
Enquiries to: Mrs P Coulter
Telephone: 01768 217734

Our reference: pc/EIP

Date: September 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 21st September 2017** in the **OPCC Meeting Room**, Police Headquarters, Carleton Hall, Penrith, at **1.00pm**. Please note that a buffet lunch will be served for Members of the Ethics and Integrity Panel at **12.00 noon**.

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 no Dip Sampling taking place on 21st September (due to the meeting being re-arranged from August).

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 05 May 2017 (copy enclosed).

5. GRIEVANCES

To receive and note a report by Cumbria Constabulary on Grievances (copy enclosed) – *To be presented by Deputy Chief Constable Skeer.*

6. 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*

7. 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.*

8. BODY WORN VIDEO DEMONSTRATION

To receive and note a presentation by Cumbria Constabulary on the current body worn provision, the gaps and issues from an ethics perspective. The presentation will also detail the proposal for how the Constabulary plans to move forward in relation to body worn video and digital evidence – *To be presented by Superintendent Matt Kennerley*

ETHICS AND INTEGRITY PANEL

Notes of a meeting of the Ethics and Integrity Panel held on
Friday 5 May 2017 in Conference Room 3, Police Headquarters,
Carleton Hall, Penrith, at 2.00 pm

PRESENT

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

Also present:

Deputy Chief Constable Michelle Skeer
Head of PSD (Superintendent Sarah Jackson)
Director of Legal Services (Andrew Dobson)
Constabulary HR Officer (Diane Johnson)
OPCC Governance Manager (Joanne Head)

Her Majesty's Inspector of Constabulary Force Liaison - Mr Micheal Lawrenson (observing)

1. APOLOGIES FOR ABSENCE

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

The Panel Chair thanked everyone for their attendance at the meeting and took the opportunity to welcome Mr Lawrenson to meeting following which everyone at the meeting introduced themselves. He gave a brief overview of the work undertaken by the panel such as the dip sample sessions on complaints and misconduct files; and the thematic inspections in relation to Stop and Search and the Discretionary Framework utilised by the Comms Centre.

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 16 February 2017 had been circulated with the agenda.

Agreed; that, the notes of the meeting held on 16 February 2017 be approved.

5. CIVIL CLAIMS

The Director of Legal Services presented a report which outlined active and closed Public Liability Claims, Employer Liability Claims, Employment Tribunal applications or proceedings and Judicial Review proceedings.

He advised that 17 public liability claims had been completed with the amount relating to settled claims during the last 6 months being low and under the reserve figure identified for each case. Twenty five new public liability claims and two new employment liability claims had been opened during the reporting period but none were of significant note at this stage.

The Panel were briefed on a court case of Allard v Chief Constable of Devon and Cornwall Constabulary. A test case was to be heard later in the year the outcome of which was awaited meanwhile a health check on the submitted calculations was being carried out.

A discussion took place with regard to one particular case which involved two other organisations and how costs would be shared. The Panel were advised that the Constabulary were near to a conclusion of this matter and that there would be a co-ordinated approach to this.

A member asked what if any organisational learning had been identified and how this had been disseminated throughout the Constabulary. The Head of Legal Services stated that no specific trends had been identified and any issues were unique to each individual case.

Another member raised a question in relation to modern day slavery and how the Constabulary had changed the way in which it dealt with individuals who were arrested but were later found to be victims. Superintendent Jackson advised that the Constabulary had provided a variety of training methods to ensure that officers and staff were kept up to date with any changes. These included 7 minute briefings, training sessions including the use of previous cases to raise awareness. More work was being undertaken with partners to improve awareness and the raising of vulnerability.

Agreed; that the Panel note the report.

(Note: The Director of Legal Services left the meeting at this point).

6. GRIEVANCES

The Panel received a report which outlined the number of grievances currently being dealt with by the Constabulary in comparison to the previous 12 months and 3 year periods. Up to 31 March 2017 there had been 5 grievance cases recorded.

