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Our reference: jh/EIP

Date: 1 August 2019

## **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 8 August 2019** in **Conference Room 2**, Police Headquarters, Carleton Hall, Penrith, at **2.00 pm**. Please note that a buffet lunch will be served for Members of the Ethics and Integrity Panel.

**G Shearer**  
**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.

**The Panel members will meet at 11.00 am to carry out a dip sampling session**

### **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 2 May 2019 (copy enclosed).

**5. STOP & SEARCH**

The Panel to verbally report upon the outcome of the mornings' dip sample session.

**6. INTEGRITY –**

To receive a report on the work carried out within the Constabulary's Professional Standards Department, including:

- (a) Anti-Fraud & Corruption; and
- (b) Complaints by the Public

**7. NEW COMPLAINTS AND MISCONDUCT REGULATIONS**

To receive a verbal update on the changes to the Complaints process where Police and Crime Commissioners will carry out complaint appeals (reviews).

**8. PANEL WORK PROGRAMME**

To receive a verbal update on future work streams for the Panel.

## ETHICS AND INTEGRITY PANEL

Notes of a meeting of the Ethics and Integrity Panel held on  
Thursday 2 May 2019 in Conference Room 2, Police Headquarters,  
Carleton Hall, Penrith, at 2.00 pm

### PRESENT

Mr Alan Rankin (Chair)

Mr Michael Duff

Mr Alex Rocke

### Also present:

Deputy Chief Constable Mark Webster

Superintendent Sarah Jackson

Superintendent Mark Pannone

Andrew Dobson – Head of Legal Services

OPCC Chief Executive - Gill Shearer

OPCC Governance Manager - Joanne Head

### 11 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mrs Lesley Horton.

### 12. DISCLOSURE OF PERSONAL INTERESTS

There were no disclosures of personal interest regarding any agenda item.

### 13. URGENT BUSINESS

There were no items of urgent business to be considered by the Panel.

### 14. NOTES OF THE PREVIOUS MEETING

The notes of the meeting held on 11 February 2019 and supporting action sheet were previously circulated with the agenda.

**Agreed;** that, the notes from the previous meeting be agreed.

## 15. CIVIL CLAIMS

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

The number of Public Liability claims had dropped to its lowest level since May 2016, which was pleasing to see. A member questioned why there were a number of claims relating to lost or damaged property and asked what processes were in place for dealing with property. The Head of Legal Services advised that previously such claims were dealt with by the Constabulary's Central Services Department and would not have appeared on the report. Legal Services were now handling all such claims resulting in reported numbers increasing. That said, taken in the context of the number of incidents that the Constabulary dealt with these were relatively small numbers. The Constabulary had undertaken to review its need to seize property from members of the public if other options were available to them such as the ability to send video footage securely.

The Panel discussed a number of ongoing cases, at what stage they were currently at and whether the estimated potential costs had remained the same. Some of the claims related to issues encountered on a national basis and therefore Legal Services were liaising with other forces.

**Agreed;** that the report be noted.

(Note: Andrew Dobson left the meeting at this point.)

## 16. CONSTABULARY GRIEVANCES

During the 2018/19 financial year there had been 5 grievance claims made and altogether. The cases were at a number of different stages includes, stages 1, 2 and 3.

The Panel discussed in more depth details of the cases being raised to enable them to understand the nature of the issues raised through the Grievance procedure. They noted that the numbers remained low and indeed some of the cases were brought by one individual. Some cases were at stage 3 of the process with one being recently resolved at stage 3.

**Agreed;** that the report be noted.

## 17. MISCONDUCT

The Panel Chair advised that police staff misconduct was now being reported as part of the Constabulary's Integrity – Anti-Fraud and Corruption report and was no longer a separate agenda item.

## 18. INTEGRITY – ANTI-FRAUD & CORRUPTION

The Panel feedback on the cases they had dip sampled of both police officer and police staff misconduct files during their morning session. In total only 5 cases had been finalised within the previous 6 months. They were pleased to see that Body Worn Video evidence was able to be used in misconduct cases which provided independent evidence.

Following the conclusion of all the cases the files were reviewed to identify any organisational learning which was then disseminated force wide to prevent similar matters occurring in the future.

During the morning the Panel were shown a new intelligence system which the Constabulary were using to identify individuals at risk of compromise. The system took into account any reports alongside complaints, HR and Occupational Health Unit data to obtain a full picture of the individual and any issues affecting them. Following their concerns, the panel were assured that the system was used as a welfare tool and any discussions with officers or staff were carried out with a positive approach to assist the individual.

