



**Enquiries to: Mrs J Head
Telephone: 01768 217734**

Our reference: jh/EIP

Date: 28 January 2021

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 4 February 2021** at **2.00 pm**. Due to Government Guidelines in response to COVID-19 the meeting is being held via telephone conference facility.

Details of how to access the meeting will be emailed to participants separately.

Note: The Panel will carry out a dip sample session during the morning.

**G Shearer
Deputy Chief Executive**

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 & ACTIONS FROM THE PREVIOUS MEETING**
 - (a) To confirm the restricted notes of the meeting of the Ethics and Integrity Panel held on 6 November 2020 (copy enclosed).
 - (b) To receive an update from actions taken at the last meeting in relation to the outcome of the Property Store review.
- 5. SPITGUARD USAGE**
To receive an annual report on the usage of SpitGuards by Cumbria Constabulary during 2020.
- 6. INTEGRITY**
 - (a) To receive a report on the work carried out within the Constabulary's Professional Standards Department, including actions raised at the last meeting:
 - (i) Complaints by the Public; and
 - (ii) Anti-Fraud & Corruption (including officer and staff misconduct)
 - (b) To receive a report on the Constabulary's usage of Body Worn Video equipment. *To be presented by Detective Chief Inspector Craig Smith.*

Agenda Item No 4

ETHICS AND INTEGRITY PANEL

Notes of a meeting of the Ethics and Integrity Panel held on
Friday 6 November 2020 via video conference facility at 1.00 pm

- 7. COVID-19 REGULATIONS**
- (a) To provide the Panel with an update to questions raised during previous dip sample session and meeting; and work being carried out by the Constabulary in relation to disproportionality – *Deputy Chief Constable Webster*
- (b) The Panel to provide feedback from their dip sample of Fixed Penalty Notices issued during the second and third lockdowns.
- 8. OFFICER RECRUITMENT**
- To receive an update on the current status regarding police officer recruitment, including what positive action is being carried out. *To be presented by Superintendent Lisa Hogan.*
- 9. SECONDARY BUSINESS INTERESTS**
- The Panel to report their findings from the thematic session regarding the Constabulary's Secondary Business Interest procedure during the morning of 4 February 2021.
- 10. INFORMATION MANAGEMENT COMPLIANCE**
- (a) To receive and note a report by Cumbria Constabulary on their compliance with Data Protection Legislation (copy enclosed) – *To be presented by DCC Webster.*
- (b) To receive and note a report by the OPCC on their compliance with Data Protection Legislation (copy enclosed) – *To be presented by the OPCC Governance Manager.*
- 11. DATA ETHICS ADVISORY GROUP**
- To receive feedback from the Panel on the pilot work carried out and the next steps from Ms Jo Edgar, Chief Information Officer Durham and Cumbria.
- 12. PANEL ANNUAL REPORT**
- To consider and agree the Panel's Annual Report denoting the work of the Panel during 2020 – *To be presented by the Panel Chair, Alan Rankin*

Date of Next Meeting: Wednesday 5 May 2021 @ 2.00 pm

(Attached is a copy of the Annual Work Programme which illustrates the agenda items and thematic sessions for the 2021 meetings)

PRESENT

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

Also present:

Chief Constable - Michelle Skeer
Superintendent - Lisa Hogan
Detective Chief Inspector – Craig Smith
A/Detective Chief Inspector – Paul Jenner
Head of Legal Services – Andrew Dobson
HR Manager – Kate Ruddick
Chief Information Officer – Ms Jo Edgar
OPCC Deputy Chief Executive - Gill Shearer
OPCC Governance Manager - Joanne Head

The Chair thanked everyone for attending the video conference and the Constabulary for all their hard work during the ongoing COVID-19 pandemic which was now entering a further lockdown period. He hoped everyone was staying safe and well.

34. APOLOGIES FOR ABSENCE

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

35. DISCLOSURE OF PERSONAL INTERESTS

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

36. URGENT BUSINESS

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

37. NOTES OF THE PREVIOUS MEETING

The notes of the meeting held on 6 August 2020 previously circulated with the agenda were agreed.

(a) Auto-Attendant Update

Following questions raised at the previous meeting the Panel were provided with a written update on the Comms Centre Auto Attendant. They felt that the message made it clear where a member of the public needed to direct their calls to, especially if it was for another organisation to deal with.

(b) TASER

During a dip sample of TASER forms the members had raised a number of issues. They were provided with a written update and were pleased to note that the use of force form was to be updated to enable officers to better record the use of TASER and actions leading up to it.

The lack of use of Body Worn Video remained a recurring theme. A member asked what the Constabulary were doing to increase its use and what were the consequences for officers who continually did not use it. The Chief Constable advised that the Constabulary's Business Improvement Unit reviewed cases to provide quality assurance of use and such matters were discussed at the Operations Board meetings. The Constabulary took a 'quality counts' approach when recording matters such as the use of force or crime and it was agreed that an update on this would be provided to the next meeting.

Agreed; that,
 (i) the notes from the previous meeting be agreed; and
 (ii) a report and update on the use of Body Worn Video within the force be provided to the next meeting.

38. DATA ETHICS ADVISORY GROUP

The Chief Information Officer for Cumbria and Durham, Ms Jo Edgar, briefed the meeting on a proposal to set up a Data Ethics Advisory Group. The purpose of the group would be to look at specific areas of work, either up and coming or already in place but requiring review, to support the Constabulary on ethical issues associated with the use and intended use of data.

When areas of work were identified the membership of the group would be agreed to include any key stakeholders, experts and advisors. An Ethics Panel member would be appointed based on their own skills and knowledge of any subject matter. As this work was in its infancy it was proposed do to a pilot and walk through an existing project to identify any issues and see what were the unintentional consequences of police using personal data.

It was recognised that this area of business would align with the work of the Ethics and Integrity Panel and it was therefore proposed that this sub-group should report to the Panel to enable consistent oversight of ethical issues across the Constabulary and the Office of the Police and Crime Commissioner.

AGREED; that,

- (i) the proposal and draft terms of reference of the Data Ethics Advisory Group be noted; and
- (ii) work to continue to develop the proposed work of the group and carry out a pilot walk through of an existing project to identify any issues to see what the unintentional consequences of police using personal data were.

39. 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 new Public Liability (PL) claims stood at 24 with five being deemed significant, 3 of which had arisen from the same incident. Two previously significant claims had been closed. The Panel noted that a third of the cases related to property either being damaged or being disposed of rather than being returned to the owner. A review had previously been carried out of property stores with new procedures to be introduced. The Chief Constable advised she would ascertain what the outcome was and whether or not the new procedures had been in place at the time the claims were made.

The Panel discussed several 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
 (i) report be noted;
 (ii) outcome of the property store review to be provided and ascertain whether or not the new procedures were in place at the time the claims were made.

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

40. INTEGRITY

The Panel provided feedback to the meeting following their dip sample of public complaint files within the Professional Standards Department. The Panel advised that Body Worn Video (BWV) was still not being used or activated by officers when attending incidents, some of which had involved violence or the threat of violence. This had resulted in complaints taking longer to investigate and in one instance an officer had to complete a PRI process whereas if they had used the BWV they would have likely have been commended for their actions. The Panel asked whether it would be possible to undertake an analysis of how many officers used BWV and how many did not in relation to public complaints.

In another case the officer had not marked the footage as likely to have a complaint and therefore it had been automatically deleted due to the passage of time prior to the complaint being made.

A/DCI Jenner advised that following the dip sample he had spoken with the Constabulary's lead for BWV and a message had been sent out to all officers and staff ; and was also looking at the potential for this information to be recorded within Centurion. He had spoken with the Learning and Development department who had updated their training package on how to mark footage regarding complaints.

One of the cases reviewed related to the personal use of social media by an officer. It highlighted the complexities of using social media in a work environment and the cross over of a personal environment. The whole concept and use by the police although it can be a powerful tool can be very disruptive for individual officers if not used correctly or inappropriate comments are made.

The Panel were pleased to see that the new online Business Interest and Secondary Employment form was now available for officers and staff to complete. Being electronic the new process was easier for managers to complete their relevant sections within agreed timescales and providing reminders where this was exceeded. Individuals were able to understand at what stage their application was at and when it was approved. This was important as to commence or continue with a business interest or second employment may result in disciplinary action being taken.

During the summer the Constabulary had carried out an APSP & Sexual Harassment Campaign which included briefings, about reporting mechanisms and a voluntary survey for officers and staff to complete. As a result of the survey further media updates and education is planned to feedback to staff.

The Panel were guided through the remainder of the report and provided with information regarding finalised and ongoing misconduct cases within the Constabulary. The Panel noted that there were a significant number of new and ongoing cases compared to previous reports. A/DCI Jenner advised that PSD were not responsible for dealing with officer collisions and staff misconduct which was partly responsible for the increase, as were Covid related incidents. The Panel asked that for future reports a comparison be made to the previous two years to understand whether or not there was an increase in the numbers being dealt with.

AGREED; that,

- (i) the report be noted; and
- (ii) PSD analyse how many officers used BWV and how many did not in relation to public complaints; and
- (iii) three year comparisons be provided for misconduct cases

41. GRIEVANCES

There were 11 grievances commenced within the reporting period of 1 November 2019 up to 31 October 2020 with 5 remaining open. Three had been finalised due to a lack of response from the individuals.

As part of a dip sample process the Panel had reviewed 2 grievance cases. Following questions by the Panel members they were advised that in one of the cases due to allegations made, a number of enquiries had been carried out. This information had not appeared within the case file which would have assisted the Panel to understand what actions the force had taken. A/DCI Jenner advised that this would be done for this and other cases. In addition, when HR received a grievance, they would inform the Constabulary's Anti-Corruption Unit to enable them to cross reference the case.

In relation to the second case, the Panel felt that although they understood the reasoning for the outcome and the decisions made, it was clear that the Constabulary had not followed their own written policies. These Panel noted that these were now being reviewed along with many other HR policies.

The HR Manager advised that the Constabulary's Grievance policy, procedure and guidance documents were being reviewed and would include an informal stage. The Constabulary has an interpersonal mediation toolkit which aims to resolve workplace disputes quickly and discretely. The toolkit offers everyone the opportunity to a quick and private resolution. Six members of the Constabulary, of varying ranks and roles, have qualified as workplace mediators. Their expertise is now available to those who seek a resolution to situations of workplace conflict.

AGREED; that the report be noted.

42. OFFICER RECRUITMENT & PROMOTION

Superintendent Hogan presented a report which advised on the current progress of Operation Uplift relating to the appointment of officers to Cumbria and the new promotion processes now in place. A significant number of applications had been received which had resulted in an officer from the Learning and Development Department being moved to assist in processing them. A number of individuals were waiting to complete the SEARCh assessment in early and mid-December, following which they would be formally appointed to the Constabulary.

An update was provided with regard to the Positive Action work which was being carried out as part of the recruitment process. Members asked what work was being done to ensure that this was well received by other applicants and existing staff. Supt Hogan advised that a number of internal stakeholder events had been held and internal messages sent out on how staff should not only embrace positive action within the organisation but with the communities that they served ensuring that inclusion remained a priority. The Chief Constable stated it was important that inclusion was nurtured throughout the workforce and would be part of hers and others leadership roles to ensure it was embedded within the Constabulary's ethos.

A number of events had been held to attract not only BAME candidates but individuals from other protected characteristics. The Constabulary were conscious that messages and communication need to ensure that everyone was treated fairly and provided with opportunities. It was agreed that a report on what positive action was being carried out would be provided to the next meeting.

A member asked what measures were being put in place to retain Positive Action candidates once they had been appointed. A buddy scheme would be set up for each officer upon appointment; engagement with existing officers and staff; and understanding what additional support they may require, if any.

The Panel notes that this work was extremely positive and commended the Constabulary for its approach.

AGREED; that,

- (i) the report be noted; and
- (ii) a report on the Constabulary's Positive Action be provided to the next meeting.

43. OPCC COMPLAINTS AND QSPI

The OPCC Deputy Chief Executive presented two reports. The first outlined complaints dealt with by the OPCC and complaint reviews; the other regarding areas of dissatisfaction which members of the public had contacted the Commissioner about.

This was the first time that the OPCC had reported upon complaint reviews which they were now carrying out. During the reporting period the OPCC had received 24 requests for reviews regarding the outcome of their complaint to the Constabulary. Of those 5 had been upheld with the remainder not being upheld.

The number of QSPI's had increased significantly during the year and was attributed to the Police and Crime Commissioner being more visible and inviting correspondence from members of the public. This provided a valuable source of intelligence regarding local matters enabling learning for officers and information to inform the police and crime plan.

AGREED; that the reports be noted.

44. COVID-19 REGULATIONS

Members had previously carried out 2 dip samples of issued Fixed Penalty Notice forms that had been issued for COVID-19 regulation violations. They had raised concern regarding some of the BAME FPN's and a response had not yet been provided. The Chief Constable advised that the Constabulary had carried out a lot of work in relation to this and that a full report would be provided to the next meeting.

The Panel were advised that in the 2 weeks to 2 November we have had over 1345 engagements with members of the public in relation to COVID regulation violations resulting in 10 FPN's being issued. The Constabulary were still using the four E's – engage, explain, encourage and enforcement. Generally, by using the first 3 E's people were happy to comply although a lot of people had been confused with what the regulations were when areas had gone into different Tiers.

Following feedback from the Panel's dip sample sessions the Constabulary were now recording their interactions with members of the public and their ethnicity. Also included was whether or not BWV had been used at the time.

At the last Panel meeting a member had asked, what if any unconscious bias training was provided to officers and staff. Since the meeting there had been some tweets which had identified individual's ethnicity but did not seem relevant to the nature of the tweet. The Chief Constable asked the member to provide the dates of the tweets and would look into why ethnicity was mentioned if it was not necessary. In relation to unconscious bias training, Superintendent Hogan advised over the last 12 months the Constabulary had rolled out an E-Learning training package which was compulsory for all officers and staff to complete. The package enabled the Constabulary to identify when officers and staff completed it. This would be repeated training going forward.

As England entered another period of lockdown it was agreed that the Panel would carry out a dip sample of issued FPN's at the end of the 4 weeks. They would also carry out a further dip sample in February 2021 of those FPN's issued outside of the lockdown periods.

AGREED; that,

- (i) the verbal reports be noted;
- (ii) a full report regarding issued Fixed Penalty Notices to be provided to the next meeting;
- (iii) the Chief Constable to be provided with dates of tweets to ascertain why ethnicity was mentioned; and
- (iv) the Panel carry out a dip sample of any issued FPN's during the 4-week lockdown period in November 2020 and carry out a further dip sample in February 2021 of those FPN's issued outside of the lockdown periods.

45. PANEL TERMS OF REFERENCE, 2021 ANNUAL WORK PROGRAMME AND MEETING DATES

The Panel's terms of reference had been reviewed and updated to reflect the work that it now carries out; and also included within it was the proposed Data Ethics Advisory Group.

A draft of the 2021 work programme was provided to the Panel. In addition to the cyclical work of the Ethics Panel a discussion was held on what areas of business they could look at as part of the Thematic review work and a number of topics were discussed. These included – social media; COVID-19; Positive Action; Business Interests and the use of Polygraphs.

Agreed; that, the proposed areas be included within the Panel's 2021 work programme

Meeting ended at 4.00 pm

Signed: _____ Date: _____
Panel Chair

Ethics and Integrity Panel



Title: Property Store Update

Date: 4 February 2021

Agenda Item No: 04c

Originating Officer: Andrew Dobson, Legal Services Department

CC:

At the Ethics and Integrity Panel meeting on 6 November, during a discussion on Civil Claims an action was raised:-

(ii) *outcome of the property store review to be provided and ascertain whether or not the new procedures were in place at the time the claims were made.*

Chief Superintendent Rob O'Connor commissioned the piece of work in respect of the property review.

In summary the report was only completed in September 2020. It is not clear what action has been taken in respect of it as some of the recommendations are costly (e.g. CCTV). The author also identifies the need for an improved property management system. This could be costly however we may look at a Durham product called ERP (Evidence Review Property) but this may be some time in the future, so no immediate impact or solution. As an organisation we should not be losing or damaging third party property, having said that, I would add here that the cost of the claims in question are all relatively low.

Going forward, an action has recently been picked up by Business Board to look at property so it may well be the case that the report and what actions are required as a result of it could get picked up by Business Board. However, at present it would appear that little has happened in response to the report but that may well be due to the current pandemic and work commitments. Chief Superintendent O'Conner did however advise that he has been involved in training which has been delivered to address issues in respect of property including – how to seize it, exhibit it, manage it and return it and how to record if property is damaged.

When Civil Claims were reported to the Ethics Panel in November, I was reporting on claims made up to and including 30 September 2020. As the Property Review was not concluded until September 2020 it can have had no impact upon the claims I was reporting upon. In short, no new procedures were in place in respect of the claims made which were reported on and this would not address what we are now doing in respect of the Property Review. The Constabulary's Business Board have been allocated an action in respect of this and it is ongoing.

Ethics and Integrity Panel



Title: SpitGuard Annual Report

Date: 4 February 2020

Agenda Item No: 05

Originating Officer: Inspector D Barr

CC:

Executive Summary:

In January 2019 Cumbria Constabulary took the decision to implement the use of SpitGuards by officers. Following this a 12 month roll-out training programme was carried out to enable officers to use SpitGuards when they attended Personal Safety Training courses or as part of new officer induction training. This report provides a report on the training and usage of Spit Guards by the Constabulary during 2020.

Recommendation:

That, the Ethics and Integrity Panel note the report.

1. Officer Training

1.1 Officers may only use SpitGuards once they have been fully trained. Training on the use of SpitGuard tactics, was rolled out to front line officers at refresher training and initial recruit training courses throughout 2019 and 2020. On completion of the input, officers were issued with SpitGuards. By 2020 all officers who were permitted to carry SpitGuards had them in their possession, thereby making their availability more widespread throughout the force.

2. Use of Spit Guards During 2020

2.1 The mesh fabric hoods prevent a person from spitting or biting officers. Being loose-fitting they do not restrict breathing or impact the wearer's visibility. Saliva and blood in saliva can host a variety of diseases, bacteria and viruses and by using the SpitGuards they keep officers safe. SpitGuards are single use, following which they are disposed of.

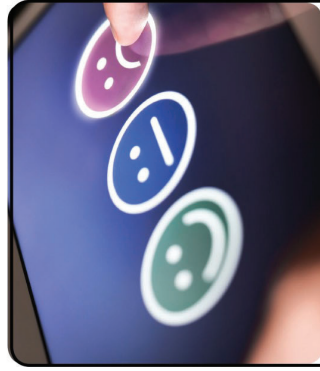
2.2 During 2020 there have been 53 incidents where SpitGuards have been used by officers. The gender breakdown of the detainees being 36 males and 17 females; with their ethnicity being identified as 52 White British/Irish and 1 BritishAsian. Detailed below is a breakdown of monthly usage:

Month	Usage 2019	Usage 2020
January	2	6
February	3	3
March	2	2
April	2	10*
May	2	7
June	3	5
July	3	7
August	6	3
September	5	2
October	3	2
November	3	5
December	2	1
Total	36	53

- 2.3 As can be seen there has been a 47.2% increase in usage. This is attributed to all officers now being trained and equipped with SpitGuards should they be required to use them.
- 2.4 The Professional Standards Department have cross-checked all complaints for 2020 and there were none recorded, in relation to the use of SpitGuards. This can largely be attributed to the SpitGuards only being use on an individual for a short period of time.
- 2.5 April 2020 was the first full month, of the first Covid 19 "lockdown". A trend developed when the virus became "weaponised"; with individuals spitting, or threatening to spit, whilst also threatening officers with becoming infected. This still occurs but with much less frequency.
- 2.6 Appended to this report is a breakdown of some of the incidents where Spit Guards have been used on those under 18 years of age during the year.



Public Complaints



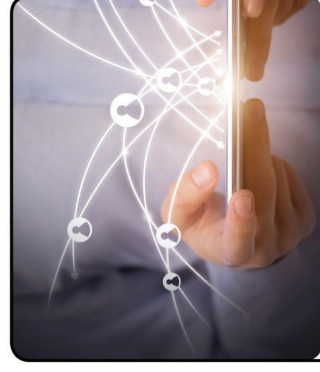
- Deliver a complaints system that is effective and accessible
- Support complainants through the Complaints System
- Inspire greater public confidence in the police complaints system

Conduct



- Investigate conduct matters thoroughly and expeditiously in line with current legislation and guidance
- Provide a transparent service to both the Officers subject to investigations and the wider Constabulary and partners, such as the IOPC/OPCC
- Identify and share Learning and Best Practice

ACU Intel



- Data Disclosure
- APSP/APIER
- Vulnerability (Associations, Business Interests/ Secondary Employment)
- Substance Misuse

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Public Complaints

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Public Complaints Purpose and Background

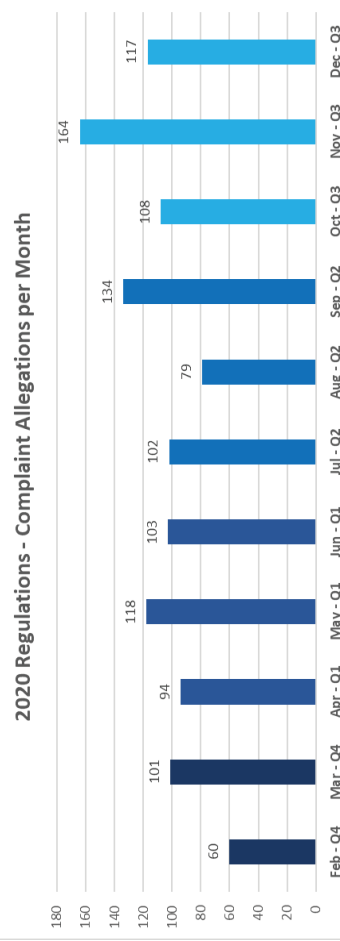


- Complaints from members of the public with regard the actions and conduct of Police Officers and Staff are currently recorded centrally through the Professional Standards Department (PSD).
- The range of the data for this quarterly report is from 1 October to 31 December 2020.
- Data extracted utilises information from Cumbria Constabulary ICT systems which includes Centurion, the PSD case management system.
- In reviewing information, in addition to Constabulary systems, regard is given to partner agencies including the Independent Office for Police Conduct (IOPC).
- A Public Complaint is any expression of dissatisfaction with a police force that is expressed by or on behalf of a member of the public. Each complaint may consist of one or more specific allegation. Complaint allegations are broken down into a number of categories to assist with recording and analysis. Following the introduction of the new regulations (01/02/2020) all complaints are logged, and unless dealt with "There and Then" within Area are handled by staff within PSD. This can be via immediate Service Recovery (Listen – Say Sorry – Fix It), Reasonable and Proportionate (R&P) enquiries or an Investigation.
- The IOPC uses this data to understand how forces handle public complaints and to assess trends.

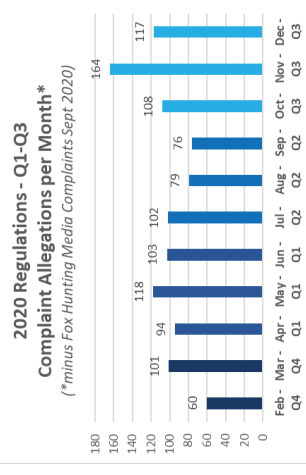
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Public Complaints: Complaint Cases and Allegations – Current Quarter



Complaint allegations logged/recorded under the 2020 Regs, have increased in Q3 to **389** compared to the last two quarters, Q1 and Q2, where **315** complaint allegations were logged/recorded, (Q2* excluding Fox Hunting Media Complaints were 257). The increase in allegations can in part be attributed to the revised recording practices which have been continually reviewed by PSD since the implementation of the new 2020 Regs. This increase also includes 38 allegations which have been recorded in Q3, Oct (10), Nov (18) and Dec (3), which have been added to legacy cases recorded in previous quarters. November's peak is discussed in subsequent sections.



Average Number of Complaint Allegations
(2020 Regs) per month per quarter:

Q4 = 81 Q1 = 105
Q2 = 105 (86*) Q3 = 130

2020 Regs Overall Average = 107 (102*)

*Excluding Fox Hunting (FH) Media Complaints Sept 2020

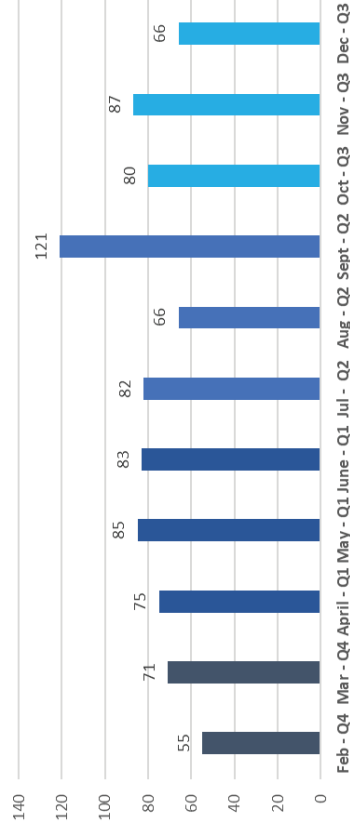
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Public Complaints: Complaint Cases and Allegations – Current Quarter

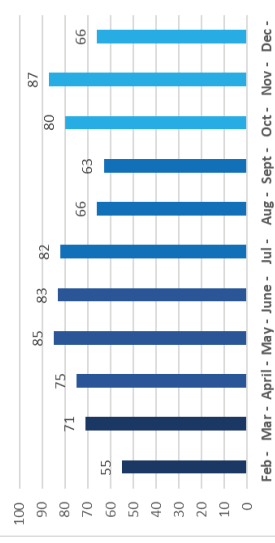


2020 Regulations - Complaint Cases per Month



A total of **233** complaint cases were recorded in Q3. Complaint cases this quarter have remained relatively consistent and in line with previous quarters, this is despite the 25% rise in allegations recorded/logged. November's peak is discussed in subsequent sections. December shows joint least cases recorded but this could be expected due to seasonal changes. The average number of complaint cases (78) recorded per month this quarter represents the current overall average for all months under the 2020 Regs (78).

2020 Regulations - Complaint Cases per Month*
(*minus Fox Hunting Media Complaints (59) Sept 2020)



Average Number of Complaint Cases (2020 Regs) per month:

Q4 = 63 Q1 = 81 Q2 = 90 (70*) Q3 = 78

2020 Regs overall average = 78 (73*)

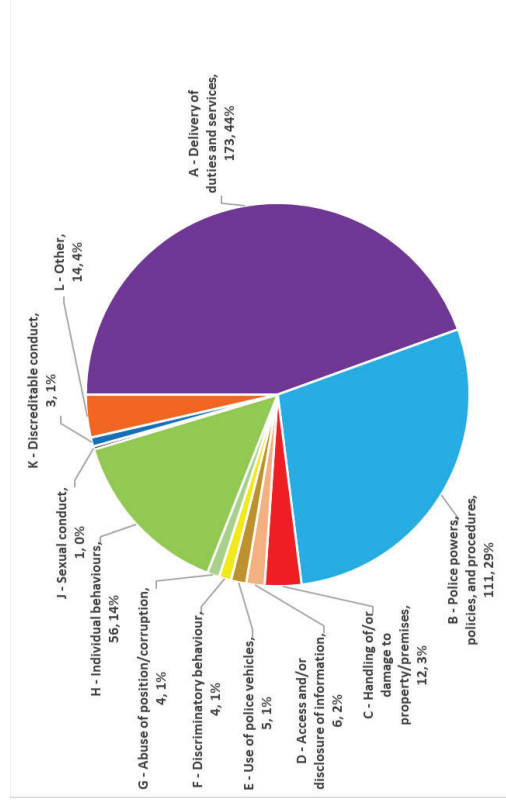
*Excluding Fox Hunting (FH) Media Complaints Sept 2020

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Public Complaints: Complaint Cases and Allegations - Types



The chart shows the complaint allegations recorded/logged by complaint group for this quarter. The new 2020 Regulations consist of 45 types of complaint allegations making up 11 allegation complaint groups Appendix 1



Despite the rise in the number of allegations logged/recorded in Q3, the percentage split of the complaint allegations on the whole remains relatively similar to previous quarters. As with the previous three quarters, the highest recorded group is Group A followed by Group B* and then Group H*:

A - Delivery of duties and service 44% of allegations is on par with Q2 if including the Fox Hunting complaints (43%), however, is a decrease from Q2 of 55%, if excluding the Fox Hunting complaints. However, when compared to Q1 is a small increase from 40% in Q1 to 44% in Q3.

B – Police powers, policies and procedures 29% of allegations this quarter is an increase on Q2 16% (20% excluding Fox Hunting allegations). However, is on par with Q1 figures of 28%.

H – Individual behaviours remains consistent at 14%, the same as Q2.

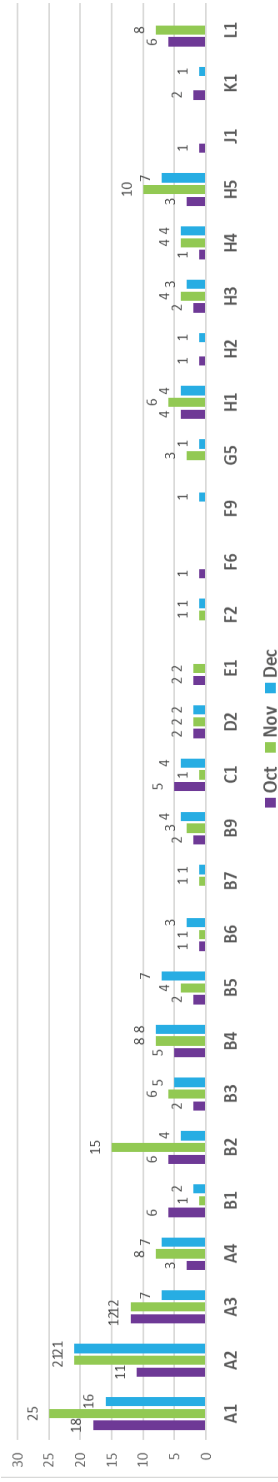
*In Q2 L-Other was second placed group but this was due to large number of complaints regarding a single issue relating to Fox Hunting.

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Public Complaints: Complaint Cases and Allegations – Types



Count of Complaint Allegation Types - Logged/Recorded by Month in Q3



The graph shows the number of complaint allegations by type which have been logged/recorded during each month of Q3 and which form the Q3 complaint cases.

Appendix 1 2020 Regulations Complaint Allegation Types reference table

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Public Complaints: Complaint Cases and Allegations – Types



B2 – Searches of premises and seizure or property, A2 - Decisions and H5 –Overbearing or harassing behaviours have all seen overall increases this quarter compared to last quarter. These increases exceed the 25% overall increase in the number of allegations recorded/logged this quarter.

B2 –Searches of premises and seizure or property - Q2 5 allegations has increased to 28 allegations in Q3. The November peak can be explained by 2 cases both with 5 x B2 allegations each relating to the same incident which were recorded separately, however, equally could have been dealt with under the same complaint case. These were recorded post revised recording practices.

A2 – Decisions - Q2 33 allegations increased to 55 allegations in Q3. These allegations form 10 cases in Oct, 14 in Nov and 18 in Dec. 1 case has 5 allegations linked to it and is still Live. 2 cases from the same individual account for 4 allegations. The remaining allegations are spread across various cases raising a variety of issues, primarily in relation to why cases have been finalised NFA and these are mostly Harassment related criminal investigations.

H5 – Overbearing or harassing behaviours - Q2 4 allegations increased to 20 allegations in Q3. These allegations form 3 cases in Oct and 7 cases in both Nov and Dec. One case accounts for 3 allegations but the rest are spread over the remaining cases which span various issues. Some themes include 5 cases related to roads policing, three of these relating to FPN and 5 cases relate in part to Covid-19.

A1 – Police action following contact - despite the peak in November, there has not been an increase in A1 allegations this quarter. As 9 x A1 allegations linked to 9 cases were De-Recorded in Q3, thus, when discounting these allegations the figures are consistent to Q2.

B4 – Use of Force Update - in relation to the rise last quarter, it appears that this may have been the reports returning to consistent levels. The number of reports in Q2 and Q3 are similar with only a small rise from 19 to 21 allegations. The higher numbers of allegations are seen in months post the initial Covid-19 lockdown when interaction with the public increased. Allegations will be monitored again next quarter.

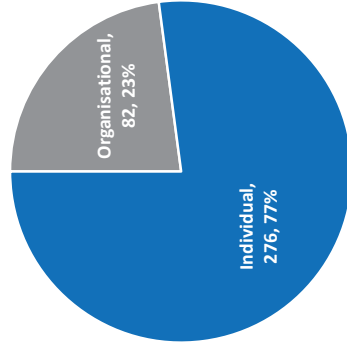
See [Appendix 2](#) Complaints by Area

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Public Complaints: Complaint Cases and Allegations – Types



Q3 - Organisational vs Individual Complaint Allegations



Complaint allegations fall under two categories. These can be split into Organisational allegations logged/recorded against the Constabulary and non-Organisational Individual allegations which are usually attributed and logged/recorded against a named individual officer/staff member. A complaint case may have both Organisational and Individual allegations linked to it.

The new regulations have a greater emphasis on recording under Organisational where appropriate. This quarter there has been a decrease in the number of allegations being noted as Organisational. There were 23% Organisational and 77% Individual in Q3 compared to 29% Organisational and 71% Individual in Q2*.

Of the non-Organisational allegations, 43% allocated to a Shift but there are nearly a third (31%) where it has not been noted whom the allegations relate specifically to. However, the geographical area of the complaint allegation has been recorded on the majority of these allegations which could aid in determining whom they may refer to. It is not always possible or reasonable and proportionate to drill down whom a complaint may refer to when undertaking Service Recovery.

*Compared to figures excluding Fox Hunting Media Complaints in Q2.

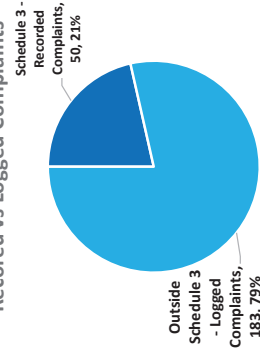
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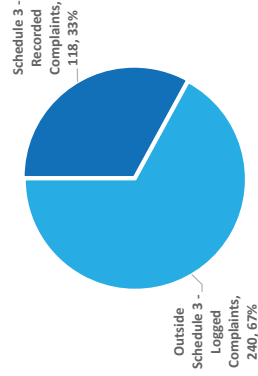
Public Complaints: Complaint Cases and Allegations – Schedule 3



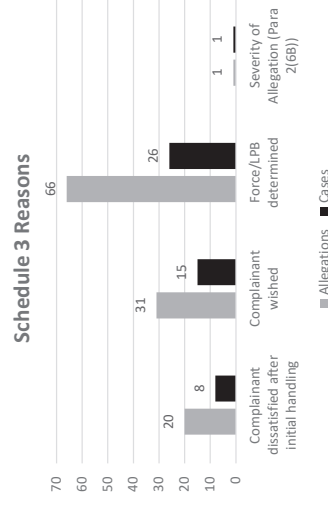
Q3 Complaint Cases - Schedule 3 Recorded vs Logged Complaints



Q3 Complaint Allegations - Schedule 3 Recorded vs Logged Complaints



The below figures relate to complaint allegations logged/recorded in Q3 and added to cases logged/recorded in the Q3 period only.



Q3, similar to Q2, has seen a significant amount of complaints being dealt with outside of Schedule 3, thus, are logged and Service Recovered at an early opportunity. Nearly 4/5ths of cases are dealt with Outside of Schedule 3 but this percentage split decreases to just over 2/3rd when considering allegations. The number of allegations linked to complaint cases is greater when the complaint case is Recorded rather than Logged. Logged complaint cases on average have 1.3 allegations logged per case, whereas, Recorded complaint cases have on average 2.4 allegations recorded per case. The percentage of Recorded complaint allegations due to *Force/LPB determination* has increased from 12% to 18% of all allegations. Also, the number of complaint allegations Recorded because the *Complainant wished* for the complaint to be recorded have increased from 2% to 9%. The Force determine increases may in part be due to the revised recording practices introduced in Q3.

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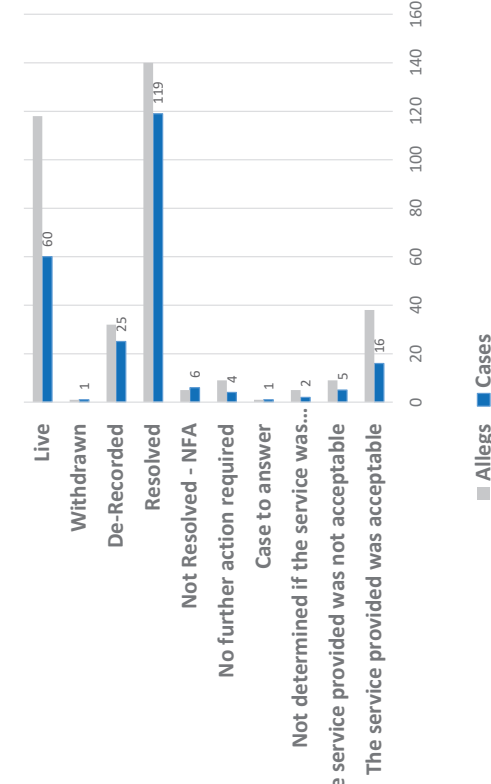
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Public Complaints: Complaint Cases and Allegations – Outcomes/Status/Performance



Q3 Complaint Cases and Allegations Status/Outcomes

This chart shows the outcomes of the complaint cases and allegations which have been recorded and finalised within this quarter and any that were Live as of 31/12/2020.



Despite an increase in cases awaiting finalisation, 20 more than last quarter, there has been an increase in the number of cases finalised as Resolved by the complaints investigators in Q3 compared to Q2 (if excluding the 58 Fox Hunting complaint cases in Q2 which were dealt with as a collective by the DCI), an increase from 110 cases in Q2 to 119 in Q3.

Cases where *The service provided was not acceptable* has risen from 2 to 5 but remain very low.

The single Case to Answer resulted in an Officer being issued a Written Warning, as a result of a Public Complaint regarding H5 Overbearing or harassing behaviour, it concerned an interaction between the officer and a motorist during a roads policing training exercise, which received adverse coverage on social media and in the press.

Q3 cases finalised within 30 days or less = 72%

Q3 cases still live after 30 days = 28%

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Public Complaints: Complaint Cases and Allegations – Local/National Issues



Covid-19

The number of cases and allegations citing Covid-19 related issues, at least in part, have doubled from 6% in Q2 to 12% in Q3. However, this is not as high as those seen in Q1. These complaints span an array of issues, primarily relating to police powers on restrictions splitting down into 'Other' complaints and complaints relating to 'Searches'. There is a spike of Covid-19 related complaints in November, however as previously noted, these relate to 2 linked cases and also a third case which have 4 allegations each relating to Covid-19.

Also see *Covid-19 related issues in Conduct section*.

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Public Complaints: Additional Updates – Body Worn Video



Body Worn Video - Complaints

At the request of the previous Ethics Panel Meeting, complaints relating to the use of Body Worn Video (BWV), whether that be the inappropriate use or lack of BWV, and also the use of BWV when addressing a complaint have been analysed and the results are outlined below.

During the period of 01/04/2020 and 15/12/2020, 713 Complaint (CO) cases were logged/recorded and 45 Conduct (CM) cases recorded. In total 10 Complaint cases (1.4%) and 1 Conduct case (2.2%) referred to a potential issue with the use of BWV by an Officer. However, the BWV issue in each of these cases was not a standalone issue, but was highlighted as part of other allegations within the same Complaint or Conduct case.

Issues relating to BWV were highlighted by the complainant in 5 Complaints cases, but also equally as many by investigators whilst dealing with cases concerning other matters, 1 Conduct case and 5 Complaint cases. Of note only 2 of the 5 Complaint cases where the complainant highlighted potential issues with use of BWV were substantiated.

3 Lessons Learnt were recorded in relation to BWV not being used correctly. As a consequence some officers were subject of Reflective Practice; another had a Development Plan initiated; and some officers young in service were given learning in relation to use of BWV by their supervision. Overall, the officers noted in the substantiated BWV cases, were primarily young in service with less than 3 years' service and/or young in rank and whom are mostly still in their probation and learning all aspects of policing.

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Public Complaints: Additional Updates – Complaints over 1 year old



Public Complaints over 1 Year old

At the request of OPCC, it is a requirement to report on any complaints which are still Live 1 year after having been recorded and to outline the rationale as to why they have not been concluded.

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Complaints :



Priority Issues

- Figures in this report have been developed from previous reports to focus, where possible, on Case data rather than just Allegation data to provide additional insight in to both Logged and Recorded Public Complaints.
- **Overview** – The average number of cases logged/recorded per month this quarter is 78, which is in line with the overall average number of complaints per month logged/recorded under the 2020 Regulations which is currently 78 cases (73* excluding Q2 Fox Hunting collective complaints). The decrease in cases in December this quarter is likely seasonal. The number of allegations have however increased by 25% this quarter and this can be explained by the revised recording practices which have been continually under review since the implementation of the 2020 Regulations. Of note, the additional allegations are more likely to be added to recorded Schedule 3 complaint cases, Logged complaint cases on average attract 1.3 allegations per case whereas Recorded complaint cases have on average 2.4 allegations recorded per case.
- **Schedule 3 Complaints (Recorded Complaints)** –similar to previous quarters, a large majority of complaint cases, 79%, were Resolved swiftly outside of Schedule 3 and 21% of complaint cases were recorded under Schedule 3. The reasons for such complaints being recorded have seen increases in both Force determination as well as complainants wishing for their complaint to be recorded, however, over half of the cases were Force determination.
- **Outside of Schedule 3 Complaints (Logged Complaints)** -There has been an increase in the number of cases finalised as Resolved by the complaints investigators in Q3 compared to Q2 (if excluding the 58 Fox Hunting complaint cases in Q2 which were dealt with as a collective by PSD DCI), an increase from 110 cases in Q2 to 119 in Q3. Cases where *The service provided was not acceptable* remain low.
- **Organisational** complaint allegations have decreased from 29% to 22% this quarter (excluding Fox Hunting Q2 collective complaints). However, when considering complaint cases by area, there is a consistent number of complaint cases concerning Organisational issues which sit at around 30% per area which have been attributed to the Organisation rather than an Individual Officer or Police Staffs member.

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Complaints :



Priority Issues

- **Common Complaints** - The most common type of complaint allegations still fall under Groups A and B followed by Group H. Group A percentage split of allegations has seen an overall decrease compared to Q2, whereas, Group B percentage split of complaint allegations have seen an increase; Group H have remained consistent. A1 Police action following contact and A2 Decisions both remain the most common types of complaints made, with an increase in A2 this quarter. B2 Searches of premises and seizure of property percentage share increase in complaint allegations can be explained by two linked cases relating to the same incident and therefore is not deemed significant. These cases also account for B2 being second most common in South cases. H5 Overbearing or harassing behaviours have seen a rise this quarter, which also accounts for H5 being ranked 3rd most common for North, however, these are primarily linked to Covid-19 complaint cases which have also seen a rise this quarter.
- **Area** – North including HQ and CCR remains the area with the most complaints cases followed by South and then West; South has returned to above West this quarter, although their complaint figures are very close. Overall there are no particular shifts with significantly higher numbers of complaint cases.
- **Lessons Learnt** - 15 Lessons Learnt recorded and actioned this quarter, 1 Organisational and 14 Individual. They span a variety of issues from Driving and Victim Support being noted in more than one lesson to information being passed correctly in other lessons. The majority of the lessons have been given to young in service officers, although some more experienced officers have also received lessons.