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. A number of the grievances related to selection processes and the Panel were keen to know what proactive measures the Constabulary were taking to reduce these. Briefing sessions were held prior to the promotion process to advise officers or staff what they could expect and representatives from staff associations sat in to observe.

AGREED; that the report be noted.

7. MISCONDUCT

The Constabulary HR Officer presented a report which detailed the number of police staff discipline and misconduct cases which had been dealt with during the period 1 November 2016 to 30 April 2017. Over this period nineteen members of staff had been subject to disciplinary proceedings. Seven cases resulted in no further action being required and six received words of advice in relation to their conduct. One person had resigned prior to a disciplinary hearing and two cases were subject to criminal investigations. Both of these had resulted in no further action and subsequently no further staff disciplinary action was required.

There were currently six investigations which were ongoing. Any trends were being identified and address within the Constabulary. Each case was looked at individually and assessed as to whether a formal hearing was required to deal with the matter.

The Panel had had the opportunity on Thursday 27 April 2017 to dip sample police staff misconduct files. The purpose of the dip sample session was not to consider the merits of the case but to consider the transparency, fairness and timeliness of the process.

The Panel were pleased to report that they had not identified any significant issues and that more detail was being provided and recorded within the files on the management action or words of advice. The Panel were pleased to note that a template had been created to assist managers in recording their findings and detail what actions have taken place or training to be completed as this had been a previous area of concern.

Agreed; that, the Panel note the report.

(Note: The Constabulary HR Officer left the meeting at this point).

8. INTEGRITY – ANTI-FRAUD & CORRUPTION

DCC Skeer presented the quarterly report on 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.

Superintendent Jackson advised that she was setting up a small group of officers on how the Constabulary could develop relevant and interesting marketing materials regarding the Code of Ethics to be used and kept relevant force-wide.

A discussion took place regarding a particular case which the Panel had reviewed as part of their dip sample session on Thursday 29 April 2017. The Panel felt that other matters should also have been considered as part of the investigation. Superintendent Jackson advised that the officers concerned had been seconded to other departments within the Constabulary to improve their knowledge and understanding of the issues relating to the case. Additional learning had been disseminated throughout the Constabulary with further partnership work being developed.

Agreed; that, the Panel note the report

9. INTEGRITY - COMPLAINTS BY THE PUBLIC

DCC Skeer presented a report which detailed public complaints that the Constabulary had received during the reporting period along with comparison figures for the previous 12 months rolling period. It was noted that the number of cases remained stable with a reduction of 15 allegations in comparison to the previous 12 months.

Both South and West Territorial Policing Areas (TPA's) had seen a reduction in the number of allegations made, with North TPA, Headquarters and Uniform Operational Support remaining the same or with a slight increase. The main types of allegations were oppressive behaviour, other assault and unlawful/unnecessary detention or arrest. The number of allegations upheld by the Professional Standards Department (PSD) had reduced by 28% (49 allegations) with the number of local resolutions reducing by 20% (39). Following feedback from HMIC the Constabulary would consider using local resolutions rather than dealing with matters 'there and then'. By recording the local resolution would record details of staff that are subject to the complaint.

Again the number of Constabulary appeals upheld had reduced compared with those upheld by the IPCC. The members of the Panel as part of their dip sample process regularly reviewed appeal files and had raised no issues or concerns regarding the outcome of the Force's reviews.

Members were pleased to note that the system the Constabulary used to record complaints provided the option to record referrals to partner agencies. This was to assist people who required further support outside of the complaints system. It was agreed that this would be reported upon at future meetings.

The Panel reported upon the complaint and appeal files they had dip sampled during their morning session. They had been pleased to note the continued improvement in the final response letter which went out to the complainant. The language was now appropriate with genuine apologies being made. There had also been good examples of identified learning being disseminated throughout the Constabulary following the completion of the cases. Although the Panel had identified a couple of cases which they felt the Constabulary would have benefited from dissemination of the identified learning.