Deputy Chief Constable Webster presented the quarterly report on work undertaken by the Constabulary's Anti-Corruption Unit. It was noted that the area of most focus related to data security/disclosure with an increase of 5 reported cases. Work was being carried out on a local and national level concerning personal relationships and especially those in the workplace. National working groups, boards and regional boards provided an opportunity to share learning and develop consistent communications for officers and staff.

A discussion took place regarding the Constabulary's Secondary Business Interests process. The current system was predominantly paper-based and due to the different areas having to be signed off could take a while before approval was granted. Superintendent Jackson advised that the Constabulary were looking through the different workflows to try and improve the system and speed up the process. However due to other work being currently carried out within the force it was anticipated that this would not be finalised within the next 6 months. It was agreed that an update would be provided to the Panel's November meeting on progress.

**Agreed;** that,  
(i) the report be noted; and  
(ii) an update on the Secondary Business Interests process be provided to the November meeting.

## 19. INTEGRITY - COMPLAINTS BY THE PUBLIC

Deputy Chief Constable Webster presented the quarterly report detailing the Constabulary's performance in dealing with public complaints. Superintendent Jackson advised that a new analyst was now in post, leading to a change in the way this area of business was reported, including a different approach to the reporting of public complaints. Deputy Chief Constable Webster recognised that although the report provided good data it did not deal with the 'so what', illustrating the next steps to be taken.

The report highlighted that the force attended 65,295 incidents with 9,710 arrests made. It was noted, that the number of complaints and appeals had both reduced by 6% from the last quarter. The increased usage by officers of Body Worn Video enabled complaints to be dealt with quickly should there be any doubt regarding an officers actions.

During their dip sample session on 25<sup>th</sup> April 2019 the Panel had looked at 17 files including investigations, local resolutions, appeals and There and Then procedure. Collectively there had been a noticed improvement on the content of the local resolution letters with four which were worthy of note. These had been comprehensive, clearly explained the process whilst being robust and managing individual's expectations.

There was a discussion in relation to one particular case where an officer had attended an incident. Issues related to him having to attend an incident whilst not wearing his full kit and unable to activate Body Worn Video. Fellow officers had also failed to activate Body Worn Video and no Use of Force form was completed. Having reviewed the file the Panel members highlighted that what was deemed to be mitigating and aggravating factors within the report and felt that these were not being used appropriately. Superintendent Jackson advised that this would be discussed within the PSD team to ensure that appropriate reasons were included within the reports. It was agreed, that the Panel would be updated at the next meeting on the changes to be made.

**Agreed;** that, the

- (i) report be noted; and
- (ii) Panel be updated at the August meeting on the changes in relation to investigation files and force policy on refreshment breaks.

## **20. OPCC COMPLAINTS AND QSPI**

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

During the first three months of 2019, the OPCC had received no complaints regarding the Police and Crime Commissioner. In 2018 the Police and Crime Panel had received a total of five, all of which had now been finalised by way of Local Resolution. There were currently no outstanding complaints about the Chief Constable, Mrs Michelle Skeer. One had been received but this had not been pursued by the complainant and was therefore finalised. No complaints had been received regarding any member of OPCC staff.

In 2018 the OPCC had received a total of 350 notifications of dissatisfaction from members of the public regarding policing matters. In the first three months of 2019 the OPCC had received 126, equating to a 49% increase.

The issues raised in 2019 were very broad ranging with the top six being:

- Appleby Horse Fair (1)
- Police Resources/Police Service (37)
- Car Parking / Driving Issues (19)
- Anti-Social Behaviour (4)
- Cyber Crime / Fraud (3)
- Council Tax (42)

The number of issues regarding Council Tax were attributed to a recent increase in the police element of the council tax for residents in Cumbria. Much of the correspondence related to enquiries on how the increased money was to be spent on policing.

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.

**Agreed;** that, the report be noted.

## 21. THEMATIC SESSIONS

The Panel had recently carried out two thematic sessions as follows:

### Mental Health Detention

The Panel had been asked to dip sample custody records relating to detainees held in custody with mental health issues. In particular, those relating to detention under Section 136 of the Mental Health Act and those detained under Common Law.

Twelve Sec136 custody records and 4 Common Law records had been reviewed during the dip sample session. The Panel reported their observations from the session. The first being recognition of the incredible workload which was placed upon Custody Sergeants in dealing with detainees who had mental health issues, the amount and level of data inputting they carried out and it's frequency was to be applauded especially in busy custody suites.

Recognition was made that there was inadequate health provision by partner agencies to provide secure accommodation for mental health patients. This meant that custody staff had to deal with detainees for long periods waiting for health partners to be able to accept the detainee.