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Discovery/Emerging Issues

Q2 Issues Updates:

- **Use of Force (B4)** complaints in both West and South are consistent, with more seen in North. Overall numbers of UoF complaints in Q3 are relatively comparable to Q2. Therefore, Q2 and Q3 figures are likely to reflect officers coming in to contact with more individuals post the lifting of Covid-19 Lockdown 1 restrictions which could account for an increase on the Q1 figures.
- Complaints in relation to **CCR** can now be determined with greater ease with the introduction in Q3 of a CMR area on the PSD database which allows more accurate recording and analysis. CCR have received similar numbers of complaints this quarter but they refer more to Group A complaints rather than Group H as seen in previous quarter.
- **There & Then (T&T) Resolved** – North remains the area who resolve the most complaints *There and Then*. However, there has been a significant positive increase in CCR are dealing with more complaints *There and Then* compared to Q2.

Q3 Issues:

- **Covid-19** related complaints have risen in this quarter, albeit not up to Q1 levels, but they will be monitored in Q4.

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Ethics and Integrity Panel



Title: Update on Operation Uplift, Positive Action and Unconscious Bias Training

Date: 20 October 2020

Agenda Item No: 08

Originating Officer: Superintendent Lisa Hogan

CC:

Positive action update 26 January 2021.

1 officer already in training and 12 waiting at vetting and medical. 2 more candidates awaiting final interviews, having already passed OLA with other forces. We also have 2 more search results pending who will then go to medical and vetting after that.

The pipeline is standing at 31.

We currently have one officer who has joined the force who was already resident of Cumbria. We have 12 candidates at vetting and medical and they are the following geographical split, 5 already live in Cumbria, 7 live outside the County. Gender split is 7M 5F.

These figures do not include the successful candidates (2 Asian, breakdown Indian & Pakistani, 1 Black African) or those candidates who are still in the recruitment pipelines.

PCDA Stats

Reason	Total	Gender breakdown	Ethnic Breakdown
Eligibility	8 Candidates – No maths or English, No ILR in UK	5M 3F	1 Other 1 Indian 1 Other black 1 Other mixed 1 White Asian 1 White & Black African 2 White European
Inhouse Interview	4 candidates	2M 2F	1 Indian 3 Eastern European

Withdrawals	2 withdrawals for family & other force interest	1M 1F	1 Eastern European 1 Indian
Online Assessment	2 Candidate	1M 1F	1 Indian 1 Eastern European
Final PCDA Totals	16 candidates	9M 7F	1 Other 4 Indian 1 Other Black 1 Other Mixed 1 White Asian 1 White & Black African 2 White European 5 Eastern European

Degree Holder Entry Programme (DHEP) Stats

Reason	Total	Gender Breakdown	Ethnic Breakdown
Eligibility	5 Candidates	4M 1F	1 Any Other 3 Pakistani 1 White European
Inhouse Interview	Nil	Nil	
Withdrawals	3 Candidates	2M 1F	1 Bangladeshi 1 South American 1 South African
Online Assessment	4 Candidate	3M 1F	4 Eastern European
Final DHEP Totals	12 Candidates	9M 3F	1 Any Other 3 Pakistani 1 White European 1 Bangladeshi 1 South American 1 South African 4 Eastern European

DC Degree Holder Entry Programme (DHEP) Stats

Reason	Total	Gender Breakdown	Ethnic Breakdown
Eligibility	1 Candidate	1F	1 Any Other
Inhouse Interview	5 Candidates	3M 2F (No PA input to any)	1 Indian 1 other mixed 1 white Irish 2 white European
Withdrawals	1 Candidate	1F	1 Any Other

Online Assessment	Nil	Nil	NIL
Final DC DHEP Totals	7 Candidates	5M 2F	2 Other 1 Indian 1 Other Mixed 1 White Irish 2 White European

Overall Figures

Reason	Total	Gender Breakdown	Ethnic Breakdown
Eligibility	14 Candidates	9M 5F	1 Indian 1 other black 1 Other mixed 1 White Asian 1 white & Black African 3 white European Any Other 3 3 Pakistani
Inhouse Interview	9 Candidates	5M 4F	2 Indian, 3 Eastern European, 1 Other mixed, 1 White Irish, 2 White European
Withdrawals	6 Candidates	3M 3F	1 Asian Bangladeshi 1 South American 1 South African 1 Any Other 1 Eastern European 1 Indian
Online Assessments	6 Candidate	4M 2F	5 Eastern European, 1 Indian
Overall data	35 candidates	21M 14F	5 Indian 1 Other Black 2 Other Mixed 1 White Asian 1 White and Black African 5 White European 4 Other 3 Pakistani 9 Eastern European 1 White Irish 1 Bangladeshi 1 South American 1 South African

*These figures are taken from May 2020 to the current day.

Unconscious Bias training update 26/01/2021

Unconscious Bias was delivered as part of the face to face training of stop and search which was delivered to 568 front line officers between September and December 2016.

It was also included in the follow up training for 97 front line supervisors in the stop and search follow up face to face training from September to October 2017.

All staff within Cumbria Constabulary (2168) completed an Unconscious Bias e learning programme in September - October 2018.

Unconscious bias is included in officer initial training through IPLDP/PEQF.

Ethics and Integrity Panel



Title: Cumbria Constabulary Freedom of Information & Data Protection Compliance

Date: 4th February 2021

Agenda Item No: 10a

Originating Officer: Mr David Cherry

Executive Summary:

As a public authority, Cumbria Constabulary is required comply with the requirements of the Freedom of Information Act 2000 and respond to information requests within the statutory timescale. As a Data Controller, the Chief Constable is also required to process personal data lawfully and respond to 'subject access requests' within the statutory timescales specified within the Data Protection Act 2018.

This report provides an update on the levels of compliance achieved by the Constabulary in 2020, in respect of responses provided to freedom of information and subject access requests.

Recommendation:

That the members of the Panel note this report.

1. Introduction and Background

- 1.1 As a public authority, Cumbria Constabulary is required to comply with the requirements of the Freedom of Information Act 2000. These requirements include the right of an individual to ask whether specified information is held by the Constabulary and, if that is the case, to be provided with that information, subject to the applicability of relevant exemptions. With limited exceptions, the Act requires that a response to a request is provided within 20 working days of a request being received.
- 1.2 The Chief Constable, as Data Controller for Cumbria Constabulary, is also obliged to ensure that Cumbria Constabulary complies with the requirements of the Data Protection Act 2018. These requirements include a provision for an applicant to request access to personal data which may be held about them. A response to a 'subject access request, as the right of access is commonly known as, is required to be provided within 1 calendar month, although this can be extended in limited circumstances by a further 2 months.
- 1.3 The Information Commissioner has indicated that an acceptable level of compliance for public authorities to meet, for both freedom of information and subject access requests, is 90% of requests closed within the statutory timescales. However, since the onset of the current public health emergency the Commissioner has gone on record to acknowledge that many public authorities have had to revise existing priorities and accordingly the Commissioner has indicated she will take a pragmatic approach to enforcement when the statutory timescales are not met.

1.4 The Information Management Team, which forms part of the ICT, Business Development and Information Management Command, is responsible for responding to freedom of information requests and subject access requests, received by the Constabulary.

2. Issues for Consideration

2.1 Freedom of Information Requests

2.1.1 In late 2018, early 2019 a significant backlog of FOI requests arose due to the number and complexity of requests received, and also due to staffing issues in the Team responsible for processing such requests, which adversely affected the level of compliance with the statutory timescale.

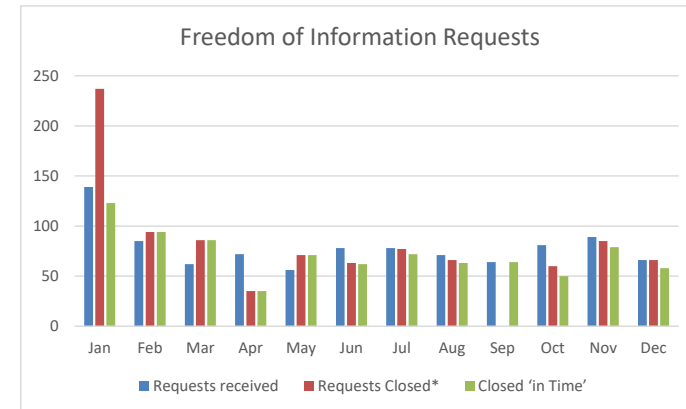
2.1.2 In the interests of transparency, in August 2019 chief officers agreed the Information Commissioner's Office should be informed about the backlog and the resulting impact on the Constabulary's ability to comply with the statutory timescales.

2.1.3 In consultation with the Commissioner's Office, an Action Plan was agreed containing a number of actions aimed at assisting the Constabulary to return to acceptable levels of compliance. A temporary increase in staffing levels was also approved by Chief Officers which increased the number of FOI Decision Makers trained to deal with requests.

2.1.4 As a result of the actions taken, the backlog of requests was cleared by the end of January 2020 and since that point the Constabulary has achieved a satisfactory level of compliance which has exceeded 90% in most months.

2.1.5 In the calendar year 2020, the number of freedom of information requests received by the Constabulary was 941, a decrease of 20% on the number of requests (1171) received in the 2019 calendar year. The scale of this decrease was experienced across the police service and coincided with the onset of Covid-19. From November 2020 onwards, the Constabulary has begun to see a rise in the number of requests received, to near the levels that were seen prior to Covid-19.

2.1.6 The chart on page 3 of this report shows the number of requests received in each month, the number of requests 'closed' and the number of those requests that were closed within the statutory timescale. In total, 857 of 1009 requests were closed in 2020 within the required 20 working day period with an overall compliance rate of 85%. Excluding January figures, which are skewed by the number of requests closed out-with the statutory timescale as part of the work to clear the backlog, 734 of 772 requests were closed from February onwards, with a compliance rate of 95%.



* Closed 'in time' performance for 2020 adversely affected by the number of overdue requests from 2019, which were finally closed by 31/01/20.

2.1.7 Of the 941 requests received in 2020, 471 (50%) are known to have been made by a person from a media organisation and the true figure is suspected to be higher than this. Common requests for information include those which have sought the disclosure of information relating to Covid-19 - 75 requests on this subject were received.

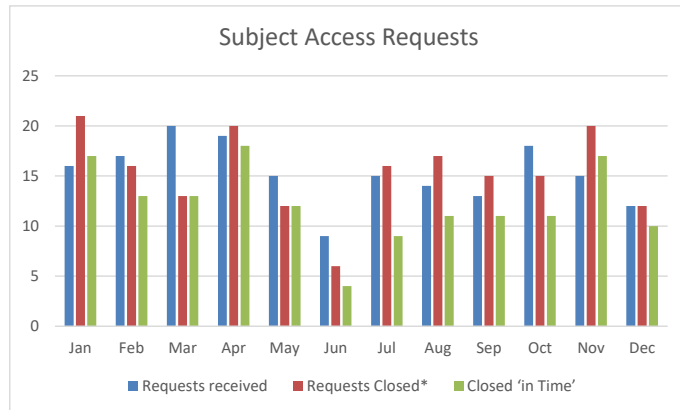
2.2 Subject Access Requests

2.2.1 In 2020, the Constabulary received 183 'subject access requests' from persons seeking access to personal data held about them by the Constabulary. This was a 4.6% increase on the 175 requests received in 2019.

2.2.2 The requests received by the Constabulary were typically from members of the public who had some form of interaction with the Constabulary. The Constabulary does also receive requests from its own officers and staff, including retired personnel, requesting information about themselves. Whilst not exclusively the case, requests from serving personnel tend to arise following their involvement in some form of dispute with their line manager, or with the Constabulary. Whilst requests from serving and former personnel are only a small proportion of the overall number of subject access requests received, these requests tend to take a disproportionately large amount of time to process due to the volume of information held.

2.2.3 The Constabulary is beginning to see a small but rising trend of requests from members of the public which seek the disclosure of video footage, for example an interaction with that person captured on body worn video, or Custody CCTV footage. Requests of this nature can also take a significant amount of time to process due to the need to copy footage and, in some cases, to pixilate the faces of other persons who are also captured on the footage.

2.2.4 The chart below shows the number of requests received in each month, the number of requests 'closed' and the number of those requests that were closed within the statutory timescale.



*Includes Requests closed regardless of when received.

2.2.5 In total, 146 requests were closed in 2020 within the statutory timescale, out of 183, an overall compliance rate of 80%. Whilst this figure is below the 90% benchmark considered to be acceptable by the Commissioner, the attainment of this level of compliance should be considered against the backdrop of different ways of working that have necessarily had to be introduced in order that social distancing and other government guidance can be complied with. This figure is also broadly similar to levels of compliance achieved by other forces and there is no indication the Commissioner is unduly concerned, given the acknowledgement that public authorities will have a range of competing priorities in the current climate.

3. Other Considerations

- 3.1.1 A review of the existing information management structure and roles has been ongoing since April 2019. Chief officers have agreed in principle to a change to the existing structure and an uplift in the number of personnel who will work across information management functions. It is anticipated that a formal consultation process will commence in February 2021 and, subject to the outcome of the consultation process, a transition to a revised structure will begin shortly afterwards.
- 3.1.2 It is anticipated that the planned uplift in personnel, coupled with the implementation of a revised structure will increase resilience across information management functions and ensure the Constabulary is well placed to cope with the challenges the future will bring.

4. Implications

- 4.1 It is recognised that the Constabulary does not consistently respond to subject access requests within the statutory timescale and therefore there is a risk of enforcement action by the Information Commissioner. It is considered that at the present time this risk is low and the risk will be mitigated with the implementation of the revised structure, referred to above and the uplift in personnel this will bring.

David Cherry
Force Disclosure Manager

Ethics and Integrity Panel



Title: OPCC INFORMATION MANAGEMENT COMPLIANCE

Date: 21 January 2021

Agenda Item No: 10b

Originating Officer: Joanne Head, OPCC Governance Manager

CC:

Executive Summary:

As a public authority, the Office of the Police and Crime Commissioner is required to process information in an appropriate manner including complying with the Freedom of Information Act 2000 and the Data Protection Act 2018. Both Acts entitle an individual to request information from a public authority and as such public authorities must comply with requests under this legislation. The Acts clearly identify how a request should be processed including timescales in which an individual should be provided with the requested information or advised why an exemption is being applied.

Recommendation:

That, the members of the Panel note the report.

1. **Introduction & Background**

- 1.1 This report is to provide information to the Panel, acting on behalf of the Commissioner, so the Panel can assure the Commissioner that the OPCC are complying with the Freedom of Information Act and the Data Protection Act.
- 1.2 The Chief Constable and the Police & Crime Commissioner (the Commissioner) are required to comply with the Freedom of Information (FOI) Act, the Environmental Information Regulations where applicable and the Data Protection Act. Set out within the legislation is how a request is to be processed and within what timescales.
- 1.3 On an annual basis the Commissioner agrees a "Funding Arrangement" with the Chief Constable. This arrangement sets out the terms and conditions under which the Commissioner will provide funding to the Chief Constable during the Funding Period. Detailed within Section 17 of the Funding Arrangement the Chief Constable will comply with their obligations detailed within the Data Protection Act 2018 and the General Data Protection Regulations (GDPR) effective from 25 May 2018. Where appropriate the Chief

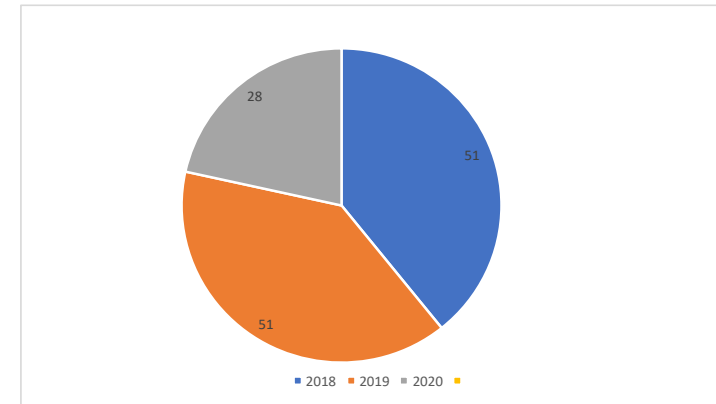
Constable must notify individuals that their personal data may be transferred to the Commissioner as required under the funding arrangement. They should ensure this is carried out via a secure means of transmission.

- 1.4 The Chief Constable agrees to assist and cooperate with the Commissioner, where necessary, to enable the Commissioner to comply with their obligations under the FOI Act and the Environmental Information Regulations whenever a request is made for information.
- 1.5 In the event that a request received by the Chief Constable under the FOI Act or the Environmental Information Regulations includes a request for information, either (i) provided to the Chief Constable by the Commissioner, or (ii) where a reasonably objective observer would consider that disclosure of that information would be likely to have a prejudicial impact on the Commissioner's priorities and responsibilities, the Chief Constable shall in good faith take account of any representations submitted by the Commissioner about the applicability of any exemptions under the FOI Act or exceptions under the Environmental Information Regulations.

2. Issues for Consideration

Freedom of Information Act

- 2.1 In order to have assurance that the OPCC and the Constabulary are complying with the Freedom of Information Act, the Police and Crime Commissioner has delegated authority to the Ethics and Integrity Panel to monitor this areas of business. This report is to provide assurance to the Panel that the OPCC are complying with the Freedom of Information Act.
- 2.2 The OPCC on its website publishes a procedure for dealing with FOI requests. This enables the OPCC to ensure that it meets its statutory obligations under the FOI Act and to inform members of the public to in how to make an FOI request.
<http://www.cumbria-pcc.gov.uk/media/21801/2014-03-02%20FOI%20Procedure.pdf>
- 2.3 When responding to requests under the FOI Act essentially information provided is released into the public domain. In order to be open and transparent the OPCC publishes the requests it has received and the responses it has provided on a monthly basis. These disclosure logs can be found on the Commissioner's website:
<http://www.cumbria-pcc.gov.uk/governance-transparency/freedom-of-information.aspx>
- 2.4 The chart below shows the number of FOI requests that the OPCC has received from over the past 3 years.



- 2.5 The Act requires that requests for information are dealt with within 20 working days. This timescale commences the day after the request is received. The table below illustrates the number of requests received by the OPCC and how they were dealt with.

YEAR	N° of Requests Received	Within 20 working days	Over 20 working days	Request withdrawn	Internal Reviews	ICO Appeals
2014	39	34	3	2	0	0
2015	25	24	0	0	2	0
2016	15	14	1	1	1	0
2017	28	28	0	0	0	0
2018	51	48	3	0	0	0
2019	51	48	3	0	0	0
2020	28	26	2	0	0	0

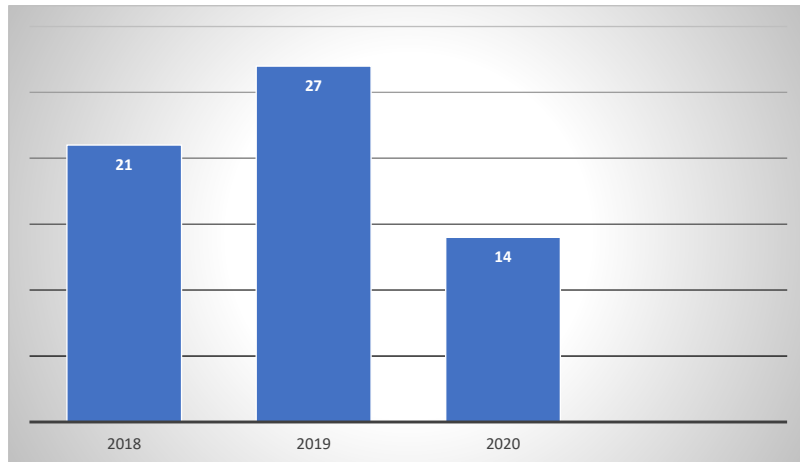
- 2.6 There are a number of reasons why a request cannot be dealt with within the 20-working day timescale. In cases where the request is taking longer to process, under Section 10 of the Act where a qualified exemption is being applied a public authority may extend the deadline for consideration of public interest tests for a time which is reasonable.
- 2.7 Following receipt of information a requestor can, if they are unhappy with the information they have received or feel they should be entitled to further information, request the OPCC to undertake an Internal Review. This involves the OPCC looking at the request again and determining whether or not further information should be disclosed. In 2020, the Office of the Police and Crime Commissioner did not receive any internal review requests.
- 2.8 If a requestor still remains dissatisfied with a response they have received, they can then appeal to the Information Commissioner's Office (ICO) and have them undertake a review of the OPCC's decision. During this process the ICO look to work with the organisation to

ensure that the correct information has been disclosed and where appropriate identify further information which can be disclosed. In the last 3 years the OPCC has not had any appeals dealt with by the ICO.

2.9 Information Provided:

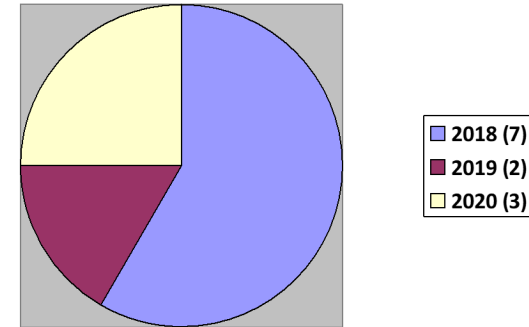
The Office of the Police and Crime Commissioner received varied requests during 2020 and of those where information was provided was largely in relation to funding/grant applications. Two requests related to staff numbers and staff salary costs. A number of requests received relate to 'transparency data' and in each case the requester is pointed to our website which details when information for each quarter will be available.

Having received a request, where the OPCC does not hold the information as the information requested relates to the Constabulary; the requestor is advised of this and where appropriate provided with the contact details of the Constabulary. Figures included below:



2.10 In addition to the OPCC not holding the information it may be necessary not to provide a requestor with information due to qualified or absolute exemptions being applied. Where exemptions are applied consideration is given to the public interest as to whether the information should be disclosed or not. Generally, exemptions are applied where the information requested relates to an individual, the information is already publically available or is to be published at a later date. On some occasions a requestor may ask for a number of pieces of information which could result in some information being provided and other information being exempted within the same request.

2.11 The chart below illustrates the number of requests where information was not disclosed due to an applied exemption.



2.12 Under the FOI Act the OPCC is required to maintain and publish a Publication Scheme. The scheme must specify classes of information which the OPCC publishes or intends to publish and whether or not this is freely available to the public or if there will be a charge. The OPCC maintains such a scheme and it is published on the OPCC website within the Freedom of Information Section.

2.13 In addition the Commissioner is required under the Elected Local Policing Bodies (Specified Information) Order 2011 to publish information in relation to the following:

- Who they are and what they do
- What they spend and how they spend it
- What their priorities are and how they are doing
- How they make, record and publish their decisions
- What policies and procedures govern the operation of the office of PCC
- Public disclosure of a register of interests

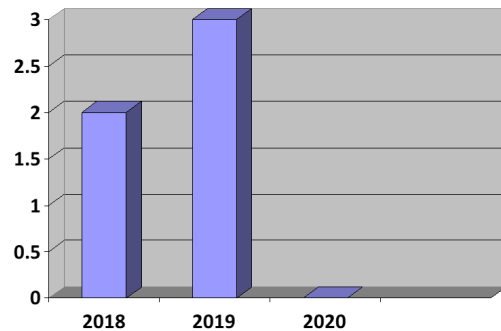
2.14 The OPCC endeavours to be as open and transparent as possible with regards to the work it and Commissioner carries out. By taking this approach it also enables members of the public to access such information and therefore negate the need for the public to request information via the FOI Act.

Data Protection Act – Subject Access Requests

2.15 The purpose of the Data Protection Act is to:

- i) Make provision for the regulation of the processing of information relating to individuals, including the obtaining, holding, use or disclosure of such information;
- ii) Protect individuals from the use of incorrect information about them whether that information is automatically processed or held manually in a 'relevant filing system';
- iii) Protect individuals from the improper use of correct information held about them;
- iv) Provide individuals with the right to know of and correct such information held about them and to claim compensation in situations where they suffer damage or distress as a result of the loss, destruction or unauthorised disclosure of data;
- v) Ensure UK compliance with the European Directive on the protection of individuals in regard to the processing of their personal data.

- 2.16 The Data Protection Act applies whenever *personal* data is processed by a Data Controller in accordance with the Act. The Police and Crime Commissioner is the Data Controller for Cumbria Office of the Police and Crime Commissioner (OPCC). The OPCC is required to ensure that before any personal data is processed there is a legal basis for that processing. The Act requires that all personal data is maintained in accordance with the 8 Data Protection Principles, unless an exemption applies. The OPCC collates, stores and processes data in accordance with legislation and the Data Protection Act (DPA) Policy and procedures.
- 2.17 Section 7(1) of the Act gives individuals the right to access their personal data and they can do this by making a Subject Access Request (SAR) in writing and paying a fee. An applicant is entitled to:
- Be told whether any personal data is being processed;
 - Given a description of the personal data, the reasons it is being processed and whether it will be given to any other organisations or people;
 - Given a copy of their personal data; and
 - Given details of the source of the data (wherever this is available).
- 2.18 Below is a chart detailing the number of Subject Access Requests received in the last 3 years. As can be seen, the OPCC does not as a matter of course receive or deal with large quantities of SAR's.



- 2.19 The Act requires that Subject Access Requests for information are dealt with within one month. This timescale commences the day after the request is received. The table below illustrates the number of requests received by the OPCC and how they were dealt with in comparison with previous years.

YEAR	N° of Requests Received	Within 40 days	Over 40 days	Request withdrawn	ICO Appeals
2018	2	2	0	0	0
2019	3	3	0	0	0
2020	0	0	0	0	0

- 2.20 During 2018 the OPCC received 4 separate sets of information which was sent in error to its staff. These were reported to the Joint Data Protection Officer (DPO) and dealt with appropriately with the OPCC deleting the information received where appropriate. In 2019 information was sent to an incorrect email address and was reported to the Joint DPO. There was no personal information contained in the email other than the first name of an individual and this did not identify who they were. The recipient contacted the OPCC and the email was deleted by them. No Data Protection breaches having been identified were required to be reported to the Information Commissioner's Office during the last 3 years.

3. Joint Data Protection Officer

- 3.1 With the introduction of the Data Protection Act 2018 and the General Data Protection Regulations (GDPR) on 25 May 2018, the OPCC was required to appoint a Data Protection Officer. Their role is to inform and advise the Data Controller of their obligations under the UK GDPR and other relevant data protection laws; and be the first point of contact for the Information Commissioner.
- 3.2 A Data Protection Officer monitors compliance with data protection laws, including managing internal data protection activities, advise on data protection impact assessments, train staff and conduct internal audits. To enable them to carry out this role they must have professional experience and knowledge of data protection law proportionate to the type of processing carried out by the organisation.
- 3.3 The legislation allows for an individual to be appointed as a Data Protection Officer by more than one data controller, taking into account of their organisational structure and size. With this in mind, the Office of the Police and Crime Commissioner agreed that they would have a Joint Data Protection Officer (JDPO) with the Constabulary.
- 3.4 This arrangement has worked well since its introduction with the OPCC receiving professional support and guidance from the appointed JDPO. It has also enabled oversight of both organisations to identify any issues or trends.
- 3.5 A Personal Data Breach guidance document was developed to allow all members of staff to be aware of the requirements when reporting a breach. Any breaches in relation to information once identified must be notified to the Joint DPO within 72 hours, who will then deal with them appropriately.
- 3.6 On a six-monthly basis the OPCC Deputy Chief Executive, the Joint DPO and the OPCC Governance Manager meet to discuss any identified issues, emerging trends and themes. It also ensures knowledge and processes are up to date.

4. Implications

- 4.1 Financial - failure by the OPCC to comply with legislation could lead to financial penalties up to 20m Euros.
- 4.2 Legal – Freedom of Information Act, Data Protection Act and the General Data Protection Regulations are statute and the OPCC is thereby required to comply with them. Failure to do so could lead to financial penalties or legal proceedings.
- 4.3 Risk - should the OPCC fail to ensure that it processes and stores data in line with legislation it risks heavy financial penalties, adverse publicity and potential litigation.
- 4.4 HR / Equality - the new legislation has increased the rights of individuals to have their information processed fairly and where necessary removed.
- 4.5 I.T – the OPCC website has been updated to ensure that it complies with legislation.



Peter McCall



ANNUAL
REPORT
2020

Ethics
&
Integrity
Panel

Forward of the Panel Chair

Welcome to the 2020 Annual Report of the Ethics and Integrity Panel.

This year has been one of unprecedented change and challenge for the Constabulary, and the people of Cumbria that they serve. Through strong individual and team working they have supported communities and each other to face the policing of the pandemic with professionalism and integrity. This is a great credit to not only the Constabulary but to each officer and member of staff.

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). It seeks to achieve this by holding the mirror up to the Constabulary and the OPCC, by investigating, dip sampling, constructively 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. We will challenge issues and actions where we believe there could have been an improvement, recognising and highlighting areas of good practice.

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, the Commissioner and their teams, 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, open, transparent and ethical culture.

While 2020 has been an incredibly challenging year, we have maintained our work programme, and have adapted to look at a number of Covid specific issues and activities.

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 Police and Crime Commissioner and the Chief Constable

The Police and Crime Commissioner for Cumbria, Peter McCall said:

Oversight of policing remains an important part of my role and it is essential that ethical standards remain high. 2020 has been an exceptionally hard year for members of the public and for the police officers and staff who provide the policing service within our communities. They have worked in very difficult circumstances to keep everyone safe.

The legitimacy of our police force is critically dependent on the confidence of the public that they can trust the police to do the right thing on their behalf. Whilst we are blessed with highly professional, dedicated and committed officers, we must always be ready to examine our performance to ensure that every member of the organisation maintains the highest possible standards, particularly this year when they have been faced with often difficult and challenging circumstances.

My role is to serve the communities of Cumbria and be their voice for policing matters. Many individuals contact myself and through the work of the staff within my office we are able to provide them with assistance, guidance or explanations. This year an addition to my role and that of my office is to carry out reviews of public complaint cases which adds an openness and transparency to the process. It is important that myself and my team also work to high ethical standards to ensure that public confidence is maintained.

The independent work of the Ethics and Integrity Panel is extremely important and continues to provide a valuable scrutiny role on the ethical values of both organisations. The broad range of business that they scrutinise continues to be developed to ensure that the Panel remains effective. I am grateful for the commitment of its Chair and members who have worked hard to ensure the work has continued notwithstanding the extraordinary challenges of the COVID-19 situation.

The Chief Constable, Michelle Skeer said:

As a Constabulary we understand that members of the public have an expectation of the level of policing service they should receive. This is even more important during policing in the recent pandemic with the imposition of additional restrictions to save lives. Our principles and standards are underpinned by the Police Code of Ethics. Independent scrutiny, through the panel, provides me with continued reassurance of our transparency and supports our determination in delivering an outstanding policing service to keep the communities of Cumbria safe.

1. Introduction & Background

Since its inception in 2015, the purpose of the Ethics and Integrity Panel continues to be 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 2020.

The Panel meets privately on a quarterly basis to enable open and frank discussions. The 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 and OPCC's performance in areas that relate to ethics and integrity. The purpose of this is to promote openness, transparency and 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 once again continued to develop during 2020 to reflect the changing dynamics of policing in Cumbria and the challenges it faces. Once again, a number of thematic sessions were held during the year to look at specific issues or areas of business. This enabled the Police and Crime Commissioner and the Chief Constable to be provided with independent reassurance.

Even though the COVID-19 pandemic drastically affected how everyone worked, the Panel held virtual meetings to continue with their oversight and some of their dip sampling processes.

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:

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

2. Public Complaints, Quality of Service and Reviews

Public Complaints

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, thereby gaining assurance from their independence.

Due to COVID-19 restrictions the Panel were unable to carry out their 6 monthly dip sample process in May 2020. This was to ensure the safety and wellbeing of both staff and Panel members. Therefore, an annual dip sample session was held at the end of October when the Panel members were able to physically carry out file reviews.

Over the reporting period, the Panel reviewed 30 complaint files. They carried out the dip samples directly via the Centurion system within the Professional Standards Department, enabling members to view all information, actions and outcomes on the live system. Speaking directly with case workers regarding any issues or concerns.

Following the session any recommendations or comments were collated within an action sheet to ensure that they are completed and where appropriate implemented in a timely manner. Some of these include:

- Following the implementation of the new regulations, complainants are contacted at a much earlier stage, with many being dealt with immediately. This provided a much better service to members of the public; and enabled complaint handlers to manage a complainant's expectations at the beginning of the process. With complaints being resolved at the earliest opportunity this now affords staff the ability to concentrate on the more complex complaints and their investigation.
- The use by officers of their Body Worn Video equipment remained an issue. A number of complaints could have easily been dealt with had they switched it on. Following the Panel's identification of the continuing issue a force wide notification was issued to all officers and staff.
- The standard of the Constabulary's public complaint files had once again been maintained throughout the year.

Quality of Service

The Office of the Police & Crime Commissioner received 553 letters, emails and telephone calls from members of the public who wish to raise issues or dissatisfaction with the Commissioner. Where the matter related to operational policing the OPCC liaised with the Chief Constable's Staff office to provide information or a solution for the individual. The types of issues raised are:

- The Police Service provided or received
- Transport issues – parking, speeding or anti-social driving
- Miscellaneous – hunting, E-scooters/bikes, and Constabulary policies or procedures
- Crime – cold callers, child welfare, cybercrime, neighbour disputes
- COVID-19 – supportive of police action, reporting residents not following the guidance

The OPCC also received a number of compliments thanking the Commissioner or the Constabulary for the service they provide.

Reviews

The Policing and Crime Act 2017 mandated that Police and Crime Commissioners undertake reviews of public complaints and came into force from 1 February 2020. As part of the Panel's work they also carried out a dip sample of the reviews completed by the OPCC during the first 6 months. They felt that they had been dealt with appropriately and within a timely manner.

At their quarterly meetings the Panel received performance data from the Constabulary on the number of complaints received and how these have been managed, including whether they were within the required timescales.

The Panel also reviewed work undertaken by the Office of the Police & Crime Commissioner in relation to complaints and quality of service. During 2020 there was a sustained increase in the number of people contacting the Commissioner regarding policing issues. The OPCC through raising these issues with the Chief Constable's staff office have facilitated all individuals to receive a written response answering their questions or queries.

3. Police Officer & Police Staff Misconduct

The Panel received information on a quarterly basis relating to **Police Officer Misconduct** from the Constabulary's Anti-Fraud and Corruption Unit. Information relating to **Police Staff Misconduct** was now also provided on a quarterly basis due to the Professional Standards Department now dealing with all types of misconduct. This enables the Panel to monitor performance in relation to these areas of business and consider any patterns or trends across the whole organisation.

As part of their work programme the Panel have reviewed misconduct files prior to their November 2020 meeting. Again, only one session was held due to COVID-19 pandemic restrictions as the safety and wellbeing of staff and Panel members was paramount. During the session the Panel reviewed all completed files, providing views and recommendations for any improvement in the way information was provided, how cases were handled or the public perception of the handling of such cases. They were pleased to note that the quality of the files was being maintained and that actions were being fully recorded within each case.



Some of the cases reviewed related to student or officers young in service. Some of the cases could be attributed to adjusting lifestyle choices after becoming a police officer.

Having reviewed all completed files, the Panel have gained assurance that the Constabulary are dealing with misconduct and complaints in a professional manner. At no time did the Panel disagree with the outcome of any of the files. Where they provided advice or recommendations, this was to improve the service provided or the process being undertaken.

4. Code of Ethics and Code of Conduct

The Panel's role is to ensure that both the Constabulary and the Police and Crime Commissioner have embedded within their organisations the **Code of Ethics** and **Code of Conduct** respectively.

The Panel have been provided with assurance whilst carrying out their role that both organisations take the ethos of the Code of Ethics and Code of Conduct seriously and this has been evident in the reviews and dip samples they have undertaken in other areas of business. During their various dip sample sessions, the Panel saw first-hand that policies and procedures within the Constabulary had the ethos of the Code of Ethics embedded within them.

Similarly, the Commissioner upon taking office in May 2016 swore an oath to act with integrity and signed a Code of Conduct and Ethics. It sets out how the Commissioner has agreed to abide by the seven standards of conduct recognised as the Nolan Principles. This Ethical Framework allows transparency in all areas of work of the Police and Crime Commissioner. These principles encompass the Commissioner's work locally and whilst representing Cumbria in national forums. Equally important the OPCC members of staff adhere to a **Staff Code of Conduct** which is based upon the model Code of Conduct for Local Government Employees and incorporates the principles arising from the Nolan Report, providing a framework for all employees in terms of official conduct.

During 2020 the Panel did not identify any complaints received from either members of staff or the Commissioner regarding conduct or integrity.



5. Grievances, Civil Claims and Officer Recruitment

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 have responsibility for dealing with grievances providing a broader overview of staffing issues. Generally, the grievances were regarding policies and procedures or action taken against an individual.

In November 2019 the Panel reviewed cases and felt that some decisions did not align with current policies and procedures. The Constabulary were in the process of reviewing their HR policies and procedures which would address the issues identified by the Panel.

They noted that the new grievance procedure which had been introduced allowed individuals to indicate what they would wish the outcome to be; enabling an understanding of the issues raised at an early stage in the process.

Although the Constabulary's HR Department dealt with all grievances, they would link in with the Anti-Corruption Unit to ensure matters were cross referenced.



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 has learnt from particular cases; disseminating such information throughout the organisation to avoid future risks and claims.

In November 2020 the Panel raised some concerns regarding property. There were a number of claims relating to lost or damaged property which in their opinion could have been avoided with the use of rigorous processes and procedures. The Constabulary had carried out a review of this area of business and actions would be taken to ensure that the findings were incorporated into any changes made.

With the exception of property, the Panel have not identified any other trends within the claims. On a national and local level, the Constabulary along with many other forces, are still 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 is yet to be concluded.

Officer Recruitment

Throughout the year the Panel monitored the Constabulary's progress on **Officer Recruitment** following the Government's announcement to appoint 20,000 officers across England and Wales. During 2020 Cumbria Constabulary saw an additional 51 officers recruited. This was the first phase of a 3-year programme.

The Constabulary had received a significant number of applications and utilised Positive Action to attract applicants from diverse backgrounds. The Panel monitored how recruitment had been progressed and were keen to ensure that support mechanisms were also in place once all candidates had been appointed to the Constabulary to enable retention and progression.



6. Thematic Inspections

The Panel reviewed six areas of thematic work during 2020.



In February they reviewed **Mental Health Detention** in custody suits throughout Cumbria. In particular, those relating to detention under Section 136 of the Mental Health Act and those detained under Common Law.

Two detentions had been authorised using Sec 136 and both of these were reviewed. The Panel felt that the detention of the individuals had been justified. Service provision by health trusts often hindered the quick release of detainees resulting in custody staff having to deal with individuals for long periods of time.

They recognised 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 its frequency they felt should be applauded especially within busy custody suits.

Changes to the provision of mental health services had seen the county split in two. The North of the county receiving provision from the North East and the South receiving provision from Lancashire. This meant that 'hub beds' could be accessed across the three counties. Work was being carried out across partner agencies to increase staff training to deal with mental health patients and to have fit for purpose vehicles to be able to transport them to mental health facilities.



Also, in February 2020 the Panel were provided with a breakdown of usage and the training being provided to officers in relation to **Spit Guards**. During 2019 765 officers had received training with a further 99 officers being trained as part of their initial training courses. This gave a total of 864 officers trained in how to use and apply Spit Guards. No complaints had been made or received regarding the application or use of Spit Guards during 2019. This could largely be attributed to Spit Guards only being used on an individual for a short period of time. Officers were also trained in aftercare techniques, continually carrying out risk assessments and monitoring any changing health conditions.



During 2020 the Panel continued to monitor development and change within the **Communications Centre**. The introduction of a new Command and Control system had initially encountered some problems, but these were worked through during the first six months of the year. As well as a system which provided the required service it was important to realise value for money and relinquish some of the 'switchboard' functions which were unnecessary for the Communication Centre to carry out. Development of an announcement message to direct people appropriately had been introduced with a view to directing callers to the most appropriate service.

As the COVID-19 pandemic evolved at the beginning of 2020 the Communications Centre was split into 3 teams to enable social distancing, ensuring staff wellbeing and minimising the transmitting of the disease.



To provide assurance to the Constabulary and transparency for the communities of Cumbria the Panel carried out two dip samples of **COVID-19 Fixed Penalty Notices** which were issued during the first pandemic lockdown to individuals who did not comply with the guidance. The sessions were carried out in May and July to assess whether Fixed Penalty Notices were being issued appropriately. If members of the public were committing crimes or offences, these were dealt with by other means as they would normally.

At the conclusion of the May dip sample the Panel found that the Fixed Penalty Notices had been issued appropriately where necessary. Recognising that the Constabulary were Engaging, Encouraging, Explaining and only where necessary Enforcing the legislation and guidance.

Following issues being highlighted nationally, the Panel in July specifically carried out a comparison of tickets issued to Black and Minority Ethnic (BAME) individuals compared to those identified as non-BAME. It was noted that nearly 40% of the tickets issued were to individuals who did not reside within Cumbria and therefore the demographic compared to that of the county could potentially show disproportionality against BAME communities.

Having completed the dip samples the Panel were able to provide assurance that the issuing of Fixed Penalty Notices were in the main proportionate. The Panel raised some questions on the comparison data provided and were advised that an explanation was to be provided to them. Unfortunately, this was not provided at their November meeting and it was hoped that it would be provided in January 2021. They sought reassurance that there was no bias in the issuing of the notices and that officers and staff had received appropriate unconscious bias training.

As the pandemic continued in the autumn of November 2020 with a further lockdown and Tier restrictions it was agreed that the Panel would carry out a further dip sample in January 2021.



In August 2020 the Panel carried out a dip sample of forms regarding the use of **TASER**. They reviewed 20 forms where the TASER had been fired and 20 where it had been used but not actually discharged.

They identified that the use of force form had not been specifically designed to record TASER usage, rather it was added to an existing form. This resulted in officers not being able to fully notate what tactics had been used up to the point of the TASER being discharged; nor did it allow full oversight by supervision. Following the Panel's findings and recommendations, the Constabulary's use of force form was amended to enable officers to fully record the use of TASER and actions leading up to it.



In August the Panel carried out their annual review of **Stop and Search** forms to ensure that their completion had been maintained. Of the 40 forms reviewed 17 were identified as requiring improvement and a number of forms indicated that Body Worn Video had not been activated during the stop and search. Had the recording of the incidents on the forms been of a better quality it would have provided a better picture of the circumstances of the stop and would stand up to scrutiny should there be a

challenge. None of the forms indicated that the stop and search was not legally carried out.



Since their initial thematic session regarding **Body Worn Video**, the Panel continued to monitor its usage within the Constabulary.

As has been identified earlier in this report, there remains a number of areas of Constabulary business where Body Worn Video is not used to its full potential. These include Stop and Search, responding to incidents following which a complaint is made. The use of Body Worn Video provides an independent viewpoint of a matter or incident. When it is not used where it should have been leaves the officer and Constabulary open to complaint, criticism and potentially civil litigation.

As identified earlier, following the Panel's complaint case dip sample, the Constabulary took on board the findings and issued further guidance and instruction to all officers and staff about the compulsory need to use Body Worn Video.



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.

2020 has presented many challenges for Cumbria Constabulary in dealing with the COVID-19 pandemic across the communities it serves. The dedication of officers and staff to maintain a 'business as usual' approach to the many facets of both the Constabulary and the staff within the Office of the Police and Crime Commissioner (OPCC) is to be applauded. This has been very apparent within the work the Panel has overseen and carried out during the year.

The Panel have shown their ability to respond to emerging and changing situations; adapt to understand the issues; work with the Constabulary and OPCC to carry out work in addition to that scheduled within their work programme; and provide reassurance to both organisations and the public.

Recommendations and guidance given by the Panel continues to be 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.





Enquiries to: Mrs J Head
Telephone: 01768 217734

Our reference: jh/EIP

Date: 28 April 2021

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 **Wednesday 5 May 2021** at **2.00 pm**. Due to Government Guidelines in response to COVID-19 the meeting is being held via telephone conference facility.

Details of how to access the meeting will be emailed to participants separately.