Within two of the cases reviewed the use of body cameras had provided useful evidence of where malicious complaints had been made, providing the evidence to refute them. Other cases would have benefited from the use of such cameras. The Deputy Chief Constable advised that all officers now had access to bodycam equipment. Issues with the downloading of images was being resolved which would make the process quicker and easier. It was agreed that the Panel would review body worn cameras at their thematic session on 10 August 2017. They looked forward to a broad discussion about the availability and use of bodycams; and the advice and guidance given to officers about their use.

Agreed; that, the Panel

- (i) note the report;
- (ii) referrals to partner agencies be included within the data provided to the Panel; and
- (iii) review body worn cameras at their thematic session on 10 August 2017

10. STOP AND SEARCH UPDATE

The Deputy Chief Constable presented a report which outlined the Constabulary's performance in relation to the completion of Stop and Search forms. It was noted that although the number of stop and searches had decreased the number of positive outcomes from the searches had increased. The Constabulary regularly sampled the stop and search forms and currently were 98% compliant in their completion.

Of the stop and searches which were carried out during 2016/17 there were no issues in relation to ethnicity or age. In addition only 17 individuals had been stopped three or more times but no trends were identified.

In August 2016 the Panel had again dip sampled stop and search forms when they found that their completion had improved from those sampled previously. During the afternoon of Thursday 29 April 2017 the Panel had undertaken a dip sample of completed Stop and Search forms to assess whether standards of completion had been retained. Of the 42 forms reviewed only 3 were felt to be non-compliant and 7 which required some improvement. The Panel noted a significant improvement in the forms, and noted that although the number of overall searches was reducing the percentage of positive outcomes was increasing.

It was agreed that the Panel would carry out a review of forms on an annual basis in May. As trend reports were produced by the Constabulary it was agreed that these would be provided

to the Panel. If completion of the stop and search forms fell below 90% the Panel would carry out a review.

The Panel felt that if officers were to use body cameras to record the stop and search process then any allegations of improper searches could easily be disproved. The Panel will include discussion of this aspect in their thematic review of body cameras in August 2017.

Agreed; that, the Panel

- (i) note the report;
- (ii) trend reports produced by the Constabulary would be provided to the Panel. If completion of the stop and search forms fell below 90% the Panel would carry out a review.

11. SPECIAL CONSTABULARY RECRUITMENT UPDATE

Superintendent Jackson guided the members through a report which outlined the work the Constabulary had undertaken in relation to the recruitment and retention of Special Constables. A number of changes had been made to the recruitment process in an attempt to streamline the process which had resulted in more people progressing through the process. However issues had been subsequently encountered at the vetting stages which the Constabulary were currently look at.

A member raised concerns about the removal of competence based questions at the initial stages but was assured that these were robustly tested at interview stage. They questioned the merits of this as by having an initially vigorous process at the beginning would streamline the process and be potentially less costly in the longer term.

The Deputy Chief Constable advised that the Constabulary were looking to increase volunteers across the force, looking at a wide variety of opportunities. The Constabulary were keen to move away from continual recruitment and wanted to attract volunteers who would remain within the Constabulary for a number of years with a broader range of skills and diversity. Superintendent Jackson briefed the Panel on initiatives which other police forces had trialled in an attempt to recruit different volunteer skills and retain them for longer.

A discussion took place on the wider welfare issues and training of special constables and how their performance was evaluated. The Constabulary were in the process of evaluating and developing this. It was agreed that an update would be presented to the Panel at their November meeting as this was an area of on-going interest for the Panel.

Agreed; that,

- (i) the Panel note the report; and
- (ii) an update be provided to the November meeting.

12. CONSTABULARY DELIVERY PLANS

Superintendent Jackson presented delivery plans for three areas of business – Abuse of Authority for Sexual Gain, Code of Ethics and Vetting. Each of the plans provided an overview of the Constabulary’s current position and an action plan on work which either had been or was due to be carried out. The plans provided a gap analysis for the Constabulary and identified areas for improvement.

The Deputy Chief Constable confirmed that the three plans were embedded within the Constabulary’s strategic objectives and would continually be monitored.

The Panel strongly welcomed these Delivery Plans and noted that they indicated a positive intent to address difficult but important issues.