Superintendent Pannone, as the Constabulary's Mental Health Lead, briefed the Panel on proposed changes within the county in relation to mental health provision. Noting that the county would be split with the north of the county receiving provision from the North East and the south of the county receiving provision from Lancashire.

The Panel felt that the Constabulary overall dealt with such detentions very well and asked whether the Deputy Chief Constable wished for further oversight of this area of work. He

advised that the IOPC are potentially going to carry out a thematic on how people with mental health issues were detained in custody. The Panel's work and comments provided assurance that robust processes were in place. It was agreed that the Deputy Chief Constable would speak with the OPCC Chief Executive to discuss how this work could be carried out within the Panels work programme.

The Panel asked that their praise for the hard work of the custody staff be relayed to them, which Superintendent Pannone agreed to do.

### Use of Force

Panel Member, Alex Rocke, had attended the Constabulary's Use of Force Board meeting on 13 February 2019. The purpose was to gain an understanding of the Boards work, how they manage issues, use of learning points to improve service and identify any potential thematic work for the Panel.

Alex provided a briefing for the Panel on his findings, noting that in the final quarter of 2018/19 there had been 1147 forms completed which equated to 7% of all recorded incidents attended by the Constabulary. That said, a significant percentage, over 30% of the incidents were resolved using communication skills to achieve control of a situation rather than actual force. There had been 391 (34.1%) where the use of force was against subjects who were deemed to have mental health impairment.

Following force learning a review of the use of force forms was to be undertaken at a national level and refreshed on receipt of Home Office data ensuring they were current and fit for purpose. As part of the action list reviewed by the board it stated that reports of use of force would be presented to an external body.

It was proposed that the Panel could be utilised to review the revised use of force form to give an independent perspective. A recently released HMICRF PEEL report had included the Constabulary's Use of Force and the use of Stop and Search Powers as part of its review. It recognised that there was external scrutiny of Stop and Search but not of Use of Force. Following discussion, it was agreed that the Ethics and Integrity Panel could potentially provide external scrutiny for Use of Force. Deputy Chief Constable Webster and the OPCC Chief Executive would meet to discuss how this could be inserted into the Panel's work programme.

### Anti-Social Behaviour

Baroness Newlove had recently issued a report regarding anti-social behaviour, how this affected victims of it and in some forces where police were failing. The Panel asked what the position was within Cumbria. Deputy Chief Constable Webster advised that there had been a decline in the number of anti-social behaviour incidents, mainly due to their re-classification and recording of the criminal offences committed. There were now more officers within the neighbourhood policing teams whose core responsibilities were to target and deal with anti-social behaviour. Within the Communication Centre anyone reporting being a victim of anti-social behaviour was assessed and its severity graded to either bronze, silver or gold. This then

also enabled the Constabulary to review repeat incidents and prioritise accordingly. Such information could then be reviewed by not only the Constabulary but partner agencies to seek to address the problem.

It was agreed that this area would also be discussed with Deputy Chief Constable Webster and the OPCC Chief Executive when they met to discuss the Panel's work programme.

- Agreed;** that,
- (i) Mental Health Detentions be included as part of the Panels work programme for the year;
  - (ii) Use of Force to be included as part of the Panels work programme for the year;
  - (iii) Anti-social Behaviour be considered as part of the Panel's work programme; and
  - (iv) the Deputy Chief Constable and the OPCC Chief Executive to meet and discuss the Panel's work programme.

**Meeting ended at 3.40 pm**

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

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



# People Department OPCC Update Report

Owner	Superintendent Jackson
Produced By	Cara Voller – Anti-Corruption Unit Intelligence Analyst
Date Produced	17/07/2019 v1    24/07/2019 v2    29/07/2019 v3
Dissemination	To OPCC Integrity Panel

*This product has been prepared for the attention of the OPCC Integrity Panel at the request of Superintendent Jackson.*

*It contains Intelligence in an abridged format and may contain 'Sensitive Material' as defined in the Attorney General's guidelines for the disclosure of "Unused Material" to the defence and therefore may be subject to the concept of public interest immunity.*

*No part of this document may be copied or disclosed without prior reference to the Department Superintendent. The GSC is Official - Sensitive.*

## **1. Executive Summary**

- Cumbria Constabulary is still below the National and Most Similar Force (MSF) average for number of days taken to locally resolve allegations.
- Figures relating to allegations of Discrimination and Diversity are low however there is a lack of readily available information regarding equality to accurately analyse levels of discrimination.
- Unprofessional Conduct and Incivility are key areas of concern as they are categories that are consistently being reported.
- There has been a significant increase in corruption cases however this is due to a single but significant investigation and should not present a cause for concern.

