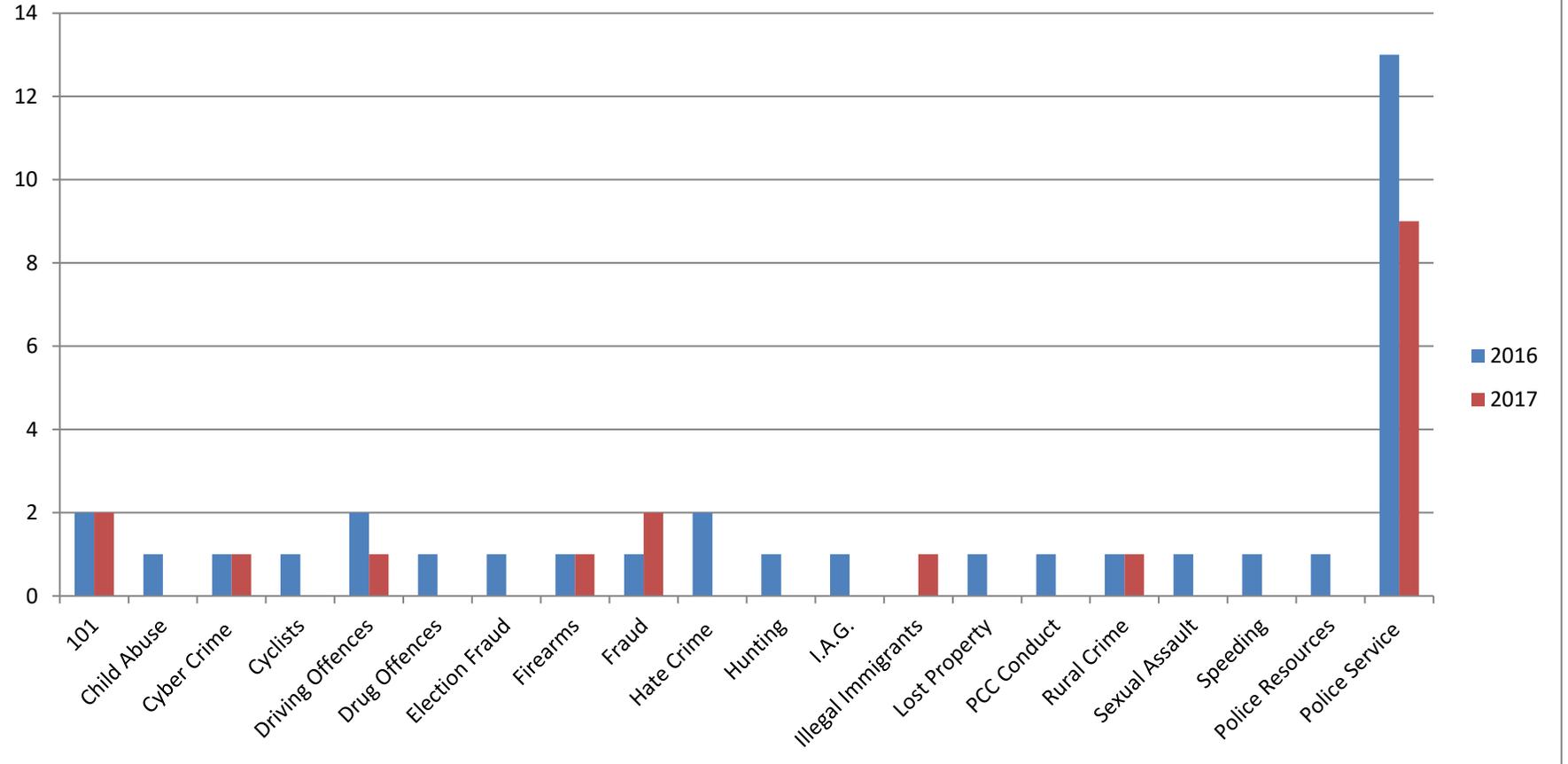
# West Area & Categories



## South Area & Categories



# Other Areas



## Ethics & Integrity Panel Annual Work Programme

### 1 Purpose of the Annual Work Programme

An annual work programme has been developed to enable the panel to fulfil its terms of reference and scrutiny role.