Agreed; that, the Panel note the report

13. OPCC COMPLAINTS AND QSPI

The Governance Manager presented two reports, the first outlined complaints which the OPCC had dealt with and the other regarding areas of dissatisfaction which members of the public had contacted the Commissioner about.

During the first quarter of 2017 the OPCC had received no complaints regarding the Police and Crime Commissioner and three complaints regarding the Chief Constable. Two of these were in their initial stages and the third was being progressed. No complaints had been received regarding any member of OPCC staff.

During 2016 the OPCC had received 318 notifications of dissatisfaction with the policing service they had received. The issues raised were very broad ranging with the top six being:

- Police Response / Service (72)
- Driving Issues (35)
- 101 (14)
- Anti-Social Behaviour (14)
- Police Resources (12)
- Car Parking / Damage (11)

The OPCC through raising the issues with the Chief Constable’s staff office facilitated individuals to receive a written response answering their questions or queries. Where appropriate the OPCC can ask that direct contact from the Constabulary be made with the individual enabling the matter to be progressed or resolved quickly.

(Note: The Police and Crime Commissioner joined the meeting at this point)

In response to a member’s question the Deputy Chief Constable provided the Panel with an explanation as to what constituted an ‘abandoned call’ as there appeared to be general dissatisfaction with the Constabulary’s ‘101’ system.

The Commissioner advised that victim satisfaction for the Constabulary was extremely high and they would also be required to use the 101 system. Almost all of the 101 complaints were not about the service once their call was answered or they got through the initial call filtering process. He advised that he and the Constabulary would be reviewing the Command and Control Centre and promoting other methods of contact where appropriate such as the 101 email system for non-emergency matters or general enquiries.

Agreed; that the report be noted.

Meeting ended at 4.15 pm

Signed: _____
Panel Chair

Date: _____

DRAFT



Constabulary Report to OPCC

TITLE OF REPORT: Constabulary Grievances

DATE OF MEETING: 24th August 2017

ORIGINATING OFFICER: Sarah Dimmock Diversity Manner

PART 1 or PART 2 PAPER: PART 1 (OPEN) / PART 2 (CLOSED)

Executive Summary:

No more than 100 words.

- The Constabulary have a grievance Policy and Procedure which affords the opportunity to resolve grievances quickly and effectively at the lowest possible management level, without the need to apportion blame or to provide punishment.

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.

- That the Ethics and Integrity Panel note the report

MAIN SECTION

1. Introduction and Background

- 1.1 The attached Grievance Statistics Report shows the 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
- 1.2 Included in the report is a break of those lodging grievances. The report identifies the gender and race of those submitting grievances as well as an overview as to the subject of the grievance. In addition there are statistics relating to whether the aggrieved is a police officer or member of staff and whether the grievance relates to unlawful discrimination.
- 1.3 The report provides data from the last 3 years to enable a comparison to be taken

2. Issues for Consideration

2.1 Drivers for Change

Links to Police & Crime Plan and priorities; legal requirement; efficiency requirement; improvement.

- There are no emerging trends or patterns at the time of submitting of this report.
- There is a standing agenda item at the Valuing Individuals Group (VIG) to ascertain if there are any issues that the Constabulary should be dealing with. At this time no issues are being raised. All staff support groups, including the Federation, Unison, Occupational Health and the Chaplaincy are members of the group and it is chaired by the Deputy Chief Constable.
- The Constabulary's Diversity Manager will meet with the Federation and Unison when necessary to discuss issues that are emerging and look to informally resolve them prior to a grievance being submitted. The Constabulary proactively engaging to address concerns.
- The Constabulary do feedback and share good practise from the outcomes of the grievances and this feeds organisational change.
-

3. Financial Implications and Comments

Budget implications – one off and/or on-going costs, savings, growth, capital and revenue.

- 3.1 Please see Equality Implications

4. Legal Implications and Comments

Including advice received.

- 4.1 Please see Equality Implication

5. Risk Implications

Including any mitigating actions that can be taken.