## **2. Introduction**

This document will be produced quarterly to provide a comprehensive overview of many aspects of the Professional Standards Department and where relevant the wider People Department. It will cover a brief summary of the main cases in relation to the priorities of the ACU and the region.

Complaints will be discussed including cases, allegations and There and Then.

It will also look at appeals and organisational learning to determine what actions have been taken

Performance and intelligence reports for each area will be compared to give an indication of emerging TPA trends of note.

Repeat officers are assessed along with an analysis of whether gifts and gratuities received or secondary employment and business interests suggest any issues.

New to the report this quarter will be a thematic review and the results of the Risk and Vulnerability Matrix.

The thematic review in this report will be on Discrimination and Diversity. Whilst this has involved many challenges the overriding outcome of this is that not enough data is managed by the force in relation to the diversity of officers and staff.

The Risk and Vulnerability Matrix will comprise of the high risk individuals and a brief description of the highest scoring officer/staff's behaviour over the last 12 months.

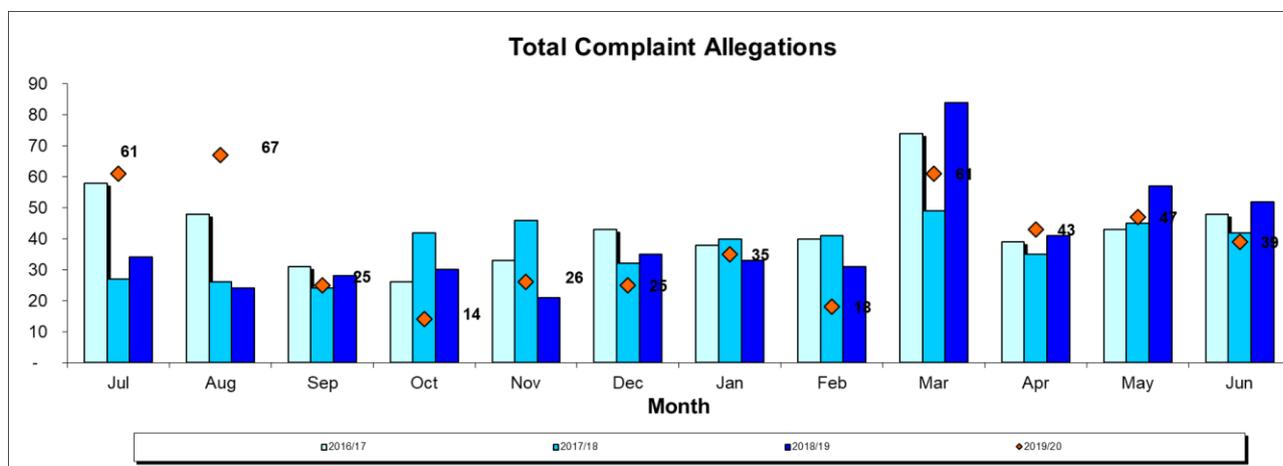
## **3. ACU Report**

The ACU/Regional Priorities are:

- Disclosure of Information & Misuse of Force Systems
- Abuse of Position for Sexual Purpose/Sexual Misconduct
- Misuse & Supply of Controlled Drugs
- Employee Vulnerability
- Operational Security

#### 4. Complaints – Cases, Allegations, There & Then

The below chart compares the allegations recorded per month over the last 3 years.



The diamond shape reflects the number of allegations in the last 12 months and shows that the current quarter is generally around the average mark (with April being slightly higher this year).

The table below provides a more effective way of seeing which categories have changed from year to year. The current year is shaded in blue and shows that total figures have dropped since the same quarter of the previous year but increased slightly from two years ago.