The annual work programme aligns the work to be undertaken by the panel at each of their scheduled meetings. The alignment is managed to ensure wherever possible meetings are balanced in terms of volume of work and annual reviews are incorporated at the correct time of year.

In addition to the cyclical information to be reviewed and considered, the panel could be asked to review additional areas of work. These would include:

- Critical Incidents
- HMIC Inspections
- Serious Case Reviews
- Thematic areas of Performance
- Public Concerns

How such reviews were undertaken would need to be agreed, ensuring that the panels work did not interfere with any ongoing or appeal processes. The findings of the panel would be reported to the Police and Crime Commissioner and the Chief Constable.

The panel will be required to provide an annual report to the Police and Crime Commissioner and the Chief Constable on the work they have carried out during the year and what issues and learning have been identified.

## Ethics & Integrity Panel Annual Work Programme 2018

February 2018	May 2018	August 2018	November 2018
<p><b>THEMATIC DIP SAMPLE :</b> Dip sample an agreed area of business within the Constabulary or OPCC.</p>	<p><b>PUBLIC COMPLAINT FILES:</b> Dip sample finalised public complaint files held by the Constabulary.</p> <p><b>MISCONDUCT – OFFICER &amp; STAFF DISCIPLINE:</b> To dip sample officer and staff discipline cases reviewing the initial assessment and outcome to confirm consistency/fairness in approach to misconduct cases.</p>	<p><b>THEMATIC DIP SAMPLE:</b> Dip sample an agreed area of business within the Constabulary or OPCC.</p> <p>(Topic to be confirmed – potential topics: Body Worn camera – follow-up from 2017</p>	<p><b>PUBLIC COMPLAINT FILES:</b> Dip sample finalised public complaint files held by the Constabulary.</p> <p><b>MISCONDUCT – OFFICER &amp; STAFF DISCIPLINE:</b> To dip sample officer and staff discipline cases reviewing the initial assessment and outcome to confirm consistency/fairness in approach to misconduct cases.</p>
<p><b>PUBLIC COMPLAINTS PERFORMANCE DATA:</b> To receive reports containing data on how the Constabulary have met their statutory requirements.</p> <p><b>ANTI-FRAUD &amp; CORRUPTION UNIT REPORT:</b> To receive a report on the cases being dealt with by the Anti-Fraud &amp; Corruption Unit.</p>	<p><b>PUBLIC COMPLAINTS PERFORMANCE DATA:</b> To receive reports containing data on how the Constabulary have met their statutory requirements.</p> <p><b>ANTI-FRAUD &amp; CORRUPTION UNIT REPORT:</b> To receive a report on the cases being dealt with by the Anti-Fraud &amp; Corruption Unit.</p>	<p><b>PUBLIC COMPLAINTS PERFORMANCE DATA:</b> To receive reports containing data on how the Constabulary have met their statutory requirements.</p> <p><b>ANTI-FRAUD &amp; CORRUPTION UNIT REPORT:</b> To receive a report on the cases being dealt with by the Anti-Fraud &amp; Corruption Unit.</p>	<p><b>PUBLIC COMPLAINTS PERFORMANCE DATA:</b> To receive reports containing data on how the Constabulary have met their statutory requirements.</p> <p><b>ANTI-FRAUD &amp; CORRUPTION UNIT REPORT:</b> To receive a report on the cases being dealt with by the Anti-Fraud &amp; Corruption Unit.</p>
<p><b>ANNUAL REPORT:</b> To consider the annual report to be provided to the Commissioner on the work carried out by the Panel.</p> <p><b>THEMATIC SESSION:</b> Report back to the meeting on the outcome/findings of the morning session. (Topic to be confirmed)</p>	<p><b>CIVIL CLAIMS:</b> To receive a report on Civil Claims to monitor any trends/issues and how learning/training has been implemented.</p> <p><b>GRIEVANCES:</b> To receive a report on Grievances against the Constabulary identifying any trends or issues.</p> <p><b>OPCC COMPLAINTS &amp; QSPI:</b> To receive a report on complaints and quality of service issues received by the OPCC.</p> <p><b>MISCONDUCT – OFFICER &amp; STAFF DISCIPLINE:</b> To receive reports on officer and staff discipline cases reviewing the initial assessment and outcome to confirm consistency/fairness in approach to misconduct cases.</p> <p><b>STOP AND SEARCH FORMS:</b> Annual dip sample of the Constabulary's stop and search forms.</p>	<p><b>THEMATIC SESSION:</b> Report back to the meeting on the outcome/findings of the morning session.</p> <p>(Topic to be confirmed – potential topics: Body Worn Camera – follow up from 2017</p>	<p><b>CIVIL CLAIMS:</b> To receive a report on Civil Claims to monitor any trends/issues and how learning/training has been implemented.</p> <p><b>GRIEVANCES:</b> To receive a report on Grievances against the Constabulary identifying any trends or issues.</p> <p><b>OPCC COMPLAINTS &amp; QSPI:</b> To receive a report on complaints and quality of service issues received by the OPCC.</p> <p><b>MISCONDUCT – OFFICER &amp; STAFF DISCIPLINE:</b> To receive reports on officer and staff discipline cases reviewing the initial assessment and outcome to confirm consistency/fairness in approach to misconduct cases.</p>