- 5.1 Please see Equality Implications

6. HR / Equality Implications and Comments

Including any actions arising from Equality Assessment.

- 6.1 If any of the convention rights are breached and unlawful discrimination is proven then there would be implications for the Constabulary which could incur status and financial loss.

- 6.2 If race, equality or diversity issues are identified that would lead to unlawful discrimination being proven then there would be implications for the Constabulary which again could lead to financial and reputational loss.

7. Supplementary Information

7.1 List any relevant documents and attach to report

Such as Business Cases, Equality Assessments, PIDs, Media Strategy.

- Grievance Data from 2014 to 2017



Grievance stats from
2014 to 2017.doc

- Grievance Data for the period 2017/2018



Grievance stats to
24th Aug 2017.doc



Constabulary Report to OPCC

TITLE OF REPORT: INTEGRITY – COMPLAINTS BY THE PUBLIC

DATE OF MEETING: 10th August 2017

ORIGINATING OFFICER: Superintendent Jackson – Head of People Department

PART 1 or PART 2 PAPER: PART 1 (OPEN)

Executive Summary:

No more than 100 words.

- 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 5th 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%).
- 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%.

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 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 and Vetting

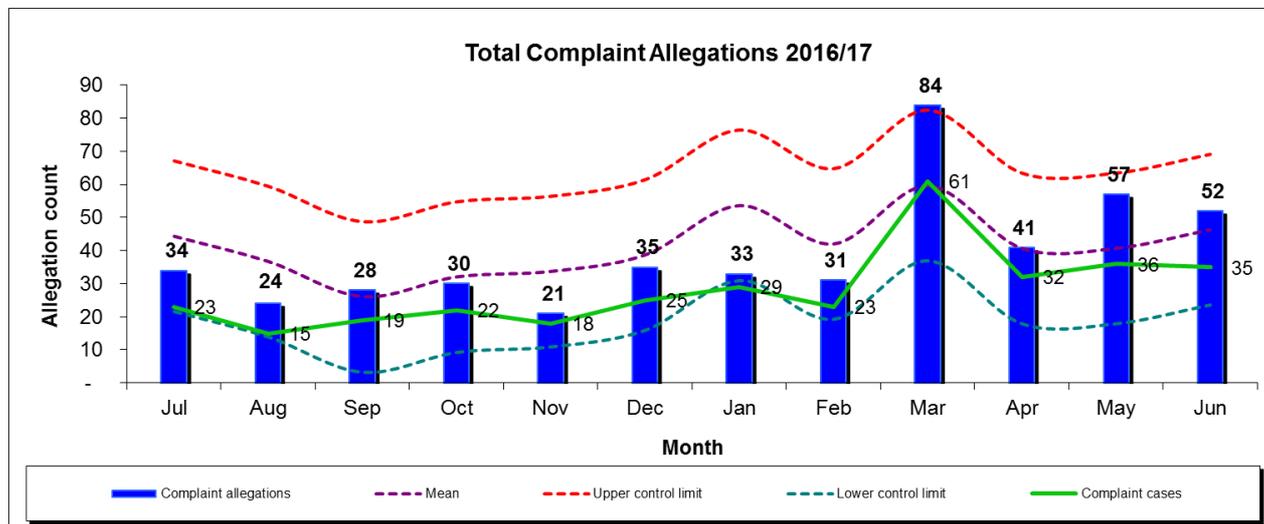
MAIN SECTION

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 April 2016 to March 2017: -



The chart shows fluctuating levels of complaint allegations and cases. Over the 12 month period the total allegations at 470 and cases are 338.

The significant peak in cases and allegations in March is not without historic precedence and one of increases had been identified as a potential risk in the last strategic assessment and is formed by a combination of:

- A backlog of work led to a number of complaints from February being recorded in March
- 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 recorded as a miscellaneous matter when it is a "There and then" however, by recording it as a LR the details of the staff that are subject of the complaint is captured and recorded against them.
- It coincides with a spring rise in crime.