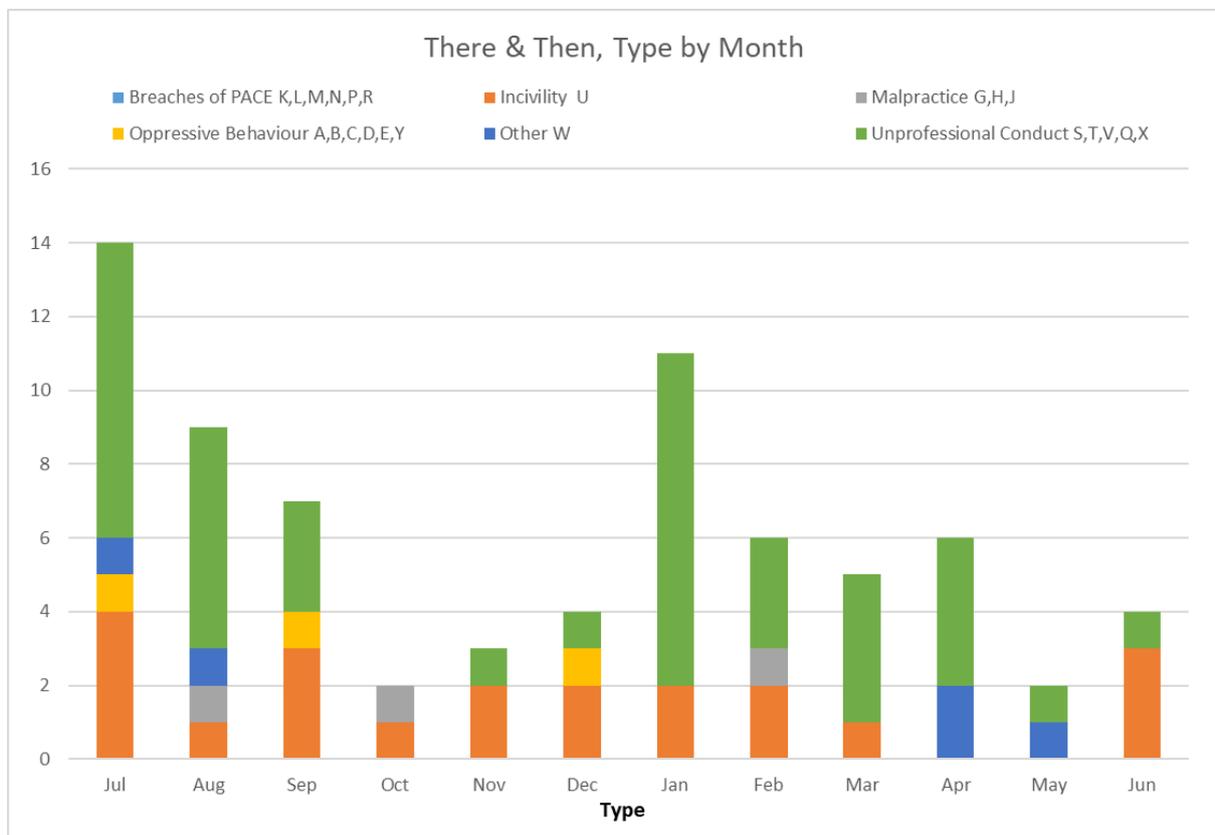
D&C has dramatically reduced this year due to the emphasis being aligned to individual learning. Rather than dealing with it as D & C it will be aligned to individual officers to allow them to learn from mistakes. An example of this would be a complaint against custody which previously would be recorded as D& C but further investigation shows that it was actually the actions of an individual officer. The IOPC also advised that complaints associated with custody issues should be recorded against respective officers rather than D&C. There has been an increase in incivility.

Unprofessional conduct is showing a steady increase with 7 additional allegations each year when comparing quarter to quarter. This is likely to be due to all complaints now being logged or recorded where previously dissatisfaction reports were not logged. This is so that reflective learning is captured under PRI.

Allegation	19/20 Q1	18/19 Q1	17/18 Q1
Breaches of PACE	11	13	7
D&C	2	31	32
Discrimination	2	3	2
Incivility	33	20	26
Malpractice	6	11	5
Oppressive Behaviour	24	27	15
Unprofessional Conduct	67	60	53
<b>Total</b>	<b>145</b>	<b>165</b>	<b>140</b>