G Shearer
Chief Executive

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**
 - (a) To confirm the notes of the meeting of the Ethics and Integrity Panel held on 4 February 2021 (copy enclosed); and
 - (b) Report on any outstanding actions due which are not covered in the agenda - Property Review and Ethnicity Review
- 5. CIVIL CLAIMS**
To receive and note a report by Cumbria Constabulary on Civil Claims
- *To be presented by Mr A Dobson, Director of Legal Services.*
- 6. COVID-19 FIXED PENALTY NOTICES UPDATE**
To receive and note an update regarding issues raised at the previous panel meeting.

ETHICS AND INTEGRITY PANEL

Notes of a meeting of the Ethics and Integrity Panel held on
Thursday 4 February 2021 via video conference facility at 2.00 pm

7. STAFF GRIEVANCES

To receive and note a report by Cumbria Constabulary on police staff misconduct - *To be presented by Supt Stalker.*

8. OFFICER & STAFF UPDATE

To receive a verbal update on the police recruitment programme; conscious inclusion accreditation programme; and health and wellbeing and support for officers and staff affected by COVID-19 - *To be presented by Supt Stalker.*

9. INTEGRITY

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

- (a) Complaints by the Public; and
- (b) Anti-Fraud & Corruption (including officer and staff misconduct)

10. OPCC COMPLAINTS AND QSPI

To receive and note a report to be presented by the *OPCC Chief Executive* regarding

- (a) OPCC Complaints; and
- (b) Quality of Service Issues received

PRESENT

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

Also present:

Police & Crime Commissioner – Peter McCall
Chief Constable - Michelle Skeer
Deputy Chief Constable – Mark Webster
Superintendent - Lisa Hogan
Detective Chief Inspector – Craig Smith
Chief Information Officer – Ms Jo Edgar
Disclosure Manager – David Cherry
OPCC Deputy Chief Executive - Gill Shearer
OPCC Governance Manager - Joanne Head
HMICFRS Ms Traci McNally (observing only)

The Chair thanked everyone for attending the video conference and the Constabulary for all their hard work during the ongoing COVID-19 pandemic which was now in its third lockdown period. He hoped everyone was staying safe and well. Prior to the meeting commencing the Chair asked that everyone introduce themselves.

1. APOLOGIES FOR ABSENCE

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

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 6 November 2020 previously circulated with the agenda were agreed.

(a) Property Store Review

Following questions raised at the previous meeting the Panel were provided with an update on the outcome of the Constabulary's Property Store Review. The Panel were keen to understand what the outcomes of the review were; how these were being progressed within the Constabulary and whether there had been any improvements. DCC Webster advised that the Constabulary's Business Board were responsible for overseeing this work. He would ask them for an update and present this at the next meeting in May

Agreed; that,

- (i) the notes from the previous meeting be agreed; and
- (ii) an update from the Business Board regarding the Property Store Review be provided to the next meeting in May.

5. SPITGUARD ANNUAL REPORT

The Panel had been provided with an annual update on the Constabulary's usage of SpitGuards. They had been involved with the introduction of SpitGuards from its initial stages providing their thoughts and views from a public perspective.

All officers had now been trained and were issued with SpitGuards to use should they need to do so. On average there had been one incident per week where a SpitGuard had been used. To date no complaints had been received or adverse incidents occurred in relation to the usage of a SpitGuard. It was disappointing to note that during the COVID-19 pandemic officers were finding themselves being threatened to be spat at by individuals who claimed they had the COVID-19 virus.

A member asked that in future reports could they have confirmation whether body worn video was used every time a SpitGuard was used.

Agreed; that,

- (i) the report be noted; and
- (ii) future reports include whether or not body worn video was used when SpitGuards were used.

6. INTEGRITY

The Panel Chair thanked the Professional Standards Department (PSD) for their quarterly Integrity Report and recognised that there was a large volume of data produced each time. He proposed that he meet with the Head of PSD to try and reduce the volume of data but without losing any of the information required by the Panel to enable them to carry out their role. A meeting would be set up in the next couple of weeks.

The Head of PSD guided members through the report which consisted of three separate areas – public complaints, conduct and ACU intelligence. The most common theme related to the COVID-19 pandemic and was apparent across all three areas.

It was noted that in the latest quarter there had been a 25% increase in the number of allegations received. This increase had been reviewed to understand what issues were being raised and were the matters being documented correctly. Of the allegations received 23% related to the organisation with 77% relating to individual officers or staff. The new legislation placed an emphasis on organisational learning and development with streamlining how complaints were dealt with, enabling police forces to deal with more serious complaints and conduct. The Comms Centre were also playing a part in dealing with individuals who were raising dissatisfaction. The Chief Constable advised that the SAAB system was now fully embedded, extra functionality would be coming on line in the near future which it was anticipated would enhance performance further.

The Head of PSD provided a briefing on the work being carried out by the Constabulary in relation to Body Worn Video (BWV) equipment as this had been raised a number of times by the Panel in 2020 following their various dip sample sessions. PSD had the ability to record on complaint cases whether or not BWV had been used. The Head of PSD was due to meet with Federation representatives, Business Improvement Unit and the Learning & Development team to understand what further work could be carried out to promote the positive messages about using BWV and the benefits it brought. Analysis had been carried out on why BWV was not being used in some instances when it should have been. It was noted that some male officers with less than 3 years' service were a distinct group who were not routinely using BWV. Members asked that the BWV data available to PSD be included within future reports.

Members were advised that the Constabulary's Internal Auditors were carrying out an audit in relation to the Reflective Practice Review Process (RPRP) and the Practice Requiring Improvement (PRI) process. They asked that once the audit had been completed and the findings released that they be provided with a copy to enable to carry out their oversight function of this area of work.

In relation to conduct matters it was noted that 23% of the current live cases related to COVID-19. This could be a simple matter of not wearing PPE appropriately when on duty to more serious issues. It was felt that the Constabulary were dealing with these robustly by recording and dealing with the matters appropriately whilst other much larger forces claimed to have had no issues. The Police and Crime Commissioner felt that the Constabulary were doing the right thing as by recording and dealing with matters as was the first step to rectifying them. It also meant that the Constabulary were being open and transparent.

The Panel were briefed on the types of conduct matters the Constabulary were dealing with and what actions were to be taken. Where matters related to student officers or those young in service a member asked whether any review of the recruitment and training processes had taken place. Superintendent Hogan advised that there had recently been some changes made to the training and staff within the Learning and Development Department.

- Agreed;** that,
- (i) the report be noted;
 - (ii) meeting with Panel Chair/Head of PSD/analyst and OPCC Governance Manager to streamline the quarterly report;
 - (iii) Body Worn Video usage data in relation to be complaints be included within future reports;
 - (iv) the Panel be provided with a copy of the outcome of the Reflective Practice Review Process (RPRP) and the Practice Requiring Improvement (PRI) process internal audit;

7. COVID-19 REGULATIONS

The Panel had carried out a dip sample of 46 fixed penalty notices which had been issued during the November lockdown and 76 which were issued from 31 December 2020 up to and including 17 January 2021, making a total of 122. Members had provided 8 dates for each period and reviewed all the notices issued on those dates. Since 9 October 2020 the Constabulary had recorded 9,712 interactions with members of the public where officers were required to use the 3 E's - engage, explain and encourage; with 533 fixed penalty notices being issued where enforcement was necessary.

It was recognised that this was a complex area for officers to enforce noting that during different periods of lockdown and restrictions there had been changing regulations. What was in fact unlawful, what the guidance stated and messages coming out of central government were often confusing and conflicting. Officers were required to use a national form to record information which was often limiting and added to the confusion with circumstances set out in the notice not matching the offence for which they were being reported.

The Panel had been advised that following a notice being issued and then reviewed if it was felt it had not been correctly issued it would be rescinded. They asked if they could be provided with the number of notices which had been rescinded of those that they had reviewed to gain an understanding of the reoccurring issues. A discussion took place on the information provided to members of the public when they were advised that they would be issued with a ticket and also what would happen should the ticket be subsequently rescinded. DCC Webster advised that the Panel would be provided with copies of the letter/information which was sent out. Members of the public would consider the ticket to be issued and received from Cumbria Constabulary, therefore it was essential that it was correct and that any mistakes were appropriately explained and public confidence restored.

During their dip sample the Panel had identified a number of themes regarding the issued fixed penalty notices. These included – the reasonable excuse not sufficiently explained; potential irresponsible behaviour but not in contravention of the legislation; and people travelling long distances to take exercise. The Panel had raised concern that due to the many changes in the guidance, training and support to front line officers to assist them in understanding the regulations was essential. They felt it may be beneficial to issue guidance to officers specifically regarding the ability to travel for exercise and where two different households were travelling

together. It was noted that following their suggestion the previous day the Constabulary had issued a bulletin to all officers and staff.

- Agreed;** that,
- (i) the feedback be noted;
 - (ii) a copy of the COVID-19 fixed penalty notice and information be provided to the Panel;
 - (iii) the Panel to be advised of which notices were rescinded of those they had dip sampled.

8. OFFICER RECRUITMENT & UNCONSCIOUS BIAS TRAINING

Superintendent Hogan presented a report which advised on the current progress of Operation Uplift relating to the appointment of officers to Cumbria, the positive action that was being taken and unconscious bias training.

To date 1 candidate had been successfully recruited via the positive action programme with 2 further candidates awaiting interview; and another passing the online assessment. A further 12 candidates were waiting to commence the process. Once candidates were known they were appointed a buddy to assist them in the process and this would also continue once they were formally appointed. Of the overall officers being recruited the gender parity was currently at 42% for female candidates which made Cumbria the leading force in the country.

Superintendent Hogan guided members through the report commenting on initiatives such as the Degree Holder Entry Programme (DHEP) and the DC Degree Holder Entry Programme (DC DHEP) and their progress over the past 8 months. Of the 62 candidates who took the DC DHEP assessment 61 passed which was very pleasing and officers were now looking at the outcomes of the online assessments.

At a previous meeting the Panel had asked when unconscious bias training had been provided to officers and staff. It was noted that this had been provided in 2016 and 2018 and was currently carried out as an E-Learning package. Superintendent Hogan advised that the Constabulary were looking to implement a Conscious Inclusion training accreditation and what this might look like across the Constabulary. An update on this would be provided to the next meeting.

The panel noted and commended the work of the positive action team and the encouraging results so far.

- AGREED;** that,
- (i) the report be noted; and
 - (ii) an update on conscious inclusion accreditation programme be provided to the next meeting.

9. SECONDARY BUSINESS INTERESTS

During the morning the Panel had been provided with a briefing on the Constabulary's new Secondary Business Interest process. Work had been carried out during 2020 to pilot an all-electronic system with the intention of streamlining the process and reducing the time taken to complete. It was noted that in 2019 only 42% of applications were compliant which had risen to 86% compliance in 2020.

Members found assurance that although the system was more streamlined it had not lost any of the rigorous checks and balances that were in place to ensure that the approved applications were suitable.

The panel commended the work that had been done and noted that the same approach may be able to be adopted to other processes across the force.

AGREED; that the update be noted.

10. INFORMATION MANAGEMENT COMPLIANCE

(a) Cumbria Constabulary Freedom of Information & Data Protection Compliance

The Constabulary's Disclosure Manager took members through the report and it was noted that following the initial onset of the COVID pandemic the number of Freedom of Information (FOI) requests received by the Constabulary had reduced by half and this enabled them to achieve an 85% compliance rate. Over 50% of the requests received were from the media and the Constabulary were considering have a dashboard on their website making information available and thereby potentially reducing the number of requests.

Adversely the number of Subject Access Requests (SARs) received during the same period had increased with an 80% compliance rate. There was an upward trend of requesting visual images such as custody CCTV or BWV footage. Such requests did take a significant effort to complete due the pixilation work required to remove images of others who may be captured at the same time. Nationally there was engagement with the Information Commissioners Office regarding compliance with these requests due to the amount of work involved.

A review of the whole information management function had been carried out and was near completion. Chief Officers had agreed to an uplift in staffing which would see improved resilience and overall performance.

AGREED; that, the report be noted.

(b) OPCC Information Management Compliance

The OPCC Governance Manager presented to members a report which detailed the OPCC's compliance in relation to Freedom of Information Requests and Subject Access Requests. Like the Constabulary in 2020 the OPCC had seen the number of FOI requests halve from 51 in 2019 to 28 in 2020; with a 92% compliance rate. Many of the requests were from the media and over half of those received were where the Constabulary, not the OPCC, held the information.

The types of information being requested related to funding projects, grant agreements, spending and domestic abuse figures. Often the data requested was already published on the OPCC's website which the requested would be advise of and given a link.

During 2020 no SARs had been received with 1 being received in early January. The OPCC did not hold the information the individual was seeking and were provided with the contact details for the Constabulary.

AGREED; that, the report be noted.

11. DATA ETHICS ADVISORY GROUP

The Chief Information Officer for Cumbria and Durham, Ms Jo Edgar, briefed the meeting on a session she had held with the Panel on potential work processes for the proposed Data Ethics Advisory Group. The aim of the session was to identify how the Constabulary could integrate ethics into privacy by design and how Panel members could assist with this process. The next steps were to develop a framework of what data ethics looked like and what could be built into processes. A further meeting was to be arranged for the end of March 2021.

AGREED; that,
(i) the verbal update be noted; and
(ii) a further meeting be arranged for the end of March 2021.

12. PANEL ANNUAL REPORT

The Chair presented a draft of the Panel's Annual Report which had been previously circulated. The report detailed the work overseen by the Panel and the thematic sessions they had carried out. It had been a very unique and challenging year but the Panel were still able to fulfil their work programme and become involved in new areas of work.

The Chair thanked the Constabulary for their support during 2020, providing them with new challenges and taking onboard the Panel's feedback. The Panel were looking forward to continuing their work and the new thematic sessions which were programmed throughout the year. They hoped that they continued to add value to both the Constabulary and OPCC.

Agreed; that, the draft Annual Report be approved.

The Chief Constable took the opportunity to thank the Panel for their work during the past year and advised that they did add value by bringing a different level of challenge which was the purpose of the Panel. The Police and Crime Commissioner echoed her sentiments and reiterated the importance of ethics and integrity as it brought another layer of assurance and scrutiny.

Ms Traci McNally took the opportunity to thank the panel for allowing her to observe their meeting. She noted that the Panel was well established and was pleased to see Chief Officer engagement with it. Challenge provided healthy debate and scrutiny which may sometimes be uncomfortable but was of benefit.

Meeting ended at 4.45 pm

Signed: _____ **Date:** _____
Panel Chair

Ethics and Integrity Panel



COVID Fixed Penalty Tickets and Associated Processes.

Date: 29 April 2021

Agenda Item No: 06

Originating Officer: Superintendent Carl Patrick

CC:

Executive Summary:

The Ethics and integrity Panel reviewed a number of Fixed Penalty Notices. It was identified there were some issues which the Ethics and Integrity Panel requested clarification on:

1. A review to be undertaken on seven incidents which the Constabulary were unable to clarify the validity of the issuing of the FPN.
2. A copy of the ACRO letter.
3. Total number of issued FPN (monthly breakdown)
4. Number of FPN's rescinded.

This report will deal with each issue separately.

Recommendation:

That the Panel note the report

1. Review of Seven Incidents

A number of incidents relating to the issuing of FNP was discussed during the Ethics and Integrity Panel and whilst most issues raised were resolved in the meeting to the satisfaction of the Panel it was felt a number needed further investigation by Cumbria Constabulary. Of the seven cases reviewed one FPN was rescinded and two FPN had the classification of offence amended via ACRO. Details are below:

- 1) 08/11/20 - Ticket issued in custody, but for a separate offence on 07.11.20. We have now raised a prosecution on this.
- 2) 18/11/20 - FPN reviewed and in the circumstances, it was decided to rescind the FPN – which has been completed.

3) 31/12/20– FPN issued and is in order. Two males from separate households, and no mention of exercise. This is fine to proceed.

4) 03/01/21 - travelled from York to spend New Year with two other households in a 2nd home in the Lakes – Initially tried to deceive the officer re reason for being in Cumbria. Other offences for being in an enclosed place with 2 or more people would have been an appropriate offence. However, the offence selected by the OIC is also appropriate in these circumstances. Obstruction of a relevant person. FPN is in order. On occasions two different offence could be selected the level of fine is the same.

5) 03/01/21—two separate households drive to Cumbria and get stuck in bad weather. When questioned, explained over to visit a friend who is unwell, and whilst here get some exercise. This FPN needs to be changed to: Participate in gathering of two or more people in private dwelling/indoors in Tier 4 area RT20045 The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 this has been raised with ARCO to amend the fixed penalty notice – which has been completed.

6) 03/01/21 - 4 friends from x3 different households travel in the same vehicle to Keswick area to go walking. They have been issued tickets x3 correctly x1 incorrect. All 4 could have been given a ticket for 2 or more being in a dwelling / enclosed space. But x 3 have been given a ticket for Participate in a gathering of 2 or more in a public place in a tier 4 area, this fits the scenario. Therefore, x1 person Ellie HOLEHOUSE, has had their FPN changed to the same offence. Person from Tier 4 area participate in gathering of two or more people in other public outdoor place outside the area RT20050 The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020.

7) 16-01-21 –24 year old gets on a train and travels to friends in Barrow The FPN was valid and correctly issued.

Due to the issues identified and to reduce the risk of any FPN being issued incorrectly the Constabulary issued guidance to officers on the 4th February 2021.

2. ACRO Letter

The Panel asked if a copy of the letter which ACRO sends out to members of the public could be provided. This was reviewed by the Constabulary and it was found to not to contain a meaningful apology. The Constabulary is unable to alter the ARCO process, however when the Constabulary establishes that a fixed penalty notices has been issued incorrectly then the Constabulary will inform ARCO and will separately write to recipient of the fixed penalty notice and apologies. The Constabulary reviewed it approach to the reviewing of COVID FPN's to ensure this was sufficiently robust.

3. Total number of issued FPN (monthly breakdown)

The total number of FPN issued are as follows:

Month / Year	Number of FPN's Issued
April 2020	82
May 2020	456
June 2020	210
July 2020 (first lockdown ended on 4 th July)	3
August 2020	0
September 2020	2
October 2020	54
November 2020 (second lockdown)	162
December 2020	57
January 2021 (third lockdown)	326
February 2021	283
March 2021 (third lockdown ends)	144
April 2021	48

4. Number of FPN's rescinded.

Since the 1st February 2021 the Constabulary has issued 475 FPN. Of these 8 have been rescinded and 2 have been be altered to reflect a more appropriate offence. Over the same period the Constabulary has Engaged with 2,222 people and visited 88 premises.

Constabulary Report to OPCC



Agenda Item No 07

TITLE OF REPORT:	Constabulary Grievances
DATE OF MEETING:	26 April 2021
ORIGINATING OFFICER:	Diane Johnson - HR Manager
PART 1 or PART 2 PAPER:	PART 1 (OPEN)
Executive Summary:	
The report provides a position overview in respect of ongoing, finalised and newly submitted grievances for the period 01 November 2020 until 31 March 2021.	
The last report was November 2020.	
Recommendation:	
<ul style="list-style-type: none">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 during the period 1 November 2020 up until 31 March 2021, together with a summary of ongoing and finalised cases within the reference period.
- 1.2 Included in the report is an overview of the characteristics of those lodging grievances. The report identifies the gender and race of those submitting grievances as well as an overview as to the nature of the grievance. In addition, statistics relating to whether the aggrieved is a police officer or member of staff and whether the grievance relates to alleged discrimination have been included.
- 1.3 Summary position is as follows:
 - 8 grievances were ongoing or opened during the reference period with 5 outstanding at the end.
 - There were 7 new grievances lodged in this reporting period.
 - A number of issues raised relate to dissatisfaction regarding perceived less favourable treatment. This can be directly from line management or as a result of the application of a policy or procedure. One was specifically in relation to temporary processes to accommodate requirements during COVID.
 - Grievances dealt with during this period are split equally between male and female and are all from a white, British ethnicity.

The 1 outstanding grievance links to a new grievance submitted March 2021 by the same individual. The outstanding grievance is awaiting confirmation from the individual whether it is resolved at Stage 2 or progressed to Stage 3. If unresolved it will be managed by the same Stage 3 resolution manager who is dealing with the new grievance. Also to note, the same individual also submitted a separate grievance relating to the association policy.

- 1.4 The period comparison data shows that over the last 2 reference periods a number of grievances have been formally resolved.
It should be noted that the Grievance Policy, Procedure and Guidance documents are being reviewed and will include an informal stage.

2. Issues for Consideration

- 2.1 Drivers for Change
 - There are no identified emerging trends or patterns at the time of submitting this report.

3. Financial Implications and Comments

- 3.1 Please see Risk and Equality Implications

4. Legal Implications and Comments

- 4.1 Please see Risk and Equality Implications

5. Risk Implications

- 5.1 With any complaint which is potentially linked to the employment relationship there is the risk of employment tribunal or judicial review should the matter not be resolved. 2 cases are currently being dealt with by the Constabulary's Legal Department.
- 5.2 Through working in partnership with Unison and the Federation the aim is to continue to avoid formal proceedings and resolve issues in an informal manner to the satisfaction of all parties. The new Grievance procedure will clearly identify the informal and formal stages.
- 5.3 Specific items impacting on equality are raised through the Diversity and Inclusion Group (DIG) to ascertain if there are any issues that the Constabulary should be dealing with. At this time no issues have been raised.
- 5.4 1 case is referred to an external legal process in relation to Disability Discrimination. No further information can be provided at this time as it is ongoing.
- 5.5 The People Department will continue to meet with the Federation and Unison when necessary to discuss issues that are emerging and look to informally resolve them prior to a formal grievance being submitted. The Constabulary proactively engages to address concerns.

6. HR / Equality Implications and Comments

- 6.1 HR and Legal Services will be reviewing the judgement of any Employment Tribunal cases to identify any lesson to be learned with a view to appropriate dissemination within the Constabulary.
- 6.2 The internal pool of accredited mediators is available for utilisation through the Constabulary Mediation Scheme. The intention is to publicise the Mediation Scheme alongside the revised Grievance procedure.

7. Supplementary Information

7.1 List any relevant documents and attach to report

- Appendix 1 - Grievance Data for the reference period

Appendix 1

Grievances – Overview 1 November 2020 to 31 March 2021

	01/11/20 to 31/03/21	01/10/19 to 31/10/20	01/04/19 to 30/09/19	01/10/18 to 31/03/19
Total No. of grievances submitted in period	7	2	4	5
Total No. of grievances ongoing at start of period	1	7	7	4
Resolved Stage 1	-	-	-	2
Resolved Stage 2	-	-	-	-
Resolved Stage 3	-	-	-	-
Resolved informally prior to Stage 1	3	-	-	-
Not Resolved	-	2	1	2
Awaiting Action/Resolution	5	1	4	4
Withdrawn	-	4	-	-
On Hold	-	2	3	-
Transferred to alternative procedure	-	-	3	-



Professional Standards Department

Ethics and Integrity Panel Report

2020/2021 Q4

April 2021

DCI Craig Smith – Head of Professional Standards

Hannah Pocock – Force Intelligence Analyst, Anti-Corruption Unit

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Background and Introduction

This report combines three areas dealt with by Professional Standards Department, Public Complaints, Conduct and Anti-Corruption Intelligence. Each area will be considered separately by way of an executive summary followed by more in-depth commentary and graphics. An initial department overview will outline factors which crossover all three areas.

Public Complaints and Conduct are assessed under Police (Complaints and Misconduct) Regulations 2020 and Police (Conduct) Regulations 2020.

Conduct is reviewed in relation to Standards of Professional Behaviour as defined within the Code of Ethics.

Honesty and Integrity	Duties and Responsibilities
Authority/ Respect/ Courtesy	Confidentiality
Equality and Diversity	Fitness for duty
Use of Force	Discreditable Conduct
Orders and Instructions	Challenging and Reporting Improper Conduct

This report covers 2020/2021 Quarter 4 (Q4), 01/01/2021 to 31/03/2021, and makes reference to the entire 2020/2021 reporting year, 01/04/2020 to 31/03/2021, which came to an end in Q4. Figures in this report are correct as of 07/04/2021.

Conduct, Anti-Corruption Intelligence and certain commentary within the Public Complaints sections are not for publication. Please consult with the Head of Professional Standards prior to publishing any of the contents of this report.

In line with IOPC data collection and analysis, De-Recorded Public Complaint allegations and cases, unless otherwise stated, have been excluded from the below figures and commentary. This is a change from previous reports which should allow for better comparisons to national figures. De-Recorded cases and/or allegations may concern persons who are not eligible, as per the Police Regulations 2020, to make an expression of dissatisfaction and/or have been logged/recorded in error.

Unless otherwise stated, the below sections relate to allegations recorded within a given quarter and added to a case which has been logged/recorded in the same quarter. They do not include allegations which have been logged/recorded but added to an earlier quarter's case, eg allegation recorded in Q4 but added to a Q3 cases; this is to allow more like for like comparisons.

Where comparisons of Complaint cases and allegations are made between force areas, North (including HQ but excluding CCR), CCR, South and West, the Geographic Location of the incident relating to the complaint case and/or complaint allegation(s) has been considered. Characteristics of the subjects of the complaints have been considered in some sections below but caution is to be taken as it is possible, although likely low risk, that subjects may have changed area, shift or role within Q4 which may not have been accurately represented in Centurion, PSD database.

Professional Standards Department Quarter Overview

The Professional Standards Department has encountered a challenging quarter primarily due to staffing issues balanced against the continual demand. This has included staff Covid-19 infections, the retirement of one of our most experienced investigators and the current recruitment and embedding of new team members.

The department has experienced data importation issues this quarter. Work is underway to address this issue encountered between the newly introduced i-Trent system and Centurion. The first importation of police personnel data is expected to occur in 2021/2022 Q1. Due to these changes any inter-comparison between the new and older style data moving forward will be directly affected and comparison to previous data will be limited due to the changes.

Following the sad death of Sarah Everard, there has been a significant influx of Freedom of Information (FOI) requests which have impacted on day business.

During the next quarter, Professional Standards Department will focus on the following:

- Implementation of wider knowledge of the RPRP process.
- Reaffirming the benefits of BWV through a staged Media Campaign
- Development of the Risk and Vulnerability Matrix
- Structured Review Process in Complaint/Conduct Case Management

Public Complaints

Public Complaints Executive Summary

Complaint cases this quarter have risen since Q3 however are similar to Q2. Allegations logged/recorded in Q4 have also seen a small rise on Q3 but are generally comparable.

Complaint allegations have followed a relatively similar percentage split to previous quarters, with Groups A - *Delivery of duties and service*, B - *Police powers, policies and procedures* and H-*Individual behaviours* remaining the most common. These groups follow the same order as seen nationally.

The most common complaint allegations, A1 *Police action following contact* and A2 *Decisions* and their associated cases have risen this quarter compared to Q3 and account for Group A taking a slightly higher percentage of complaints than Q3. All areas have seen increases in either one or both of these allegation types, there are no patterns of note relating to the demographics or characteristics of the Officers and Police Staff subject of the complaints and therefore are not a cause for concern at present.

South have seen an overall rise of complaint allegations and cases and more in line with North who have seen an overall decrease this quarter. All areas have shown peaks in some complaint allegation types compared to others. As this is the first quarter and in unprecedented times, the changes in South and North shares have not been considered significant at this time but will be monitored in the coming quarter.

The split between Organisational and Individual complaint allegations are similar to Q2 figures, Organisational allegations seeing an increase. The number of cases Service Recovered Outside of Schedule 3 has increased to over 80%.

Covid-19 related complaint cases have continued, and fluctuated, throughout the quarter but are consistent with the previous quarter.

Lessons Learnt have focussed on *Investigations*, of which Group A complaints feature the most which would be expected given that Group A type complaints are the most prevalent. As with previous quarters the lessons learnt are primarily focussed towards young in-service officers.

The number of cases De-Recorded are on average just below a tenth of all cases and allegations per quarter. This is the first time these figures have been calculated; further exploration is required to ascertain to what extent these cases are impacting on the department.

IOPC performance data is yet to be officially published so no comparison to national and most similar forces can be made at this time. Performance figures have been calculated inhouse which shows that although the number of cases finalised in Q4 have increased compared to Q3 and the number of cases Resolved (148) has increased by 25%, the overall average time to finalise all complaint cases is longer. These longer finalisation times are expected to continue into Q1 due to the change in staff within PSD.

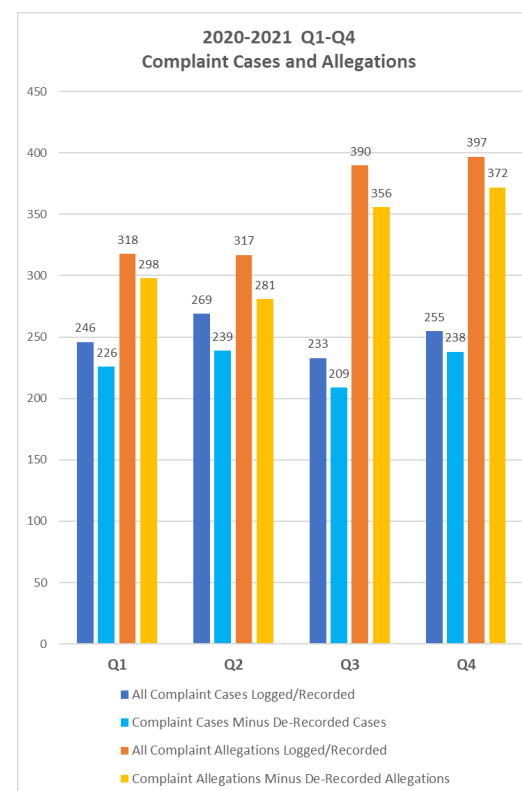
Risk and Concerns – Low

There are no direct concerns to be adduced from the types of complaints received. We again see the three key groups of complaints remain the same as per previous quarters across the organisation. The key challenge for PSD is to understand the De-Recorded complaints with a focus on driving the percentage figure down over the next quarter.

Public Complaints 2020/2021 Overview

The number of Complaint cases recorded throughout 2020-2021 have seen some variations during the embedding of the new 2020 Regulations.

The below chart shows all complaint cases and all allegations recorded during 2020/2021 both with and without De-Recorded cases/allegations. It also includes all allegations logged/recorded in a particular quarter and not just allegations added to that particular quarter's cases as will be the focus of this report in subsequent sections. For example, during Reasonable and Proportionate enquiries or Investigations additional allegations may be noted and as such logged/recorded and added to a case which may have been logged/recorded in a preceding quarter, thus, the figures in the below chart are overarching the whole 2020/2021 year.

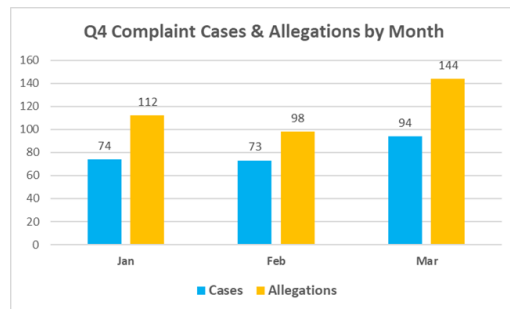


The total number of cases logged/recorded in 2020/2021 is 1003, minus the cases which were De-Recorded gives a total of 912 cases; 9% of cases De-Recorded. The total number of allegations logged/recorded in 2020/2021 is 1422 and with De-Recorded allegations excluded is 1307; 8% of allegations De-Recorded. PSD will look to conduct a review into the De-Recorded cases and allegations to determine the reasons for De-Recording and identify any learning or process changes.

Complaint cases logged/recorded each month are on average in the region of 80 cases; yearly average of all cases logged/recorded per month 84 and excluding De-Recorded cases 76 per month. Complaint cases have increased in Q4 compared to Q3, however, Q4 case figures are not the highest seen in the 2020/2021 year. Q4 complaint case numbers are most similar to Q2. Since the review of allegation logging/recording practices in Q3, the number of complaint allegations have remained relatively consistent in Q3 and Q4, albeit a small rise in Q4.

Complaint Cases and Allegations

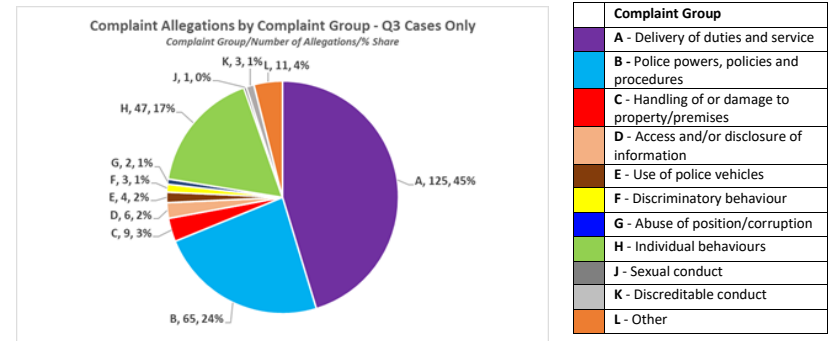
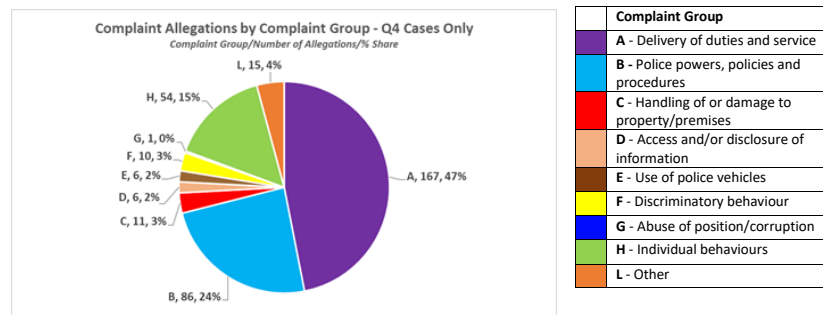
Complaint cases in Q4 totalled 241 and complaint allegations totalled 354 (excluding De-Recorded cases/allegations). Case numbers were consistent in January and February, albeit just slightly less than the average number of cases per month, followed by an increase in March to above the average.



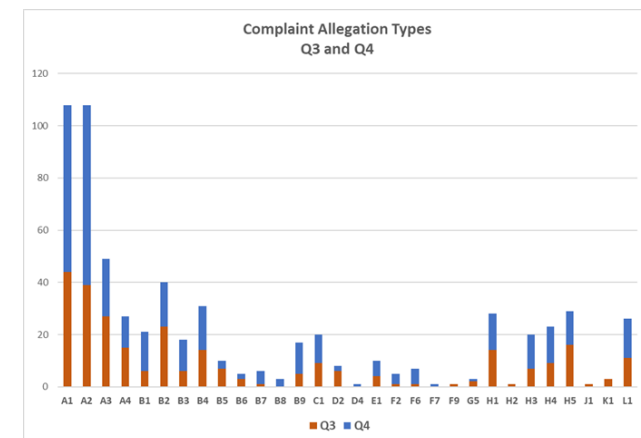
Complaint Allegation Types

Complaint allegations have followed a relatively similar split to previous quarters, with Groups A - Delivery of duties and service, B - Police powers, policies and procedures and H-Individual behaviours remaining the most common. These groups follow the same order as seen nationally.

By way of comparison, Q4 cases and their associated allegations have been compared against Q3 cases and their associated allegations. These figures only include allegations added to a case in the quarter to which it was logged/recorded and does not include allegations added after a quarter may have ceased. Groups A, B and H command 86% share of all allegations in both Q3 and Q4, the 2% decrease in Group H in Q4 has been taken up by Group A with Group B remaining the same. The below charts show the overall percentage split and number of complaint allegations per complaint group.



Within the complaint groups there are some variations between the allegation types logged/recorded, but generally they are similar between Q3 and Q4. Not all allegation types noted in one quarter may be noted in the next quarter particularly in the less common complaint group allegations, such as Group K. Likewise, some allegations may be more likely to be linked to the same complaint case or may be more interchangeable with one another, such as A1 Police action following contact and A2 Decisions are more likely to go hand in hand than some other allegations, hence, variations in some similar allegation groups is not significant. The below chart shows how these allegation types have been logged/recorded over both Q3 and Q4.



As complaint allegations have seen an overall small rise in Q4 compared to Q3 there have been increases across various allegation types and as expected in the most common allegation types A1 Police action following contact and A2 Decisions.

Rises in Group A allegations are primarily in March and are spread across the Constabulary with rises and as noted refer to the common allegation types, A1 and/or A2. North for example taking on more A2 and South more A1 although their respective combined figures for both allegation types are similar, followed by West with slightly less and CCR less again. There is however a repeat complainant in South who has made numerous complaints in Q4 regarding Group A type allegations and therefore, excluding these then South's figures would much less than North. A2 allegations have taken a larger

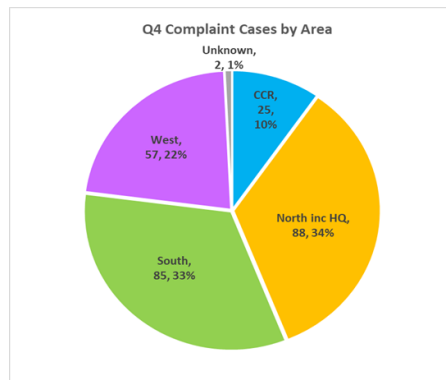
proportion than A1 this quarter, however, A1 and A2 have similar combined numbers of allegations for Q3 and Q4; the increase in A2 is not considered significant. Overall, apart from a repeat complainant in South, there does not appear to be a particular department, shift or Officer(s)/Police Staff who are repeatedly subject of such complaints.

Group B complaints saw a spike of B9 Other policies and procedures in January, half of the cases (6) related to Covid-19 tagged allegations, one of which deemed that The service provided was not acceptable due to an officer not wearing a facemask when attending an incident in January.

Group H complaints show a small rise in allegations but their overall percentage share is less than Q3. All areas received Group H complaints albeit South received the most allegations, a change from North in Q3.

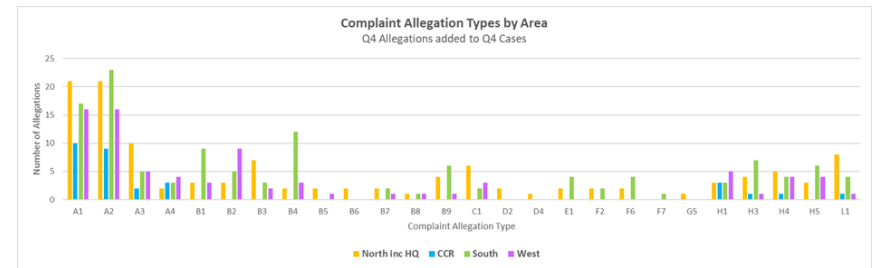
Complaints by Area

When considering Complaint cases, a case may be formed of multiple allegations which may have been assigned to different policing areas, therefore, a single complaint case may concern Officers or Police Staff from more than one policing area and concern different types of dissatisfaction per area. As such the cases by Area pie chart shows when an area has been linked to a case, thus, a complaint case may be counted in more than one area; the total number of cases in the below chart therefore exceeds 241 total cases for the quarter. If a subject of a complaint is identified then it may be possible to determine the shift or working location of the subject, but due to issues noted regarding staff data imports into Centurion, the below commentary may be subject to minor amendments



As noted above, the number of cases and allegations have seen a small increase on Q3. North including HQ have historically been subject to the most complaint cases and allegations. However, in Q4 North cases and allegations have decreased but South have seen an increase in both cases and allegations that puts them now parallel with North. South's share of complaint cases and allegations have increased from 1/4 in Q3 to 1/3 in Q4. North's share of cases and allegations has dropped from just over 40% down to 34%. CCR and West % share of complaints remains relatively similar to Q3. Consideration has therefore been given to South complaint cases due to their increase and North due to their decrease.

Although all areas are generally similar in terms of the allegations received, there are peaks and troughs in all on differing allegation types. Due to the relatively small numbers of allegations received in such allegation types the area peaks are not necessarily deemed to be significant.



North have seen decreases in complaint allegations relating to H5 Lack of fairness and impartiality as well as A3 Information (although still the greatest of all areas) and A4 General level of service in Q4 compared to Q3.

South, as shown in the above graph by green, peak in a selection of allegation types. These include Group B complaints, *B1 Stops, and stop and searches* and *B4 Use of Force* as well as a small peak in Group H - *H3 Unprofessional or harassing behaviour* which have contributed to their overall rise in the share of complaint cases and allegations this quarter.

B4 Use of Force (UoF) allegations show the largest difference compared to other areas for South this quarter. B4 allegations have overall decreased in Q4 compared to Q3 which may be attributable to less interaction with the public due to lockdown but allegations for South cases have doubled in Q4 compared to Q3; West and North having decreased by at least half. South's 12 B4 allegations form 11 cases compared to North's 2 cases and West's 3 cases. These relate primarily to arrests, however, although all allegations have been deemed individual and not organisational, there does not appear to be one particular shift nor officer or officer characteristic that are subject of the complaints. Half of the cases are still *Live* but the remainder have been *Resolved* or deemed that *The service provided was acceptable*. BWV has been used to resolve 5 of these cases. Therefore, the peak at present is not deemed significant although this observation will be presented at the next Use of Force Board to discuss further.

South's *B1 Stops, and stop and searches*, 9 allegations forming 8 cases of which 6 cases Resolved and 2 Live; the majority relate to road traffic/vehicle stops. As well as, a small peak in *H3 Unprofessional or harassing behaviour*, all 7 allegations noted as individual and linked to 7 cases of which 4 cases Resolved, 2 remain Live and 1 Subjudice; these relate from domestic/gender abuse to premises searches. Again, there is no common shift or officer characteristic relating to these complaints.

Overall, each area has shown varying peaks and troughs throughout the past two quarters, the decrease for some areas relating to one type of allegation unduly highlights another area that may have remained static or seen an increase. South have taken on an increased share of cases and allegations this quarter. South were typically second most ranking area and therefore North's percentage decrease of cases has coincided with South's increase and closed the gap between North and South figures, albeit South remain ranked in second place. However, their share will be monitored in the coming quarters. Due to the present global situation, this change has not been deemed significant at this stage. Work to establish organisational split of the workforce has started in PSD to ascertain if there is correspondence between numbers of personnel per area compared to complaints received, but due to changes within Constabulary IT systems in Q4 it has not been possible to effectively define the area split of Officers and Police Staff at this time.

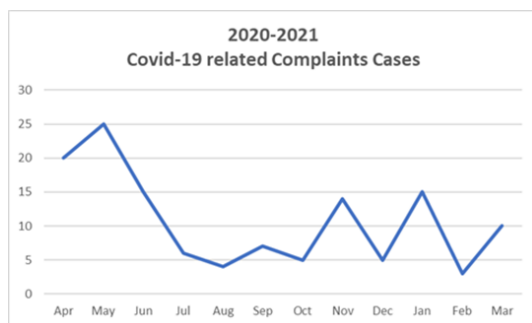
National and Local Factors

Body Worn Video (BWV)

Since the last report, the local factor of *BWV used to resolve complaint* has been utilised by PSD staff and has been noted on 10 complaint cases in Q4 which is allowing for easier location and monitoring of such cases.

Covid-19

The total number of Covid-19 related complaint cases have in Q4 remained similar to Q3, between 12-13% of all Complaint cases cited Covid-19 on at least one allegation linked to that case. The situation globally and within the UK is continually changing and so too have the numbers of Covid-19 related complaints cases, figures have fluctuated and spiked throughout the past year as shown in the below graph. It is expected that such complaints will continue until the end of the pandemic, however, the figures per month cannot be predicted.



The majority of Covid-19 related Complaint cases were Resolved, however, there were 2 cases whereby officers' service was deemed not to be acceptable due to allegations relating to the lack of face masks being worn; these two cases were finalised as *The service provided was not acceptable* in Q4.

Organisational vs Individual Complaints

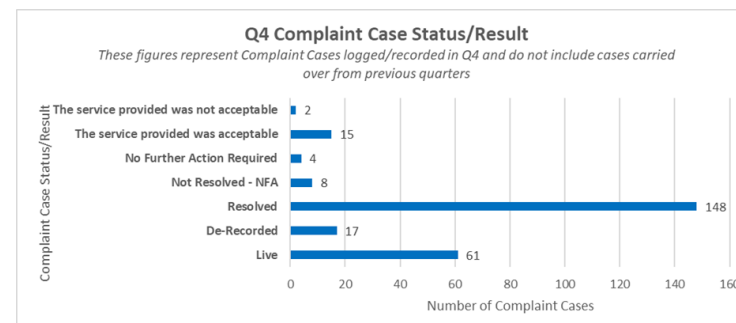
Allegations logged/recorded as Organisational are currently ~30% and Individual ~70%, this is an increase in Organisational allegations compared to Q3. The focus shifting back towards Organisational rather than Individual; following the ethos of the new Regulations.