The table below shows the total number of cases and allegations including direction and control for 12 months to the end of June 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 month, however, proportionately the number of allegations per case have reduced from 1.53 to 1.39. The peak in March has significantly contributed to the increase although figures for the quarter are increased on the three year average.

	12 Month Rolling to Jun 2016	12 Month Rolling to Jun 2017	Percentage Change
Cases	293	338	15.35%
Allegations	449	470	4.68%

*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 Jun 2016	12 Month Rolling to Jun 2017	Change	12 Month Rolling to Jun 2016	12 Month Rolling to Jun 2017	Change
North	113	122	9	30	48	18
South	128	125	-3	85	97	12
West	132	121	-11	81	86	5
UOS	26	33	7	21	25	4
HQ	50	69	19	76	82	6
Total	449	470	21	293	338	45

*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 South TPA in the period.

Allegations have increased the largest increase being at HQ followed by UOS however, there has been reductions in West and South TPAs.

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 Jun 2016	Breaches of PACE K,L,M,N,P,R	12	17	18	1	2	50
	D&C	10	13	8	11	18	60
	Discrimination F	4	2	2			8
	Incivility U	15	14	12	6	7	54
	Malpractice G,H,J	5	4	8		3	20
	Oppressive Behaviour A,B,C,D,E,Y	32	38	31	5		106
	Other W		2	1		3	6
	Unprofessional Conduct S,T,V,Q,X	35	38	52	3	17	145
12 Month Rolling to Jun 2016Total		113	128	132	26	50	449
12 Month Rolling to Jun 2017	Breaches of PACE K,L,M,N,P,R	8	16	16			40
	D&C	13	7	11	8	29	68
	Discrimination F	4		3		1	8
	Incivility U	24	18	17	9	8	76
	Malpractice G,H,J	5	6	3	1	5	20
	Oppressive Behaviour A,B,C,D,E,Y	18	30	26	6	3	83
	Other W	2	6	4	2	5	19
	Unprofessional Conduct S,T,V,Q,X	48	42	41	7	18	156
12 Month Rolling to Jun 2017Total		122	125	121	33	69	470

*Including Direction and Control case/allegations.

Item 07 Q1 Report to OPCC Integrity Part 1

The largest increases have been seen in the following: -

- HQ – Direction & Control (11)
- North TPA - Incivility (9)

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.

The largest reductions have been seen in the following: -

- North, West & South TPAs - Oppressive Behaviour (-14, -8 & -5).
- West – Unprofessional Conduct (-11)

The three main groups are Unprofessional Conduct, Oppressive Behaviour and incivility:

- Incivility increased by 22 (40.74%). As highlighted above the largest increase was in North TPA increased by 9 on the previous period to 24, however Incivility has increased in all areas with West and South TPAs increasing by 5 and 4 respectively, UOS by 3 and even HQ increasing by 1.
- Unprofessional Conduct saw an overall increase of 11 allegations (7.59%) with Other Neglect or Failure in duty increasing by 9 (942.42%). North TPA had the highest increase and the only area to show a reduction in this area was West TPA. The types of Unprofessional Conduct allegations that had increases were: Improper disclosure of information, Other Neglect or Failure in duty and Traffic Irregularity. The types that had recutions were Lack of fairness and impartiality.
- Oppressive Behaviour showed a reduction of 23 allegations (21.7%). All of the TPA's showed reductions, the largest reduction being in North TPA. North TPA reduced by 14 to 18, 12 of these reductions being under the category of Other assault. South TPA had a reduction of 8 in the same category (Other assault). Both UOS and HQ saw increases in allegations, HQ being 0 to 3 and UOS 1 to 6.