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**In addition the following will be considered when required:**

- **Critical incidents** a referral could be made to the committee from COG, PCC, Gold Group or the panel could ask for the information. The panel could hold the CC / PCC for non-referral of cases. Terms of reference for each review would need to be agreed by the PCC. Learning points for the force would then be made from the panel.
- **Thematic areas of performance** - concerns re areas of performance could be referred by the CC/PCC following identification at performance meetings (eg crime recording).
- **HMIC Inspections / Internal Audit Reports** - where the inspection or audit was in relation to Ethics the whole report and monitoring of actions could be undertaken by the committee. Agreement with the Chair of the Joint Audit & Standards Committee would need to be formulated with regard to the monitoring of audit reports. For other inspections information could be provided if relevant.
- **Serious Case Reviews** - incidents/cases where it is apparent that the Constabulary will be subject to a serious case review. A review could be undertaken when the case is finalized or as part of the process
- **Public Concerns** – where issues or concerns are raised by the public to the Police & Crime Commissioner or the Chief Constable regarding a particular incident or area of work the panel can be asked to undertake a review. Following which they would present their findings to the Commissioner/Chief Constable and where necessary the outcome of their findings could be published to provide public assurance.
- **Review of Policies and Procedures** - Where appropriate be consulted on new/developing policies and procedures regarding integrity and ethics following any annual review. To give assurance that up to date policies and procedures are in place.

# Ethics and Integrity Panel



## Title: 2018 Meeting Dates

**Date: 31 October 2017**

**Agenda Item No: 12**

**Originating Officer: Joanne Head**

**CC:**

### **Executive Summary:**

The Police & Crime Commissioner and the Chief Constable both wish to ensure high standards of integrity and ethical working within their respective organizations. In order to achieve that objective and provide openness and accountability to the public they have established the Ethics & Integrity Panel.

### **Recommendation:**

That, the Panel considers and agrees the proposed meeting dates for 2018

#### **1. Introduction & Background**

- 1.1 The Ethics and Integrity Panel were established in February 2015 with the first panel meeting taking place in March 2015. Upon its formation it was agreed that the panel would meet on a quarterly basis throughout the year.
- 1.2 Meeting dates were set up to correspond with the reporting cycle of the Constabulary to ensure that reports contained the most up to date information possible. Therefore the meetings have been held during the second week of the month.
- 1.3 Following each panel meeting a report is prepared and presented to Police and Crime Commissioner at the next available Public Accountability Conference meeting.

#### **2. Issues for Consideration**

- 2.1 When considering the meeting dates for 2017 thought has been given to Panel members and attending officers/staff availability; and the Constabulary's reporting periods.

2.2 The proposed meeting dates for 2018 are:

- ❖ Thursday 8<sup>th</sup> February
- ❖ Thursday 3<sup>rd</sup> May
- ❖ Thursday 9<sup>th</sup> August
- ❖ Thursday 8<sup>th</sup> November

2.4 In addition to the above two additional dates will need to be arranged to enable the Panel to carry out dip sampling of misconduct and grievance files. This will be arranged for May and September following consultation with the Panel members and the Constabulary.