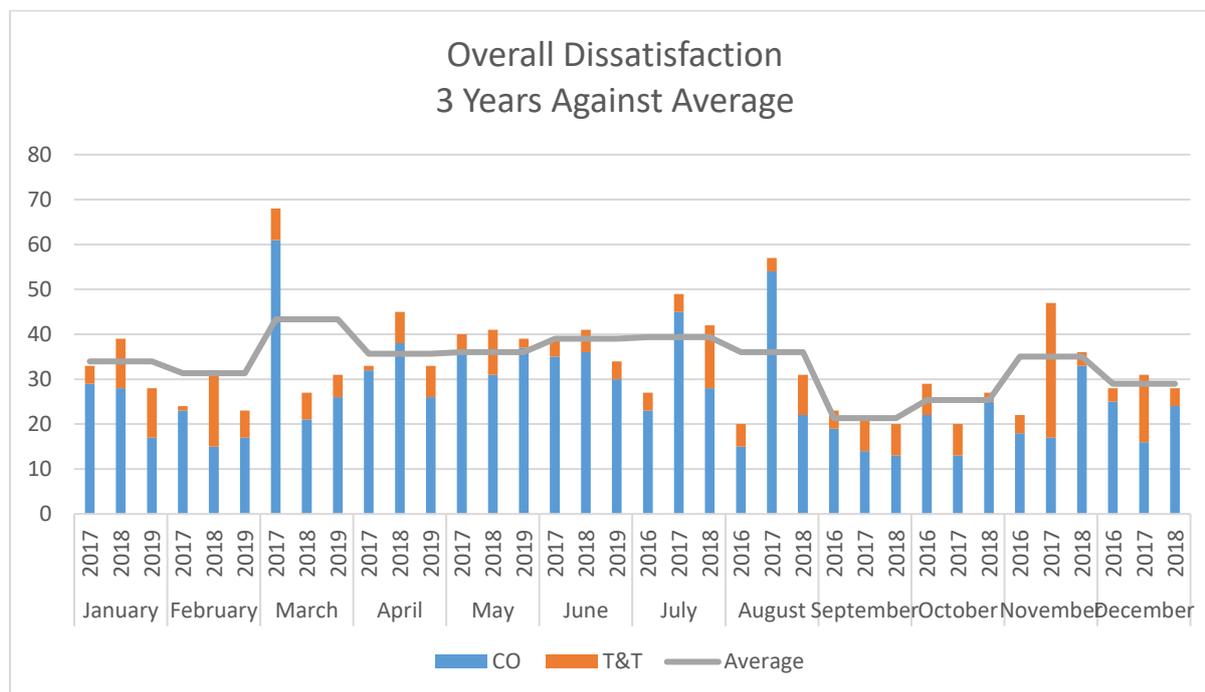
There and Then figures for the last 12 months are in the below graph and although there is nothing of concern in the current quarter, Unprofessional Conduct is the most prevalent type with 41 reports. This area is far reaching in that it covers neglect of duty, other irregularity in procedure, traffic irregularity, lack of fairness and impartiality and improper disclosure of information. There are no particular patterns that raise concern other than improper disclosure of information, which has been targeted proactively by PSD in internal media campaigns, training and dissemination reports.

The next type most reported on is Incivility where there are 21 reports. As the graph shows, these are the two categories that appear most regularly. There is one month where Unprofessional Conduct did not feature and two months with no incivility cases. This is an area that is being addressed as it is known that there has been an increase in improper disclosure of information complaints, and as a result has been the topic of recent PASS newsletters. Furthermore unprofessional conduct includes Neglect of duty – this can include officers failing to update/inform victims of crime. This will be a focus of attention as we move towards greater supervisory involvement through Practice Requires Improvement and ensure supervisors confront low level complaints and conduct head on.



An effective way in which the PSD has highlighted issues used by the department is via the Sergeant and Inspector briefing days. At the presentations, intrusive supervision and having difficult conversations with staff is encouraged and this could be having a knock on effect of reducing the number of public complaints. In addition, the implementation, use and understanding of Practice Requiring Improvement (PRI) seeks to take a reflective view of low level complaints rather than individual sanctions. Incivility and Unprofessional Conduct will now feature as a thematic issue in the forthcoming briefing days.

The graph below combines the figures for Complaints and There and Then to show the overall level of dissatisfaction over the last three years. Comparing the current quarters figures against the average there are no concerns beyond what has already been mentioned.



## 5. Appeals

The below table shows the number of appeals for the current quarter and the same quarter of the previous year that have been referred to the force or to the IOPC. Where relevant, the result is shown. Both referral categories have declined from the previous year however, IOPC appeals have only reduced by one so it is not a significant change. Looking at other quarters from the previous year, force appeals tend to be between 10-17 per quarter, therefore the current quarter is less than what was expected last year.

Result	Force Appeals Q1 2018/19	Force Appeals Q1 2019/20	IOPC Appeals Q1 2018/19	IOPC Appeals Q1 2019/20
Upheld/Partially	2	2	0	1
Not Upheld	11	3	0	1
Withdrawn	0	0	0	0
Not Valid	0	0	0	1
Live	2	2	4	0
Invalid	0	0	0	0
<b>Total</b>	<b>15</b>	<b>7</b>	<b>4</b>	<b>3</b>

Based on the figures, appeals have reduced by half and there are a number of reasons for this. Firstly, Inspectors have come to embrace and understand the approach to dealing with low level

complaints through a more pragmatic approach to the Local Resolution process. Secondly, they have engaged with the complainant and agreed a list of actions, and lastly, they have provided an update to the complainant with a summary of their findings aligned to the list of agreed actions between them (both of the former were historically repeated reasons for complaint appeals which have been mitigated by ongoing awareness raising by PSD).