Item 07 Q1 Report to OPCC Integrity Part 1

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
July 2016		
Organisational	CI UOS	Incident occurred in Oct 2015, whereby a male said to be armed with a large knife, was missing/to be located. The IPCC highlighted that the decision not to utilise air support had not been documented on the incident log. This matter was addressed via the CI on UOS
Organisational	Insp South	Following a complaint investigation the Investigating Officer sent an email to supervisors in South reminding them to complete the electronic Learning package relating to their hand held devices (Kelvin connect) and the importance of recording all searches conducted on to the handheld device.
Organisational	ForceNet	Reminder for Officer In Case to ensure that both victim and suspect are updated in relation to No Further Action decisions by CPS
August 2016		
Organisational	ForceNet	Guidance for use of Dissatisfaction reports
Organisational	Civil Contingencies Dept.	Following a complaint by a driver whose vehicle was uplifted during Appleby because it was in contravention of the Road Traffic Operation ongoing in the Appleby area. Civil Contingencies Department updated in order to assist them with next year's briefings/officer's guide etc.
September 2016		
Organisational	ForceNet	Learning the Lessons Bulletin 27-August 2016
Organisational	ForceNet	Reminder of the necessity to submit Use of Force forms - parameters etc. Circulated both via ForceNet and to relevant TPA Commander
October 2016		
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 (Diversity Officer) regarding any training.
Organisational	DCI in 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)

November 2016		
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
December 2016		
Organisational	Force wide	Link to IPCC Bulletin 28
Organisational	Pass Newsletter Force wide	Pass Newsletter No 25 with Advice for Police officers during 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.
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 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	National/International Anti Corruption campaign (cont'd) Day 9 - Officers and staff reminded about the number of complaints that related to incivility.
Organisational	Force email	Day 10 - Officers and staff reminded about maintaining the highest standards possible and fitness for duty over the festive period.

Organisational	ForceNet	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.
Organisational	Force email	National/International Anti Corruption campaign (cont'd) Day 11 - Police Officers and staff were reminded to wear their ID and check visitors ID, whilst on Police premises.
January 2017		
Organisational	ForceNet	Reminder to Police Officers and staff regarding the use of mobile phone/Kelvin device whilst driving marked police vehicles
February 2017		
Organisational	Personal Safety Instructors	Trainers to remind staff during Personal Safety Training sessions that they should check Force orders/Forcenet to ensure they are aware of current guidance regarding completion of use of force forms and the consideration of use of PAVA in custody suites
Organisational	PNC entry	Following complaint investigation it was identified that Officers should be made aware that early assistance of an Appropriate Adult for those in custody may assist in managing their mental health and wellbeing
March 2017		
Learning Point	Email to PSD officers & staff	Email sent to wrong email address. PSD reminded to check email address before sending emails.
Custody	Custody	Guidance to all custody staff regarding breast feeding mothers in custody.
April 2017		
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	Reminder to all Police Officers and staff regarding correct handling procedures of seized property.

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Organisational	ForceNet	Provide owners with checklists when their property is seized so they can identify what has been returned.
May 2017		
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
June 2017		
Organisational	ForceNet	Using bodycam - pictures speak louder than words and footage often helps to provide a balanced and undeniable version of events. Plus a reminder to complete use of force forms and to record details of searches.
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

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 28 officers who met the repeat officer strategy in the current period, this is an increase of 14 on the previous period. The Complaints and Misconduct manager continues to liaise with the TPA Commanders regarding the identified officers highlighting opportunities for learning, development, force training and bodycam use. TPA Commanders were told that some Officers may be the subject of repeated complaints due to them being easily identifiable ie their ethnicity, their accent, the unit they work on, Commanders are aware of various ways they can support Officers that are subject of repeated complaints.

Fourteen of the identified repeat officers are in West TPA and 9 in South TPA. Three of those subject to the strategy in the period are easily identifiable through ethnicity or accent. Of the rest there were no clear issues or trends identified.

1.4 Dissatisfaction Reports

There were 48 dissatisfaction reports recorded in the current 12 months which is a reduction of 13 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 54% of dissatisfaction reports in the period.

1.5 Diversity

There have been 8 allegations of discriminatory behaviour by the police recorded during the current 12 month period which is stable compared to the previous 12 months.

July 2016 - Complainant states that on the 12 May 2016 they were having to cope with an episode of PTSD (Post Traumatic Stress Disorder). They were lying in the road and after some time the police arrived on the scene. They state that as a transsexual they believe the officers behaved in a transphobic manner and the complainant believes they wanted to teach them a lesson. Withdrawn

September 2016 - Complainant states that 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. Result - No Case to answer. Learning was identified this has been shared.