Schedule 3 Complaints

The number of cases Service Recovered outside of Schedule 3 this quarter has risen to over 82%, this is a rise from 76% in Q3, (figures exclude De-Recorded cases). The number of cases placed into Schedule 3 have remained static for Complainant dissatisfied after initial handling (8) and a single case recorded due to Severity of allegation (Para 2(6B)) was finalised as the service provided was acceptable and therefore not upheld. Cases where the Complainant wished and Force/LPB determined the case should be recorded have both decreased.

Complaint Outcomes and Performance

The number of cases logged/recorded in Q4 and finalised in Q4 has increased compared to Q3.



The number of complaint cases finalised in Q4 has risen compared to Q3. The number of cases *Resolved* has been a rise from 118 in Q3 to 148 in Q4, a near 25% increase. There remains a similar number of carried over Live cases (61) as there was in Q3 (60).

Cases finalised as *The service provided was not acceptable*, 2, is a decrease on Q3. There has been a similar number of cases with the outcome *The service provided was acceptable*, 15 in Q4 compared to 16 in Q3.

Complaint Finalisation Times

The IOPC are yet to officially publish their force bulletin containing most similar force and national comparisons, therefore, the below finalisation figures have been calculated to represent performance data for Q3 and Q4.

Comparison has been carried out between complaint cases logged/recorded in Q4 and finalised in Q4 against cases logged/recorded in Q3 and finalised in Q3. Figures exclude De-Recorded, Live and Under Review cases. The figures do not include cases which have gone on to be finalised in another quarter. Figures show that the average time to finalise a complaint case either out with Schedule 3 or under Schedule 3 has increased in Q4; the staffing issues have impacted on the finalisation times.

Quarter/Complaint Case Type	Average Days to Finalise Case
Q3 Schedule 3 Complaint Cases	19.2
Q3 Outside Schedule 3 Complaint Cases	7.9
Q4 Schedule 3 Complaint Cases	23.7
Q4 Outside Schedule 3 Complaint Cases	8.4

Although the average time to Service Recover and finalise a case Outside of Schedule 3 has overall increased, the majority of cases are being finalised in just over a week. For complaints that are dealt without Outside of Schedule 3, there have been similar numbers cases finalised within a day or less and also within a week of the complaint case being logged within each respective quarters. There has however been an positive increase in Q4 of cases being finalised within 2 days or less, 47 cases, compared to 41 cases in Q3.

Days to Finalise Outside of Schedule 3 (Service Recovered) Complaint Case	Q3 Number of Cases Finalised	Q4 Number of Cases Finalised
0 (Finalised same day as logged)	22	15
1	14	21
2	5	11
3	12	8
4	11	10
5	4	10
6	10	5
Total	78	80

Lessons Learnt

A total of 18 lessons actioned in Q4, 2 Organisational Lessons and 16 Individual Lessons, this is an increase on 15 lessons in Q3 which split into 14 Individual and 1 Organisational. Q3 focussed on Other lessons, but this quarter Investigation Processes is a key theme of learning.

Over half of the lessons related to Group A *Delivery of duties and service complaints*, with a third of all lessons related to investigations stemming from the most common Group A complaints which are commonly associated with complaints relating to investigations. A total of 7 lessons related to Investigation Processes. There were also 2 lessons each relating to Searching property, premises, vehicle or person, Arrests, Victim Support and Other as well as a single lesson in relation to Driving. Lessons were split equally between all Constabulary areas, 6 per area. As with previous quarters, they tend to relate to young in-service officers.

PASS Newsletter

Three PASS Newsletters were issued in Q4 relating to S17 PACE powers of entry, Covid-19 breaches and also 'Curiosity Could Kill Your Career'.

- 1) Section 17 PACE reminder linked to two lessons learnt
- 2) Covid-19 breach resulting in an officer receiving a Written Warning
- 3) Update on police staff member who accessed police systems without a policing purpose and had plead guilty at Crown Court for data protection offences and received a fine. They were then subsequently subject of a Gross Misconduct Hearing where it was determined that had they not resigned from the Constabulary in 2020 they would have been Dismissed without Notice. They are now also on the CoP Barred List. The reminder relating to if you should be accessing police systems and 'Curiosity Could Kill Your Career' campaign referenced and relevant links in the newsletter.

Complaints over 1 Year Old

There are currently no complaints logged/recorded under the 2020 Police Regulations which are over 1 year old and awaiting finalisation.

Conduct

Conduct Executive Summary

The number of Conduct cases recorded in Q4 compared to Q3 has significantly dropped from 24 to 13. Conduct case numbers for Q4 are back in line with Q1 and Q2 2020/2021 figures as well as being more in keeping with the previous 3 years Q4 figures.

Covid-19 breaches continue to make up nearly half of all Conduct cases recorded this quarter of those potential Covid-19 breaches, only 1 is alleged to have occurred in 2021. The remaining cases related to potential breaches occurred towards the end of 2020. Since the turn of the year Officers and Police Staff appear to be adhering to relevant regulations, legislation and following Chief Officer guidance.

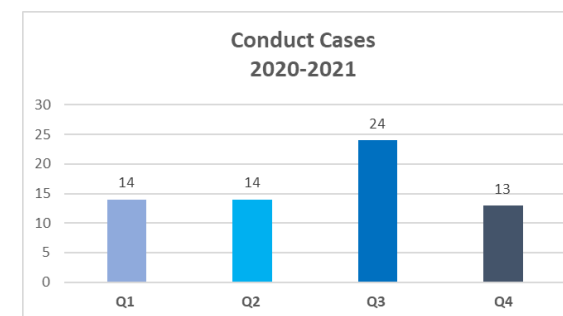
A total of 18 cases have been Finalised in Q4 compared to 22 in Q3. One Officer received a Written Warning and the majority of the remaining cases were finalised as No Case to Answer or No Further Action.

Risk and Concerns – Low

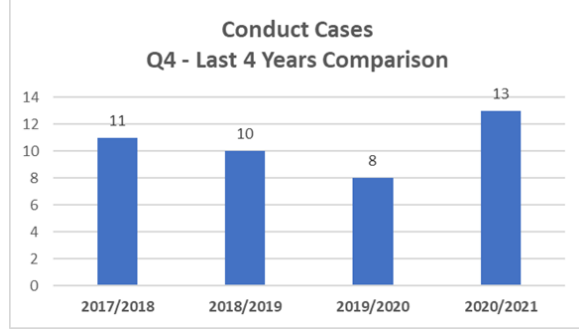
There are no direct concerns to be adduced from the areas of Conduct. Overall figures are down and it is refreshing to see that particularly in relation to Covid-19 cases, numbers have significantly reduced towards the end of the quarter. As we move onto the "Road Map" out of Covid-19 Restrictions and we see a wider interaction with our communities, it is likely to see an increase in Conduct matters. Further to this, we expect to see significant visitor numbers over the coming months with visitor numbers likely to reach an all-time high.

New Conduct Cases – including 3 Year Comparisons

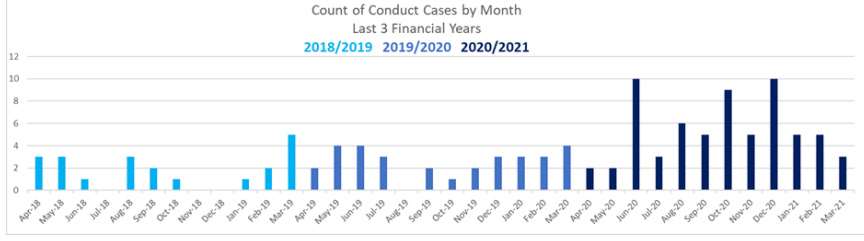
A total of 13 cases were recorded in Q4 albeit only 11 progressed as two were finalised No Further Action relatively early on. This quarter has seen the lowest number of cases recorded for a quarter this year, however, is comparable to both Q1 and Q2.



Allowing for an increase in cases due to PSD now dealing with Off Duty conduct as well as Police Staff Conduct cases, the number of cases in Q4 are similar to the same periods in 2017/2018 and 2018/2019.



As noted in the previous Ethics Panel report, there has been a significant rise on cases recorded in previous years. The below graph represents the number of cases recorded each month for the last three financial years. In year 2018/2019 a total of 21 cases recorded, 2019/2020 near 50% increase to 31 cases recorded followed by 110% increase to 65 cases recorded in 2020/2021.



END OF REPORT



Ethics and Integrity Panel

Title: OPCC Complaints & Reviews

Date: 26 April 2021
Agenda Item No: 10a
Originating Officer: Joanne Head
CC:

Executive Summary:

In accordance with the Police Reform and Social Responsibility Act 2011 the Police and Crime Commissioner has a responsibility in relation to conduct and complaints. The introduction of the Policing and Crime Act 2017 and subsequent complaint and misconduct regulations mandate Commissioners to deal with public complaint appeals now known as reviews.

The Commissioner is the appropriate authority for complaints and conduct matters relating to the Chief Constable only. The Chief Constable is the appropriate authority for any complaints regarding police officers (below the rank of Chief Constable) or police staff conduct whilst carrying out their work/duties under the Direction and Control of the Chief Constable.

Recommendation:

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

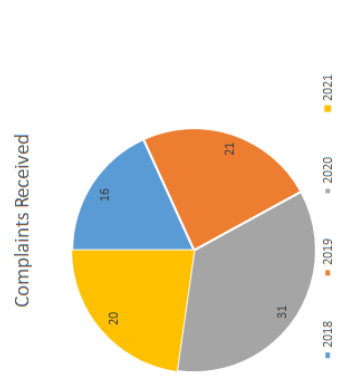
1. Introduction & Background

- 1.1 The Office of the Police & Crime Commissioner (OPCC) receives telephone calls and emails from members of the public who wish to make complaints about police officers and/or police staff under the rank of Chief Constable. As this is a matter for the Chief Constable to deal with a process has been developed with the Constabulary to forward such complaints onto the Constabulary's Professional Standards Department, advising the complainant accordingly.
- 1.2 Some issues which are brought to the attention of the OPCC do not constitute a complaint but are regarding quality of service issues. Again, a system has been developed with the Constabulary to pass on the issues to the Chief Constable's Secretariat. The issues are then raised at a local level with the OPCC being kept updated as to progress and advised of either a final solution which has been agreed or a final response which the Commissioner will then send to the author. A separate report is provided to this meeting.

2. Issues for Consideration

Complaints received by the OPCC

- 2.1 This chart details the number of complaints which have been received by the OPCC up to 31 March 2021. The complaints received were all regarding police officers below the rank of Chief Constable and the Police and Crime Commissioner has no statutory responsibility to deal with such matters.
- 2.2 There is a noted increase in the number of members of the public who are writing to the Police and Crime Commissioner regarding complaints about the Constabulary. Where this occurs the OPCC will explain that the Police and Crime Commissioner does not have any statutory authority to investigate such complaint, and it is the overall responsibility of the Chief Constable. Contact details are provided for the Constabulary's Professional Standards Department (PSD) who are the appropriate body to deal with such complaints. If requested, the OPCC will forward the correspondence to PSD on behalf of the complainant.



Commissioner Complaints

- 2.3 Complaints made regarding the Police and Crime Commissioner are dealt with by the Police and Crime Panel (PCP). This Panel has statutory responsibility for holding the Commissioner to account for the work that he carries out and they are therefore the logical body to deal with any complaints. Chapter 4, Section 30 of the Police Reform and Social Responsibility Act 2011 details the circumstances in which a Police and Crime Commissioner could be suspended this being that the Commissioner has been charged with an offence which carries a maximum term of imprisonment exceeding two years. The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 details the role of the PCP.
- 2.4 Any complaint regarding the Commissioner is sent to Cumbria County Council's Monitoring Officer to assess and consider its severity. If it does not meet the above criteria an agreed protocol is in place whereby the Monitoring Officer will correspond with the Commissioner/OPCC Monitoring Officer to ascertain the circumstances surrounding the complaint and provide the complainant with an explanation. If the complainant is satisfied with the explanation such a complaint would be finalised as an informal resolution.
- 2.5 If the complaint cannot be dealt with by informal resolution the PCP will then consider the complaint and may decide to establish a subcommittee to consider the findings of the initial investigation of the Monitoring Officer and consider whether to undertake a more detailed investigation.
- 2.6 The majority of the complaints received relate to individuals who are dissatisfied with the way in which the Commissioner has carried out his duties or work he has undertaken in their opinion, rather than his personal conduct. Detailed below are the number of complaints regarding the Commissioner, Mr Peter McCall, whereby the OPCC has been requested to provide information to the Police and Crime Panel.

YEAR	N° of Complaints Received	Complaint not about the PCC	Dealt with by informal resolution	Police & Crime Panel investigation
2019	0	0	0	0
2020	0	0	0	0
2021	1	1		

2.7 Although a complaint has been received by the PCP, they are yet to confirm whether or not it is in fact in relation to the Police and Crime Commissioner; and is therefore yet to be finalised.

2.8 Chief Constable Complaints

The Commissioner is the appropriate authority for complaints and conduct matters relating to the Chief Constable. Members of the public may write to complain about the Chief Constable when in fact they are unhappy about the way in which policing is provided or regarding a policy or procedure rather than her personal conduct.

2.9 Changes in regulations mean that where it is apparent that the complaint is not in relation to the conduct of the Chief Constable and may in fact relate to that of officers below this rank, they are then automatically sent to the Constabulary's Professional Standards Department to deal with the issues raised. This would mean that the complaint is not in fact logged with the OPCC. The complaint received in 2021 is not yet concluded.

YEAR	N° of Complaints Received	Not Logged	Logged	Dealt with by NFA	Investigation	IOPC Appeal
2020	4	1	3	4	0	0
2021	1		1			

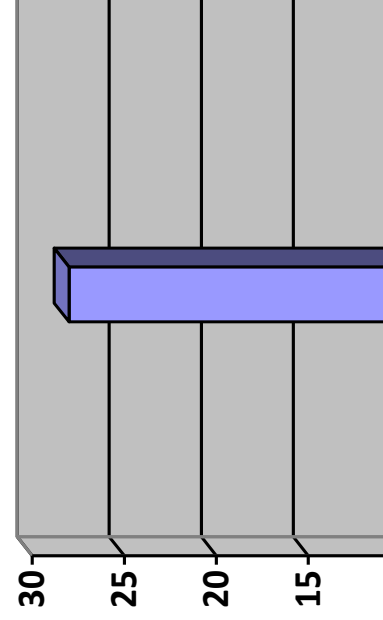
2.10 OPCC Staff Complaints

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

2.11 Complaint Reviews

From 1 February 2020, the Local Policing Body became the appropriate authority to deal with complaint reviews relating to cases dealt with as Recorded – No Investigation. The reviews are undertaken by an independent review officer to provide additional independence and transparency to the process.

2.12 During 2020 the OPCC received 32 request for reviews, with 12% being upheld. Up to 31 March 2021 12 requests have been received with 8% being upheld. Two complainants were contacted for further information but have failed to correspond further and therefore these cases have been discontinued.



2.13 Upon the completion of their review the independent review officer will provide a written determination which is then provided to the complainant. This outlines what they have reviewed, taken into consideration and their final decision.

2.14 Where the review is upheld, they may provide recommendations for the Constabulary's Appropriate Authority to consider. Within the legislation and statutory guidance, the Appropriate Authority must advise the OPCC and the complainant within 28 days of whether or not they will carry out the recommendations. The Commissioner, nor the OPCC, have any authority to direct or instruct the Constabulary to carry these out. However, as the ethos of the new process is to learn and improve, the recommendations are generally accepted and implemented.

3. Implications

- 3.1 Financial - with the added statutory responsibility for undertaking complaint reviews there is an additional cost for the independent review officer. This is seen as value for money as they are only paid for the work that they carry out, there are no ancillary costs as there would be if they were an employed member of staff.
- 3.2 Legal – none identified.
- 3.3 Risk - None identified, beyond that to the OPCC's reputation if it does not deal with the issues raised appropriately and proportionately according to the merits of the individual case.
- 3.4 HR / Equality - none specifically identified.

Ethics and Integrity Panel



C U M B R I A

Peter McCall

Title: OPCC Quality of Service & Policing Issues

Date: 15 April 2021

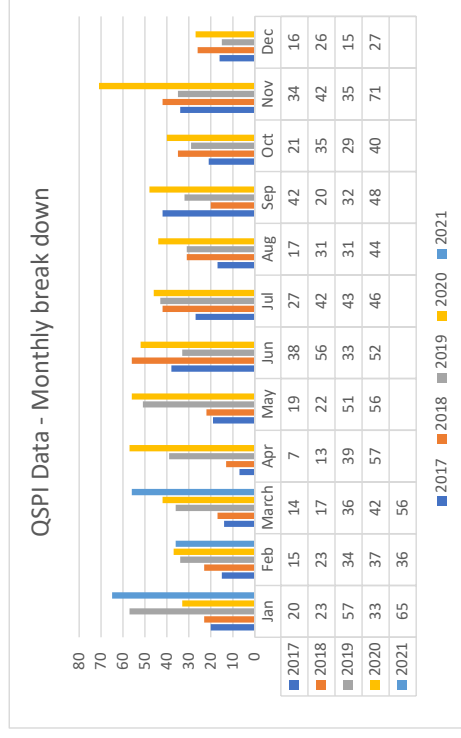
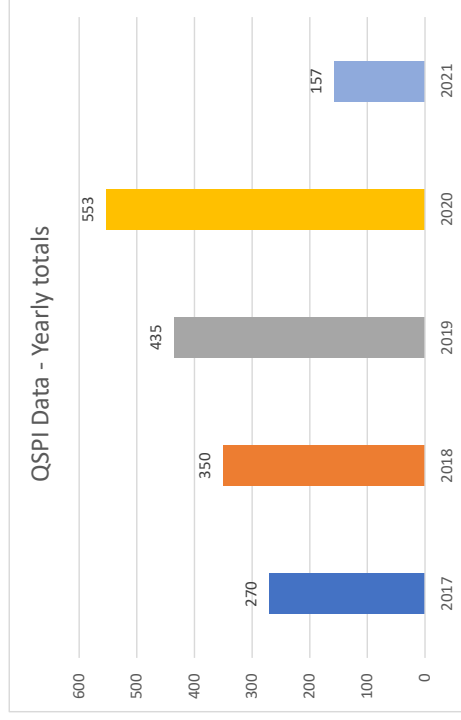
Agenda Item No: 10b

Originating Officer: Lisa Hodgson, Governance Officer

1. Introduction & Background

- 1.1 This report focuses on QSPI's received between **01/11/2020 & 31/03/2021**, in this period a total of **255** QSPI's were received.
- 1.2 The Office of the Police & Crime Commissioner (OPCC) receives a number of telephone calls, letters and emails from members of the public who wish to raise issues or dissatisfaction about some element of the policing service they have experienced, or concerns they have within the community. These are regarded as Quality of Service and Policing Issues (QSPI).
- 1.3 A system has been developed within the OPCC to acknowledge, log and monitor the resolution of the issues raised. Once a QSPI is logged within the OPCC it is then allocated appropriately. Predominantly issues are passed through to the Chief Constable's Office who may allocate it to the appropriate Neighbourhood Policing Team (NPT) or department to deal with. Regular contact between OPCC staff and the Chief Constable's Office takes place to ensure that matters are progressed in a timely manner. Once the matter is finalised, an update is provided to the author and where possible this will be provided at the earliest opportunity and is often before 28 days.

1.4 Since its inception the number of QSPIs received and dealt with by the OPCC has increased year on year as can be seen from the chart shown. 2021 figures are included up to 31/03/2021. Also included is a breakdown of QSPI's received per month. As can be seen below a steady increase can be seen each year, this can be attributed to the Police and Crime Commissioner's profile being raised across the communities in Cumbria and accessibility to raise issues and concerns.

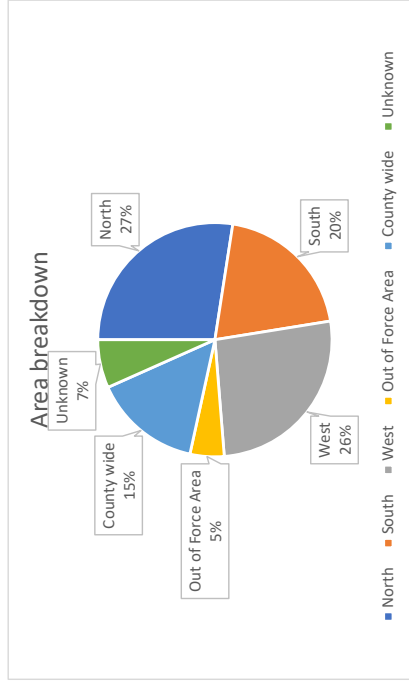


The following data focuses on the period 01/11/2020 - 31/03/2021, during which 255 QSPI's were received

1.5 Shown here is an area breakdown of where the complainant is based in Cumbria. When contacting the OPCC an individual may not always provide their location which is recorded as 'unknown'.

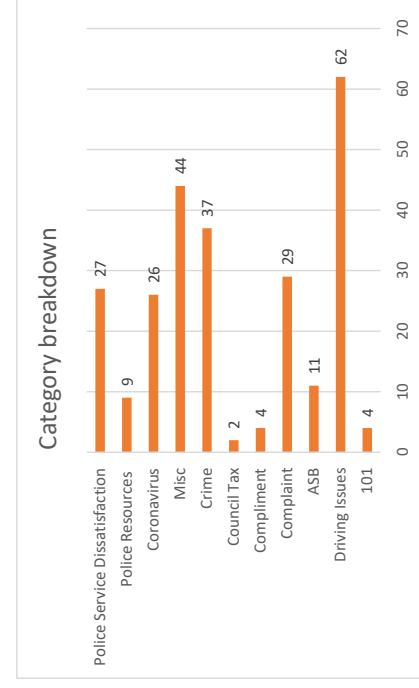
QSPI's are broken down into:

- North
- South
- West
- County Wide
- Out of Force Area (OFA)
- Unknown



1.6 Members of the public will contact the OPCC regarding a broad range of issues. The Commissioner will write to every individual using information provided by the Constabulary, within the OPCC or other partner organisations. Shown here is a breakdown of the issues raised in the reporting period. As can be seen from this chart, the top 4 issues raised were:

1. Driving Issues - 62 QSPI's were received
2. Miscellaneous - 44 QSPI's were received (including 26 re coronavirus)
3. Crime - 37 QSPI's were received
4. Police Service Dissatisfaction - 27 QSPI's were received



Complaints - When members of the public write to the OPCC to make a formal complaint about the police service received/ conduct of police officers/staff, these are recorded by the OPCC in the same way. The OPCC write back to all complainants advising that their complaint must be dealt with by the Professional Standards Department, and if we receive consent, we will forward this to PSD on their behalf. Further information specifically in relation to complaints is detailed in the complaints report.

2. Identified Issues

2.1 Driving Issues

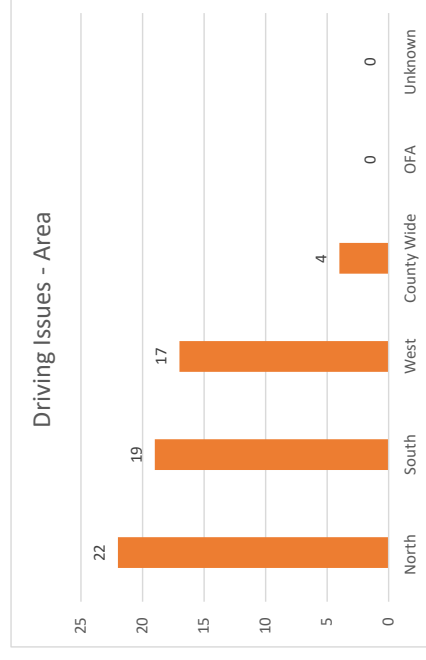
'Driving issues' was the top concern raised during this reporting period, whereby 62 QSPI's were received.

In November 2020, the Commissioner held an online 'Road Safety Surgery' together with Insp Minnikin (Insp at the time responsible for roads policing) and members of the public submitted their concerns prior to the surgery. A total of 31 QSPI's were received in relation to this.

In summary, the contact received covered various concerns including:

- Parking on pavements
- Parking outside of schools
- Parking on double yellow lines
- Poor road markings (faded), road signage and unmarked roads
- Damaged roads (potholes etc.) and flooded roads
- Safety of cyclists on roads
- Speeding issues:
 - General speeding concerns in towns and villages
 - Residents requesting 20mph zones in villages and housing estates
 - Speeding and dangerous driving along the A66 West
 - Requests to see more safety camera vans

Each person received an individual response, and as many of the concerns raised are a multi-agency issue, they have been passed to the Casualty Reduction and Safer Highways (CRASH) group for consideration, via the Constabulary's area Collision Reduction Officers. General safety advice has also been provided where appropriate.



2.2 Miscellaneous

The OPCC has received 70 QSPI's recorded as 'Miscellaneous'. The way in which we record miscellaneous QSPI's also includes those raised with us regarding 'Coronavirus'. We have broken down the data which shows that the OPCC received **44 QSPI's recorded as 'Miscellaneous'** and **26 QSPI's recorded as 'Coronavirus'**. Alone, the QSPI's recorded as 'Miscellaneous' would not be statistically significant, however these do need to be captured in some way.

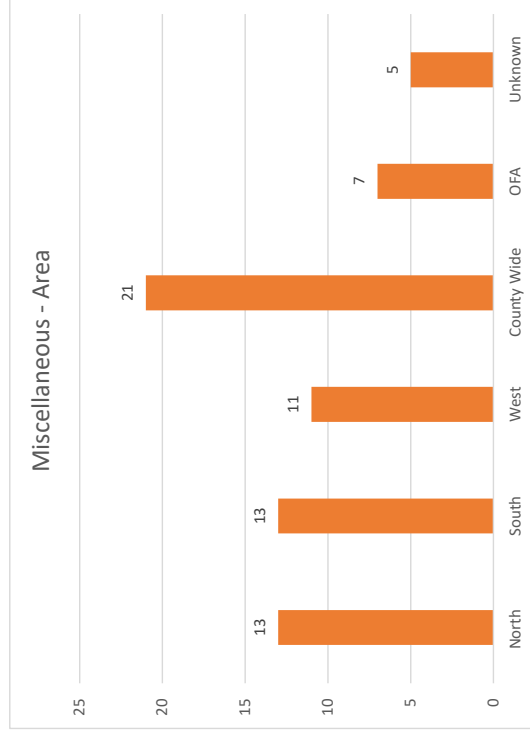
Miscellaneous

Some examples of QSPI's logged in this category include – 'how to be safe online'; police policies, CCTV; ANPR Cameras and hunting. These QSPI's are dealt with in exactly the same way being provided with a detailed response to the query/concern raised.

Coronavirus

Many of the concerns raised during the reporting period were from people who were supportive of the police approach but concerned that residents near them were not following the instructions and putting them at risk. Many people also did not understand what was allowed under the easing of restrictions and seeking clarification.

The Commissioner has been fully supportive of all advice and messages given from Cumbria Constabulary, in line with government guidelines which is changing frequently. All complainants have been encouraged to continue reporting anyone not following the instructions as soon as possible or at the time it is happening to enable the police to take action where appropriate and necessary. All police forces are being asked to ENGAGE with communities, EXPLAIN the restrictions and ENCOURAGE people to comply and as a last resort this could be ENFORCED with a summons.



2.3 Crime

During the reporting period the OPCC received contact from 37 members of the public regarding crime. Some examples of concerns raised and logged in this category include dog theft, drug dealing, rural crime, and ongoing 'in progress' ASB type neighbour issues.

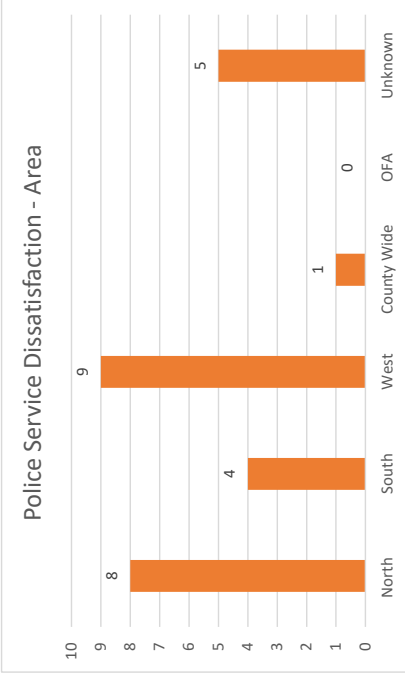
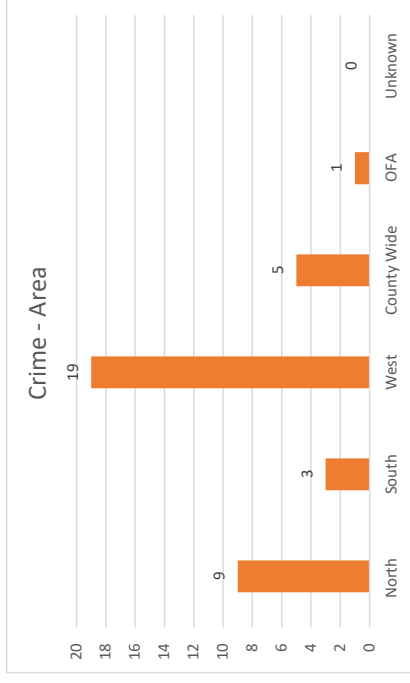
With assistance from the Chief Constable's office, each individual case was looked into to determine the best course of action. In some instances, the author may not have reported the issue to the police, therefore this would be sent to CCR for a log to be created and allocated to an officer. The author would be updated with this information and advised that they would be contacted directly by an officer.

2.4 Police Service Dissatisfaction

During the reporting period, 27 concerns were raised in relation to the level or standard of policing service received. In the last reporting period 71 concerns were raised in this category meaning this is over a 60% reduction, which is very positive.

The concerns logged within this category indicate that the individual is unhappy with the level of policing service they have received and/or the outcome of the investigation. The OPCC has identified that a number of these concerns are triggered by the lack of communication or updates received from the Police during an investigation. When the OPCC responds to these cases we include details of what has happened during the investigation and why. If appropriate we also include contact details for the officer in the case (OIC) to enable the individual to make direct contact should they require any further updates. In some cases, we arrange for a local officer to go and visit or telephone the individual to provide clarity regarding the investigation and advice of any other action that can be taken by the individual.

Some examples of QSP1's logged in this category include – members of parish councils unhappy in the way they receive updates from the police, unhappy that they have not received updates in relation to an investigation/crime, unhappy in the way that the health regulations have been policed in relation to the covid-19 pandemic and unhappy with random stop and search's conducted by the Constabulary.



3 Compliments

The OPCC has received 4 forms of correspondence thanking the Commissioner and/or the Police for the service provided. It is important to recognise the compliments received and these are always shared where possible with the individual officers, and the Chief Constable's Office.

This number does not include those that have contacted the OPCC in relation to Coronavirus and been supportive of the policing of the guidance.

4 Making a difference

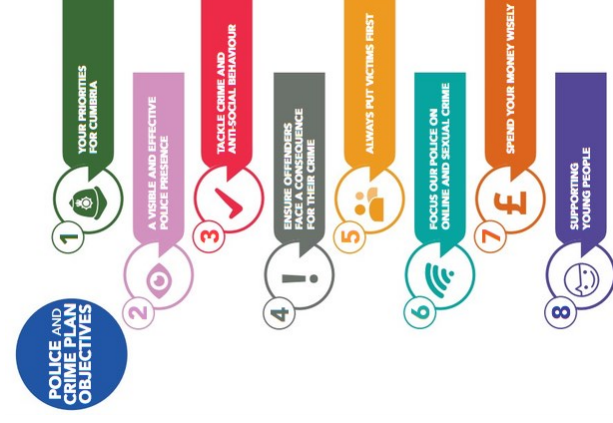
Correspondence from members of the public highlight to the Commissioner issues that are concerning local communities. In addition to individuals receiving a response, the information gathered is used to look at how assistance or changes can be provided throughout Cumbria.

Driving Issues

The Office of the Police and Crime Commissioner has awarded a total of **£11,513,46** via the Property Fund for applications received in November 2021, to support Road Safety. The majority of funding was provided to local schools for: banners, road signage for outside schools, traffic cones, road safety activity sets, traffic lights, hi-viz clothing, awareness raising for safe parking and teaching children about road safety. Funding has also been provided to work with groups of young people who are soon to be new drivers or are new drivers and plan to specifically target Young Farmers, FE Students and apprentices, and the purchase of drink/drug driving related awareness materials.

Get Safe Online

The Office of the Police and Crime Commissioner has developed a campaign with partners agencies to raise public awareness of the risk and danger of online crime and to provide information about how to keep safe. A campaign plan with Get Safe Online (GSO) has been developed, agreed and funded. The plan is now in action with six training events organised over the course of 2021. The first training event has taken place and received positive reviews. The OPCC often links in with the Cyber and Digital Crime Unit to check what the local issues are so that these can be tackled, prevented and where necessary advice/support promoted. A cyber-crime and security focused Facebook surgery also took place in January 2021 with positive responses.



Keepsafe

The Office of the Police and Crime Commissioner has developed and manages the 'Keep Safe Project' to ensure victims of crime and antisocial behaviour have access to crime prevention advice and home security equipment. This could be for offence types such as domestic abuse, burglary, hate crime, antisocial behaviour, rape, criminal damage and threats to life, etc. A range of crime prevention advice and home security equipment has been provided from door chains to window sash jammers, non-snap door locks and window film.

Safer Streets

The Office of the Police and Crime Commissioner manages the delivery of the Home Office Safer Streets Fund, providing crime prevention advice, home security equipment and street lighting in an area affected by acquisitive crime. The OPCC secured £436,994 from the Home Office Safer Streets Fund to help reduce the number of burglary offences in the Salthouse Road area of Barrow. With the funding, the OPCC and Barrow Borough Council have supplied thousands of pounds worth of crime prevention measures and home security equipment, free of charge, to any home within the area. The equipment ranges from door chains, rear yard doors, new fit or repairs to exterior doors and windows, window and letter box security, locks, security lights for back yards and garage security, all installed by skilled local tradespeople. The funding has also provided 200 home security packs, delivered to residents by community volunteers, which included DNA Property Marking Kits. Cumbria County Council has used the funding to install new street lighting in unlit back alleys and provide an upgrade of existing lighting in the front streets across the whole area. The project is scheduled to be completed by 31st March 2021.

Rural Crime

The Office of the Police and Crime Commissioner has developed a campaign with partner agencies to raise awareness of rural crime, encouraging more people to report to the police and access support. A rural crime strategy is fully developed and in action covering all topics from quad bike thefts and safety to animal worrying. The campaign is influenced by current issues raised by the Constabulary and National Farmers Union (NFU) with all partners working together to promote rural safety and prevent rural crime e.g. promotion of the Commissioner's funded security kits. The most recent promotion of the kits received 30 requests in a week.



5. Implications

- 5.1 Financial - there are no additional financial costs associated with dealing with these complaints, quality of service issues as these tasks form part of staff roles.
- 5.2 Legal – none identified.
- 5.3 Risk - None identified, beyond that to the OPCC's reputation if it does not deal with the issues raised appropriately and proportionately according to the merits of the individual case.
- 5.4 HR / Equality - none specifically identified.

**Enquiries to: Mrs J Head
Telephone: 01768 217734**

Our reference: jh/EIP

Date: 28 April 2021

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 5 August 2021** at **2.00 pm**. Due to Government Guidelines in response to COVID-19 the meeting is being held via telephone conference facility.

Details of how to access the meeting will be emailed to participants separately.

**G Shearer
Chief Executive**

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

- (a) To confirm the notes of the meeting of the Ethics and Integrity Panel held on 5 May 2021 (copy enclosed)
- (b) To note an update in relation to the Constabulary's Property Review

5. CONTACT WITH THE PUBLIC REVIEW

To receive a report on the work being carried out by the Constabulary's Disproportionality Working Group (copy enclosed) – *to be presented by Chief Superintendent Sarah Jackson*

6. OFFICER & STAFF UPDATE

- (a) To receive a report on health wellbeing and support for officers and staff – presented by *Ms Kate Ruddick, HR Manager*.
- (b) To receive a verbal update on the Constabulary's Conscious Inclusion Accreditation Programme – *to be presented by C/Superintendent Lisa Hogan*

- (c) To receive a copy of the Constabulary's Grievance Policy - *Ms Kate Ruddick, HR Manager.*

7. DIP SAMPLE SESSIONS

- (a) The Panel to verbally report upon the outcome of the mornings' dip sample session of Stop and Search data.
- (b) The Panel to verbally report upon the outcome of the mental health detention dip sample during the morning.

8. INTEGRITY

- (a) The Panel to verbally report upon the outcome of the public complaint and misconduct dip sample sessions which took place on 27 July 2021
- (b) To receive a report on the work carried out within the Constabulary's Professional Standards Department, including:
 - i. Complaints by the Public; and
 - ii. Anti-Fraud & Corruption (including officer and staff misconduct)
- (c) To receive a copy of the Internal Audit Report for Reflective Practice Review Process – Practice Requiring Improvement – *to be presented by DCI Craig Smith*

9. INFORMATION MANAGEMENT COMPLIANCE

- (a) To receive and note a report by the OPCC on their compliance with Data Protection Legislation (copy enclosed) – *To be presented by the OPCC Governance Manager.*

ETHICS AND INTEGRITY PANEL

Notes of a meeting of the Ethics and Integrity Panel held on
Thursday 5 May 2021 via video conference facility at 2.00 pm

PRESENT

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

Also present:

Deputy Chief Constable – Mark Webster
Superintendent – Dave Stalker
Superintendent – Carl Patrick
Detective Chief Inspector – Craig Smith
Director of Corporate Support – Stephen Kirkpatrick
Head of Legal Services – Andrew Dobson
OPCC Deputy Chief Executive - Gill Shearer
OPCC Governance Manager - Joanne Head

The Chair thanked everyone for attending the video conference and the Constabulary for all their hard work during the ongoing COVID-19 pandemic which was now seeing the easing of the third lockdown restrictions. He hoped everyone was staying safe and well. Prior to the meeting commencing the Chair asked that everyone introduce themselves.

13. APOLOGIES FOR ABSENCE

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

14. DISCLOSURE OF PERSONAL INTERESTS

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

15. URGENT BUSINESS

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

16. NOTES OF THE PREVIOUS MEETING

The notes of the meeting held on 4 February 2021 previously circulated with the agenda were agreed.

(a) Property Store Review

The Constabulary's Director of Corporate Support updated the meeting on the work which was being carried out following the Property Store Review. The Panel had previously raised concerns regarding property that was either lost or stolen following which the Constabulary were having to pay compensation to the owners. Mr Kirkpatrick advised that options were being looked at regarding access and monitoring of property stores. In addition, amendments were proposed to policies and procedures which may address some of the issues raised. The Constabulary were also looking into procuring an improved property management system which had the potential to link into their Crime Management System enabling the recording of property by officers out in communities. Mr Kirkpatrick advised that further work was being undertaken and he would report back to the Panel in August 2021 regarding how the potential for complaints or civil claims are being avoided.

Agreed; that,
(i) the update be noted; and
(ii) an update be provided to the Panel regarding how the potential for complaints or civil claims are being avoided.

(b) Contact with the Public Review

The Constabulary had commenced work to understand the different types of contact they had with members of the public, particularly with people from ethnic and diverse backgrounds. A Disproportionality Working Group had been set up with Chief Superintendent Sarah Jackson leading the work. Their focus was to understand how the Constabulary's workforce interacted with members of the public, what the public's perception was of officers using their powers and how the Constabulary briefed officers and staff internally.

Following a tender process an independent organisation had been appointed to assist the Constabulary in this work. A number of areas would be reviewed including engagement with the community, policing powers, recruitment and progression, stop and search and public satisfaction.

DCC Webster advised that this work was to be carried out from May until July 2021. It was agreed that the Panel would be provided with a copy of the report. If this was not available for the August meeting an interim update would be provided.

Agreed; that,
(i) the update be noted; and
(ii) a copy of the report or an interim update be provided to the Panel in August 2021.

17. CIVIL CLAIMS

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

Members noted that the number of new Public Liability (PL) claims stood at 17 with 7 being deemed significant, 3 of which had arisen from the same incident. Two new claims had been registered in relation to Employer Liability (EL) claims resulting in their being 4 active claims, all of which were deemed significant. One new Uninsured Claim had been opened which was also deemed to be significant.

The Panel discussed several ongoing cases, 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.)

18. COVID-19 FIXED PENALTY NOTICES UPDATE

Superintendent Patrick presented a report which addressed a number of points raised by Panel members in relation to Fixed Penalty Notices (FPNs) issued for contravention of COVID-19 regulations. The Constabulary had reviewed 7 cases, watching body worn video footage, reviewing custody records, logs and where appropriate had rescinded or varied the FPN.

Following recommendations by the Panel communication with staff had changed to provide more examples and practical ways to deal with COVID breaches and assist in their understanding. When the Constabulary reviewed an FPN and found it to be incorrect they were now writing to the individual to advise them and apologising for the error. The FPN would then be provided to ACRO for it to be rescinded. The Panel felt that this was an important step for the Constabulary to provide confidence within communities. A member asked that further clarification when a FPN was to be rescinded and to confirm that an individual would not have a criminal record. Superintendent Patrick agreed to update the letter to make this clear to individuals.

Of the 475 tickets issued 8 had been rescinded giving an error rate of 2% which was well below the national average. Following a discussion, the members proposed that they carry out a dip sample of the FPN's which were issued during February, March and April 2021. This would then enable them to identify whether the changes implemented by the Constabulary had been successful and provide assurance. Mr Webster advised that the Constabulary were envisaging a busy summer, due to large events taking place such as Appleby Horse Fair, Kendal Calling, The Keswick Convention and The Solfest Music Festival. In addition, officers and staff would be taking annual leave which previously they could not due to the pandemic. Taking all of this into account Mr Webster advised that the Constabulary would need to consider whether or not they would be able facilitate the dip sample request and would report back to the Panel.

During a previous COVID-19 FPN dip sample a member had raised a query in relation to some tickets which were issued in the south of the county and whether any profiling had taken place

leading to the stop. They again asked for assurance on this matter and it was agreed that the information would be provided and the FPN's reviewed.

In response to a member's question, Superintendent Patrick advised the meeting that ACC Slattery remained head of the gold command group for the Constabulary's COVID response. A strengthened governance process with partners sat under the Director of Public Health within Cumbria with a view to containing the virus spread. It was recognised that the coronavirus may see an increase in the autumn and winter months therefore the ability to have systems and groups in place to deal with it was essential.

- Agreed;** that,
- (i) the report be noted;
 - (ii) Superintendent Patrick agreed to update the letter to make it clear to individuals that they would not have a criminal recorded when an FPNA was rescinded;
 - (iii) the Panel potentially carry out a dip sample of Fixed Penalty Notices issued during February, March and April, dependent upon the Constabulary's capacity; and
 - (iv) a response regarding the identified Fixed Penalty Notices be provided to the Panel;

19. STAFF GRIEVANCES

During the reporting period of 1 November 2020 to 31 March 2021 the Constabulary had 7 new grievances and 1 ongoing grievance of which 3 were dealt with. A number of the issues raised related to dissatisfaction regarding perceived less favourable treatment either from line management or a police procedure.

A number of the grievances were dealt with either informally or at Stage 1. One outstanding grievance was awaiting confirmation whether it will be resolved at Stage 2 or progress to Stage 3.

The Constabulary's Grievance Policy, Procedure and Guidance were currently being reviewed and a copy of these would be provided to the Panel.

