



Peter McCall



**ANNUAL
REPORT
2018**

**Ethics
&
Integrity
Panel**

Forward of the Panel Chair

Welcome to the 2018/19 Annual Report of the Ethics and Integrity Panel.

The Panel is an independent body, and its purpose is to promote and influence high standards of ethical performance in all aspects of policing in Cumbria and the work carried out by the Police and Crime Commissioner's office (OPCC).

The Panel seeks to achieve this by holding the mirror up to the Constabulary and the OPCC, by investigating, dip sampling, challenging and reviewing a broad range of aspects of policy, process and performance, through the lens of ethics and integrity.

We have an annual work programme that includes both routine and thematic activities through which we seek to always promote the improvement and value adding aspects of ethical responsibility.

The work of the Panel is published on the Commissioner's website and whilst the Panel membership is drawn from a diverse range of backgrounds and experience, we have two things in common. We and our families all live in the county and are committed to seeing the area thrive. We all share a strong desire to help ensure that Cumbria Constabulary continues to deliver high quality services to the public, maintaining our county as the safe and secure place to live that it currently is.

The Chief Constable and the Commissioner fully support us in our work and are always open to challenge, feedback and suggestions for improvement. This, in itself, is an indicator of a strong ethical culture.

We hope that you find the report useful and informative. The information in this, and our other quarterly reports, helps to promote a wider understanding and awareness of the Constabulary's performance and ethical approach.

Alan Rankin

Ethics and Integrity Panel Chair

The PCC for Cumbria, Peter McCall said:

Ensuring that the constabulary and indeed the office of PCC act with the highest levels of integrity and ethical values must be one of our highest priorities. In the extremely busy day-to-day business of policing it can be easy for our ethical standards to slip without constant attention. This is why it is so important to maintain an independent board to scrutinise, challenge and support our adherence to the highest standards. Importantly the ability of the panel to undertake in-depth scrutiny of specific areas provides not only myself but also the communities of Cumbria with additional assurance.

The Chief Constable, Michelle Skeer said:

The Police Code of Ethics underpins the principles and standards expected of us all within Cumbria Constabulary. It is important that our compliance with the code is independently monitored. I am reassured by the scrutiny of the panel that we are transparent and they support our desire to uphold the highest standards in delivering an excellent policing service to keep Cumbria safe.

1. Introduction & Background

The purpose of the Ethics and Integrity Panel is to promote and influence high standards of professional ethics, to challenge; encourage and support the Commissioner and the Chief Constable in their work by monitoring and dealing with issues of ethics and integrity in their organisations. The Panel's role is to identify issues and monitor change where required. It has no decision-making powers, although it is able to make recommendations to the Commissioner and the Chief Constable. It considers questions of ethics and integrity within both organisations and provides strategic advice, challenge and support in relation to such issues.

This report provides an overview of the work that the panel has carried out during 2018.

The Panel meets on a quarterly basis in private but its agenda and reports are published on the Commissioner's website following each meeting, with only sensitive or confidential information being excluded. Reports are provided by the Panel to the Commissioner's public meeting to provide information about the Constabulary's performance in areas that relate to ethics and integrity. The purpose of this is to promote public confidence.

An annual work programme is agreed to enable it to fulfil its terms of reference and scrutiny role. The programme fixes the tasks to be undertaken by the Panel at each of its scheduled meetings and has been set to ensure whenever possible that meetings are balanced in terms of the volume of work.

The work of the Panel has continued to develop during 2018 and the 2019 work programme revised to reflect such changes. Again there are to be two thematic sessions held during the year.

Further information regarding the Panel, its membership and the work it carries out can be found on the Commissioner's website:

<https://cumbria-pcc.gov.uk/what-we-do/ethics-integrity-panel/>

Membership of the Panel currently stands as:

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

2. Public Complaints and Quality of Service

Schedule 14 of the Police Reform and Social Responsibility Act 2011 provides Police and Crime Commissioners with a role to play in overseeing police complaints, including the ability to direct a chief officer of police to comply with obligations. The Police and Crime Commissioner for Cumbria utilises the Ethics and Integrity Panel to fulfil this function on his behalf. Therefore gaining assurance from their independence.