October 2016 - Complainant states that an officer came to see them following an allegation of assault that they had made. The complainant is unhappy with the officers handling of the allegation and their communication and believes this is because the officer had previously witnessed the complainant during a psychotic episode. This led to the complainants perception being the officer 'had an agenda' when the officer had gone to see the complainant. Not Upheld - by PSD.

The same complainant also complained about the call handler when they had called to report the assault. Not Upheld - by PSD.

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. Currently live.

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. Currently live.

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

1.6 Performance

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

Allegation Result Description	12 Month Rolling to Jun 2016	12 Month Rolling to Jun 2017	Change
Case to Answer	37	28	-9
De Recorded	8	11	3

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Disapplication - by Force	49	37	-12
Local Resolution - by Division	138	156	18
Local Resolution - by PSD	58	59	1
No Case to Answer	29	20	-9
Not Upheld - by Division		4	4
Not Upheld - by PSD	198	123	-75
Upheld - by PSD	18	9	-9
Withdrawn - by Force	7	21	14
Withdrawn - by IPCC	3		-3
Grand Total	545	468	-77

The IPCC in the most recent report (Q4, Apr 2016 to Mar 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 34, MSF average 59 and National average 67. Cumbria has reduced by 2 days and the MSF and national have both increased by on 1.
- Average number of days to finalise cases – Cumbria 75, MSF average 99 and National average 102. Cumbria has reduced compared to the same period last year which had 80 days.
- Average number of allegations per 1000 employees cases – Cumbria 207, MSF average 332 and National average 279 Same Quarter last year Cumbria was at 201.
- Cumbria remains the 5th best in the country for average number of days to locally resolve allegations.

In the current 12 month period, 468 allegations were finalised compared to 545 in the previous period. The greatest increase (by 19, 9.69%) was local Resolutions, Upheld by PSD has reduced (by 9, 60.0%). As a proportion Local resolution has increased from 43.8% in the last period to 50.4% 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 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.
3. The average time to deal with a Local Resolution is 35 days as opposed to 110 days in respect of a Local Investigation, thus the complaint is resolved in a more timely manner.
4. The time frame for dealing with Local Resolutions (LR) is 40 days. Reminders are sent out to Inspectors/Sergeants after 25 days, as a result more LR's hence more are been completed within the required timeframe, hence the quicker turnaround.

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1.7 Force and IPCC Appeals

Result	Force Appeals 12 months rolling to Jun 2016	Force Appeals 12 months rolling to Jun 2017	IPCC Appeals 12 months rolling to Jun 2016	IPCC Appeals 12 months rolling to Jun 2017
Upheld/Partially	3	2	4	6
Not Upheld	28	13	9	15
Withdrawn				
Not Valid				1
Live	0	7		3
Total	31	22	13	25

The above data highlights that the number of IPCC appeals have increased by 92% and the number of force appeals has reduced by 29% (9). The percentage of upheld Force appeals has reduced in this reporting period by 1 (33%) compared to the previous 12 months. IPCC Appeals upheld results have increased by 2 (50%).

Upheld Force Appeals have remained stable at 9% (2 of 22 compared to 3 of 31).

Upheld IPCC Appeals have reduced from 30% to 24% (6 of 25 compared to 4 of 13).

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 individuals. Over the current 12 month period direction and control complaints have increased by 9 (13%) when compared to the previous 12 month period, with increases in Organisational decisions and Operational management decisions.

Allegation Result Description	12 Month Rolling to Jun 2016	12 Month Rolling to Jun 2017	Change
General policing standards	11	5	-6
Operational management decisions	29	35	6
Operational policing policies	3	2	-1
Organisational decisions	17	26	9
Grand Total	60	68	8

Issues raised in the last quarter include complaints about decisions made allegations relating to the telephone service. Trends, learning and feedback has been shared with the relevant departments.

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