The Panel Chair briefed the meeting on the findings of the dip sample process of finalised cases. Comments and feedback were provided to the HR Manager at the time of the session, including the need to ensure mentors were in place for officers when required. During the dip sample discussions it was agreed that a copy of the Constabulary's updated Grievance Policy and Procedure Guidance would be provided to the Panel.

- Agreed;** that,
- (i) the report be noted; and
 - (ii) a copy of the Constabulary's updated Grievance Policy and Procedure Guidance be provided to the Panel.

20. OFFICER & STAFF UPDATE

Superintendent Stalker provided a verbal update to the Panel in relation to the Constabulary's officer recruitment. The Constabulary's target of 1250 had been met and establishment now stood at 1272. A series of 6 intakes by 2023 would see the Constabulary recruit 145 officers to allow for retirements and leavers taking the establishment ultimately to 1,325.

Candidates for the degree entry programme currently stood at 170 with 171 for the apprenticeship could be called upon as part of the recruitment process. The Constabulary had also carried out direct recruitment for police detectives. A member asked whether the Constabulary were retaining and developing officers once they had been appointed and throughout their careers. Supt Stalker advised that mentors and buddies were being assigned to newly appointed officers with line management and supervision support to prevent attrition.

A number of initiatives had been introduced to support officer and staff during the COVID-19 pandemic including lateral flow tests (LFT), vaccination and the amendment of policies to allow more agile working. A report on health, wellbeing and support for officers and staff, including regarding COVID-19 would be provided to the Panel meeting in August.

The Constabulary were introducing a Conscious Inclusion Accreditation Programme and an would be provided to the Panel for their next meeting on what this involved and how it was being rolled out across the Constabulary.

Agreed; that,

- (i) verbal report be noted;
- (ii) a report on health, wellbeing and support for officers and staff, including regarding COVID-19, would be presented to the Panel meeting August; and
- (iii) a report on the Constabulary's Conscious Inclusion Accreditation Programme and how it was being rolled out across the Constabulary to be presented to the August Panel meeting.

21. INTEGRITY

The Panel Chair thanked the Head of Professional Standards Department and Panel members for their input and work on the revamped report. The report reported on quarter four of 2020/21 and also provided comparison data for the previous 2 years.

The report illustrated a 25% increase in the number of complaints and allegations received within the department during quarter 4. During the year a total of 1422 complaints were recorded with 8% of these being de-recorded as they were subsequently dealt with outside the formal complaints process. DCI Smith advised that PSD were due to carry out a review of the de-recorded cases to understand why and what if any changes were required to procedures to reduce this in the future.

Body Worn Video footage was providing useful independent evidence to enable PSD to resolve complaints. Currently BWV was used in 76.9% of cases where use of force was used and a

member asked whether or not PSD were able to understand why it was not used in the remainder of cases. DC Smith advised that use of force complaints were being marked on the Centurion system as to whether BWV was used or not and would inform future work. Internal messages to officers and staff indicating the benefits of ensuring BWV was switched on when attending incidents were being circulated.

Following discussion, it was agreed that future reports should contain information regarding the number of incidents and interactions officers and staff had with members of the public. This would then allow a comparison against how many complaints were received from members of the public and provide context for the Constabulary which could then inform training or identify trends.

In relation to conduct matters it was noted that the number of cases had dropped from 24 to 13 in quarter 4 with Covid-19 breaches continuing to make up nearly half of these. This could be a simple matter of not wearing PPE appropriately when on duty to more serious issues. Overall during 2021/22 there had been 65 cases recorded leading to a 110% increase. The majority of cases in quarter 4 had been finalised as 'No Case to Answer' with advise that individuals undertake Learning from Reflection (RPRP) regarding the issues for which they were reported. Following discussion, it was agreed that the Panel would discuss the Performance Requiring Improvement (PRI) process at their next meeting.

Work was being carried out with student officers to engage and brief them on potential circumstances risks and re-affirming key messages and use of BWV in order to prevent them from being subject to misconduct. During Q4 the number of intelligence reports received by the Anti-Corruption Unit had decreased and was attributed to the effects of the third lockdown.

Agreed; that,

- (i) the report be noted;
- (ii) future reports contain data relating to the number of incidents and interactions the police attended to provide context
- (iii) the Panel discuss the Performance Requiring Improvement (PRI) process at their next meeting;

22. OPCC COMPLAINTS AND QSPI

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

The OPCC had seen a continued increase in members of the public writing to the Commissioner to make a complaint regarding a police officer or staff member. As the OPCC had no statutory authority to deal with these, the individual was provided with the contact information for the Constabulary's Professional Standards Department.

During the reporting period 1 complaint regarding the Commissioner and 1 complaint regarding the Chief Constable had been received. Both were being assessed and being progressed by the appropriate authority.

During 2020 the OPCC had received 32 requests for reviews of the outcome of their complaint with Cumbria Constabulary, of which 12% were upheld. Up to 31 March 2021 12 requests had been received with 8% being upheld. The OPCC were receiving on average 4 review requests per month. A member asked how long it took to carry out a review and were advised that this would be assessed and reported back to the Panel at their next meeting.

The number of QSPI's received by the OPCC continued to increase with 157 being received up to 31 March 2021. The report identified the 4 main issues raised as being – driving issues, miscellaneous (including coronavirus issues), crime and police service dissatisfaction. Correspondence from members of the public highlight to the Commissioner issues that are concerning local communities. In addition to individuals receiving a response, the information gathered is used to look at how assistance or changes can be provided throughout Cumbria.

These included funding of £11,513.46 for local communities to support road safety outside schools, with young people who were soon to be new drivers, and drink/drug driving related awareness materials. A 'Get Safe Online' campaign has been developed with partner agencies to raise public awareness of the risk and danger of online crime and how to keep safe. A cyber-crime and security focused Facebook surgery also took place in January 2021.

A Safer Streets project had secured £436,994 from the Home Office Safer Streets Fund to help reduce the number of burglary offences in Barrow. The funding provided 200 home security packs which included DNA property marking kits and were delivered to residents by community volunteers. New and upgraded street lighting had been installed within a dedicated area of Barrow. The members were keen to see what effects the project had in reducing crime within the area. The OPCC Chief Executive agreed that this would be provided to the Panel at their Panel meeting in November.

Agreed; that,

- (i) the reports be noted;
- (ii) the time taken to carry out a review be provided to the Panel at their August meeting; and
- (iii) the Panel be provided with an update on the effects of the Safer Streets Project at the November meeting.

Meeting ended at 4.50 pm

Signed: _____
Panel Chair

Date: _____



Report for the Ethics and Integrity Panel on Cumbria Constabulary Property Stores.

The Ethics and integrity Panel requested an update be provided to the Panel regarding how the potential for complaints or civil claims are being avoided.

To reduce the risk of property being damaged or complaints being received the Constabulary seeks to retain property for only as long as it is needed and to restrict the access to property stores to a small team of Police Staff who manage the property stores.

The Constabulary has undertaken the following measures to reduce the risk of complaints or civil claims relating to property:

1. On the 24th August 2021 a need to know article was circulated reminding staff to 'Retain property only as long as is necessary'. - <https://intranet.cumpol.net/news/Pages/Retain-property-only-as-long-as-is-necessary-.aspx>
2. A 'spring cleaning exercise' is currently underway to reduce the number of items within the store – the fewer items the less risk of damage or complaints about retention times.
3. A property performance management Power BI tool has been created which enables the monitoring of property across all of the Constabulary's stores. This enables better strategic property management to be fulfilled over a longer term, which enables trends to be identified and also that property need only be stored for the necessary amount of time.
4. The access to bulk / long term property stores has been restricted to Police Staff who manage the property stores, reducing the access is anticipated to reduce the risk of accidental damage or accidental disposal.

By undertaking the above activity this addresses the issues identified in the NWROCU Review of Cumbria's Property Management.

Ethics and Integrity Panel



Peter McCall

Disproportionality Working Group Update

Date: 5th August 2021

Agenda Item No: 05

Originating Officer: Chief Superintendent Sarah Jackson

Introduction & Background

This paper outlines the steps Cumbria Constabulary has taken to build on the commitment given by all Chief Constables in January 2021 to “act on issues of diversity and inclusion and concerns about racial inequalities, including the experiences of Black people in policing and the criminal justice system” reaffirming the “commitment to tackle the wrongs of racism, bias and discrimination wherever they are found in policing”. It will also assist the constabulary in delivering against the recommendations in the recently published report by HMICFRS; *Disproportionate use of police powers: A spotlight on stop and search and the use of force* ([justiceinspectorates.gov.uk](https://www.justiceinspectorates.gov.uk)).

The stark scenes during the Black Lives Matter protests demonstrated the deep-rooted lack of confidence in policing from the black community. This action represents years of perceived disparity. Locally, through our Covid response, we recognised there was disproportionality in our actions.

In response to the challenge, the Constabulary established a Disproportionality Working Group (DWG), chaired by Chief Superintendent Sarah Jackson, which brings together senior leaders and staff association members from across the organisation to deliver against the agreed strategy.

DWG Strategy:

- Make best use of our data to bring insight regarding the use of our powers when interacting with people from a Black, Brown or a minority ethnic background.
- Act to remedy any occurrences where we find evidence of bias, discrimination, or disproportionality, and use the learning to prevent repetition.
- Listen to, and work with people with lived experience to take credible action to change policies, culture, and practice that perpetuate biased ideas and action; we endeavour to become an anti-racist organisation.
- Develop an innovative and candid communications strategy that provides reassurance to the public and our workforce of our commitment to action and progress.
- Ensure our staff are sufficiently capable to respond effectively, and compassionately, when Black, Brown and minority ethnic people are victims of crime, offering a high quality and victim focussed service.

- Work with our partners to understand and address the long-term drivers of systemic racial disparity.

Overall Aim

- When people from a Black, Brown or minority ethnic background live in, work in or visit Cumbria feel confident they will be treated fairly, without fear of discrimination.
- Through the transparent sharing of our data and our commitment to action, our ambition is to improve confidence and satisfaction in the delivery of our services.

Interim Update on DWG delivery:

1. The OPCC has supported the Constabulary to commission Anti-Racist Cumbria [Anti Racist Cumbria : Anti Racist Cumbria](#) (as people with lived experience) to work with us and bring insight to our data (both operational and organisational), policies, procedures and culture. A summary of the consultancy agreement is attached with the main activity occurring over a three-month period, June – August 2021. The collaboration has been announced through various media outlets.
2. Commissioned analysis regarding our interaction with Black, Brown and other ethnic minority groups in relation to Stop and Search, FPNs (plus a limited Covid Engagement data set), voluntary attendance for interview, arrests and use of force. This information (The Proportionality Report v.3*) has been shared with Anti-Racist Cumbria who will seek to bring further insight, enabling the generation of credible recommendations.
3. Internal “Safe to Say” survey which sought the views of constabulary employees regarding how inclusive they perceived their employer to be. The results are currently being analysed (by AR Cumbria) but will not be available in time for the next panel meeting.
4. Throughout July 2021 Anti-Racist Cumbria will finalise a series of focus groups they have held with:
 - The Chief Officer Group
 - DWG - Disproportionality working group (includes Fed & Unison)
 - Head of People
 - Strategic Lead for IAGs and Use of Force / Stop and Search.
 - Learning & Development
 - Professional Standards Lead
 - Diversity Equality and Inclusion Chair
 - The Positive Action team
 - Black and Brown staff
 - Black and Brown Officers & Multicultural Policing Association
 - White Police Staff
 - White Police Officers
5. Throughout August 2021, Anti Racist Cumbria will continue to hold focus groups with:
 - Black and Brown People who have been victims of hate crime

- Black and Brown People who have been a victim of crime and been referred to Victim Support
- Black and Brown People who have experienced an interaction with Cumbria Constabulary, and that particular interaction was later analysed (Use of Force, Stop and Search, Arrests, Voluntary attendance, Covid Engagements and FPNs)

Expected Consultant Outputs (September 2021):

- Written report documenting all findings, conclusions, and recommendations arising from the Consultancy
- Co-author a Cumbria Constabulary Inclusion and Race plan, which will have clearly defined SMART outcomes, service standards / performance indicators which can be tracked through agreed governance structures.
- Contribution to the generation of a stakeholder and communications strategy to reassure the public, our workforce, and our partners of our commitment.

Further updates can be provided at future Ethics and Integrity panels if required.



Chief Superintendent Sarah Jackson

22/7/21

Ethics and Integrity Panel



Officer & Staff Update re COVID19 and the Wellbeing of Officers and Staff

Date: 29 July 2021

Agenda Item No: 06a

Originating Officer: Supt Dave Stalker

CC:

A: General Health and Wellbeing

1. Risk Assessment to identify vulnerable officers and staff – all officers and staff were asked to complete a baseline risk assessment via our SharePoint portal to identify those who may be at greater risk from CV19. Occupational Health then conducted follow up interviews for those with disclosed conditions as identified by government guidelines. Using the ALAMA COVID Age calculator officers' staff were RAG rated accordingly and given advice on whether they could remain in work or should work from home. Those in public facing roles, who were unable to continue to be at work were allocated alternative roles. Risk Assessments' were reviewed at regular intervals in light of changing data regarding CV19 as linked to specific medical conditions.
2. COVID Swabs conducted by OHU – at the start of the pandemic a service level agreement was developed between Occupational Health and Cumberland Infirmary Laboratory to undertake COVID swabs in-house. This provided early access for symptomatic officers, staff, and family members over 18yrs of age to have PCR testing. Results were provided within 12hrs, which helped to reduce absences.
3. BAME specific RA – as more scientific data became available regarding the increased risk to the BAME population, further risk assessment was undertaken by OHU. The OH Manager in consultation with force BAME lead wrote to all BAME officers/staff to outline data available, offer 1:1 appointment to discuss any concerns with an OH practitioner. BAME officers/staff in public facing roles were given the option to work from home in an alternative role if this was their preference.

4. Agile Working RA and follow up – critical business functions were identified early in the pandemic and recycling of laptops to facilitate homeworking initiated; 120 laptops were re-cycled during this time. In addition, the constabulary invested in a further 250 laptops and 250 Dex kits to support working from home.
All officers and staff were asked to complete an agile worker’s risk assessment, which was reviewed by Occupational health. Where indicated a telephone assessment was arranged with the Forces Physiotherapist/ergonomist to discuss the home set up, advise on safe working, and explore any ergonomic concerns and identify equipment needs; 279 telephone assessments have been undertaken. In addition, VLOGs and information were added to COVID intranet pages on exercise and home working to reduce the risk of mask problems. Follow up calls were made to ensure equipment had been received and was fit for purpose.
It remains the aspiration of the Constabulary to maintain agile working once entering a period of recovery and renewal.
5. Vaccination Monitoring – agreement in place with local NHS Trusts for an offer of early vaccination, where the vaccine would otherwise be destroyed due to non-attendance at planned clinics – Force Incident Manager contacted and advised on location and number of vaccines available. Beyond this the vaccination of officers and staff has been in line with government guidance linked to at risk groups and ages.
6. Long COVID – information published on the COVID intranet pages to advise officers/staff about Long COVID. Further guidance produced by the Society of Occupational Medicine for line managers also added. OH adopting a multi-disciplinary approach to the management of any long COVID cases with an OH nurse adviser case manager along with access to physiotherapy and CBT as indicated by symptoms.
7. Mental Health – the force has an award-winning resilience programme, ‘Wiser Mind’, which was designed by and is managed by the force psychotherapist following CBT assessment. Investment in the ICT infrastructure enabled the force to adjust the programme so that concerns about the impact of the pandemic were included and launch it on the Teams platform. All officers and staff were offered the opportunity to participate and to date 369 have attended.

B: Health and Safety Measures

8. Signage

Signs have been placed in all areas of the estate to inform officers and staff of measures to be followed e.g.

- Maintain 2 metre social distance where possible
- Wash hands regularly or use hand sanitiser
- Maximum room occupancy (kitchens, toilets, gyms and communal areas)

- Floor signs instructing one-way system or keep left in corridors or stairs
- Best practice – “Maintaining the standards” information signs
- Posters are displayed with current PPE guidance and control measures

9. Office and workspace configuration

Officers and staff have been instructed to work from home unless their role cannot be performed without coming into the workplace. Control measures put in place within office and workspace areas include.

- Staff rotation – limiting the number of staff in the workplace at any one time allows more space and reduces close contact with colleagues.
- Screens have been placed around the workstations in CMR
- CMR has been spread over 2 floors allowing desks to be spaced out
- LDC and PDU training areas have been risk assessed with 2 mtr desk separation and floor markers for distancing
- Workstations in offices have been either moved to create a safe distance from others, removed completely to allow more space or isolated to prevent use to allow a physical separation.

10. Sanitiser stations

Sanitiser stations have been placed at all building entrances and around the various departments with a ready resupply available. Signs are also in these areas to remind and encourage the use of sanitiser.

11. PPE provision

All elements of PPE are in plentiful supply and positioned around the estate for use by officers, staff, visitors, contractors and volunteers. The four main elements of PPE for COVID 19 are:

- IIR Fluid Resistant Surgical Mask
- Nitrile Gloves (Non-Latex)
- Eye protection (Goggles) when required
- Disposable Apron

Additional PPE items are also available for specific circumstances

12. LFT provision

Lateral Flow Testing has been in place within the constabulary since February 2021, initially for in work testing but now the preferred method is home testing. Home testing gives us an early indication of possible infection prior to the member of staff coming into the workplace and potentially infecting others. Although not mandatory, it is advised to be carried out twice a week as a minimum or if feeling unwell or in doubt.

There are plenty of kits freely available and stores have done a great job of allocating, packaging and delivering LFT kits to all areas. At some point in the future the supply agreement with the Department of Health and Social Care will cease and the responsibility of obtaining kits will fall to the individual. The kits can then be sourced through local pharmacies, GP surgeries and online suppliers. There is currently no shortage of kits in stores or in areas.

13. Anti-Viral wipes and sprays

HQ stores have supplied disinfection products such as anti-viral wipes and sprays since the pandemic began, for use when cleaning down workstations at the start and end of the day/shift. Wipes are also placed in every vehicle to disinfect touch points within the vehicle and a procedure is in place for carrying this out. Procurement have been provided with a list of authorised products which are recommended, safe and meet the standards required.

14. Clinical waste bags and bins

The introduction of 'in work' lateral flow testing created an increased amount of what was initially classed as clinical waste which requires specific control and disposal methods. All areas have been provided with orange/yellow clinical waste bags and bins and the main stations also have new lockable wheely bins which are emptied under contract through the estates department. The regulations have since changed on this and LFT waste can now be disposed of in normal domestic waste. Once home testing was established the amount of waste was reduced as well

15. Specific training and provision for Aerosol Generated Procedures (Custody)

It was identified through the NPCC and College of policing that there was a greater risk of transmission of the virus in custody when carrying out evidential breath testing. Due to the rooms being generally small, confined spaces with limited natural ventilation and the DP must remove their mask to conduct the test, this was assessed to be an aerosol generating procedure. Enhanced PPE in the form of the FFP3 face mask is therefore required for the procedure. Eight officers were therefore trained to conduct face fit testing, which is a legal

requirement when using FFP3 masks, for selected staff within each custody suite. Any staff member carrying out evidential breath testing must wear the FFP3 and be face fit tested for that mask. This ensures we are giving our staff suitable respiratory protection for carrying out this procedure.

16. Guidance, Information, Instruction, and Training

As well as visual signs, posters and instructions around the estate there is a large resource of online information available to all officers and staff. Videos have been produced to explain and demonstrate the correct method of donning and doffing PPE as well as how to conduct a lateral flow test, backed up with online training sessions.

Comprehensive guidance documents are available under the Coronavirus section of the force intranet on PPE (including the NPCC interactive guidance), safe systems of work and operational procedures. Information and instruction has been regularly published through the Op Lectern Gold and silver meetings for dissemination and the weekly ACC briefing has provided a constant passage of information and instruction.

17. Cleaning and disinfection

An enhance cleaning schedule was introduced very early in the pandemic through the contracted cleaning company were midday cleaning was introduced for busier communal areas and touch point specific areas targeted. Instructions have been communicated through departmental risk assessments for personal responsibility within work areas. Keeping work areas clean and tidy, not sharing workstations and cleaning work areas and vehicles before, during and after shifts.

18. Lift sharing

Lift sharing was not permitted under legislation and therefore officers and staff were instructed not to do so, however with the change in legislation recently this is now allowed with advice to:

- Only share a vehicle if absolutely necessary
- Wear face coverings/masks whilst in the vehicle
- Keep windows open for fresh air
- Try to have a distance between passengers in the vehicle



Grievance Policy and Procedure

Policy & Procedure:	Grievance
Approved by which board (or Chief Officer) and date:	
Owner:	Head of People
For release under Freedom of Information?	Yes
Contact for advice:	Human Resources
Support information: (List any legislation, APP, other policies, etc. that this policy & procedure complies with)	
Review date: (Policy & Procedure must be reviewed every 3-years)	July 2024

Amendments made (Please detail the amendment(s) made and when)	July 2021
Date and Version Number	Business Board April 2018

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The Code of Ethics is at the heart of all our policies and procedures and underpins our decision-making.

1 The Code of Ethics

The Code of Ethics applies to everyone who works in policing in England and Wales. It sets out the principles and standards of behaviour expected of Police personnel, whether a warranted officer, police staff, volunteer or someone contracted to work in a police force.

“Doing the right thing and doing it the right way”

The code consists of two parts:

1. Policing Principles
2. Standards of professional behaviour

The Policing Principles are

- Accountability – you answerable for your decisions, actions and omissions.
- Fairness – you treat people fairly.
- Honesty – you are truthful and trustworthy.
- Integrity – you always do the right thing.
- Leadership – you lead by good example.
- Objectivity – you make choices on evidence and best professional judgement.
- Openness – you are open and transparent in your actions and decisions.
- Respect – you treat everyone with respect.
- Selflessness – you act in the public interest.

Each principle links closely to [The Police Standards of Professional Behaviour](#), which are

<p>1. Honesty & Integrity I will be honest and act with integrity at all times, and will not compromise or abuse my position</p> <p>2. Authority, respect & courtesy I will act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy. I will use my powers and authority lawfully and proportionately and will respect the rights of all individuals</p> <p>3. Equality & diversity I will act with fairness and impartiality. I will not discriminate unlawfully or unfairly</p>	<p>4. Use of force I will only use force as part of my role and responsibilities, and only to the extent that it is necessary, proportionate and reasonable in all the circumstances</p> <p>5. Orders & instructions I will, as a police officer, give and carry out lawful orders only, and will abide by Police Regulations. I will give reasonable instructions only, and will follow all reasonable instructions</p> <p>6. Duties & responsibilities I will be diligent in the exercise of my duties and responsibilities</p>	<p>7. Confidentiality I will treat information with respect, and access it or disclose it only in the proper course of my duties</p> <p>8. Fitness for work I will ensure, when on duty or at work, that I am fit to carry out my responsibilities</p> <p>9. Conduct I will behave in a manner, whether on or off duty, which does not bring discredit on the police service or undermine public confidence in policing</p> <p>10. Challenging or reporting improper behaviour I will report, challenge or take action against the conduct of colleagues which has fallen below the standards of professional behaviour</p>
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2 POLICY

This policy will support the Constabulary mission to deliver an outstanding police service to keep Cumbria safe.

The Constabulary will take appropriate steps to ensure that all officers and staff understand this procedure and related statutory requirements and that it is publicised within the Constabulary and is available in alternative formats upon request. Appropriate training will be provided to managers.

Policy statement

The Constabulary strives to promote harmonious working relationships between officers, staff and managers, however there will be occasions when people are unhappy about work related matters or with the way they have been treated at work by the Constabulary or managers acting on its behalf. The Constabulary accepts that its employees have the right to express a grievance and for the Constabulary to respond to it and keep proceedings confidential.

This policy and procedure provide a clear framework to deal with grievances fairly, consistently and speedily. The procedure takes into account current employment legislation together with the ACAS Code of Practice. The Constabulary will also have regard to the Code of Ethics in determining the treatment of each case according to the circumstances.

Aim

To promote effective employee relations by trying to resolve grievances, either individual or collective, as promptly and amicably as possible ensuring fairness and transparency at all times.

Many potential grievance issues can be resolved informally without the need to progress to the formal stage. Managers, officers, staff and staff associations are expected to approach the procedure with the commitment to engage in constructive discussion and to adopt a positive approach in order to resolve the grievance wherever possible, at the Informal Stage.

Scope

This Policy and Procedure applies to all Police Officers, Special Constables, Volunteers and members of Police Staff.

3 Procedure

Overview

Issues that may cause an individual to raise a grievance include but are not limited to the following:

Terms and conditions of employment	Health and safety
Work relations	New working practices
Working environment	Organisational change
Equality of opportunities (amends)	Discrimination

This list is not exhaustive, advice should be sought from Human Resources on any complaint not listed.

This policy and procedure shall not apply to matters where separate procedures exist for example the Police Officer Promotion and Development Policy or allegations of bullying and harassment which will be dealt with in accordance with the Dignity and Respect Policy.

In addition, it will not apply where an individual decides to make a protected disclosure in accordance with the Constabulary's Confidential Reporting Policy and Procedure (whistle blowing procedure).

Officers / staff should raise grievances informally without unreasonable delay and managers should seek to address them as soon as practicable. Resolution should be the preferred outcome, this should be agreed where possible but it is not essential and may not always be possible or achievable.

Representatives, managers, fellow personnel and witnesses accompanying and assisting individuals are not to discuss any matters of the case other than with those involved. Grievance records will be kept strictly confidential. Breach of confidentiality may give rise to disciplinary action.

Victimisation, including unfair, less favourable or inappropriate behaviour towards any party to a grievance is unlawful and will be regarded as a disciplinary matter.

All formal meetings will be held without unreasonable delay.

Individuals have a statutory right to be accompanied by a fellow worker, a trade union representative or an official employed by a trade union of their choice at any formal stages of the procedure. No pressure will be placed upon any individual not wishing to act as a representative.

When a grievance is raised the conditions existing prior to the grievance being raised will remain unless a continuance of this would contravene statutory requirements. Wherever practicable, a status quo arrangement will operate until either the grievance has been resolved or the procedure has been exhausted.

The Constabulary Diversity Manager will be made aware of any grievance submitted which relates to any protected characteristics or discriminatory practice.

Any individual(s) found to be raising vexatious complaint(s) may be subject to disciplinary action as may any witnesses who are found to have deliberately misled any investigation.

Where a grievance is raised that restates an issue that is either, already being dealt with, or has previously been dealt with and there is nothing new being raised then the grievance will be rejected.

If an individual is absent due to sickness advice from the Occupational Health Unit may be sought on their fitness to participate in the process.

If an individual leaves prior to the grievance being resolved / completed

The grievance manager (in conjunction with Human Resources) will determine; how the grievance will be managed and whether it is appropriate to conclude any further enquiries or investigation. Any outstanding matters may be addressed by correspondence without the need for face to face meetings.

Collective grievances

Where more than one individual has the same grievance(s) this may be dealt with collectively and should be raised with the management directly responsible for the area / department concerned. Representation may be made by a trade union official or a maximum of two individuals from the group raising the collective grievance. The outcome will apply to all individuals who raised the original grievance and may also apply to other individuals.

Grievance and disciplinary cases

Where an individual raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently, in this instance Professional Standards will be advised to consider, in conjunction with Human Resources, how to proceed on a case by case basis.

Mediation

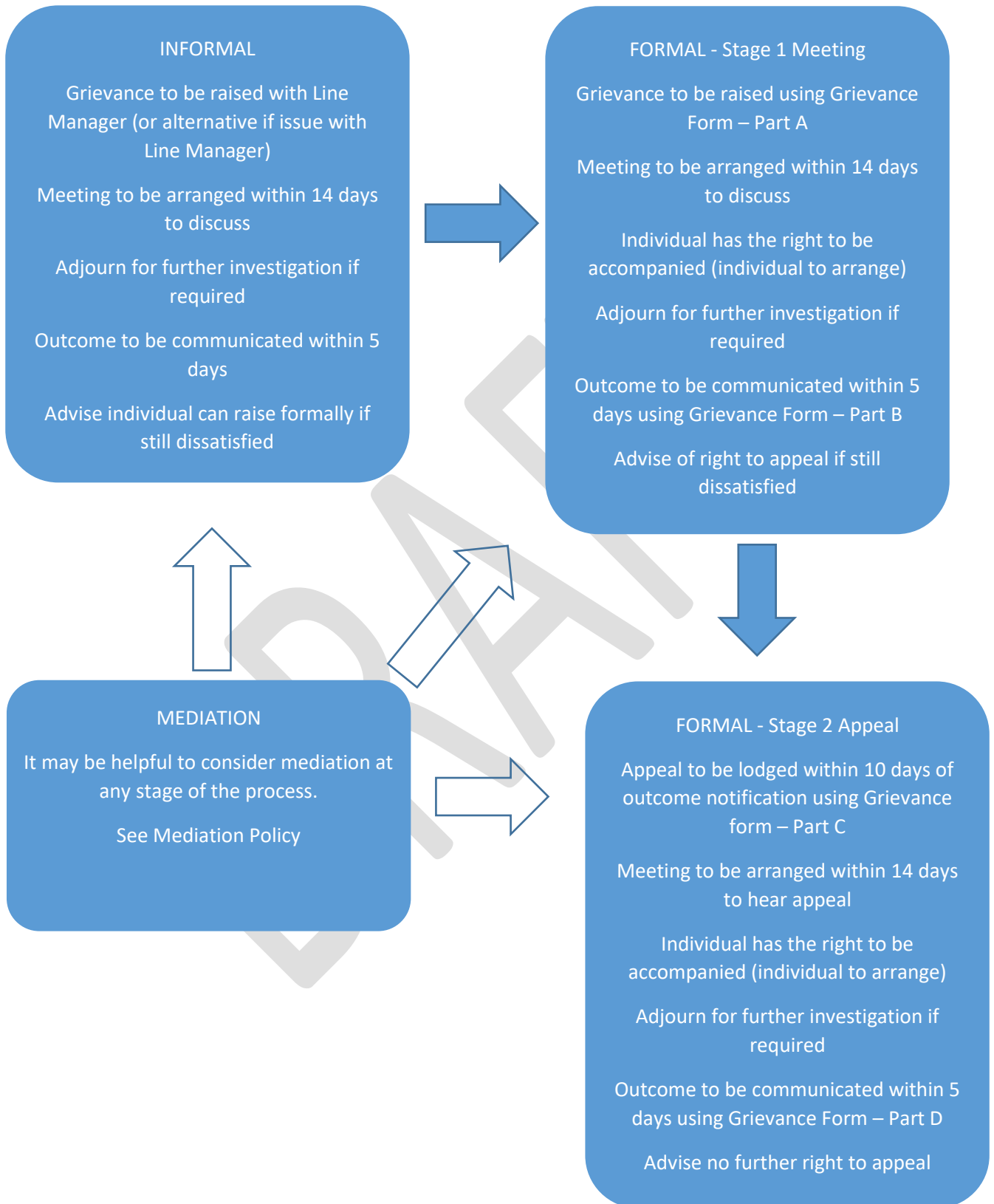
Mediation is a completely voluntary and confidential form of alternative dispute resolution. It involves an independent, impartial trained mediator helping two or more individuals, or groups, to reach a solution that's acceptable to everyone. Mediators do not make judgements or determine outcomes.

The overriding aim of workplace mediation is to restore and maintain the employment relationship wherever possible. This means the focus is on working together to go forward, not determining who was right or wrong in the past.

Many kinds of dispute can be resolved through mediation if those involved want to find a way forward. It can be used at any stage in a dispute but is most effective if used early on.

For further details refer to the Constabulary's Mediation Policy, [- LINK](#)

Flow chart



4 WHAT DO I NEED TO DO? (officers and staff)

Those raising grievances have a responsibility to act impartially, in good faith and to show commitment to the resolution process making every effort to participate in meetings. You must be clear about the issue(s) to which you seek a resolution and the outcome required avoiding language which may be considered insulting or abusive.

You have the right to be accompanied at any formal meetings by a co-worker or union / Federation representative, it is your responsibility to arrange this.

Consider the use of Mediation at any stage of the process, as appropriate.

Informal

You should aim to settle your issue(s) informally with your line manager in the first instance with the aim of reaching an agreed solution. You may be asked to put your grievance in writing to assist the manager in understanding the issues raised.

If your issue(s) relates to your manager, you should discuss the issue with your second line manager or an alternative manager.

If no satisfactory resolution can be obtained, after all informal approaches have been exhausted, the matter should be raised via the formal resolution process.

Formal

Stage 1 - Meeting

Set out the grievance in writing and the preferred resolution, using Grievance Form Part A ([link to forms library](#)). Use the form to identify any relevant witnesses / representation and authorise the manager to approach them.

If you wish to apply your right to be accompanied by a co-worker, a trade union / Federation representative or an official employed by a trade union you must arrange this and include their name on the form.

The grievance should be submitted to your line manager or second line manager if the grievance is about the first line manager.

If you remain unsatisfied with the outcome you have the right to appeal.

Stage 2 - Appeal

Set out your reasons for appeal and preferred resolution, using the Grievance Form - Part C ([link to forms library](#)).

If you wish to apply your right to be accompanied by a fellow worker, a trade union representative or an official employed by a trade union you must arrange this and include their name on the form.

The appeal should be submitted to the HR Department.

The outcome of the appeal is final and there is no further right of appeal.

5 WHAT DO I NEED TO DO? (managers and supervisors)

You have a responsibility to act impartially in good faith and to show commitment to the resolution process. Those addressing grievances must take personal responsibility for the resolution process.

A Human Resources Representative will be allocated to provide appropriate support and advice in the operation of the formal stages of this procedure.

You should ensure that the individual has a copy of the grievance procedure and understands the process that will be followed.

Individuals have the right to be accompanied at any formal meetings by a co-worker or union / Federation representative, it is the individuals responsibility to arrange this.

Ensure any reasonable adjustments are made to facilitate the individual's participation in the process. If the individual is on sickness absence, advice can be sought from the Occupational Health Unit on fitness to participate in the process.

Any reasonable adjustments that may be required will be made on a case by case basis advice can be sought from Human Resources and the Occupational Health Unit.

Consider the use of Mediation at any stage of the process, as appropriate.

Informal

Once notified of a grievance you should arrange to meet with the individual at the earliest opportunity to discuss the issue(s) raised, keeping HR informed at each stage.

If the grievance is submitted verbally you may ask the individual to follow it up in writing, to assist you in fully understanding the nature of the grievance and the resolution sought.

Conduct any research / establish relevant facts as appropriate. Subject to agreement, approach others who may be able to inform or assist a resolution.

When you meet with the individual ensure they are given the opportunity to fully explain the issue(s) and explain the resolution sought.

You should keep a written record of the discussions and outcome within 14 calendar days and meet with the individual to confirm the outcome within 5 calendar days, unless there are reasons for a delay, which will be explained to the individual.

If after all informal resolution options have been explored, the individual remains dissatisfied with the outcome you should advise / explain they can raise the grievance at the formal stage, using Grievance Form – Part A ([link to forms library](#)).

Stage 1 - Formal

Set up a formal meeting in a confidential setting within 14 calendar days unless there are reasons for a delay, which will be explained to the individual.

Note agreement to approach any third party who may be able to assist in formulating a solution or with relevant facts and conduct any investigations required to ascertain relevant facts.

Arrange for any relevant third party witnesses to attend the meeting as necessary and for Human Resources to attend as management adviser.

Chair the grievance meeting and determine resolution. The aggrieved party must be allowed to fully state the grievance. Any representative must be allowed to speak in support of the aggrieved party.

Consider if appropriate to refer the matter to a different procedure.

Decisions will be communicated and confirmed in writing using the Grievance Form Part B [\(see forms library\)](#) within 5 calendar days unless there are reasons for a delay, which will be explained to the employee.

Outcomes should be actioned as appropriate and will be communicated by the manager dealing with the grievance.

Ensure the individual is advised of their right of appeal should they remain dissatisfied with the outcome.

Stage 2 - Appeal

Any appeal should be made in writing using Grievance Form Part C [\(see forms library\)](#) and sent to HR within 10 calendar days of receiving the outcome.

A meeting will be arranged to hear the appeal within 14 calendar days unless there are reasons for a delay, which will be explained to the individual.

Arrange for Human Resources to attend the appeal meeting as management adviser.

Inform the aggrieved of the time, date and arrangements for the appeal meeting including, other attendees.

Chair the appeal meeting and determine resolution. The aggrieved party must be allowed to fully state the reasons for the appeal.

The resolution may be to maintain original stance; alter the original stance as appropriate; refer the aggrieved and the resolution of the matter to a different procedure.

Decisions will be communicated and confirmed in writing using the Grievance Form Part D [\(link to forms library\)](#) within 5 calendar days unless there are reasons for a delay, which will be explained to the employee.

Advise there is no further right of appeal.

Outcomes should be recorded and actioned as appropriate and will be communicated by the manager hearing the appeal.

6 WHAT DO I NEED TO DO? (any specialist function)

Human Resources

Will be available to offer advice on the correct interpretation and application of terms and conditions of employment, policies and procedures and the appropriateness of the procedure in resolving complaints.

Will take responsibility for monitoring and recording any grievance submitted, sharing data with Professional Services and the use of mediation, where this is deemed appropriate.

Trades Union / Federation representatives

Provide advice and support to members on and during the process, including assistance on completing the forms if required as a reasonable adjustment by the individual.

Trades Union / Federation will ensure all representatives are sufficiently trained in the role of acting as a members companion.

7 EQUALITY ANALYSIS

An Equality Analysis must be completed before and during development of a policy and procedure to inform its content, and the template presented below must be used.

The Equality Duty has three aims:

- **Eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Equality Act 2010.
- **Equality of opportunity** between people who share a protected characteristic and people who do not share it.
- **Foster good relations** between people who share a protected characteristic and people who do not share it.

DRAFT

1. What is the potential impact in relation to the General Duty of this proposal on each of the protected groups below?

Protected characteristics	Positive Impact				Negative Impact (provide details and mitigating actions taken or proposed)	No Impact (v)
	Does the proposal:					
	eliminate unlawful discrimination (provide details)	advance equality of opportunity (provide details)	Foster good relations (provide details)	Other positive impact (provide details)		
Age	A grievance can be raised if a person perceives that they are being discriminated due to their age. By having a grievance policy all discrimination issues will be addressed with consideration given to the Equality Act, which will eliminate discrimination	Any member of staff or officer can utilise this policy and procedure to raise concerns if they feel that they are being discriminated against due to their age giving the person concerned the opportunity to resolve a problem	By having a structured policy, those that are aggrieved can follow a process with confidence therefore fostering good relations	The Policy and Procedure will assist in embedding the principles of the Code of Ethics and Well Being at Work	None	
Disability	The policy will adhere to the Equality Act therefore facilitating reasonable adjustment if required. Any issues raised concerning a disability through the grievance procedure will be dealt with eliminating unlawful discrimination	Any member of staff or officer can use this policy and procedure to raise concerns if they feel that they are being discriminated against due to their disability, giving the person concerned the opportunity to resolve a problem	By having a structured policy, those that are aggrieved can follow a process with confidence therefore fostering good relations	The Policy and Procedure will assist in embedding the principles of the Code of Ethics and Well Being at Work	None	

OFFICIAL – SENSITIVE

Sex	The policy will apply to all, whether male or female.	Any member of staff or officer can use this policy and procedure to raise concerns if they feel that they are being discriminated. As the policy deals with all protected characteristics and the investigation into the grievance will be tailored to the needs of that person and the issues raised this will advance equality of opportunity	By having a structured policy, those that are aggrieved can follow a process with confidence therefore fostering good relations	The Policy and Procedure will assist in embedding the principles of the Code of Ethics and Well Being at Work	None	
Sexual orientation	A grievance can be raised if a person perceives that they are being discriminated due to their sexual orientation. By having a grievance policy all discrimination issues will be addressed with consideration given to the Equality Act, which will eliminate discrimination	As the policy deals with all protected characteristics and the investigation into the grievance will be tailored to the needs of that person and the issues raised this will advance equality of opportunity	By having a structured policy, those that are grieved can follow a process with confidence therefore fostering good relations	The Policy and Procedure will assist in embedding the principles of the Code of Ethics and Well Being at Work	None	
Gender reassignment	If a person undergoing/gone through/considering gender reassignment considers that they are aggrieved and their perception is that it is because they are transgender, then to have a grievance policy will	As the policy deals with all protected characteristics and the investigation into the grievance will be tailored to the needs of that person and the issues raised this will advance equality of opportunity	By having a structured policy, those that are aggrieved can follow a process with confidence therefore fostering good relations	The Policy and Procedure will assist in embedding the principles of the Code of Ethics and Well Being at Work	None	

OFFICIAL – SENSITIVE

	eliminate this aspect of discrimination					
Marriage and civil partnership	No Impact identified	No Impact identified	No Impact identified	No Impact identified	None	
Pregnancy and maternity	A grievance can be raised if a person perceives that they are being discriminated against due to maternity and pregnancy. By having a grievance policy all discrimination issues will be addressed with consideration given to the Equality Act, which will eliminate discrimination	Any member of staff or officer can use this policy and procedure to raise concerns if they feel that they are being discriminated against due to pregnancy and maternity giving the person concerned the opportunity to resolve a problem. As the policy deals with all protected characteristics and the investigation into the grievance will be tailored to the needs of that person and the issues raised this will advance equality of opportunity	By having a structured policy, those that are aggrieved can follow a process with confidence therefore fostering good relations	The Policy and Procedure will assist in embedding the principles of the Code of Ethics and Well Being at Work	None	
Race	A grievance can be raised if a person perceives that they are being discriminated against due to their race. By having a grievance policy all discrimination issues will be addressed with consideration given to the	By any member of staff or officer can utilise this policy and procedure to raise concerns if they feel that they are being discriminated due to their race giving the person concerned the opportunity to resolve a problem.	By having a structured policy, those that are grieved can follow a process with confidence therefore fostering good relations	The Policy and Procedure will assist in embedding the principles of the Code of Ethics and Well Being at Work	None	

	Equality Act, which will eliminate discrimination	As the policy deals with all protected characteristics and the investigation into the grievance will be tailored to the needs of that person and the issues raised this will advance equality of opportunity				
Religion and belief including non-belief	A grievance can be raised if a person perceives that they are being discriminated against due to their religion or belief. By having a grievance policy all discrimination issues will be addressed with consideration given to the Equality Act, which will eliminate discrimination in this respect	By any member of staff or officer can utilise this policy and procedure to raise concerns if they feel that they are being discriminated due to their religion or belief giving the person concerned the opportunity to resolve a problem. As the policy deals with all protected characteristics and the investigation into the grievance will be tailored to the needs of that person and the issues raised this will advance equality of opportunity	By having a structured policy, those that are aggrieved can follow a process with confidence therefore fostering good relations	The Policy and Procedure will assist in embedding the principles of the Code of Ethics and Well Being at Work	None	

If there is no potential impact (positive or negative) please provide a brief explanation why this is the case, e.g. the data utilised in arriving at the decision, summary of responses to consultation, etc.

Brief explanation of the ‘no impact’ decisions above

Although the grievance numbers are very low within the Constabulary there is a requirement that officers and staff have a procedure that will deal with issues and find resolutions that do not lead to disciplinary or formal action. Grievances are about resolving a problem, not apportioning blame. By having this policy and procedure all officers and staff have a mechanism to find resolutions and hopefully make the treatment/service better which has a positive impact. An Equality and Diversity monitoring form has been added to the grievance form to assist with better data collection and monitoring of any equality related issues in respect of grievances submitted.