Over the reporting period, the Panel reviewed 32 complaint files. 2018 saw the introduction of a paperless system within the Professional Standards Department resulting in the Panel carrying out dip samples directly via the Centurion system. This enables the members to view all information, actions and outcomes on the live system.

The Panel noted that the standard of the Constabulary's public complaint files had been maintained throughout the year following previous recommendations made by the Panel. The Panel continued to review complaint files on a six monthly basis to ensure standards were retained. At each dip sample session any recommendations or comments are collated within an action sheet to ensure that they are completed and where appropriate implemented in a timely manner. Some of these include:

- Managing a complainant's expectations at the beginning of the process was an important part of dealing with the complaint. The 'There and Then' process was going some way to achieving this. It provided a quicker service for some of the more low-level complaints with positive feedback received from members of the public.
- The more extensive use of Body Worn Video by officers was proving to be a useful tool in providing independent evidence to either support or negate complaints made by members of the public.

Monitoring of the action plans by the Panel at their next dip sample session to ensure that they are completed and where appropriate implemented in a timely manner.

The Panel has also been asked by the Police and Crime Commissioner to look at some specific complaint files following communication to him from members of the public. They undertook reviews and concluded that on each occasion the complaint had been dealt with fairly, proportionately and in line with statutory guidance. The outcomes of these reviews were then conveyed to the individuals to provide assurance that the complaints they raised were dealt with appropriately.

At quarterly meetings the Panel receive performance data from the Constabulary on the number of complaints received and how these have subsequently been managed, including whether this was in line with required timescales. Cumbria has remained the lowest within its Most Similar Force group regarding complaints per 1000 employees. Over the 12-month period the number of allegations received reduced by 17.5% with the largest decrease in complaints about unprofessional conduct. The number of Force Appeals received had increased from 22 in 2017 to 42, with IOPC appeals increasing by 11%. The Panel have carried out reviews on an increased number of Appeals to seek assurance that they are being processed fairly, which they have found.

Towards the end of 2018 the 'There and Then' process was starting to have an impact on the workload of the Professional Standards Department. As complaints were resolved at the earliest opportunity this was now affording staff the ability to concentrate on the more complex complaints and their investigation.

The Panel also reviewed work undertaken by the Office of the Police & Crime Commissioner in relation to complaints and quality of service. During 2018 there was a 30% increase in the number of people contacting the Commissioner regarding policing issues. Members of the public write to the Commissioner and the OPCC and through raising these issues with the Chief Constable's staff office have facilitated individuals to receive a written response answering their questions or queries.



5. Grievances and Civil Claims

Grievances

On a six monthly basis the Panel have reviewed **Grievances** being processed by the Constabulary during agreed reporting periods.

Since May 2018 the HR Department are now responsible for dealing with grievances providing a broader overview of staffing issues. Generally, the grievances were regarding policies and procedures or regarding action taken against an individual. The Panel raised the issue of low numbers and the dangers of informal resolution as any organisational learning would not necessarily be captured or progressed. A new Grievance Procedure had been developed with the intention of conveying the positive changes which could occur by using the grievance process. The new form to be completed asked what the individual would wish the outcome to be to gain an understanding of the issues that they raised at an early stage in the process.



Civil Claims

On behalf of the Police and Crime Commissioner the Panel also monitor **Civil Claims** being processed by the Constabulary's Legal Department. They received information about the types of claims being made, the stage the proceedings had reached and about the claims that had been resolved. As part of this oversight the Panel seek assurance that any trends are being identified and how the organisation learnt from particular cases disseminating information throughout the organisation to avoid future risks and claims.

To date the Panel have not identified any issues or concerns in either area of business. On a national and local level the Constabulary, along with other forces, are in the process of dealing with employment tribunals in relation to police pensions. Currently there were over 146 claims following the Constabulary implementation of the national pension regulations being co-ordinated nationally by Hertfordshire Constabulary. This matter was unlikely to be concluded until 2019.

The Panel raised concerns as to whether the claims were causing any internal issues or anxiety due the length of time taken for the matter to be concluded. Assurance was provided that the Legal Department and the Police Federation were working closely with the affected officers to try and resolve the claims.