## **6. Area Overviews**

North – In the current quarter there were 34 complaints, 19 of those were for Unprofessional Conduct, mostly relating to Other Neglect or Failure in Duty. There were 5 allegations of Oppressive Behaviour and 3 of those were Other Assault. 5 allegations were for Incivility.

There is no discernible pattern other than;

- North Carlisle Section 3 were responsible for 7 public complaints
- North Crime unit were responsible for 7 public complaints (5 of which were categorised as neglect of duty)

South – There are 56 complaints in the current quarter, 22 of which are for Unprofessional Conduct, again mostly for Other Neglect or Failure in Duty. There are 11 allegations for Oppressive Behaviour, 6 are for Other Assault, 1 for Serious Non-Sexual Assault and 4 for Unlawful/Unnecessary Arrest. There were 2 allegations of discrimination and 12 for Incivility.

- Kendal had more than twice the number of complaint allegations for the reporting period compared to Barrow.
- Kendal Unit 1 were responsible for 11 of the public complaints within the reporting period.

South Crime Unit were responsible for 5 public complaints (5 recorded as neglect of duty)

West – 49 complaints have been recorded in this quarter, 17 for Unprofessional Conduct. 8 allegations were made for Oppressive Behaviour, 1 of which was for Sexual Assault. 13 allegations were for Incivility.

- There is no discernible pattern for West.
- West Crime Unit were responsible for 2 complaints.

UOS – There were 4 complaints in the quarter, 2 for incivility and 2 for Unprofessional Conduct.

HQ – 5 complaints have been recorded in the current quarter, 3 for Unprofessional Conduct, 1 for Incivility and 1 for Direction & Control.

It should be noted that a significant number of complaints are captured as Unknown – where the complainant is unable to identify the officer(s) involved or there are a number of officers assigned to particular incident log.

A copy of the report is supplied to the Area commanders for their information and action as necessary. A member of PSD attends the Area Management Team meetings on a quarterly basis to provide oversight. PSD now also provide a member of staff in area on a monthly basis to provide support and advice to staff on all complaints/conduct matters.

## **8. Performance**

In the most recent report published by the IOPC (March 2019) Cumbria's performance was analysed and is presented in the below table

	Cumbria – 01/04/2018- 31/03/2019	Same period last year	MSF Average	National Result
Average number of days to locally resolve allegations	42	43	76	72
Average number of days to finalise cases	164	163	170	158
Number of allegations recorded per 1000 employees	204	200	302	264

This shows that whilst Cumbria is still below the Most Similar Force (MSF) average in all aspects it is higher than the National Result for average number of days taken to finalise cases.

In order to improve performance, new working practices have been introduced, which include:-

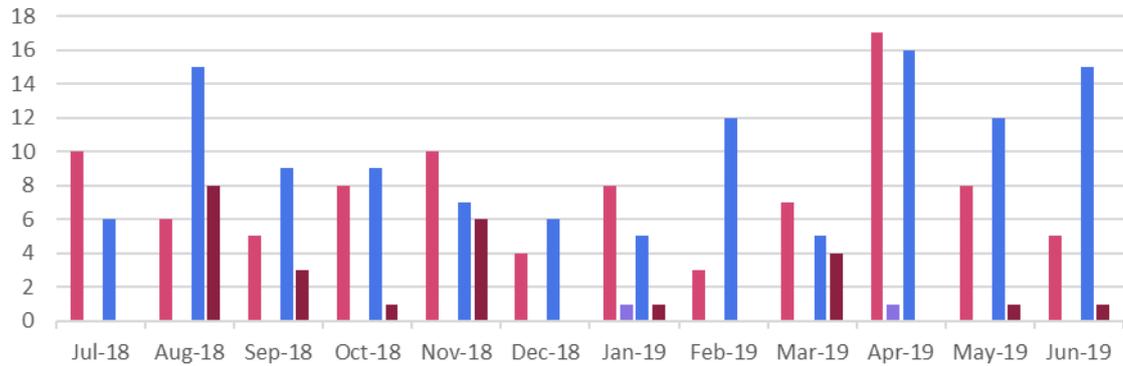
- One Investigation Team who investigate both Conduct and Complaints
- All investigations now overseen by DI Jenner
- Investigations are discussed on a weekly basis

When the new process started there were over 50 outstanding complaint investigations which has now reduced to 9.