8 DATA PROTECTION IMPACT ASSESSMENT

	DPIA Screening Questions	Yes	No	N/A
1	Will the project/policy involve the collection of new information about individuals?			
	(provide details)			
2	Will the project compel individuals to provide information about themselves?			
	(provide details)			
3	Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information?			
	(provide details)			
4	Does the project/policy involve multiple organisations, whether they are government agencies (e.g. as a joint working initiative) or private sector organisations (e.g. providing a service as data processor).			
	(provide details) If any shared data will be anonymised prior to being shared, please state here what will be shared and how it is anonymised.			
5	Are you using information about individuals for a purpose it is not currently used for, or in a way it is not currently used?			
	(provide details):			
6	Does the project/policy involve you using new technology which might be perceived as being privacy intrusive? For example, the use of biometrics or facial recognition.			
	(provide details):			
7	Will the project/policy result in you making decisions or taking action against individuals in ways which can have a significant impact on them?			
	(provide details)			
8	Is the information about individuals of a kind particularly likely to raise privacy concerns or expectations? For example, health records, criminal records or other information that people would consider to be particularly private.			
	(provide details)			
9	Will the project/policy require you to contact individuals in ways which they may find intrusive?			
	(provide details)			

Grievance Form A

Grievance Form – Part A - Stage 1 - resolution sought
This form should be used where the formal stage of the Grievance Procedure is being invoked.

To be completed by the individual making the complaint / raising the grievance	
Full Name:	Collar No.:
Job Title / Rank:	Area: / dept:
Nominated representative / co-worker:	

Nature and basis of your grievance(s) (being specific about: what happened, who was involved, dates and times as appropriate)

Detail the resolution sought.

Outline what attempts have been made to resolve the issue(s) informally, if none has been made please state why.

Are you willing to consider mediation?: Y / N (delete as appropriate)
--

Your signature:	Date:
------------------------	--------------

This form (along with associated documentation) should be submitted to your Line Manager (or second line manager where the grievance is against your line manager) keeping a copy for your own records.

Grievance Form – Part B - Stage 1 - outcome

This form should be used to record the outcome of the meeting which should be held within 14 calendar days of receipt of the grievance.

To be completed by manager considering the grievance

Full Name:	Collar No.:
Job Title / Rank:	Date of meeting:
Attendees:	

Please include details of any time extensions to deadlines and why these have been given

Outcome of meeting (which must include the decision(s) made, actions taken and reasons for these).

Managers signature:	Date:
----------------------------	--------------

By signing this form, the line manager confirms;

- *they have discussed all the issues the individual wishes to raise*
- *explained the right of appeal and steps to take*

Date form sent to individual:

To be within 5 calendar days of meeting unless extension agreed with individual

Copy to HRDepartment1@cumbria.police.uk

Grievance Form – Part D - Stage 3 - Appeal Outcome
This form should be used to record the outcome of the appeal outcome which should be held within 14 calendar days of receipt of the appeal.

To be completed by the manager hearing the appeal	
Full Name:	Collar No.:
Job Title / Rank:	Date of meeting:
Attendees:	

Please include details of any time extensions to deadlines and why these have been given

Outcome of appeal (including resolution options considered and any reasons why not adopted; referral to mediation; referral to alternative procedure; or reasons where resolution not achieved).

Managers signature:	Date:
----------------------------	--------------

- By signing this form, the line manager confirms;*
- *they have discussed and considered all the reasons for appeal*
 - *confirmed there is no further right of appeal*

Date sent to appellant: To be within 5 calendar days of meeting unless extension agreed with individual
--



Professional Standards Department

Ethics and Integrity Panel Report

2021/2022 Q1

July 2021

DCI Craig Smith – Head of Professional Standards

Hannah Pocock – Force Intelligence Analyst, Anti-Corruption Unit

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Background

This report combines areas dealt with by Professional Standards Department. Each section will commence with an executive summary followed by a detailed commentary and insight into each headline. A final section will cover other updates and hot topics of interest.

Public Complaints are assessed under Police (Complaints and Misconduct) Regulations 2020 and Police (Conduct) Regulations 2020.

Conduct is reviewed in relation to Standards of Professional Behaviour as defined within the Code of Ethics:

Honesty and Integrity	Duties and Responsibilities
Authority/ Respect/ Courtesy	Confidentiality
Equality and Diversity	Fitness for duty
Use of Force	Discreditable Conduct
Orders and Instructions	Challenging and Reporting Improper Conduct

This report covers 2021/2022 Quarter 1 (Q1), 01/04/2021 to 30/06/2021. Figures in this report are correct as of 12/07/2021.

In line with IOPC data collection and analysis, De-Recorded Public Complaint allegations and cases, unless otherwise stated, have been excluded from the below figures and commentary. De-Recorded cases and/or allegations may concern persons who are not eligible, as per the Police Regulations 2020, to make an expression of dissatisfaction and/or have been logged/recorded in error.

Unless otherwise stated, the below sections relate to allegations recorded within a given quarter and added to a case which has been logged/recorded in the same quarter. They do not include allegations which have been logged/recorded but added to an earlier quarter's case, eg allegation recorded in Q4 but added to a Q3 case; this is to allow more like for like comparisons between quarters.

Where comparisons are made between Constabulary areas, these areas will be defined, North for example may or may not include HQ and/or Control and Command Room (CCR) but this will be noted in the commentary. Characteristics of the subjects of the complaints have been considered in some sections below but caution is to be taken as it is possible, although likely low risk, that subjects may have changed area, shift or role within Q1 which may not have been accurately represented in Centurion, PSD database.

Public Complaints Executive Summary

- **Public Complaints have decreased by a quarter in Q1 compared to Q4, this is despite incident logs, crimes and custody attendance having all increased in Q1.**
- **North, South and CCR have all seen decreases in Public Complaints, whereas, West have maintained the same number of Public Complaint cases compared to Q4.**
- **Schedule 3 Public Complaint cases have increased in Q1, particularly relating to when the force has determined a complaint should be recorded.**
- **Finalisation times for all types of Public Complaints became much longer in Q1 but are expected to shorten again in Q2.**

Risk and Concerns – Low

There are no direct concerns to be adduced from the types of complaints received. We again see the three key groups of complaints remain the same as per previous quarters across the organisation.

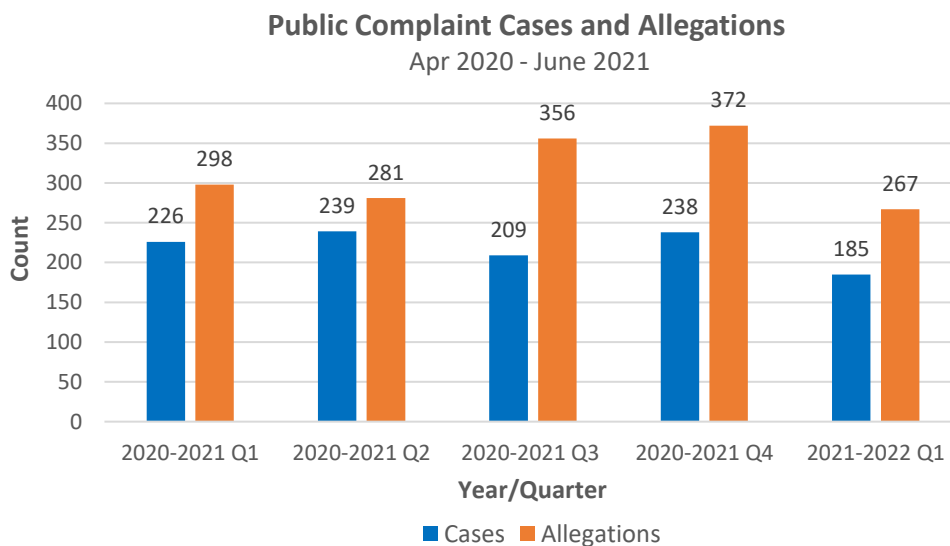
Schedule 3 Public Complaints have increased – this is down to training and supervisory guidance regarding our processes.

Finalisation times have now been addressed with a short-term solution with a long-term resolution being introduced in the coming weeks.

Public Complaints

Public Complaints have decreased by a quarter in Q1 compared to Q4, this is despite incident logs, crimes and custody attendance having all increased in Q1

Public Complaint cases have decreased by 23% and associated allegations by 25% in Q1 compared to Q4, this is despite an increase in incident logs (+18%), recorded crimes (+34%) and custody attendance (+27%) across the Constabulary in Q1 (**Appendix A**). Q1 has seen the lowest number of cases and allegations since the implementation of the 2020 Regulations.



Case numbers have fluctuated month on month under both 2012 and 2020 Regulations. April and May have this quarter shown low numbers of cases and allegations which were akin to August 2020. They did however follow a bumper month for cases and allegations as March recorded the 2nd highest number of cases and allegations under 2020 Regulations (**Appendix B**). Furthermore, cases increased towards the end of the quarter, with June noting cases numbers towards the higher end of average. Both March and June may therefore have had knock on effects for both April and May figures.

The split between Organisational and Individual complaint allegations remains similar to previous quarters, 70% Individual and 30% Organisational. The top three Complaint Groups also remain the same as previous quarters, Group A *Delivery of service and duties*, Group B *Police powers, policies and procedures* and Group H *Individual Behaviours*. Allegations have decreased for all three groups in varying amounts but primarily for the most common Group A *Delivery of service and duties*. Allegations recorded per group compared to Q4 are as follows, Group A -37%, Group B -21% and Group H -17%. Group L *Other* and Group F *Discriminatory Behaviour* allegations also decreased in Q1 (**Appendix C**). As with other quarters, some of the less common complaint allegation types rose, but due to their smaller overall number this is not necessarily significant, small rises were seen in Groups C *Handling or damage to property/premise* and E *Use of police vehicles*. Changes in some of these complaint allegations are discussed below.

In addition, Covid-19 related complaints have significantly decreased from around 12-13% of cases in Q3 and Q4 (24-28 cases per quarter) down to 1.6% of cases in Q1 (3 cases) which has had a direct impact on the overall decrease in cases in Q1.

Overall, the number of complaints received per incident log, crime or custody attendance remain very low (**Appendix A**).

	% of Complaints
Incident Logs <i>with and without duplicates/errors excluded</i>	1%
Crimes Recorded	2%
Total Custody	6%

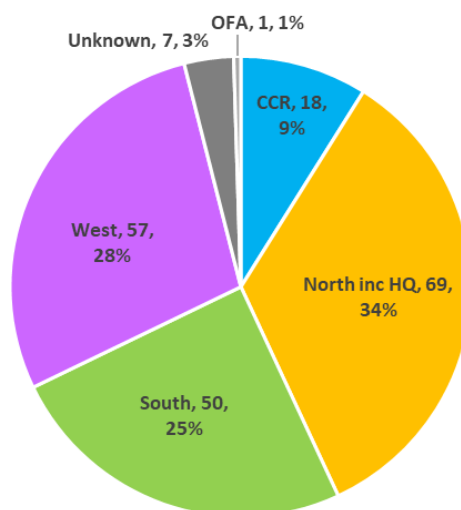
The decrease in complaints is not what may have been expected with the increased interaction with the general public in Q1, however, it is a welcomed that the Constabulary have not attracted as many complaints during these ever-changing difficult pandemic times. Therefore, the decrease in cases is not concerning at present.

North, South and CCR have all seen decreases in Public Complaints, whereas, West have maintained the same number of Public Complaint cases compared to Q4

Although complaint cases have decreased overall, they have not decreased in all areas of the Constabulary.

The percentage share of cases has remained similar for North inc HQ (34%) and also CCR (10% to 9%) but West have increased their share (22% to 28%) and South decreased their share (33% to 25%) compared to Q4.

Q1 Complaint Cases by Area



West have the smallest workforce of all areas (**Appendix D**), yet have maintained the same amount of complaint cases as Q4 (57 cases). West unlike North and South have seen an increase in incident logs, crimes and custody arrests month on month this quarter (**Appendix A**), whereas North and South peaked in May and decreased again in June. Each area has continued to peak in differing complaint allegation types, some which of are discussed below.

West appear to have had an increased workload, particularly with crimes in June, which could account for their complaint cases remaining the same rather than following North and South in decreasing. The increase in B4 *Use of Force* and associated B5 *Detention in Custody* allegations in Q1, as well as, leading in A1 *Police action following contact* complaints can be accepted given that West's custody, crime and incidents continued increase throughout the course of Q1. It has been noted that the majority of B4 complaints can be linked to one particular team but this will be explored in Q2.

North have seen their Group A complaints decrease by over half in allegation types A1 *Police action following contact* and A2 *Decisions*.

South have ceased complaints relating to B1 *Stops and stop and searches* which had peaked at 9 allegations in Q4. South's B4 *Use of Force* complaints, which were more prevalent in Q4, have also halved. Both of these decreases having contributed to the lowering of complaint cases in South. South are returning to more average levels following their increase closer to North's figures in Q4.

Although North and South both saw reductions in their complaint case figures in Q1 compared to Q4, West did not, but this does not cause undue concern as West's incident, crime and custody figures all grew month on month in Q1.

Schedule 3 Public Complaint cases have increased in Q1, particularly relating to when Force has determined a complaint should be recorded

The split between Schedule 3 and Outside of Schedule 3 complaints has returned to a 25/75 split following an 18/82 split in Q4. Despite the overall 25% decrease in complaint cases in Q1, Schedule 3 complaint cases have risen from 42 to 46 this quarter. This increase is not due to complainant's wishing for their complaint to be recorded nor the severity of complaints but due to the Constabulary determining the case should be recorded. Following continual review of processes, it was determined that not all cases were being recorded as Schedule 3 but had been Service Recovered without the correct review body being determined. The increase of Schedule 3 cases is therefore a positive change, and which will be monitored by the Complaints and Conduct Manager in the coming quarters.

Finalisation times for all types of Public Complaints became much longer in Q1 but are expected to shorten again in Q2

Performance figures from the IOPC have been further delayed, therefore, the below has been calculated in house to the same parameters as the Q4 report. A case must have been logged/recorded and then finalised in Q1 to feature in the below figures.

Average Finalisation Times of Cases Logged/Recorded and Finalised in Q1

	Average number of days to finalise complaint case Outside Schedule 3	Average number of days to finalise complaint case Schedule 3
Q3	7.9	19.2
Q4	8.4	23.7
Q1	17.5	31.4

Finalisation of Outside of Schedule 3 Cases Logged and Finalised within a week in Q1

Days to Finalise Case	Q3 Count of Cases	Q4 Count of Cases	Q1 Count of Cases
0 <i>(Finalised same day as logged)</i>	22	15	8
1	14	21	11
2	5	11	13
3	12	8	3
4	11	10	3
5	4	10	2
6	10	5	2
Total	78	80	42

As predicted in the previous report, the staffing issues within the department have continued to affect case turnaround times. Despite the fall in the number of cases in Q1, the number of cases logged and then finalised within the same quarter has nearly halved. The time to finalise cases both in Schedule 3 and Outside Schedule 3 has significantly increased, doubled Outside of Schedule 3 and nearly half the time again for Schedule 3 cases. An extraordinary measure was undertaken part way through the quarter to have a purge on backlogged complaints cases. As a result of this, the Complaints and Conduct Manager will monitor, on a daily basis, the number of new complaints cases and ensure that they are dealt with as soon as is practicable via the correct processes. Finalisation times are therefore expected to improve in Q2, albeit, even with a full cohort of staff, seasonal leave may still affect the turnaround times to a degree.

As a side note, despite the slower finalisation times, the department has been consistent with the Outcomes issued for complaints cases which have remained relatively similar to Q4 (**Appendix E**). De-Recorded cases have however decreased throughout the quarter, with only 1 case in June having been De-Recorded which is a vast improvement. De-Recorded cases were raised in the last report and having been reviewed in Q1 it was determined that there was some individual learning identified which had accounted for cases being De-Recorded rather than resulted as No Further Action. This has been rectified but will continue to be monitored by the Complaints and Conduct Manager.

Finalisation times for complaints are expected to improve in Q2 and Q3 and will be monitored by supervision, therefore, the temporary slower turnaround times do not pose a significant concern and are being addressed.

Other Updates and Hot Topics

Learning

Overall, 10 Lessons were issued in Q1, 5 Organisational and 5 Individual as a result of Public Complaints and Conduct cases. This is a decrease from 18 in Q4, however, the split between Organisational and Individual is now equal rather than heavy on the individuals as seen in previous quarters. The decrease mirrors the combination of decreased complaints and conduct cases being finalised as 'No Case to Answer'. The lessons span the whole Constabulary and cover a variety of issues without any stand-out themes. Individual lessons related only to North or South officers with six officers, PC, DC or PS rank, receiving lessons; half of whom were younger-in-service South PCs. The single issuance of PRI related to following comprehensive search procedures whilst conducting missing person enquiries.

PASS Newsletters and Need to Know articles reinforced some of the above lessons as well as the new staged BWV media campaign to aid learning throughout the Constabulary:

- 1) ***Personal Social Media Posts*** – linked to a complaint from member of the public regarding gender identity comments posted online. Link to Online Code of Conduct document.
- 2) ***Why you should be using Body Worn Video*** – issued from HoD PSD in relation to how BWV can bring swift conclusions to vexatious or disingenuous complaints.
- 3) ***Handling of police information*** – reminder that information should be handled legally and in accordance with policy and procedure.

Whole departmental monthly learning for PSD started in Q1 with the aim to cover pertinent topics to ensure universal and up-to-date knowledge within the department. A central depository for learning materials has been created which will also aid newcomers to the department, such as the two new staff expected to start in the coming months, to become up to speed with relevant regulations etc.

Violence against women

Following recent external sad events such as the murder of Sarah Everard, an extremely high number of Freedom of Information (FOI) requests were received into the department concerning violence against women, including domestic, physical, sexual and mental abuse committed by both officers and staff. A total of 23 of 59 FOIs were considered by PSD since the start of 2021 on these topics. During the collation and review of data, spanning back over a decade in some instances, complaint and conduct cases were identified that met the FOI criteria. However, they were not deemed to be of a significant number, nor did they cause undue concern which would warrant further action.

Appendices

Appendix A - Q1 Incidents, Crimes and Custody Figures

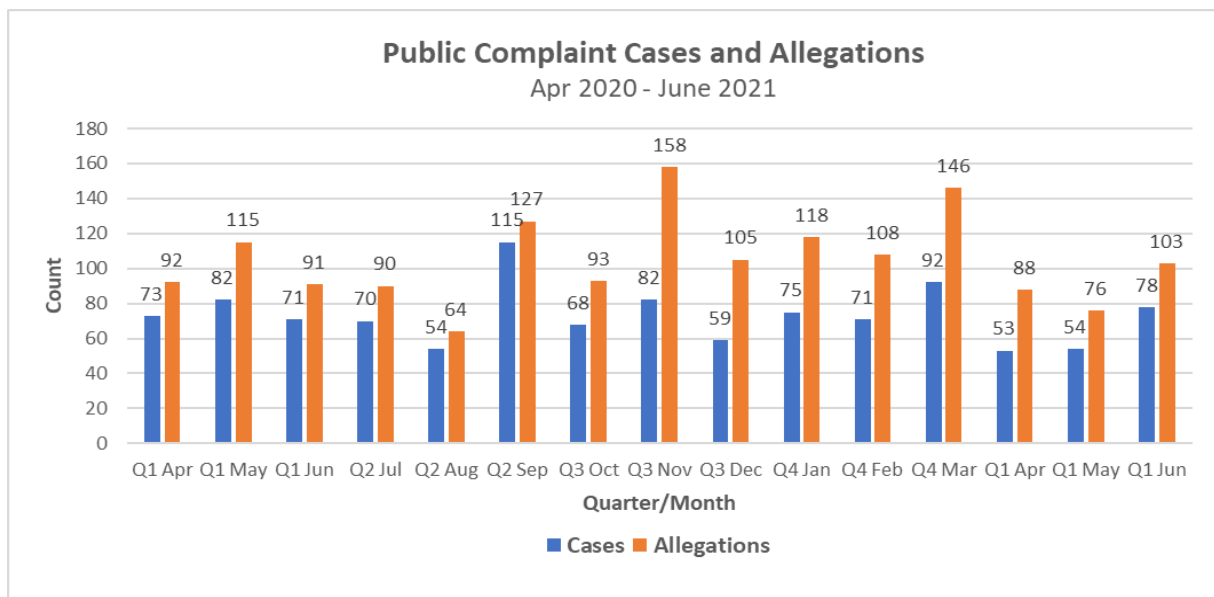
	2020-2021 Q4	2021-2022 Q1	% Change
Incident Logs	19734	23239	+18%
Incident Logs minus duplicates/errors	18873	22197	+18%
Crimes	6620	8858	+34%
Custody: Arrests	1876	2171	+16%
Custody: Voluntary Attendance	391	698	+79%
Custody Total	2267	2869	+27%

Q1 Incident Logs <i>(excluding Duplicates/Errors)</i>	North <i>Inc HQ & CCR</i>	South	West	Blank/ Unknown	Grand Totals
Apr	2458	2309	2182	119	7068
May	2654	2558	2214	137	7563
Jun	2529	2521	2317	199	7566
Totals	7641	7388	6713	455	22197

Q1 Crimes	North <i>Inc HQ & CCR</i>	South	West	Blank/ Unknown	Grand Totals
Apr	891	965	932	18	2806
May	958	1100	939	20	3017
Jun	928	1013	1065	29	3035
Totals	2777	3078	2936	67	8858

Q1 Custody <i>(Arrests only - excluding Voluntary Attendees)</i>	North <i>Inc HQ & CCR</i>	South	West	Grand Total
Apr	208	240	197	645
May	256	272	248	776
Jun	224	260	266	750
Grand Total	688	772	711	2171

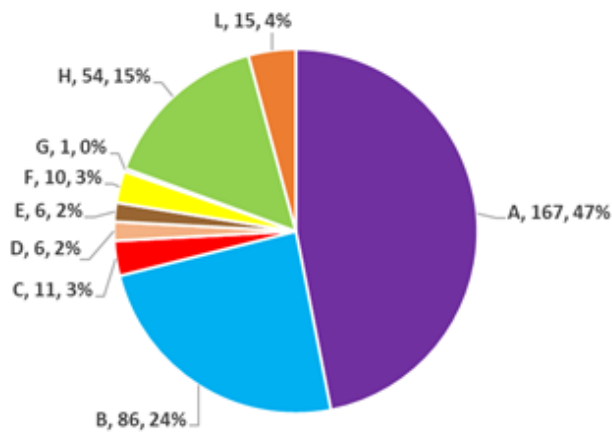
Appendix B - Public Complaint Cases and Allegations April 2020 – June 2021



Appendix C – Public Complaint Allegations by Complaint Groups

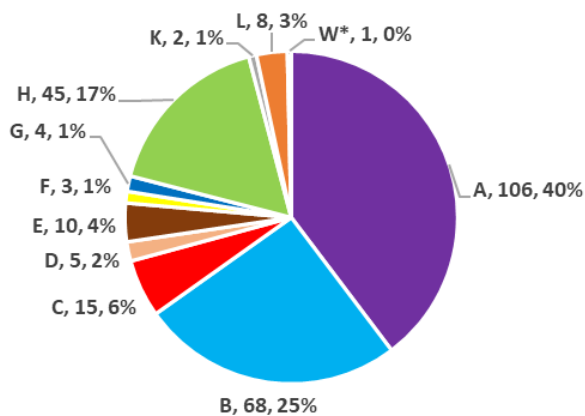
Complaint Allegations by Complaint Group - Q4 Cases Only

Complaint Group/Number of Allegations/% Share



Complaint Allegations by Complaint Group - Q1 Cases Only

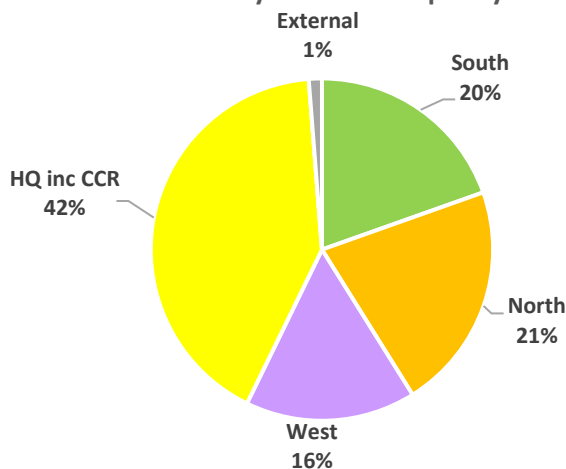
Complaint Group/Number of Allegations/% Share



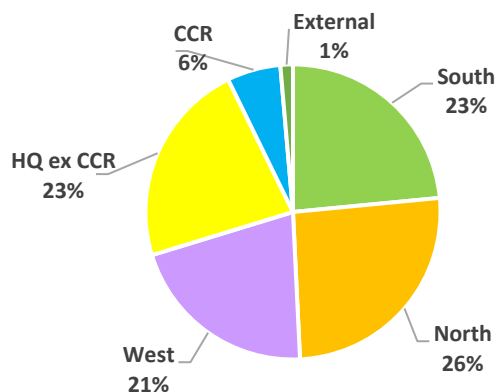
Complaint Group	
A	Delivery of duties and service
B	Police powers, policies, and procedures
C	Handling of or damage to property/premises
D	Access and/or disclosure of information
E	Use of police vehicles
F	Discriminatory behaviour
G	Abuse of position/corruption
H	Individual behaviours
J	Sexual conduct
K	Discreditable conduct
L	Other
W*	Other (2012 Regulations)

Appendix D – Constabulary Workforce Split - Figures as of 30/06/2021

All Constabulary Headcount Split by Area



Police Officer Split Headcount by Area



Appendix E – Public Complaint Outcomes

Complaint Case Outcome	Q4 Count of Cases	Q4 % of Cases	Q1* Count of Cases	Q1* % of Cases	Q1 Count of Cases	Q1 % of Cases
Live	61	24%	50	25%	67	33.50%
Resolved	148	58%	115	57%	108	54%
Not Resolved NFA	8	3%	2	1%	2	1%
NFA Required	4	1%	3	1%	1	0.50%
Not determined if the service provided was acceptable	0	0%	2	1%	1	0.50%
The service provided was acceptable	15	6%	11	6%	7	3.50%
The service provided was not acceptable	2	1%	2	1%	1	0.50%
De-Recorded	17	7%	15	8%	13	6.50%

Q1 = figures as of 30/06/2021 Q1* = figures as of 12/07/2021

Ethics & Integrity Panel Agenda Item No 08



Cumbria Shared Internal Audit Service
Internal Audit report for Cumbria Constabulary
Audit of Reflective Practice Review Process –
Practice Requiring Improvement

Draft Report Issued: 10th March 2021

Final Report Issued: 10th May 2021

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Audit Report Distribution

For Action:	Craig Smith, Detective Chief Inspector, Head of Professional Standards
For Information:	Lisa Hogan, Superintendent, Head of People Stephen Kirkpatrick, Director of Corporate Support Mark Webster, Deputy Chief Constable
Audit Committee:	The Joint Audit Committee which is due to be held on 23 rd June 2021 will receive the report.

Note: Audit reports should not be circulated wider than the above distribution without the consent of the Audit Manager.

Executive Summary

Background

This report summarises the findings from the audit of **Reflective Practice Review Process – Practice Requiring Improvement**. This was a planned audit assignment which was undertaken in accordance with the 2020/21 Audit Plan.

The Reflective Practice Review Process (including Practice Requiring Improvement) was introduced as part of the updated Police Conduct Regulations which came into force on 1st February 2020.

Practice Requiring Improvement is defined within the Home Office Statutory Guidance as *'underperformance or conduct not amounting to misconduct or gross misconduct, which falls short of the expectations of the public and the police service as set out in the Code of Ethics'*.

The purpose behind the reformed system is to develop an approach to the handling of matters which fall short of the expectations set out in the Code of Ethics and are considered low level conduct, mistakes or performance issues that can be handled in a more proportionate and constructive way without recourse to formal disciplinary proceedings or performance procedures.

The principal focus of following the process is to learn and to develop by improving from mistakes, poor judgement and low-level wrongdoing through early intervention. The process is designed to be inclusive, reflective and participative for the officer involved, and to be a process in which they can engage and take genuine learning and positive action from.

Reflective Practice Review Process - Practice Requiring Improvement (RPRP-PRI) falls within the remit of Professional Standards Department (PSD). A new Head of Professional Standards came into post in mid-November 2020.

The regulations came into place at the time the COVID-19 pandemic was escalating. As a result, the pace of introducing and developing the process within the Constabulary has been slower than anticipated and this means that the Reflective Practice Review Process – Practice Requiring Improvement (RPRP-PRI) process is not yet embedded within the Constabulary.

Audit Approach

Audit Objectives and Methodology

Compliance with the mandatory Public Sector Internal Audit Standards requires that internal audit activity evaluates the exposures to risks relating to the organisation's governance, operations and information systems. A risk-based audit approach has been applied which aligns to the five key audit control objectives. Detailed findings and recommendations are set out within the Management Action Plan.

Audit Scope and Limitations

The Audit Scope was agreed with management prior to the commencement of this audit review. The Client Sponsor for this review was Stephen Kirkpatrick (Director of Corporate Support). The agreed scope of the audit was to provide assurance over management's arrangements for governance, risk management and internal control in the following areas:

- Policy and procedures
- Themes identified from the process
- Compliance with the regulations
- Awareness raising and training

Assurance Opinion

Each audit review is given an assurance opinion, and this provides the Joint Audit Committee and Officers with an independent assessment of the overall level of control and potential impact of any identified system weaknesses. There are 4 levels of assurance opinion which may be applied. The definition for each level is explained in **Appendix A**.

From the areas examined and tested as part of this audit review, we consider the current controls operating within Reflective Practice Review Process – Practice Requiring Improvement provide **Partial Assurance**.

Note: as audit work is restricted by the areas identified in the Audit Scope and is primarily sample based, full coverage of the system and complete assurance cannot be given to an audit area.

Summary of Audit Findings and Recommendations

Controls were operating effectively in the following areas:

- The Professional Standards Department (PSD) undertook an initial exercise to review all RPRP-PRI cases (we were informed that this was in the region of 10 cases at the time of the audit). They identified that the process, as required by the regulations, was not being complied with. This has resulted in corrective action being taken with a new process being proposed to enable oversight for compliance by PSD.

The recommendations arising from this review can be summarised as follows:

High	Medium	Advisory	Total
2	3	0	5

The three levels of audit recommendation are defined in **Appendix A**.

Areas for development: Improvements in the following areas are necessary in order to strengthen existing control arrangements:

High Priority Issues:

- Awareness of, and training on RPRP- PRI within the Constabulary needs to be developed and rolled out so that there is a full organisational understanding of, and engagement with, the process.
- Arrangements are not in place to identify and capture organisational learning from the RPRP-PRI process.

Medium Priority Issues:

- Supplementary procedures for the RPRP-PRI process have been developed. They require authorisation, approval and communication throughout the organisation.
- The measures identified by PSD to address issues of non-compliance with the RPRP-PRI process are not yet approved or rolled out so are not working in practice.
- A replacement for the Kallidus system, which included training outcomes from RPRP-PRI should be explored.

Advisory issues: None identified

Deputy Chief Constable Comments

Implementing new systems and processes to support the changed focus on police complaints and discipline towards Reflective Practice/Practice Requiring Improvement has been a developing area nationally since its recent introduction. The force approach is seeking to mirror that across other forces to ensure consistency. The College of Policing training products are key to that, along with internal process to record issues such as performance action plans that arise, along with ancillary issues such as the approval of business interests. These processes will allow the identification of themes across the organisation which can then be utilised to improve our policing approach. I am content that the steps outlined by the business area will take these issues forward in a way that will deliver to national standards and address the recommendations outlined within this report.

DCC M Webster 7th May 2021

Management Action Plan

High Priority

Audit finding	Management response
<p>Awareness Raising and Training</p> <p>We were informed that, at the time of our review, no training has been delivered on RPRP-PRI. Awareness raising and training is an area that the Head of PSD has identified as requiring some focus and development. It is recognised that RPRP-PRI represents a change in culture for the whole organisation and consideration is being given to how best this might be achieved.</p> <p>An extract of the notes from a recent Regional Professional Standards Panel meeting, which included a discussion on Practice Requiring Improvement, noted that <i>‘most forces reported that they have been able to roll out training for supervisors and line managers around the time the reforms were implemented in February 2020. However, and understandably, efforts have since been hampered by Covid-19 meaning some line managers may have been left without the necessary knowledge and experience of using Reflective Practice and RPRP to deal with performance and lower-level conduct matters’</i>.</p> <p>We were informed that in Cumbria, training has not been rolled out for supervisors and line managers. The Home Office Guidance document ‘Conduct, Efficiency and Effectiveness: Statutory Guidance on Professional Standards, Performance and Integrity in Policing’ highlights the important responsibility placed on supervisors and line managers in engaging in difficult conversations locally and addressing shortcomings through this process. Training for these roles is key to ensure that Officers have the confidence that unintentional mistakes, shortcomings or failings will be handled in a constructive way and</p>	<p>Agreed management action:</p> <p>We will develop a plan for rolling out training on RPRP-PRI. The plan will include timescales to enable delivery of training throughout the organisation.</p> <p>We are now utilising the MLE Training Package which will provide input in two formats.</p> <ol style="list-style-type: none"> 1) Supervisors 2) All members of staff (recipients) <p>It is anticipated this initial phase will see completion by Autumn 2021.</p>

admissions of such behaviour or mistakes will not be to their detriment or result in being punished. Instead they will be supported through constructive steps to aid their improvement and organisational learning identified to improve the wider environment.

We were informed that Chief Officer Group (COG) has recently approved the creation of a Force Learning Panel which is Chaired by the Head of People. At the time of our review the Panel had not yet met and Terms of Reference had not been defined to set out the remit of the Panel. We were informed that the Force Learning Panel would include work around how the RPRP-PRI might look with regard to training throughout the organisation.

The Head of PSD reported that the College of Policing’s Managed Learning Environment (MLE) will be used as part of the training roll out for RPRP-PRI once implemented. We were informed that the MLE information on RPRP-PRI had only been made available in late February 2021 and that the detail was still being worked through.

The Head of PSD informed Internal Audit that feedback had recently been sought from those involved in the RPRP-PRI process. We were informed that the feedback confirmed that additional work on awareness raising and training was required for the RPRP-PRI process.

Recommendation 1:

A plan for rolling out training on RPRP-PRI should be developed, approved by management and delivered across the Constabulary. Items to consider as part of the plan should include timescales, who the training will be initially focussed at (e.g. line managers and supervisors), arrangements for cascading and embedding the training throughout the

<p>organisation and how the training will be delivered (e.g. through e-learning, classroom based, as part of the promotion process etc).</p>	
<p>Risk exposure if not addressed:</p> <ul style="list-style-type: none"> • RPRP-PRI process doesn't work as anticipated and the intended purpose is not achieved. • Under-developed workforce. • Non-compliance with Police Conduct Regulations 	<p>Responsible manager for implementing: Head of Professional Standards</p> <p>Date to be implemented: Plan to be drawn up by end April 2021</p>

High Priority

Audit finding	Management response
<p>Themes identified from the process</p> <p>We are advised that there are currently no routine arrangements in place to identify whether there are themes arising from RPRP-PRI to determine if there are any wider organisational issues arising.</p> <p>The Head of PSD agreed that this was an area that he would like to see developed and it was noted that this has been built in to the new process proposed which includes that “<i>DI PSD reviews the [RPRP] form identifying any organisational learning, requirement to update complaints etc</i>” but at the time of our review this process was not in operation.</p> <p>We were informed, as part of our audit discussions, that there is no reporting to management on the number of RPRP-PRI cases.</p>	<p>Agreed management action:</p> <p>The process to identify themes and organisational learning identified through RPRP-PRI will be built into the plan to be developed as part of recommendation 1</p> <p>We are currently working with IT to develop an existing process (Secondary Business Interests), as a model to address this priority. It is anticipated the adoption of this system will facilitate the individual and organisational learning that will fall out of the process.</p>

<p>Capturing organisational learning from the RPRP-PRI process is a valuable practice in improving how the force as a whole interacts with members of the public and the community and its importance is noted in the Home Office Guidance document.</p>	
<p>Recommendation 2: Arrangements should be put in place to identify whether any themes are emerging from the RPRP-PRI process which highlight organisational learning and would require a corporate response (this links to recommendation 1 on awareness raising and training).</p>	
<p>Risk exposure if not addressed:</p> <ul style="list-style-type: none"> • RPRP-PRI process doesn't work as anticipated. • Intended purpose of the process is not achieved. • Underdeveloped workforce. • Wider learning opportunities / improvements are not identified. 	<p>Responsible manager for implementing: Head of Professional Standards</p> <p>Date to be implemented: Themes & organisational learning to be identified by March 2022 once arrangements have had sufficient time to embed.</p>

Medium Priority

Audit finding	Management response
<p>Policy and Procedure The framework for Reflective Practice Review Process – Practice Requiring Improvement (RPRP-PRI) is governed by legislation including the Conduct Regulations. These are supported by the Home Office Guidance – Conduct, Efficiency and Effectiveness: Statutory</p>	<p>Agreed management action: The procedure has now been approved by the Head of PSD and the process will be communicated within the Force in line with the</p>

<p>Guidance on Professional Standards, Performance and Integrity in Policing. The details are set out in Chapter 13 of the guidance.</p> <p>During our initial discussions on 12 January 2021, we were informed that local guidance, setting out how the legislative requirements should be applied in practice, was not required as the process was set out in legislation. On 28 January 2021 we were made aware that a procedure ‘Participating Officers Guide’ and ‘Reviewer Guide’ had been developed to set the scene and expectations of PRPR-RPI. We were informed that the guidance was drafted, based on College of Policing documents, amended for Cumbria Constabulary’s requirements in response to issues found when the RPRP has been used (in approximately 10 cases at the time of the audit). At the time of our review the guidance was in draft, awaiting review and approval by management.</p>	<p>plan to be developed as part of recommendation 1.</p> <p>We are now utilising the MLE Training Package which will provide input in two formats.</p> <ol style="list-style-type: none"> 1) Supervisors 2) All members of staff (recipients) <p>It is anticipated this initial phase will see completion by Autumn 2021.</p>
<p>Recommendation 3: RPRP-PRI procedure prepared by the Constabulary should be reviewed, approved and communicated within the Constabulary.</p>	
<p>Risk exposure if not addressed:</p> <ul style="list-style-type: none"> • The RPRP-PRI process is not effectively applied. 	<p>Responsible manager for implementing: Head of Professional Standards</p> <p>Date to be implemented: Procedure approved March 2021 Initial phase completion Autumn 2021</p>

Medium Priority

Audit finding	Management response
<p>Compliance with the process</p> <p>We were informed that completed RPRP-PRI referrals, undertaken since February 2020 when the new regulations were introduced, have recently been reviewed by the DI PSD. Information provided for this audit identified that a number of issues had been identified as part of the DI PSD’s review of cases. The issues included:</p> <ul style="list-style-type: none"> • RPRP not being completed by the participating officer / reviewer • RPRP not being launched • Some cases where no record has been completed • Questions whether full reflection had occurred / reflection doesn’t appear to fully agree with the issue identified by the Appropriate Authority. <p>An interim measure, a process (referred to under policy and procedures) was developed by the DI PSD, together with templates to be completed. This process is with the Head of PSD for review and approval.</p> <p>We were informed that the Ethics and Integrity Panel will undertake dip sampling work on the Reflective Practice Review Process (RPRP) and the Practice Requiring Improvement Process (PRI) during April 2021 as its Thematic Session for the May 2021 meeting.</p>	<p>Agreed management action:</p> <p>The quality assurance process has now been agreed and is embedding.</p>
<p>Recommendation 4:</p> <p>The quality assurance process for RPRP-PRI should be agreed and approved as part of the embedding of the overall process.</p>	

<p>Risk exposure if not addressed:</p> <ul style="list-style-type: none"> • Non-compliance with legislation and guidance. • The RPRP-PRI process is not effectively applied. • Reputational damage from non-compliance. 	<p>Responsible manager for implementing: Head of Professional Standards</p> <p>Date to be implemented: March 2021</p>
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Medium Priority

Audit finding	Management response
<p>Replacement of Kallidus system used to record training</p> <p>The outcome of RPRP-PRI process was recorded on the Kallidus system which has now become obsolete. We were informed that there had been an omission to include RPRP-PRI in the new Crown system. As an interim measure the details of RPRP-PRI are being recorded on a spreadsheet.</p> <p>We were informed that the Kallidus system had an audit trail which meant that any training (including training identified as RPRP-PRI) went into the individual’s profile so that managers / supervisors could see what training had been given. However, the indication is that the new Crown system doesn’t have the facility to capture information into each officer’s profile.</p> <p>PSD have access to the Centurian system and the various stages of the RPRP-PRI process is stored within that system. This allows traceability for PSD, but as this is a PSD system, line managers do not have access.</p> <p>While the number of RPRP-PRI cases are small, the spreadsheet held by PSD (although not ideal) will currently suffice to record and monitor RPRP-PRI. As the process becomes</p>	<p>Agreed management action:</p> <p>We are currently working with IT to develop an existing process (Secondary Business Interests), as a model to address this priority. It is anticipated the adoption of this system will facilitate the individual and organisational learning that will fall out of the process.</p> <p>Timescales are currently looking at 4 – 6 months to implement following agreement of the proof of concept.</p>

<p>embedded within the organisation it is possible that the number of cases will increase so there is a need to implement a robust, fit for purpose system to record RPRP-PRI cases and outcomes moving forward.</p>	
<p>Recommendation 5: Arrangements for recording RPRP-PRI should be explored to ensure that the information is captured and retained organisationally.</p>	
<p>Risk exposure if not addressed:</p> <ul style="list-style-type: none"> RPRP-PRI is not fully captured and organisational learning in this area is not addressed. 	<p>Responsible manager for implementing: Head of Professional Standards Date to be implemented: 4-6 months following agreement of the proof of concept</p>

Appendix A

Audit Assurance Opinions

There are four levels of assurance used, these are defined as follows:

Assurance Level	Definition
Substantial	Sound frameworks of governance, risk management and internal control are in place and are operating effectively. Recommendations, if any, will typically be no greater than advisory.
Reasonable	Frameworks of governance, risk management and internal control are generally sound with some opportunities to further develop the frameworks or compliance with them. Recommendations will typically be no greater than medium priority.
Partial	Weaknesses in the frameworks of governance, risk management and/or internal control have been identified or there are areas of non-compliance with the established control framework which place the achievement of system / service objectives at risk. Recommendations will typically include high and medium priority issues.
Limited	There are significant gaps in the governance, risk management and/or internal control frameworks or there are major lapses in compliance with the control framework that place the achievement of system / service objectives at significant risk. Recommendations will include high priority issues.

Grading of Audit Recommendations

Audit recommendations are graded in terms of their priority and risk exposure if the issue identified was to remain unaddressed. There are three levels of audit recommendations used; high, medium and advisory, the definitions of which are explained below:

Grading	Definition
High	A recommendation to address a significant gap in governance, risk management or internal control frameworks or to address significant non-compliance with controls in place.
Medium	A recommendation to address a gap in governance, risk management or internal control frameworks or to address aspects of non-compliance with controls in place.
Advisory	A recommendation to further strengthen governance, risk management or internal control frameworks or to improve compliance with existing controls.

Ethics and Integrity Panel



OPCC INFORMATION MANAGEMENT COMPLIANCE

Date: 22 July 2021

Agenda Item No: 09b

Originating Officer: Lisa Hodgson, OPCC Governance Officer

Executive Summary:

As a public authority, the Office of the Police and Crime Commissioner is required to process information in an appropriate manner including complying with GDPR (UK), the Freedom of Information Act 2000 and the Data Protection Act 2018. Both Acts entitle an individual to request information from a public authority and as such public authorities must comply with requests under this legislation. The Acts clearly identify how a request should be processed including timescales in which an individual should be provided with the requested information or advised why an exemption is being applied. This report includes FOI and Data Protection requests received up to 30/06/2021.

Recommendation:

That, the members of the Panel note the report.

1. Introduction & Background

- 1.1 This report is to provide information to the Panel, acting on behalf of the Commissioner, so the Panel can assure the Commissioner that the OPCC are complying with the Freedom of Information Act and the Data Protection Act.
- 1.2 The Chief Constable and the Police & Crime Commissioner (the Commissioner) are required to comply with the Freedom of Information (FOI) Act, the Environmental Information Regulations where applicable and the Data Protection Act. Set out within the legislation is how a request is to be processed and within what timescales.