In 2018 all civil claims were dealt with by the Legal Department thus allowing any issues, trends or organisational learning to be identified more easily. The Panel undertook to monitor these improvements on a six monthly basis.



6. Thematic Inspections

The Panel have reviewed three areas of thematic work during February and August 2018. In February the Panel visited the Constabulary's Communications Centre to ascertain how the **Professional Discretionary Framework** had been implemented and was being utilised by officers and staff. The members spent over an hour listening in to telephone calls received and how they were handled by officers and staff. There was a mixture of the types of calls received but it was noted that there was a recurring theme of mental health issues and vulnerability. Officers were very good at handling them, polite and firm with the non-999 calls, identifying any vulnerability for future records.

17% of the calls received related to crimes, with the rest being mostly public safety issues. It has been a step-change for the Constabulary to put officers into the Comms Centre, however early identification of vulnerability had been commented upon by HMIC. The officers provided instant problem solving for the caller with 30% less deployment for front line officers; leaving them free to deal with more complex jobs.

The Panel dip sampled cases dealt with under the discretionary framework to ensure it had been applied correctly. They identified that in one instance the framework could have legitimately been applied. This had been in relation to a theft from a shop in a very rural location. The officers involved judged that an officer speaking with the owner was of a greater benefit to the community. The Panel welcomed that as an indication that the framework is applied in a proportionate and pragmatic way. Generally they found that the recording of the use of the framework was detailed, appropriate, at the right level and volume.

Some of the matters reviewed related to safeguarding of vulnerable people. Utilising safeguarding resources now within the Comms Centre, enabled matters to be dealt with quickly, taking pressure off the hubs and assisting officers at ground level. During the previous year demand relating to mental health matters had increased by 177%. It was important multi-agency solutions were sought. Hubs across the county have partners co-located which look at how issues can be problem solved.

The Panel felt able to reiterate their assurance that the professional discretion framework was working well within the Comms Centre and was being appropriately applied.

In August the Panel undertook a dip sample of **Stop and Search** forms to ensure that their completion had been maintained. There was a theme of cannabis being found within the 50 forms reviewed. Some of the forms were not illustrating the exact nature of suspicion to warrant the stop and the Panel asked how assurance was gained that officers were providing legitimate reasons. This was raised as a training issue to ensure that legitimate reasons were provided and they fully understood any repercussions or consequences if not. With increased usage of Body Worn Video across police officers this supported or negated any subsequent complaints following the stop and search process which is viewed as a positive step.

Also in August the Panel received a demonstration on the new **Body Worn Video** equipment being rolled out across the Constabulary. The equipment was easy for officers to use and robust to withstand policing incidents. All front line officers were receiving the new BWV, which must be worn at all times for operational policing purposes. All recorded footage was date and time stamped and stored for 31 days unless it was marked for evidential purposes. The members were pleased with the integrity of the system and the audit processes in place to enable supervision to review footage and access to it. There were also safeguards in place when footage related to a complaint or investigation.

The Panel dip sampled footage captured during the first few weeks of the roll out. They reviewed seven items of footage covering a diverse range of incidents. These included dealing with a fight in Carlisle, a vulnerable youth, people with mental health issues and a safeguarding issue. In each instance, the officers conducted themselves appropriately to the situation they were dealing with. They displayed good levels of civility and respectfulness, dealing with situations in a sensitive and caring manner when required. The attitude of each officer in every incident, showed sensitivity and civility in some very challenging and upsetting incidents. This reinforces the strong and positive link between the use of Body Worn Video to collate evidence and the ability to quickly resolve issues.

A review of the system was to be carried out in December 2018 with the Panel being provided with the outcomes at their February 2019 meeting.

7. Conclusion

The Panel continues to develop their role, expanding into other areas of business to assist not only the Constabulary but enable the Police and Crime Commissioner to have further and more detailed oversight of the work of the Constabulary.

Recommendations and guidance given by the Panel have been welcomed by both the Constabulary and OPCC; resulting in a number of positive changes and developments to processes and procedures. The future work of the Panel will continue to be reviewed and developed to ensure that the Panel remain an independent body in their oversight of the Constabulary and OPCC.