## **9. Intelligence Reports**

The below graph and table shows the number of intelligence reports received according to the PASS strategy. The current quarter shows that levels for "People We Know" and "Standards of Professional" Behaviour are considerably higher than the previous two quarters (Oct-Dec18, Jan-Mar 19), particularly in April. "Areas We Work" and "Systems We Use" remain low and are consistent with previous months/quarters. The reason for this increase is due to multiple reports linked to an intelligence development operation which has progressed into a live investigation.

## Intelligence Reports by PASS Strategy



	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19
People	10	6	5	8	10	4	8	3	7	17	8	5
Areas	0	0	0	0	0	0	1	0	0	1	0	0
Standards	6	15	9	9	7	6	5	12	5	16	12	15
Systems	0	8	3	1	6	0	1	0	4	0	1	1

■ People   
 ■ Areas   
 ■ Standards   
 ■ Systems

### **10. Gratuities**

In the current quarter 29 gifts or gratuities were offered, of those 5 were declined. Most of the gifts and gratuities were low value and only 2 were £100+. One of these was a gift of tickets to Cartmel Race Day and Cliff Richard concert and was given as appreciation for 29 years of working directly with the race course management and was a value of £180. The other was track training and bike hire at Ladies Day by California Superbikes which was offered at a national event and accepted. Senior Officers were the recipients of 4 of the gifts and gratuities.

### **Quarterly Thematic**

#### **13. Diversity**

Each quarter will now provide a thematic review of the past year in relation to a particular field based on areas of concern or contemporary issues. In this document the focus is on Diversity and Discrimination.

The aim of this thematic review is to provide an overview of the previous year's cases relating to diversity and discrimination. By analysing the circumstances along with the outcomes it can provide an initial indication as to whether Cumbria Constabulary are appropriately reporting, responding and handling issues of diversity and discrimination. This can then produce recommendations to promote discussions regarding the current position. The Policing Minister is concerned with whether there is disproportionality relating to BAME officers and staff in misconduct investigations both in number of cases and higher sanctions. Past studies suggest that there is a disproportionality towards BAME officers and staff therefore research is currently being undertaken to fully understand the issues to develop good practice. Whilst this is a more detailed section for this quarter due to it being the

topic of the quarterly thematic, going forward there will be more of an analysis of diversity within the force and attempts are being made to collect and manage the data more effectively for regular analysis.

This document is examining data from 1<sup>st</sup> July 2018 to 30<sup>th</sup> June 2019. The main business areas for consideration are Public Complaints, Misconduct and Anti-Corruption and whether officers who are in ethnic minority groups receive more complaints against them.

The below table looks at complaints involving complainants or subjects who identify as BAME.

Category	Total Number	Number BAME	BAME %	Proportion Percentage %
Public Complaints – Complainants	439	17	3.9%	1.5% <i>(Population of Cumbria from 2011 Census)</i>
Public Complaints – Subjects (Recorded)	86	2	2.3	<i>(Unable to obtain workforce population data)</i>

#### Public Complaints – Complainants

Over the 12 month period from 1<sup>st</sup> July 2018 to 30<sup>th</sup> June 2019 there were 439 Complainants in relation to Recorded Public Complaints. 17 of the 439 Complainants self-identified as BAME which equates to 3.9%. The most recent census (2011) indicated that the population of Cumbria was around 1.5% BAME.

#### Public Complaints – Subjects

In the same period there were 2 subjects who identify as BAME out of 86 recorded Public Complaints which is 2.3% of all Complaint Subjects in the period.

#### Finalised

Between July 2018 and June 2019 12 cases of discrimination have been finalised.

Outcome	Number
Local Resolution – By Division	6
Local Resolution – By PSD	1
Discontinued – By Force	1
Not Upheld – By PSD	4

Area	Number
North	2
South	4
West	2
HQ/MSG	4

## Concerns

It would be beneficial to have an oversight of the staffing levels in relation to equal opportunities. This would enable monitoring of whether there are any areas of concern surrounding recruitment and complaints made against officers or staff based on ethnicity, religion, sexual orientation or gender. We are unable to determine levels of discrimination towards officers or staff as the equal opportunities forms are not actively managed, attempts were made to retrieve data from HR, CSD and Information Management but none of the departments hold the data. Without the data we cannot analyse levels of discrimination across the force. The only available data that has been made available is grievances from HR. In this there are several grievances relating to discrimination, one of sexual discrimination which is currently unresolved and three of disability discrimination one of which was dismissed and the other two currently unresolved. These are over the past 18 months between February 2018 and May 2019.

The work to determine whether there are any concerns with diversity and discrimination will continue in the coming months to attempt to obtain the data and provide a more accurate analysis This is an area which is currently being benchmarked nationally due to data quality issues.