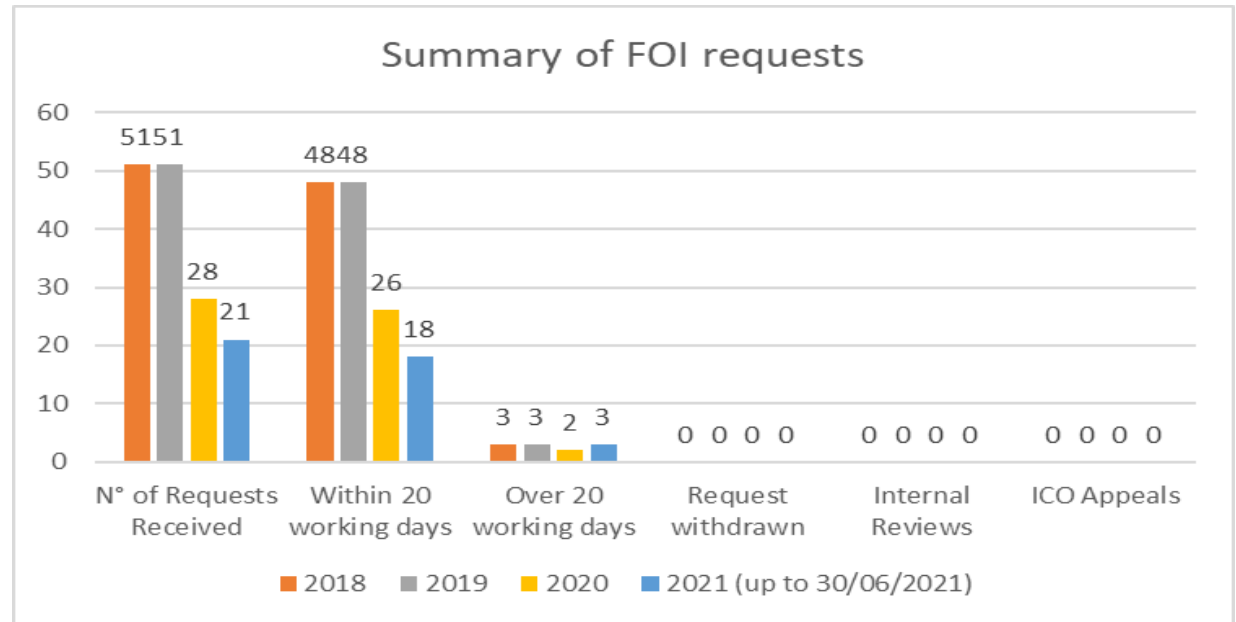
- 1.3 On an annual basis the Commissioner agrees a “Funding Arrangement” with the Chief Constable. This arrangement sets out the terms and conditions under which the Commissioner will provide funding to the Chief Constable during the Funding Period. Detailed within Section 17 of the Funding Arrangement the Chief Constable will comply with their obligations detailed within the Data Protection Act 2018 and the General Data Protection Regulations (GDPR) effective from 25 May 2018. Where appropriate the Chief Constable must notify individuals that their personal data may be transferred to the Commissioner as required under the funding arrangement. They should ensure this is carried out via a secure means of transmission.
- 1.4 The Chief Constable agrees to assist and cooperate with the Commissioner, where necessary, to enable the Commissioner to comply with their obligations under the FOI Act and the Environmental Information Regulations whenever a request is made for information.
- 1.5 In the event that a request received by the Chief Constable under the FOI Act or the Environmental Information Regulations includes a request for information, either (i) provided to the Chief Constable by the Commissioner, or (ii) where a reasonably objective observer would consider that disclosure of that information would be likely to have a prejudicial impact on the Commissioner's priorities and responsibilities, the Chief Constable shall in good faith take account of any representations submitted by the Commissioner about the applicability of any exemptions under the FOI Act or exceptions under the Environmental Information Regulations.

2. Issues for Consideration

Freedom of Information Act

- 2.1 In order to have assurance that the OPCC and the Constabulary are complying with the Freedom of Information Act, the Police and Crime Commissioner has delegated authority to the Ethics and Integrity Panel to monitor this area of business. This report is to provide assurance to the Panel that the OPCC are complying with the Freedom of Information Act.
- 2.2 The OPCC on its website publishes a procedure for dealing with FOI requests. This enables the OPCC to ensure that it meets its statutory obligations under the FOI Act and to inform members of the public to in how to make an FOI request.
<http://www.cumbria-pcc.gov.uk/media/21801/2014-03-02%20FOI%20Procedure.pdf>
- 2.3 When responding to requests under the FOI Act essentially information provided is released into the public domain. In order to be open and transparent the OPCC publishes the requests it has received and the responses it has provided on a monthly basis. These disclosure logs can be found on the Commissioner’s website: <http://www.cumbria-pcc.gov.uk/governance-transparency/freedom-of-information.aspx>

2.4 The Act requires that requests for information are dealt with within 20 working days. This timescale commences the day after the request is received. The chart shown to the right illustrates the number of requests received by the OPCC and how they were dealt with.



2.5 There are a number of reasons why a request cannot be dealt with within the 20-working day timescale. In cases where the request is taking longer to process, under Section 10 of the Act where a qualified exemption is being applied a public authority may extend the deadline for consideration of public interest tests for a time which is reasonable.

2.6 Following receipt of information a requestor can, if they are unhappy with the information they have received or feel they should be entitled to further information, request the OPCC to undertake an Internal Review. This involves the OPCC looking at the request again and determining whether or not further information should be disclosed. In 2020, the Office of the Police and Crime Commissioner did not receive any internal review requests.

Compliance Rate			
Year	No of FOI's received	Responded within 20 days	%
2018	51	48	94.12%
2019	51	48	94.12%
2020	28	26	92.86%

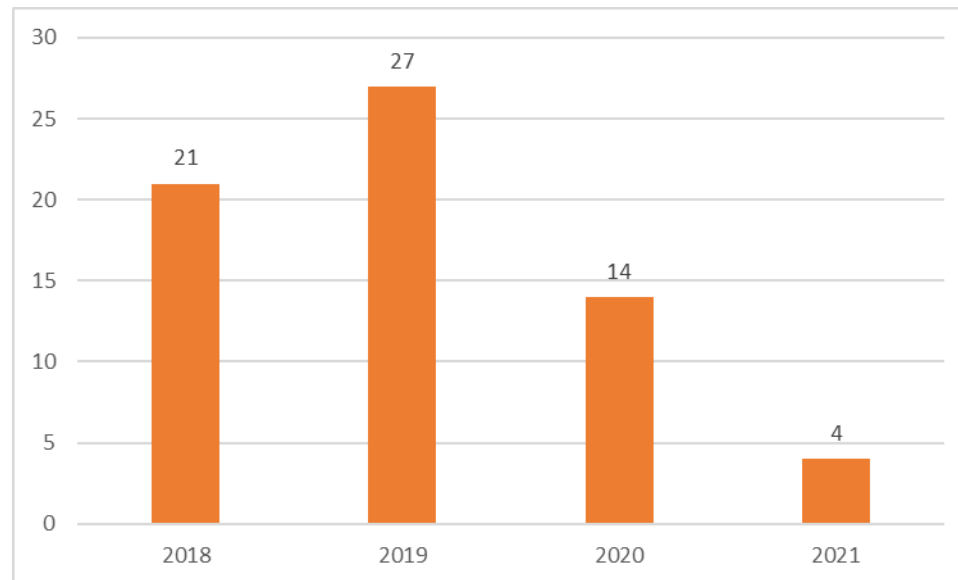
2.7 If a requestor still remains dissatisfied with a response they have received, they can then appeal to the Information Commissioner's Office (ICO) and have them undertake a review of the OPCC's decision. During this process the ICO look to work with the organisation to ensure that the correct information has been disclosed and where appropriate identify further information which can be disclosed. In the last 3 years the OPCC has not had any appeals dealt with by the ICO.

Year	No of FOI's received	% increase/decrease
2018	51	
2019	51	0%
2020	28	-45.09%
2021 (30/06/2021)	21	-25%

2.8 Information Provided:

The Office of the Police and Crime Commissioner received varied requests during 2020 and of those where information was provided were largely in relation to funding/grant applications. Two requests related to staff numbers and staff salary costs; with a number of requests relating to 'transparency data. In each case the requester was pointed to our website where information for each quarter will be available. Currently in 2021, requests received cover various subjects such as: funding/grant applications and projects; staffing information; election information; police officer numbers and OPCC policies.

Having received a request, where the OPCC does not hold the information as the information requested relates to the Constabulary; the requestor is advised of this and where appropriate provided with the contact details of the Constabulary. Figures included below:



2.9 In addition to the OPCC not holding the information it may be necessary not to provide a requestor with information due to qualified or absolute exemptions being applied. Where exemptions are applied consideration is given to the public interest as to whether the information should be disclosed or not. Generally, exemptions are applied where the information requested relates to an individual, the

information is already publicly available or is to be published at a later date. On some occasions a requestor may ask for a number of pieces of information which could result in some information being provided and other information being exempted within the same request.

2.10 The chart to the right illustrates the number of requests where information was not disclosed due to an applied exemption.

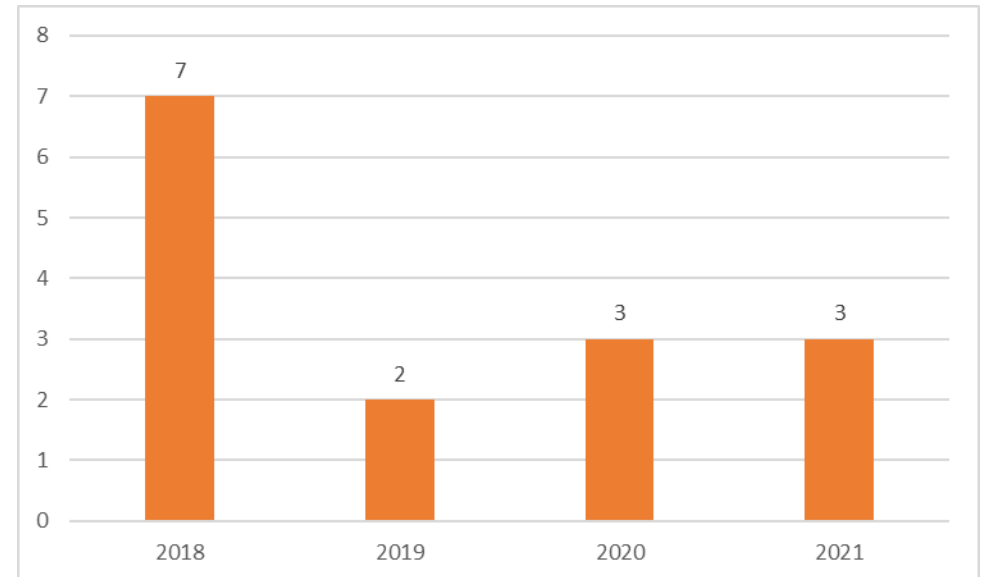
2.11 Under the FOI Act the OPCC is required to maintain and publish a Publication Scheme. The scheme must specify classes of information which the OPCC publishes or intends to publish and whether or not this is freely available to the public or if there will be a charge. The OPCC maintains such a scheme and it is published on the OPCC website within the Freedom of Information Section.

2.12 In addition the Commissioner is required under the Elected Local Policing Bodies (Specified Information) Order 2011 to publish information in relation to the following:

- Who they are and what they do
- What they spend and how they spend it
- What their priorities are and how they are doing
- How they make, record and publish their decisions
- What policies and procedures govern the operation of the office of PCC
- Public disclosure of a register of interests

2.13 The OPCC endeavours to be as open and transparent as possible with regards to the work it and Commissioner carries out. By taking this approach it also enables members of the public to access such information and therefore negate the need for the public to request information via the FOI Act.

2.14 In 2021 the Specified Information Order was amended and a requirement for the OPCC to publish further information was made. These are in relation to national priorities for policing, HMICFRS reporting and complaint handling. The OPCC is required to have its website updated with the requisite information by 31 July 2021 and provide any subsequent information as required by the Order.



Data Protection Act – Subject Access Requests

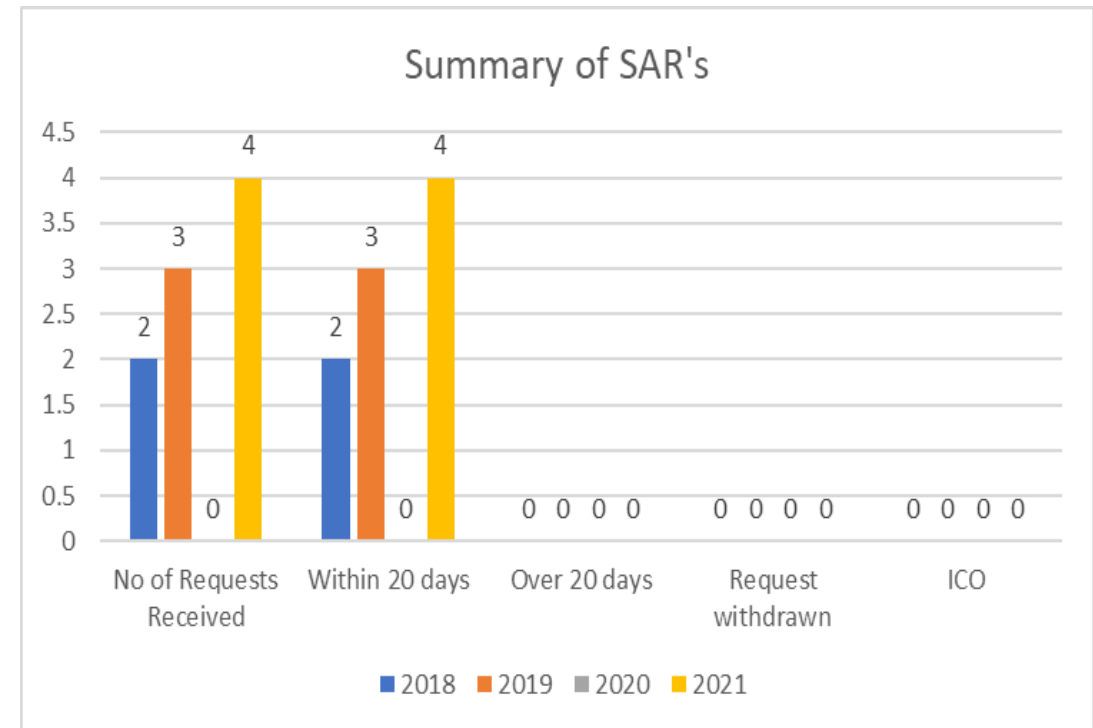
- 2.14 The purpose of the Data Protection Act is to:
- i) Make provision for the regulation of the processing of information relating to individuals, including the obtaining, holding, use or disclosure of such information;
 - ii) Protect individuals from the use of incorrect information about them whether that information is automatically processed or held manually in a `relevant filing system`;
 - iii) Protect individuals from the improper use of correct information held about them;
 - iv) Provide individuals with the right to know of and correct such information held about them and to claim compensation in situations where they suffer damage or distress as a result of the loss, destruction or unauthorised disclosure of data;
 - v) Ensure UK compliance with the European Directive on the protection of individuals in regard to the processing of their personal data.
- 2.15 The Data Protection Act applies whenever *personal* data is processed by a Data Controller in accordance with the Act. The Police and Crime Commissioner is the Data Controller for Cumbria Office of the Police and Crime Commissioner (OPCC). The OPCC is required to ensure that before any personal data is processed there is a legal basis for that processing. The Act requires that all personal data is maintained in accordance with the 8 Data Protection Principles, unless an exemption applies. The OPCC collates, stores and processes data in accordance with legislation and the Data Protection Act (DPA) Policy and procedures.
- 2.16 Section 7(1) of the Act gives individuals the right to access their personal data and they can do this by making a Subject Access Request (SAR) in writing and paying a fee. An applicant is entitled to:
- Be told whether any personal data is being processed;
 - Given a description of the personal data, the reasons it is being processed and whether it will be given to any other organisations or people;
 - Given a copy of their personal data; and
 - Given details of the source of the data (wherever this is available).

2.17 The Act requires that Subject Access Requests for information are dealt with within one month. This timescale commences the day after the request is received. The table shown to the right illustrates the number of requests received by the OPCC and how they were dealt with in comparison with previous years. As can be seen, the OPCC does not as a matter of course receive or deal with large quantities of SAR's.

Data Breaches

2.18

During the first 6 months of 2021 two matters were reported to the Joint Data Protection Officer concerning information which had been sent to the wrong recipient. When identified both matters were assessed, the information retrieved or deleted and reported to the Joint Data Protection Officer. They made an assessment on each and neither were required to be reported to the Information Commissioner's Office.



3. Joint Data Protection Officer

- 3.1 With the introduction of the Data Protection Act 2018 and the General Data Protection Regulations (GDPR) on 25 May 2018, the OPCC was required to appoint a Data Protection Officer. Their role is to inform and advise the Data Controller of their obligations under the UK GDPR and other relevant data protection laws; and be the first point of contact for the Information Commissioner.
- 3.2 A Data Protection Officer monitors compliance with data protection laws, including managing internal data protection activities, advise on data protection impact assessments, train staff and conduct internal audits. To enable them to carry out this role they must have professional experience and knowledge of data protection law proportionate to the type of processing carried out by the organisation.
- 3.3 The legislation allows for an individual to be appointed as a Data Protection Officer by more than one data controller, taking into account of their organisational structure and size. With this in mind, the Office of the Police and Crime Commissioner agreed that they would have a Joint Data Protection Officer (JDPO) with the Constabulary.

- 3.4 This arrangement has worked well since its introduction with the OPCC receiving professional support and guidance from the appointed JDPO. It has also enabled oversight of both organisations to identify any issues or trends.
- 3.5 A Personal Data Breach guidance document was developed to allow all members of staff to be aware of the requirements when reporting a breach. Any breaches in relation to information once identified must be notified to the Joint DPO within 72 hours, who will then deal with them appropriately.
- 3.6 On a six-monthly basis the OPCC Deputy Chief Executive, the Joint DPO and the OPCC Governance Manager meet to discuss any identified issues, emerging trends and themes. It also ensures knowledge and processes are up to date.

4. Implications

- 4.1 Financial - failure by the OPCC to comply with legislation could lead to financial penalties of up to 20m Euros.
- 4.2 Legal – Freedom of Information Act, Data Protection Act and the General Data Protection Regulations are statute and the OPCC is thereby required to comply with them. Failure to do so could lead to financial penalties or legal proceedings.
- 4.3 Risk - should the OPCC fail to ensure that it processes and stores data in line with legislation it risks heavy financial penalties, adverse publicity and potential litigation.
- 4.4 HR / Equality - the new legislation has increased the rights of individuals to have their information processed fairly and where necessary removed.
- 4.5 I.T – the OPCC website has been updated to ensure that it complies with legislation.

**Enquiries to: Mrs J Head
Telephone: 01768 217734**

Our reference: jh/EIP

Date: 26 October 2021

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 4 November 2021** at **2.00 pm**. Due to Government Guidelines in response to COVID-19 the meeting is being held via telephone conference facility.

Details of how to access the meeting will be emailed to participants separately.

**G Shearer
Deputy Chief Executive**

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 5 August 2021 (copy enclosed).

5. CONTACT WITH THE PUBLIC

To receive an update on the work being carried out by the Constabulary's Disproportionality Working Group– *to be provided by Deputy Chief Constable Mark Webster*

6. CIVIL CLAIMS

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

7. STOP AND SEARCH ANNUAL REPORT

To receive an annual report on Stop and Searches made by the Constabulary during 2020-21 – *to be presented by Inspector Mike O'Hagan / T/C/Superintendent Matt Kennerley*

- 8. INFORMATION MANAGEMENT COMPLIANCE**
To receive and note a report by Cumbria Constabulary on their compliance with Data Protection Legislation (copy enclosed) – *To be presented by Lesley Johnson, Force Data & Information Improvement Advisor.*
- 9. DATA ETHICS ADVISORY GROUP**
To receive a verbal update from the meeting held on 28 September 2021 – *To be presented by Jo Edgar, Joint Chief Information Officer / Lesley Johnson*
- 10. OFFICER & STAFF UPDATE**
 - (a) To receive an update in relation to Operation Uplift – *to be presented by Superintendent Dave Stalker*
 - (b) To receive a report in relation to police officer and staff sickness - *to be presented by Superintendent Dave Stalker*
 - (c) To receive an update on the Constabulary's Conscious Inclusion Accreditation Programme and its development – *To be provided by Chief Superintendent Lisa Hogan*
- 11. GRIEVANCES**
To receive and note a report by Cumbria Constabulary on grievance cases - *To be presented by Superintendent Dave Stalker*
- 12. INTEGRITY**
To receive a report on the work carried out within the Constabulary's Professional Standards Department, including Complaints by the Public; and Anti-Fraud & Corruption (including officer and staff misconduct) – *to be presented by Detective Chief Inspector Craig Smith*
- 13. CONSTABULARY'S OFFICER VERIFICATION PROCESS & ACTIONS**
To receive an update on the Constabulary's additional officer verification process and other actions being taken following the Sarah Everard case – *to be presented by Deputy Chief Constable Mark Webster*
- 14. ETHICAL STANDARDS POLICY**
To receive and note the recently updated Constabulary's Ethical Standards Policy
- 15. OPCC COMPLAINTS, REVIEWS AND QSPI**
To receive and note reports to be presented by the *OPCC Deputy Chief Executive* regarding
 - (a) OPCC Complaints & Reviews; and
 - (b) Quality of Service Issues received; and work carried out
- 16. OPCC INTERNAL AUDIT – COMPLAINT REVIEWS**
To receive a copy of the Internal Audit Report in relation to Complaint Reviews – *To be presented by the OPCC Deputy Chief Executive*

17. PANEL TERMS OF REFERENCE, 2022 ANNUAL WORK PROGRAMME & MEETING DATES

To consider and agree the Panel's annual work programme and meeting dates for 2022 - *To be presented by the OPCC Deputy Chief Executive*

ETHICS AND INTEGRITY PANEL

Notes of a meeting of the Ethics and Integrity Panel held on
Thursday 5 August 2021 via video conference facility at 2.00 pm

PRESENT

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

Also present:

Deputy Chief Constable – Mark Webster
Chief Superintendent – Sarah Jackson
Chief Superintendent – Lisa Hogan
Detective Chief Inspector – Craig Smith
Chief Inspector Jon Sherlock
HR Manager – Kate Ruddick
OPCC Deputy Chief Executive – Vivian Stafford
OPCC Governance Manager - Joanne Head

23. APOLOGIES FOR ABSENCE

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

24. DISCLOSURE OF PERSONAL INTERESTS

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

25. URGENT BUSINESS

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

26. NOTES OF THE PREVIOUS MEETING

The notes of the meeting held on 5 May 2021 previously circulated with the agenda were agreed.

With regard to the issue previously highlighted in relation to members of the public having to potentially declare receipt of a Fixed Penalty Notice for some professions, DCC Webster advised that an FPN issued under COVID regulations was a non-recordable matter, however some employees in certain vocations may be required to advise their employer should they receive

one. A discussion subsequently took place and Chief Inspector Sherlock advised that the Constabulary had in place an Adult Out of Court Disposal framework which incorporated the offender management programme called Pathways. This offered reparation for the victim and rehabilitation for the offender resulting in the offender facing swifter consequences for their actions, addressing the root cause of offending and achieving better outcomes for victims. The members were provided with a website link to the OPCC website where further information was available.

Agreed; that, the notes of the meeting held on 5 May 2021 were agreed.

(a) Property Store Review

The Panel were provided with a report which outlined how the Constabulary were reducing the risk of complaints or civil claims being made in relation to property retention and damage. It now only retained property for as long as necessary and access to property stores was restricted to a small team of police staff.

A property performance management tool had been created which enabled the monitoring of property across all of the Constabulary's stores. This allowed any trends to be identified and property to be retained within store only for the necessary amount of time. A stocktake and audit of property had been undertaken and any items no longer required or claimed had been removed and/or returned.

Agreed; that, the update be noted.

27. CONTACT WITH THE PUBLIC REVIEW

Chief Superintendent Jackson presented a report which outlined the steps Cumbria Constabulary were taking to build on the commitment given by all Chief Constables in January 2021. This being to act on issues of diversity and inclusion and concerns about racial inequalities, including the experiences of black people in policing and the criminal justice system.

To co-ordinate this work the Constabulary had established a Disproportionality Working Group (DWG) which brought together senior leaders and staff association members from across the organisation. This had commenced in February 2021 with financial support from the Office of the Police and Crime Commissioner (OPCC) to commission outside agency work. The overall aim of the work was to ensure that when people from a black, brown or minority ethnic background live, work or visit Cumbria they feel confident that they will be treated fairly, without fear of discrimination.

In addition to the DWG the Constabulary were working with Anti-Racist Cumbria, a voluntary organisation created in response to the Black Lives Matter movement. A series of focus groups had been set up with Chief Officers, officers and staff within the organisation and organisations who worked with the Constabulary.

Following a member's question C/Supt Jackson advised that the work of the focus groups involved general conversations on the perception of racism in policing both locally and nationally by way of open and safe conversations. The Constabulary had also analysed multiple datasets to examine the proportionality or otherwise of police powers used in relation to Black, Asian and Minority Ethnic individuals. These findings had been shared with Anti-Racist Cumbria, who along with their own work would report to the Constabulary in September 2021.

Consideration of all findings would be formulated into a SMART action plan to assist in the shaping of the Constabulary for the future. A member asked why the Constabulary were waiting until the report was finalised and not starting to tackle disproportionality now. C/Supt Jackson assured the Panel that work had already started but it was important to understand and recognise any disparity that Anti-Racist Cumbria may identify. They also asked what the Constabulary were doing in relation to raising awareness amongst staff regarding diversity markers such as Black History Month and within officer and staff training. C/Supt Jackson advised that one of the purposes of the work was to enable officers and staff to have improved relationships with the public. It was noted that an events calendar within the Constabulary mapped events of all cultures. The Panel recognised that disproportionality did not always mean discrimination or that there was a problem. However, interactions with the public, especially stop and search needed to be justified and proportionate.

Changes were being made to how stop and search was recorded with data capture gaps being addressed by being unable to skip over completing fields. Work had been carried out to trace individuals who had been stopped by police and were comfortable to speak with Anti-Racist Cumbria about their experiences. To assure the Panel members C/Supt Jackson affirmed that a full Data Protection Impact Assessment (DPIA) had been carried out and that the Constabulary had contacted the individuals to ask if they would be prepared to speak with Anti-Racist Cumbria before providing contact details.

It was recognised that the census data for Cumbria would be 10 years out of date and not adequately reflect the diverse make-up of Cumbria's communities. DCC Webster also reminded the meeting that the county population was not always the population who interacted with the Constabulary. Due to an increased tourist population and the M6 motorway system could see a disproportionality between those who were subject to stop and search compared to the resident population. Work was also being carried out with the Lake District National Park to understand the demographics of tourists and their ethnic makeup. County Lines gangs would also impact on demographics if they are stopped and searched.

It was agreed that the Panel would be provided with a copy of the final report from Anti-Racist Cumbria and retain this as a standard agenda item receiving updates on the work being carried out by the Constabulary going forward.

Agreed; that, the

- (i) report be noted;
- (ii) Panel be provided with a copy of the final report; and
- (iii) Contact with Public Review remain as a standard agenda item for the Panel.

28. OFFICER AND STAFF UPDATE

HR Manager, Kate Ruddick presented a report which outlined work and measures carried out by the Constabulary in relation to COVID19 and the wellbeing of its staff and officers. A variety of measures had been implemented including risk assessments, COVID testing, agile working, vaccination monitoring, health and safety measures including sanitiser stations and PPE provision.

A member asked how officers and staff being infected by COVID and also the need to self-isolate had affected the Constabulary. DCC Webster advised that due to agile working if an officer was required to self-isolate they could be re-deployed to other roles. Only a small proportion had not been able to work.

In response to a member's question the Panel were advised that over the previous 2 years general sickness had remained fairly static and had in fact reduced. The ability to work from home had assisted with this as often staff who felt unable to attend their normal place of work but were fit enough could work from home. The Panel asked that they be provided with a report in relation to general officer and staff sickness compared to those figures identified because of COVID.

Agreed; that, the
(i) report be noted;
(ii) Panel receive a report in relation to general officer and staff sickness compared to those figures identified because of COVID.

29. CONSTABULARY GRIEVANCE POLICY AND PROCEDURE

A copy of the Constabulary's draft Grievance Policy and Procedure was presented by HR Manager, Kate Ruddick. The policy had recently been reviewed and updated, reducing the number of stages within the process and broadening some of the timescales to be more realistic especially for those who worked shift patterns. The policy mirrored the stages within the ACAS code of practice.

A member suggested that the policy articulate what a grievance was to enable staff and managers to identify what was a grievance and what could simply be comments being made, helping to manage expectations.

Agreed; that the policy be noted.

30. CONSCIOUS INCLUSION ACCREDITATION PROGRAMME

Chief Superintendent Lisa Hogan outlined to the Panel the work the Constabulary were undertaking. An important element of this work would be receiving the outcome of the Contact with the Public Review. It would be important to view the findings and also look at a number of areas to come up with a rounded picture prior to developing the accreditation programme.

The Panel were keen to keep abreast of the developments of the programme and it was agreed that further reports and updates would be presented to them as the programme developed.

Agreed; that,

- (i) verbal report be noted; and
- (ii) an update report on the Constabulary's Conscious Inclusion Accreditation Programme and its development be presented to the November Panel meeting.

31. DIP SAMPLE SESSIONS

(i) Stop and Search

The Panel had selected 40 dates and were provided with all stop and search data appertaining to the dates selected between 1 April 2020 and 31 March 2021. The impact of the COVID-19 pandemic and lockdown restrictions had meant peaks and troughs in when stop and search had been carried out.

During the dip sample the Panel noted that in than 10% (46) of the incidents the officers had not utilised body worn video which was disappointing to see. They advised that on a number of incidents there was insufficient information to identify what had led to the stop, whilst others were precise and gave good rationale. A member advised that on some of the forms it appeared that ethnicity of individuals was the cause of the search. A fuller explanation of the reason for the stop and search would have negated this viewpoint.

The members suggested that anonymised examples of well completed forms be circulated to officers to illustrate what information needed to be included.

The annual report on Stop and Search would be presented to the Panel at their November meeting.

Agreed: that the

- (i) verbal update be received; and
- (ii) annual Stop and Search Report be provided to the Panel at their November meeting.

(ii) Mental Health

During the morning the Panel had carried out a dip sample of a custody record relating to a detainee held in custody under Section 136 of the Mental Health Act. The Panel reported on their observations from the session and felt that the detention of the individual had been justified.

Service provision by health trusts had often hindered the quick release of detainees resulting in custody staff having to deal with individuals for long periods of time whilst appropriate mental health care was found.

Mental health care provision within Cumbria had been split between two mental health trusts. In the north and west of the county this was being provided by Cumbria Tyne & Wear; whilst in the south of the county this was being provided by Lancashire which also included the Morecambe Bay Trust.

In North Cumbria a Street Triage pilot was being carried out. This involved a police officer in an unmarked vehicle being deployed to incidents where mental health crisis was identified with a trained nurse and providing expertise at the scene. There would then be the option to have emergency doctor appointments made or assessment by the Crisis Team. Its current operation was limited but it was hoped that if successful the programme would be expanded. Funding for the project was being found from within current NHS and policing budgets. Encouraging early results had seen a 50% reduction in individuals being subject to Sec 136. This also had an impact on officer time, health resources and the individual themselves.

The Panel strongly supported the work of the Triage Pilot, recognising the work was an important element of tackling key issues.

AGREED; that, the verbal report be noted and the Panel's strong support for this pilot.

32. INTEGRITY

(i) Public Complaint & Misconduct Dip Sample Sessions

The Panel members provided an overview of their findings from the public complaint and misconduct dip sample sessions which had taken place a week earlier. Individual case feedback had been provided at the time to the Head of Professional Standards. The Panel wished to convey that following changes to the report it now provided them with more content, analysis and structure; which assisted them in their role and they passed on their thanks to the Head of PSD.

They reiterated the importance of officers and staff using body worn video which did assist in dealing with allegations resulting in matters being concluded quicker. It was recognised with the lifting of lockdown restrictions members of the public would be interacting more with the police. Coupled with more officers this would inevitably result in more complaints being received. Additional staff were to be recruited into the Professional Standards Department to deal with public complaints.

Some of the complaints dip sampled related to officers who had joined the Constabulary via the Direct Entry Scheme at the rank of Inspector. The Panel were interested to hear about the initial and ongoing training that these officers would receive as they would have as much frontline experience as those officers they were supervising. DCC Webster update the meeting on the process. The members had previously been provided with information on the Constabulary's progress with Operation Update and asked for an update for their next meeting.

In relation to misconduct cases, it was noted that approximately 50% related to when officers were off-duty. Chief Inspector Smith advised that the Constabulary were re-iterating to staff that they were police officers and reminded of the Standards of Professional Behaviour both on and off duty.

AGREED; that,
(i) the verbal reports be noted; and
(ii) an update on Operation Uplift be provided to the Panel Meeting in November.

(ii) Professional Standards Report

Chief Inspector Smith presented the Integrity report. The report illustrated a 23% decrease in the number of public complaints received against a 34% increase in reported crime. Proactive work had reduced the number of complaints received in relation to stop and search. A review of processes the Professional Standards Department had resulted in more complaints being recorded under Schedule 3. Further training and development of the team would be taking place over the coming months. In relation to conduct it was noted that 70% were concluded as 'no case to answer' and 10% were de-recorded.

A discussion took place in relation to specific aspects of the report.

Agreed; that, the report be noted.

(iii) Internal Audit re Reflective Practice Review Process – Practice Requiring Improvement

The Constabulary had recently had an Internal Audit review of the Reflective Practice Review Process and Practice Requiring Improvement. Five recommendations had been identified at the conclusion of the audit with the report being presented to the Joint Audit Committee.

As part of a review of the process the Professional Standards Department had contacted those officer and staff who had been involved in a process to ascertain how they had found it and the results. An IT solution was being developed to capture learning for the individual and organisation, streamlining the process.

It was agreed that the Panel during their October dip sample session would review some cases where PRI had been identified. An update on developments to be reported to the November meeting.

Agreed; that, the

- (i) report be noted; and
- (ii) Panel review some PRI cases as part of their October dip sample session;
- (iii) Panel receive an update on developments at the November meeting.

33. INFORMATION MANAGEMENT COMPLIANCE

The OPCC Governance Manager presented to members a report which detailed the OPCC's compliance in relation to Freedom of Information Requests and Subject Access Requests. The OPCC had seen an increase in the number of Freedom of Information requests received during the first six months of 2021. Of those received they had responded to 92.86% of them within the prescribed 20 working days. It also saw an increase in the number which it was required to respond to rather than information which was held by the Constabulary.

The types of information being requested related to staff numbers and salary costs; funding projects, grant agreements, election information, police officer numbers and OPCC policies. Often the data requested was already published on the OPCC's website which the requested would be advise of and given a link. A number of requests were linked to the Commissioner's expenditure in the run up to the elections which were held in May 2021.

Unlike 2020, the OPCC had received four Subject Access Requests. Two of the requests were for the OPCC to deal with and the information was provided within the one-month timescale. Individuals were provided with contact details for the Constabulary for the other two requests.

During the first 6 months of 2021 two matters were reported to the Joint Data Protection Officer concerning potential data breaches. Having made an assessment on each incident neither were required to be reported to the Information Commissioner's Office. The Governance manager advised that 6 monthly reminders were given to staff on dealing with information.

The Panel were advised that the Constabulary would be presenting their report in relation to information management compliance to the November meeting.

AGREED; that, the report be noted.

Meeting ended at 4.30 pm

Signed: _____
Panel Chair

Date: _____



Operations Board

Stop and Search Annual Performance Report

Reporting Period 01st April 2020 to 31st March 2021

Inspector Mike O'Hagan

Update regarding Stop Search and Use of Force

Due to recent changes in processes these two areas of business in regard to Stop and Search and the Use of Force will now be a combined board and future reports and overviews can be threaded together instead of separately as they are currently.¹

Executive summary

The total number of stop and searches FYTD 2020/2021 has increased across the Constabulary when compared to FYTD 2019/2020 data.

With the Constabulary recording a total of 3595 searches, a significant increase from the same FYTD period when 2120 searches were conducted: an overall increase of 1475.

FY_YearName	# Stop_searches	# Arrests	% Arrested	# Positive Outcomes	% Positive Outcomes	# Positive Outcomes matching search reason	% of all searches with matched outcomes
FY 2020/21	3,595	614	17.1%	1,002	27.9%	753	20.9%
FY 2019/20	2,120	344	16.2%	524	24.7%	405	19.1%
FY 2018/19	1,740	328	18.9%	490	28.2%	402	23.1%
Total	7,455	1,286	17.3%	2,016	27.0%	1,560	20.9%

¹ Use of Force Reports up to December 2020 are currently available and in the public domain on the Cumbria Constabulary website. Please see: [Use of Force \(cumbria.police.uk\)](https://www.cumbria.police.uk)

All three Territorial Policing Areas (TPAs) have realised increases, with West TPA accruing 1150, North 1245 and South 1092 respectively. These increases remain broadly identifiable across most demographics and searches by officers.²

Prevailing COVID-19 restrictions necessitated increased face to face public engagement, such extensive targeted patrol and this is likely to have increased the numbers of stop searches. Likewise shift inputs continue to support and build improved awareness, confidence, and application of stop search powers. The closing or restricting of licenced premises during this reporting period continued to afford alternative proactive policing opportunities. The constabulary increases remain in sync with the national picture (noted below) with the political focus on its use continuing to shift. As COVID-19 restrictions are lifted, it is anticipated that police engagement with the public, calls for service, and the use of stop and search will increase as restrictions such as lock downs, public meetings, and the night time economy begin to return to pre COVID-19 levels.

Arrest rate is still considered a marker of success. As evidenced the number of searches resulting in arrest across the constabulary increased significantly from 344 to 614, an increase of 270 arrests, with all three Territorial Policing Areas achieving commensurate increases within the FYTD 2020/2021 period.

In line with the increase in both searches and arrests, the data evidences that the Positive Outcomes (this includes summons, cannabis warnings, Penalty Notices for Disorder etc) rose from 524 (24.7%) in 2019/20 to 1002 (27.9%) in 2020/21 FYTD, an increase of 478. The number of Positive Outcomes that Match Reason for Search rose from 405 (19.1%) in 2019/20 to 753 (20.9%) in 2020/21 FYTD.

The data demonstrates how the proportion of searches resulting in a positive outcome has increased across the constabulary and demonstrates an application of more targeted and specific use of stop and search powers which is linked to priorities raised at Tasking and Coordination meetings such as rural crime and county lines drug trafficking.

² It was identified that 108 searches included in the overall total had a blank TPA at the initial point of data collection. This has subsequently been reduced to 8 as per this table which shows how they are split.

TPA	Total
North	48
South	33
West	19
Blank	8

All discussed, all three TPAs have increased numbers in their use of stop and search from previous years.

- North conducted 1245 searches, resulting in 210 arrests (16.9%) and 352 having positive outcomes (28.3%). The positive outcome matching search reason was 241 (19.4%).
- South conducted 1092 searches, resulting in 193 arrests (17.7%) and 306 having positive outcomes (28.0%). The positive outcome matching search reason was 238 (21.8%).
- West conducted 1150 searches, resulting in 195 arrests (17.0%) and 313 having positive outcomes (27.2%). The positive outcome matching search reason was 252 (21.9%).

The main reason for searching continues to be misuse of drugs, in particular possession followed by supply of drugs and then offensive weapons.

The new Red Sigma stop search platform allows for officers to directly input the details onto the ICT system and can be uploaded by officers direct from their hand held devices which assists with immediate recording of searches compared with the traditional paper version or inputting at a desk top at a police station.

National Picture

The below statistics are the most recent national statistics and continues to act as a useful contextual comparator.

Police powers and procedures, England and Wales, year ending 31 March 2020 –

- There were 558,973 stops and searches conducted under section 1 PACE (and associated legislation) by police in England and Wales (excluding Greater Manchester Police who were unable to provide complete stop and search data in 2019/20). This was an increase of 192,061 (52%) compared with the previous year (366,912). The Metropolitan Police service accounts for half of the increase in the number of stops and searches in latest year.
- This is the highest number of stops and searches since 2013/14 (872,518), but 53% below the peak number of in 2010/11 (1,179,746).
- Of those conducted under section 1 PACE (and associated legislation), 73,423 led to an arrest. This was 27% higher than the previous year (57,709), but the increase in the volume of arrests was lower than the increase in stop and searches which led to a fall in the arrest rate (from 16% to 13%).
- Police in England and Wales carried out 18,081 stops and searches under section 60 of the Criminal Justice and Public Order Act in anticipation of violence. This is an increase of 35% compared with the number of searches under this power in the year ending March 2019 (from 13,414 to 18,081).
- Combined, there were a total of 577,054 searches in 2019/20, resulting in 74,121 arrests (an overall arrest rate of 13%).
- Individuals from a Black, Asian and minority ethnic background were stopped at a rate 4.1 times higher than those who were from a White ethnic group. This was similar to the previous year when the rate was 4.3 times higher.³

³ The Home Office has yet to publish the 2020/21 Stop Search Reports, so only the 2019/20 Reports are currently available for any comparison. Please see: *Source document:* https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/929573/police-powers-procedures-mar20-hosb3120.pdf (Accessed 22/06/2021).

Cumbria

During 2020/2021 FYTD, the stop and search recording system has relocated to the Red Sigma platform. This will ultimately allow for a comprehensive review and recording of searches undertaken by officers. Unfortunately, significant ICT issues were encountered during this transition which made for differing data styles and issues retrieving the relevant information to conduct this annual and the previous Q4 Report. The ambition going forward remains for the Power BI product to allow for real time review. Information management confirm that there is currently a significant lag, but that this should be reduced in the coming months.

Red Sigma continues to incorporate system alerts which allow the Child Centred Policing Teams to be informed of any stop searches of children, enabling them to contact the child and family within 72 hours. Additional guidance text within the grounds box has also been requested, acting as a prompt for officers to include more detail when completing this section. This should continue to strengthen constabulary compliance rates.

There have been no Section 60 authorisations during this review period. The constabulary has also strengthened its requirement under PACE to provide a post search receipt. This aspect will be further assured by Area Performance Inspector oversight. Additionally, West TPA are due to commence a digitised pilot receipt process which will be utilised across the constabulary if successful.

Police powers and procedures, 2019/20: Stop and Search data tables⁴

SS.03: Stop and searches¹ under section 1 of PACE (and associated legislation), by police force area and reason for search, England and Wales, 2019/20^{2,3}

Geocode	Police Force Area	Searches made by reason for search							Total
		Stolen property	Drugs	Firearms	Offensive weapons	Going equipped	Criminal damage	Other	
E23000006	Cheshire	237	2,586	7	505	372	67	9	3,783
E23000002	Cumbria	172	1,480	3	206	203	37	17	2,118
E23000005	Greater Manchester
E23000003	Lancashire	559	4,843	58	1,353	1,383	87	231	8,514
E23000004	Merseyside	598	26,411	142	2,172	2,302	251	1,540	33,416
E12000002	North West Region	1,566	35,320	210	4,236	4,260	442	1,797	47,831

⁴ This data will be refreshed in further Constabulary Reports once the Home Office has released new data. At the time of writing the above table remains the most useful comparator for North West Regional Forces. Please see: <https://www.gov.uk/government/statistics/police-powers-and-procedures-england-and-wales-year-ending-31-march-2020>

Cumbria Constabulary Stop Search Data
Period 01st April 2020 – 31st March 2021

Constabulary Year to Date

From 1st April 2020 until 31st March 2021 there have been 3595 searches of people and vehicles which have taken place. This is compared to 2120 which were conducted in the same period in 2019/2020.

The majority of the searches have been person searches with but there were 246 vehicles only searches undertaken.

As previously stated, the number of arrests, which can be seen as a marker of success, have increased to 614 (17.1%) compared to 344 (16.2%) the previous year.

In line with the increased number of searches, the proportion of positive outcomes has increased across the constabulary to 1002 (27.9%) in this reporting period, compared with 524 (16.2%) in 2019/2020 FYTD. On a similar scale, the positive outcomes matching the reason for search stands at 753 (20.9%) for this year's report, compared with 405 (19.1%) in 2019/2020 FYTD.

- North conducted 1245 searches, resulting in 210 arrests (16.9%) and 352 having positive outcomes (28.3%). The positive outcome matching search reason was 241 (19.4%).
- South conducted 1092 searches, resulting in 193 arrests (17.7%) and 306 having positive outcomes (28.0%). The positive outcome matching search reason was 238 (21.8%).
- West conducted 1150 searches, resulting in 195 arrests (17.0%) and 313 having positive outcomes (27.2%). The positive outcome matching search reason was 252 (21.9%).

The most common reason for searching was under the Misuse of Drugs Act. 2744 stop and searches were conducted using this power across the constabulary with a positive outcome rate of 27%.

The below data evidences the stop searches increases across all three TPAs and the constabulary as a whole.

Constabulary search and arrest rate 2019/2020

Search and Arrest Data - FYTD - Data until 31st March 2021

Area

The Constabulary

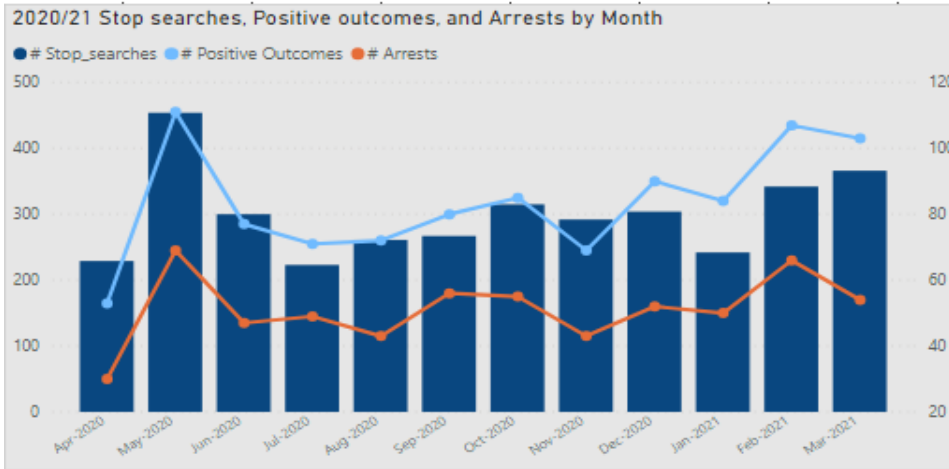
FY_QuarterYearN...
All

AmendedTPA
All

FY_YearName	# Stop_searches	# Arrests	% Arrested	# Positive Outcomes	% Positive Outcomes	# Positive Outcomes matching search reason	% of all searches with matched outcomes
FY 2020/21	3,595	614	17.1%	1,002	27.9%	753	20.9%
FY 2019/20	2,120	344	16.2%	524	24.7%	405	19.1%
FY 2018/19	1,740	328	18.9%	490	28.2%	402	23.1%
Total	7,455	1,286	17.3%	2,016	27.0%	1,560	20.9%

2020/21 Positive Outcome Breakdown

Outcome	# Stop_searches	% Stop Searches
Arrest	614	17.1%
Caution	1	0.0%
Caution (simple or conditional)	21	0.6%
Community resolution	48	1.3%
Khat / Cannabis Warning	13	0.4%
Khat or Cannabis warning	156	4.3%
Penalty notice for disorder	19	0.5%
Summons	3	0.1%
Summons/charge by post	110	3.1%
Verbal warning / words of advice	15	0.4%
Voluntary attendance	2	0.1%
Total	1,002	27.9%



2020/21 NFA Breakdown

Outcome	# Stop_searches	% Stop Searches
A no further action disposal	2,593	72.1%
Total	2,593	72.1%

Search and arrest data North 2020/2021

Search and Arrest Data - FYTD - Data until 31st March 2021

Area

North

FY_QuarterYearN...

All

AmendedTPA

North

FY_YearName	# Stop_searches	# Arrests	% Arrested	# Positive Outcomes	% Positive Outcomes	# Positive Outcomes matching search reason	% of all searches with matched outcomes
FY 2020/21	1,245	210	16.9%	352	28.3%	241	19.4%
FY 2019/20	561	106	18.9%	165	29.4%	127	22.6%
FY 2018/19	648	138	21.3%	204	31.5%	172	26.5%
Total	2,454	454	18.5%	721	29.4%	540	22.0%

2020/21 Positive Outcome Breakdown

Outcome	# Stop_searches	% Stop Searches
Arrest	210	16.9%
Caution (simple or conditional)	12	1.0%
Community resolution	23	1.8%
Khat / Cannabis Warning	3	0.2%
Khat or Cannabis warning	55	4.4%
Penalty notice for disorder	6	0.5%
Summons	1	0.1%
Summons/charge by post	39	3.1%
Verbal warning / words of advice	2	0.2%
Voluntary attendance	1	0.1%
Total	352	28.3%

2020/21 Stop searches, Positive outcomes, and Arrests by Month



2020/21 NFA Breakdown

Outcome	# Stop_searches	% Stop Searches
A no further action disposal	893	71.7%
Total	893	71.7%

Search and arrest data South 2020/2021

Search and Arrest Data - FYTD - Data until 31st March 2021

Area

South

FY_QuarterYearN...

All

AmendedTPA

South

FY_YearName	# Stop_searches	# Arrests	% Arrested	# Positive Outcomes	% Positive Outcomes	# Positive Outcomes matching search reason	% of all searches with matched outcomes
FY 2020/21	1,092	193	17.7%	306	28.0%	238	21.8%
FY 2019/20	662	117	17.7%	170	25.7%	130	19.6%
FY 2018/19	472	89	18.9%	133	28.2%	113	23.9%
Total	2,226	399	17.9%	609	27.4%	481	21.6%

2020/21 Positive Outcome Breakdown

Outcome	# Stop_searches	% Stop Searches
Arrest	193	17.7%
Caution	1	0.1%
Caution (simple or conditional)	2	0.2%
Community resolution	15	1.4%
Khat / Cannabis Warning	4	0.4%
Khat or Cannabis warning	61	5.6%
Penalty notice for disorder	9	0.8%
Summons/charge by post	20	1.8%
Verbal warning / words of advice	1	0.1%
Total	306	28.0%

2020/21 Stop searches, Positive outcomes, and Arrests by Month



2020/21 NFA Breakdown

Outcome	# Stop_searches	% Stop Searches
A no further action disposal	786	72.0%
Total	786	72.0%

Search and arrest data West 2020/2021

Search and Arrest Data - FYTD - Data until 31st March 2021

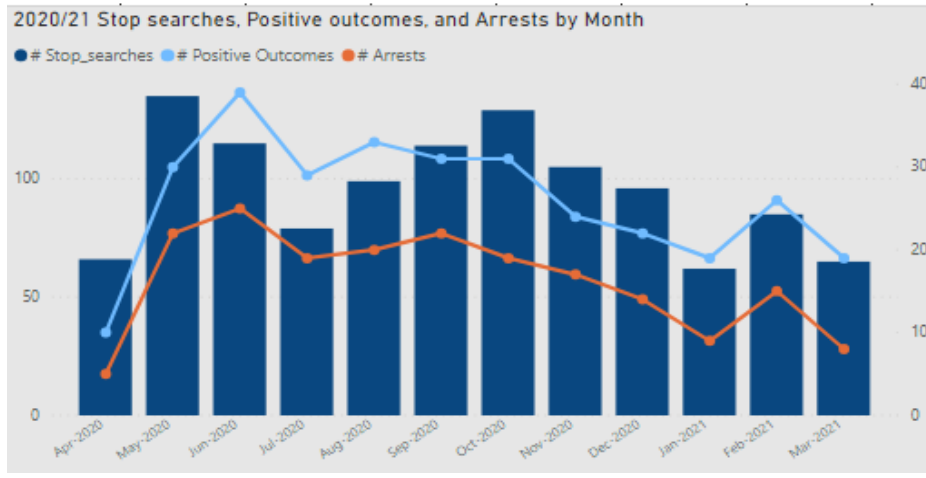
Area **West**

FY_QuarterYearN...
 All
 AmendedTPA
 West

FY_YearName	# Stop_searches	# Arrests	% Arrested	# Positive Outcomes	% Positive Outcomes	# Positive Outcomes matching search reason	% of all searches with matched outcomes
FY 2020/21	1,150	195	17.0%	313	27.2%	252	21.9%
FY 2019/20	897	121	13.5%	189	21.1%	148	16.5%
FY 2018/19	617	99	16.0%	150	24.3%	115	18.6%
Total	2,664	415	15.6%	652	24.5%	515	19.3%

2020/21 Positive Outcome Breakdown

Outcome	# Stop_searches	% Stop Searches
Arrest	195	17.0%
Caution (simple or conditional)	7	0.6%
Community resolution	10	0.9%
Khat / Cannabis Warning	2	0.2%
Khat or Cannabis warning	40	3.5%
Penalty notice for disorder	4	0.3%
Summons	1	0.1%
Summons/charge by post	51	4.4%
Verbal warning / words of advice	2	0.2%
Voluntary attendance	1	0.1%
Total	313	27.2%



2020/21 NFA Breakdown

Outcome	# Stop_searches	% Stop Searches
A no further action disposal	837	72.8%
Total	837	72.8%

Stop & Search External Scrutiny

Due to the COVID-19 pandemic, it has not been possible for the constabulary to utilise external scrutiny as it has in previous years. However, the constabulary is in the process of re-generating the Independent Advisory Groups (IAGS) and for them to be an additional and independent layer of scrutiny in the area. Future Stop Search Reports will be able to produce the results and advice from IAG meetings.

Compliance and Body worn video

Since the end of June 2020, the Business Improvement Unit have quality assured every stop and search record. This is to ensure officers are undertaking searches as per College of Policing guidance and that the encounters themselves are being correctly recorded.

A dip sample of approximately 20% are further checked for Body Worn Video (BWV) compliance and to see if GOWISELY if correctly used. This data is then fed to the constabulary Quality Counts department.

The below data displays the dip sampled searches completed with include North, South, and West TPA and specialist departments such as Uniformed Operational Support (Pro-Active Support Group and Mobile Support Group) and the ANPR Team.

The data is broken down and graded as compliant, requires improvement but still compliant and finally non-compliant.

Definitions of the categories are included in the quality counts document which supports consistency of regular review and is defined as follows:

Compliant – where an officer has recorded reasonable grounds to state why they are searching the person/vehicle. They have given enough information/detail that any lay person reading the grounds in isolation from any other document (e.g. incident log) would fully understand the reason for search.

Requires Improvement – Grounds are lacking in detail or ambiguous wording has been used. Terms such as suspicious or evasive have been used where best practice would be to expand to say what is meant by suspicious, or for example including what was said between officer and subject rather than just writing that the person was evasive to questions. Where smell of cannabis alone is used in isolation. Best practice is to use alongside other factors.

Non-compliant – Officer has not given enough detail to show the reason for the search.

June	Total Searches	BWV Marked as Used (from Pronto)		BWV Checked		GOWISELY Used		GOWISELY Part Used		No GOWISELY heard		Not Found on Evidence.com	
			%		%		%		%		%		%
North	60	42	70%	6	10%	2	33%	2	33%	2	33%	0	0%
South	95	64	67%	11	12%	3	27%	3	27%	2	18%	3	27%
West	109	80	73%	11	10%	7	64%	3	27%	1	9%	0	0%
OSU	41	26	63%	4	10%	3	75%	1	25%	0	0%	0	0%
ANPR	3	1	33%	1	33%	0	0%	1	100%	0	0%	0	0%
Total	308	213	69%	33	11%	15	45%	10	30%	5	15%	3	9%

July	Total Searches	BWV Marked as Used (from Pronto)		BWV Checked		GOWISELY Used		GOWISELY Part Used		No GOWISELY heard		Not Found on Evidence.com	
			%		%		%		%		%		%
North	67	61	91%	46	69%	17	37%	10	22%	5	11%	14	30%
South	47	33	70%	18	38%	7	39%	4	22%	4	22%	3	17%
West	78	65	83%	33	42%	3	9%	16	48%	4	12%	10	30%
OSU	23	17	74%	14	61%	2	14%	1	7%	3	21%	8	57%
ANPR	10	7	70%	3	30%	0	0%	0	0%	2	67%	1	33%
Total	225	183	81%	114	51%	29	25%	31	27%	18	16%	36	32%

August	Total Searches	BWV Marked as Used (from Pronto)		BWV Checked		GOWISELY Used		GOWISELY Part Used		No GOWISELY heard		Not Found on Evidence.com	
			%		%		%		%		%		%
North	84	77	92%	36	43%	17	47%	11	31%	1	3%	7	19%
South	56	45	80%	24	43%	8	33%	9	38%	3	13%	4	17%
West	88	79	90%	37	42%	7	19%	19	51%	4	11%	7	19%
OSU	25	20	80%	14	56%	5	36%	0	0%	5	36%	4	29%
ANPR	12	10	83%	6	50%	0	0%	0	0%	6	100%	0	0%
Total	265	231	87%	117	44%	37	32%	39	33%	19	16%	22	19%

September	Total Searches	BWV Marked as Used (from Pronto)		BWV Checked		GOWISELY Used		GOWISELY Part Used		No GOWISELY heard		Not Found on Evidence.com	
			%		%		%		%		%		%
North	76	72	95%	33	43%	16	48%	8	24%	7	21%	2	6%
South	44	27	61%	14	32%	2	14%	7	50%	2	14%	3	21%
West	102	76	75%	30	29%	8	27%	11	37%	2	7%	9	30%
OSU	37	23	62%	14	38%	2	14%	1	7%	4	29%	2	14%
ANPR	15	6	40%	1	7%	0	0%	0	0%	1	100%	0	0%
Total	274	204	74%	92	34%	28	30%	27	29%	16	17%	16	17%

October	Total Searches	BWV Marked as Used (from Pronto)		BWV Checked		GOWISELY Used		GOWISELY Part Used		No GOWISELY heard		Not Found on Evidence.com	
			%		%		%		%		%		%
North	90	75	83%	27	30%	10	37%	8	30%	1	4%	8	30%
South	60	47	78%	18	30%	10	56%	6	33%	1	6%	1	6%
West	115	81	70%	35	30%	15	43%	13	37%	3	9%	4	11%
OSU	30	20	67%	9	30%	3	33%	2	22%	2	22%	2	22%
ANPR	8	5	63%	1	13%	0	0%	0	0%	1	100%	0	0%
Total	303	228	75%	90	30%	38	42%	29	32%	8	9%	15	17%

November	Total Searches	BWV Marked as Used (from Pronto)		BWV Checked		GOWISELY Used		GOWISELY Part Used		No GOWISELY heard		Not Found on Evidence.com	
			%		%		%		%		%		%
North	113	109	96%	35	31%	18	51%	11	31%	3	9%	1	3%
South	50	41	82%	16	32%	4	25%	10	63%	0	0%	2	13%
West	101	79	78%	32	32%	11	34%	5	16%	5	16%	11	34%
OSU	38	31	82%	16	42%	9	56%	6	38%	1	6%	0	0%
ANPR	13	5	38%	4	31%	0	0%	1	25%	3	75%	0	0%
Total	315	265	84%	103	33%	42	41%	33	32%	12	12%	14	14%

December	Total Searches	BWV Marked as Used (from Pronto)		BWV Checked		GOWISELY Used		GOWISELY Part Used		No GOWISELY heard		Not Found on Evidence.com	
			%		%		%		%		%		%
North	100	95	95%	30	30%	14	47%	8	27%	3	10%	5	17%
South	68	58	85%	21	31%	4	19%	7	33%	4	19%	6	29%
West	89	79	89%	27	30%	9	33%	10	37%	2	7%	6	22%
OSU	44	35	80%	14	32%	7	50%	3	21%	3	21%	1	7%
ANPR	10	7	70%	0	0%	0	0%	0	0%	0	0%	0	0%
Total	311	274	88%	92	30%	34	37%	28	30%	12	13%	18	20%

JANUARY	Total Searches	BWV Marked as Used (from Pronto)		BWV Checked		GOWISELY Used		GOWISELY Part Used		No GOWISELY heard		Not Found on Evidence.com	
			%		%		%		%		%		%
North	73	69	95%	22	30%	17	77%	4	18%	0	0%	1	5%
South	78	68	87%	24	31%	15	63%	6	25%	3	13%	0	0%
West	57	52	91%	18	32%	9	50%	2	11%	2	11%	5	28%
OSU	30	25	83%	7	23%	3	43%	2	29%	0	0%	2	29%
ANPR	5	4	80%	1	20%	0	0%	0	0%	1	0%	0	0%
Total	243	218	90%	72	30%	44	61%	14	19%	6	8%	8	11%

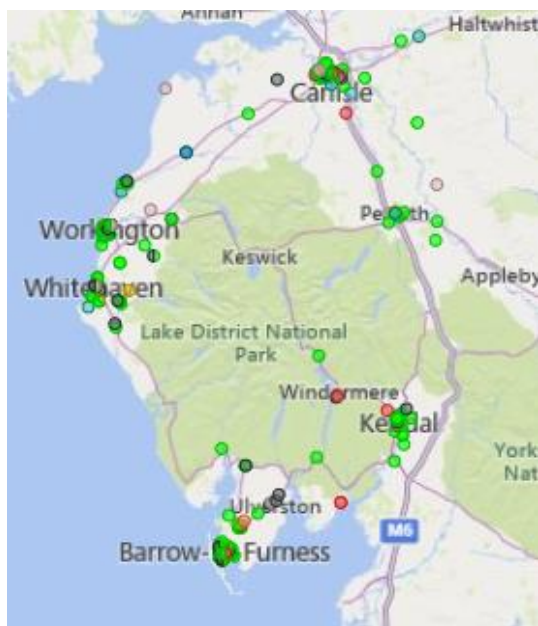
FEBRUARY	Total Searches	BWV Marked as Used (from Pronto)		BWV Checked		GOWISELY Used		GOWISELY Part Used		No GOWISELY heard		Not Found on Evidence.com	
			%		%		%		%		%		%
North	119	103	87%	25	21%	11	44%	8	32%	0	0%	6	24%
South	97	82	85%	22	23%	13	59%	2	9%	0	0%	7	32%
West	79	72	91%	16	20%	7	44%	2	13%	1	6%	6	38%
UOS	31	23	74%	5	16%	3	60%	1	20%	1	20%	0	0%
ANPR	19	15	79%	2	11%	0	0%	0	0%	2	0%	0	0%
Total	345	295	86%	70	20%	34	49%	13	19%	4	6%	19	27%

MARCH	Total Searches	BWV Marked as Used (from Pronto)		BWV Checked		GOWISELY Used		GOWISELY Part Used		No GOWISELY heard		Not Found on Evidence.com	
			%		%		%		%		%		%
North	137	110	80%	30	22%	17	57%	11	37%	1	3%	1	3%
South	86	77	90%	17	20%	8	47%	7	41%	1	6%	1	6%
West	91	86	95%	18	20%	12	67%	3	17%	2	11%	1	6%
UOS	43	34	79%	6	14%	5	83%	1	17%	0	0%	0	0%
ANPR	25	14	56%	3	12%	0	0%	0	0%	0	0%	3	100%
Total	382	321	84%	74	19%	42	57%	22	30%	4	5%	6	8%

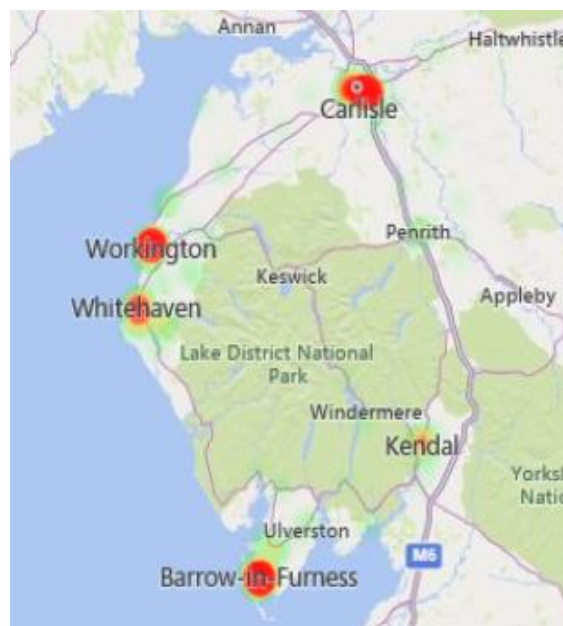
Power BI Tool

The new Power BI stop and search tool shows locations of recorded searches and a heat map in which it is clear that the majority of stop and searches are conducted in the largest towns and the city of Carlisle within the constabulary geographical area.

All Stop Search Locations



Heat Map of Majority of Stop Searches



This information allows for further governance of stop search locations and identify any patterns or areas of concern.

Repeat searches

Over the twelve-month period 2020/2021, 356 individuals have been stop and searched more than once. However, the real figure may be slightly less because some individuals appear more than once due to name spelling and date of birth errors.

The most a person was searched during this full twelve-month period was 12 times. No significant trends have been identified or raised and scrutiny shows that these individuals are not repeatedly searched due to their location or protected characteristic, but due to the grounds presented and their criminal activity. No adverse complaints have been received from these individuals that have been stopped and searched at the above times with appropriate grounds due to their criminality.

Searches by officer

The most searches conducted by an individual officer in 2020/2021 FYTD was 124, which were conducted by a constable in the West Pro-Active Team. The next top number of searches were conducted by two other West Pro-Active officers with 82 and 64 respectively. The fourth highest was a Barrow Pro-Active officer with 58 and then followed by an ANPR Team constable with 56 recorded stop searches.

It is expected to see a disproportionate number of searches conducted by Pro-Active Team officers where stop and search is used as a valid tactic in the prevention and detection of crime. All searches are checked and scrutinised by supervision for legitimacy, procedural accuracy, quality of the search and the submission and completion of correct forms. This ensures data such as powers used, ethnicity, and outcomes are recorded accurately.

Constabulary Ethnicity and Age Data

Constabulary Ethnicity Data

The below ethnicity data shows the figures relating to self-defined ethnicity. It shows an increase in the number of stop & searches of members of the minority ethnic communities FYTD. The expanded numbers remain commensurate with general increased usage of the power across constabulary demographics. Similarly to all stop search data, the majority of searches were under the Misuse of Drugs Act.

During the 2020/2021 FYTD period, 391 were recorded as *not stated*. This information has been shared with Wellbeing and Performance Inspectors to allow further review and discussion with team Inspectors to improve this important data capture. *Unknown* and ethnicity *not stated* are mandated returns to the Home Office, so removal of these fields is not an option, however the new Red Sigma platform additional drop-down menus and free text are available which will prompt the officer to provide further information and detail. This will allow for a more comprehensive view of those who are stop and searched and help with identifying any areas of concerns as well as being able to produce a more accurate picture of how stop and search legislation is utilised by the constabulary.

With the exception of *not stated*, the numbers of non-white members of the community being stopped and searched were low in figures in each TPA.

North TPA recorded 65 (106 not stated), South TPA recorded 37 (83 not stated), and West recorded 23 (96 not stated).

The Red Sigma data currently records ethnicity and uses the term BAME (Black, Asian, and Minority Ethnic). The term BAME defines as all ethnic groups except White ethnic groups. It does not relate to the country of origin or affiliation. The Commission on Race and Ethnic Disparities and Disproportionality Working Group has recommended to stop using this term. In line with this, the Red Sigma Project has been approached and asked for such terminology to be changed, so any future generated reports will use more contemporary and inclusive language.⁵ The recent HMICFRS Report *Disproportionate use of police powers: A spotlight on stop and search and the use of force*, highlights the use of the term 'Black, Asian, and Minority Ethnic.' This has received differing views, but HMICFRS will continue to use it as it is presently a widely accepted and recognised term and so this report will use the same terminology.⁶

This more informed Ethnicity Data will then be monitored on a quarterly basis through this report at Operations Board.

⁵ Please see current UK Government recommended guidance. Available at: <https://www.ethnicity-facts-figures.service.gov.uk/style-guide/writing-about-ethnicity> (Accessed 22/06/2021)

⁶ Please see HMICFRS Report. Available at: <https://www.justiceinspectors.gov.uk/hmicfrs/publications/disproportionate-use-of-police-powers-a-spotlight-on-stop-and-search-and-the-use-of-force/> (Accessed 01/07/2021)

ALL CONSTABULARY ethnicity searches data: 2020/2021

Search Power				
All Search Powers				
EthnicityDescription	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
White - British	2,692	683	729	25%
Not Stated	290	63	69	22%
White - English / Welsh / Scottish / Northern Irish / British	200	40	59	20%
White - Any Other White Background	51	16	18	31%
Asian - Any Other Asian Background	22	8	8	36%
Asian - Pakistani	13	5	5	38%
White - Irish	12	5	3	42%
Asian - Indian	10	2	2	
Asian / Asian British - Any other Asian background	7	3	4	43%
Black - African	7	3	3	43%
Mixed - Any Other Mixed Background	7		1	
Asian - Bangladeshi	6			
Black - Any Other Black Background	6	3	2	50%
Mixed - White and Asian	6	3	3	50%
Any other ethnic group	4		3	
Black - Caribbean	4	2	2	50%
Other - Chinese	4	2	2	50%
Mixed - White and Black African	3			
Other - Any Other Ethnic Group	2			
Asian / Asian British - Pakistani	1		1	
Mixed - White and Black Caribbean	1	1	1	100%
Mixed / Multiple ethnic group - White and Asian	1	1	1	100%
[Vehicle]	246	62	87	25%
All Persons and Vehicle Searches Total	3,595	900	1,002	25%

Search Power				
Misuse of Drugs Act 1971 (section 23)				
EthnicityDescription	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
White - British	2,069	555	541	27%
Not Stated	213	57	56	27%
White - English / Welsh / Scottish / Northern Irish / British	152	32	43	21%
White - Any Other White Background	28	8	9	29%
Asian - Any Other Asian Background	16	6	7	38%
Asian - Pakistani	13	5	5	38%
Asian - Indian	9		2	
Asian / Asian British - Any other Asian background	7	3	4	43%
Asian - Bangladeshi	6			
Black - African	6	3	3	50%
White - Irish	6	1	1	17%
Black - Any Other Black Background	5	3	2	60%
Mixed - White and Asian	5	3	3	60%
Black - Caribbean	4	2	2	50%
Mixed - Any Other Mixed Background	4		1	
Other - Chinese	4	2	2	50%
Any other ethnic group	3		3	
Other - Any Other Ethnic Group	2			
Asian / Asian British - Pakistani	1		1	
Mixed - White and Black African	1			
Mixed - White and Black Caribbean	1	1	1	100%
Mixed / Multiple ethnic group - White and Asian	1	1	1	100%
[Vehicle]	188	51	72	27%
All Persons and Vehicle Searches Total	2,744	733	758	27%

Search Power				
Police and Criminal Evidence Act 1984 (section 1)				
EthnicityDescription	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
White - British	582	130	177	19%
Not Stated	76	6	13	8%
White - English / Welsh / Scottish / Northern Irish / British	46	8	15	17%
White - Any Other White Background	23	8	9	35%
Asian - Any Other Asian Background	6	2	1	33%
White - Irish	6	4	2	67%
Mixed - Any Other Mixed Background	3			
Mixed - White and Black African	2			
Any other ethnic group	1			
Asian - Indian	1			
Black - African	1			
Black - Any Other Black Background	1			
Mixed - White and Asian	1			
[Vehicle]	52	9	15	17%
All Persons and Vehicle Searches Total	811	147	232	18%

NORTH TPA ethnicity searches data: 2020/2021

Search Power				
All Search Powers				
EthnicityDescription	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
White - British	521	230	255	25%
Not Stated	106	26	27	25%
White - English / Welsh / Scottish / Northern Irish / British	49	7	14	14%
White - Any Other White Background	31	12	13	39%
Asian - Pakistani	8	2	2	25%
Asian - Any Other Asian Background	6	1	2	17%
Asian - Bangladeshi	5			
Black - African	4			
Mixed - Any Other Mixed Background	4			
White - Irish	4	2	1	50%
Mixed - White and Black African	3			
Other - Any Other Ethnic Group	2			
Any other ethnic group	1		1	
Asian / Asian British - Any other Asian background	1		1	
Black - Any Other Black Background	1			
Black - Caribbean	1	1		100%
Mixed - White and Black Caribbean	1	1	1	100%
Other - Chinese	1	1	1	100%
(Vehicle)	96	22	34	23%
All Persons and Vehicle Searches Total	1,245	305	352	24%

Search Power				
Misuse of Drugs Act 1971 (section 23)				
EthnicityDescription	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
White - British	645	183	173	28%
Not Stated	62	20	18	32%
White - English / Welsh / Scottish / Northern Irish / British	37	6	9	16%
White - Any Other White Background	13	5	5	38%
Asian - Pakistani	8	2	2	25%
Asian - Bangladeshi	5			
Asian - Any Other Asian Background	3		1	
Black - African	3			
Other - Any Other Ethnic Group	2			
White - Irish	2			
Any other ethnic group	1		1	
Asian / Asian British - Any other Asian background	1		1	
Black - Any Other Black Background	1			
Black - Caribbean	1	1		100%
Mixed - Any Other Mixed Background	1			
Mixed - White and Black African	1			
Mixed - White and Black Caribbean	1	1	1	100%
Other - Chinese	1	1	1	100%
(Vehicle)	72	17	27	24%
All Persons and Vehicle Searches Total	860	236	239	27%

Search Power				
Police and Criminal Evidence Act 1984 (section 1)				
EthnicityDescription	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
White - British	265	41	77	15%
Not Stated	44	6	9	14%
White - Any Other White Background	18	7	8	39%
White - English / Welsh / Scottish / Northern Irish / British	12	1	5	8%
Asian - Any Other Asian Background	3	1	1	33%
Mixed - Any Other Mixed Background	3			
Mixed - White and Black African	2			
White - Irish	2	2	1	100%
Black - African	1			
(Vehicle)	22	5	7	23%
All Persons and Vehicle Searches Total	372	63	108	17%

SOUTH TPA ethnicity searches data: 2020/2021

Search Power				
All Search Powers				
EthnicityDescription	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
White - British	865	217	239	25%
Not Stated	83	15	16	18%
White - English / Welsh / Scottish / Northern Irish / British	32	5	7	16%
White - Any Other White Background	12	3	3	25%
Asian - Indian	8		2	
Asian - Any Other Asian Background	7	4	4	57%
Black - Any Other Black Background	4	2	2	50%
White - Irish	4	2	1	50%
Asian - Pakistani	3	2	2	67%
Asian / Asian British - Any other Asian background	3	1	1	33%
Black - African	3	3	3	100%
Other - Chinese	3	1	1	33%
Black - Caribbean	2		1	
Any other ethnic group	1			
Asian - Bangladeshi	1			
Asian / Asian British - Pakistani	1		1	
Mixed - White and Asian	1			

Search Power				
Misuse of Drugs Act 1971 (section 23)				
EthnicityDescription	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
White - British	686	176	181	26%
Not Stated	67	15	14	22%
White - English / Welsh / Scottish / Northern Irish / British	25	5	6	20%
White - Any Other White Background	9	2	2	22%
Asian - Indian	8		2	
Asian - Any Other Asian Background	7	4	4	57%
Asian - Pakistani	3	2	2	67%
Asian / Asian British - Any other Asian background	3	1	1	33%
Black - African	3	3	3	100%
Black - Any Other Black Background	3	2	2	67%
Other - Chinese	3	1	1	33%
Black - Caribbean	2		1	
White - Irish	2			
Asian - Bangladeshi	1			
Asian / Asian British - Pakistani	1		1	
Mixed - White and Asian	1			
[Vehicle]	47	15	20	32%
All Persons and Vehicle Searches Total	871	226	240	26%

Search Power				
Police and Criminal Evidence Act 1984 (section 1)				
EthnicityDescription	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
White - British	173	36	54	21%
Not Stated	16		2	
White - English / Welsh / Scottish / Northern Irish / British	6			
White - Any Other White Background	3	1	1	33%
White - Irish	2	2	1	100%
Any other ethnic group	1			
Black - Any Other Black Background	1			
[Vehicle]	10	2	3	20%
All Persons and Vehicle Searches Total	212	41	61	19%

Children (under 18 years of age)

Along with adult searches, the number of children stopped and searched during this review period has increased when compared with previous years. In the reporting year ending 2019/20 there were 321 whilst during the year 2020/21 the number increased to 457 – an increase of 136. Whilst a significant increase, this is to be expected and is in line with the increases in total number of searches conducted during this period. The yearly figures will be looked at and evidence in more depth during the yearly audit of 2020/21.

The new Red Sigma stop and search module is now live and this automatically notifies the Child Centred Policing Teams of an under 18 search. The Team then review the information and contact the child and family to ensure there are no underlying vulnerabilities or support required. This approach will also allow for any concerns to be allayed regarding the search. The Child Centred Policing Teams are now established and operational in each of the TPA's and have responsibility for monitoring the stop and search of children. When a child is stop and searched the officer must consider the circumstances in which they have been located. They must consider any vulnerabilities and the safety of the child. If the child is deemed at risk in any way then they should be returned home where possible.

The below data from Red Sigma shows all the given ages of all those stop and searched. In every category those aged under 18 years of age are in the minority compared with adults.

With scrutiny by the Independent Advisory Groups, the Child Centred Policing Team, and the TPA Performance Inspectors as well as the more routine checks and balances conducted by officers direct supervision, it is envisaged that any issues or concerns regarding the stop and search of children by Cumbria Constabulary officers will be highlighted and justified accordingly, and, more importantly, that the child and their guardians will be contacted and offered support if applicable or necessitated.

ALL CONSTABULARY age breakdown and outcomes: 2020/2021

Search Power				
All Search Powers				
Age_Breakdown	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
0 - 18	457	114	106	25%
18 - 30	1,220	358	406	29%
31 - 40	670	138	156	21%
41 - 50	411	103	107	25%
51 - 60	123	19	25	15%
61+	22	7	8	32%
Unknown	446	99	107	22%
Total	3,349	838	915	25%

Search Power				
Misuse of Drugs Act 1971 (section 23)				
Age_Breakdown	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
0 - 18	285	96	78	34%
18 - 30	987	301	325	30%
31 - 40	534	112	113	21%
41 - 50	326	86	81	26%
51 - 60	93	13	14	14%
61+	11	5	5	45%
Unknown	320	69	70	22%
Total	2,556	682	686	27%

Search Power				
Police and Criminal Evidence Act 1984 (section 1)				
Age_Breakdown	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
0 - 18	170	17	28	10%
18 - 30	220	50	76	23%
31 - 40	133	24	41	18%
41 - 50	80	15	26	19%
51 - 60	29	5	11	17%
61+	10	2	3	20%
Unknown	117	25	32	21%
Total	759	138	217	18%

NORTH TPA age breakdown and outcomes: 2020/2021

Search Power				
All Search Powers				
Age_Breakdown	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
0 - 18	182	41	34	23%
18 - 30	465	127	144	27%
31 - 40	212	53	59	25%
41 - 50	102	23	32	23%
51 - 60	36	4	10	11%
61+	3		1	
Unknown	149	35	38	23%
Total	1,149	283	318	25%

Search Power				
Misuse of Drugs Act 1971 (section 23)				
Age_Breakdown	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
0 - 18	96	32	24	33%
18 - 30	349	101	102	29%
31 - 40	152	42	38	28%
41 - 50	75	20	24	27%
51 - 60	23	3	4	13%
61+	1			
Unknown	92	21	20	23%
Total	788	219	212	28%

Search Power				
Police and Criminal Evidence Act 1984 (section 1)				
Age_Breakdown	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
0 - 18	84	8	10	10%
18 - 30	109	22	38	20%
31 - 40	59	10	20	17%
41 - 50	27	3	8	11%
51 - 60	13	1	6	8%
61+	2		1	
Unknown	56	14	18	25%
Total	350	58	101	17%

SOUTH TPA age breakdown and outcomes: 2020/2021

Search Power				
All Search Powers				
Age_Breakdown	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
0 - 18	134	34	36	25%
18 - 30	391	123	145	31%
31 - 40	202	33	36	16%
41 - 50	125	35	31	28%
51 - 60	48	3	4	6%
61+	7	4	4	57%
Unknown	126	23	27	18%
Total	1,033	255	283	25%

Search Power				
Misuse of Drugs Act 1971 (section 23)				
Age_Breakdown	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
0 - 18	88	29	26	33%
18 - 30	331	111	126	34%
31 - 40	165	26	26	16%
41 - 50	99	25	21	25%
51 - 60	39	2	1	5%
61+	4	3	3	75%
Unknown	98	15	17	15%
Total	824	211	220	26%

Search Power				
Police and Criminal Evidence Act 1984 (section 1)				
Age_Breakdown	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
0 - 18	46	5	10	11%
18 - 30	60	12	19	20%
31 - 40	35	6	9	17%
41 - 50	25	10	10	40%
51 - 60	9	1	3	11%
61+	3	1	1	33%
Unknown	24	4	6	17%
Total	202	39	58	19%

WEST TPA age breakdown and outcomes: 2020/2021

Search Power				
All Search Powers				
Age_Breakdown	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
0 - 18	121	36	31	30%
18 - 30	322	98	103	30%
31 - 40	236	47	54	20%
41 - 50	164	43	42	26%
51 - 60	34	11	8	32%
61+	12	3	3	25%
Unknown	171	41	42	24%
Total	1,060	279	283	26%

Search Power				
Misuse of Drugs Act 1971 (section 23)				
Age_Breakdown	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
0 - 18	89	32	24	36%
18 - 30	268	80	84	30%
31 - 40	201	40	44	20%
41 - 50	137	39	34	28%
51 - 60	27	8	7	30%
61+	6	2	2	33%
Unknown	130	33	33	25%
Total	858	234	228	27%

Search Power				
Police and Criminal Evidence Act 1984 (section 1)				
Age_Breakdown	# Stop_searches	Item Searched for found	# Positive Outcomes	% Outcomes that matched reason for search
0 - 18	32	4	7	13%
18 - 30	48	15	18	31%
31 - 40	35	7	10	20%
41 - 50	24	2	8	8%
51 - 60	6	2	1	33%
61+	5	1	1	20%
Unknown	37	7	8	19%
Total	187	38	53	20%

Conclusion:

This Annual Report covers from 01st April 2020 until 31st March 2021. During the majority of this period the whole of England was in lockdown due to the COVID19 pandemic. This worldwide and national emergency has had implications on policing and contact with the communities Cumbria Constabulary serve and protect. The data shows a marked increase in stop searches throughout the county but together with a high percentage of positive outcomes (arrest, penalty notices, reporting for summons etc). This report also evidences how Cumbria Constabulary use of stop search legislation is proportionate within ethnicities and ages and favourable in comparison with other police and constabularies within the North of England.

The new Red Sigma process has now been implemented across the constabulary and replaced the previous Pronto system. This will allow officers to be able to complete and submit stop search reports promptly and effectively either at a desk top computer or on their hand-held devices. The technology also allows for Line Managers, Performance Inspectors and Senior Management Teams to access data which includes location mapping as well as the legislation and Home Office required information. This immediate submission of data will allow other departments immediate access so that officers such as the Child Centred Policing Team have access and information of all under 18s who are subject of a search and allow them to intervene and support both the subjects and their families accordingly.

In light of continuing and highlighted incidents of inequality throughout the world, Cumbria Constabulary aims to be at the forefront of ensuring the people and communities it serves are treated in a professional and non-discriminatory way. The data provided, along with the BWV audits, allows the constabulary to sight, review, and process alongside its dedication to work with partners such as the Independent Advisory Groups, Anti-Racist Cumbria and other diversity organisations to ensure the high standards expected by both the constabulary and public are adhered to by officers.

The new Red Sigma platform with drop down boxes for officer comments will further help identify ethnicity and reduce the numbers of *not stated* and therefore give the constabulary a more accurate picture of those who we engage with whilst utilising this legislation.

Future quarterly and annual reports will now utilise Red Sigma for data and information for the submission of these reports.

Insp 302 O'HAGAN

Criminal Justice Unit


Agenda Item 10a


Operation Uplift



Det Superintendent

Dave Stalker



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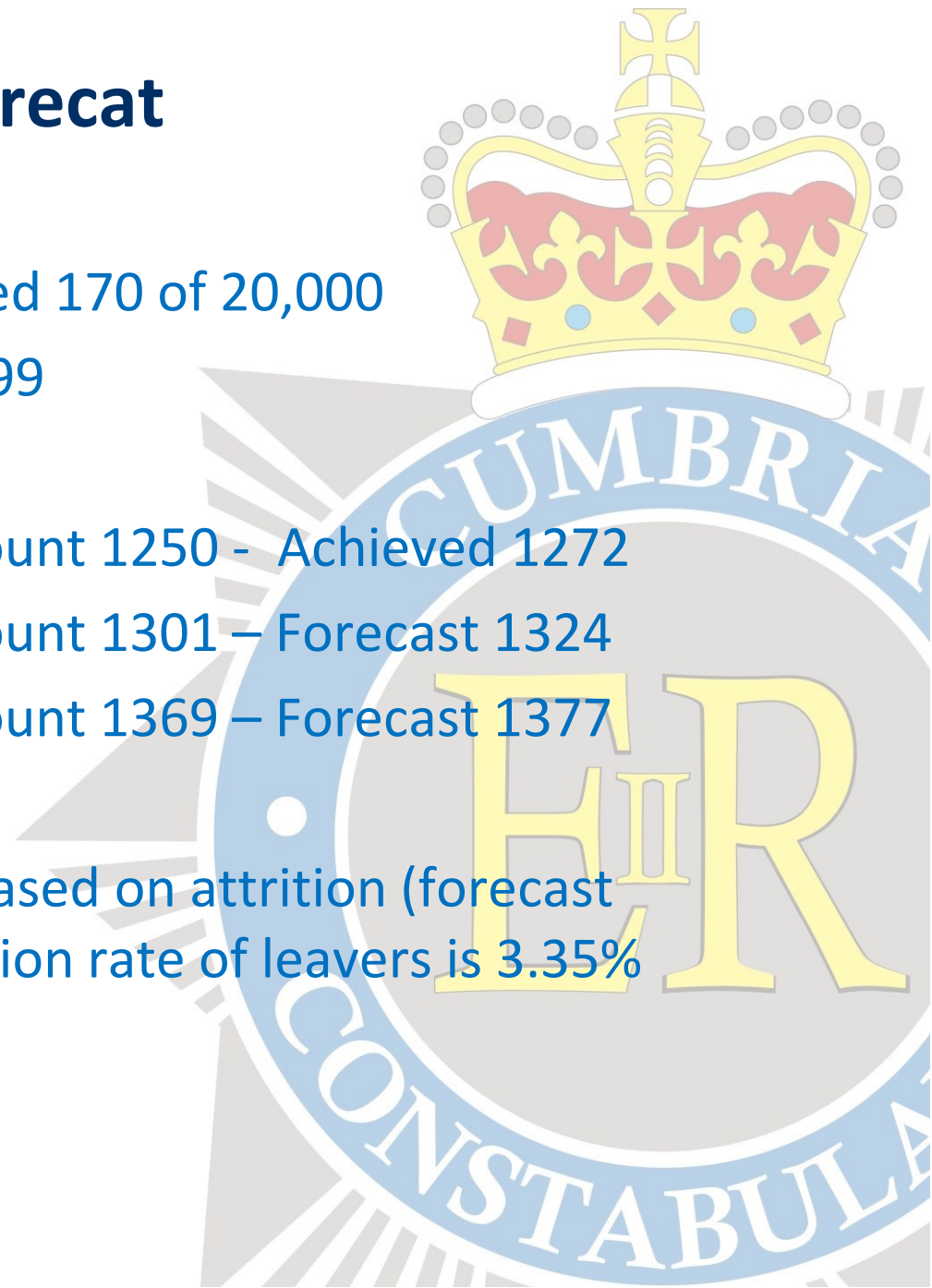
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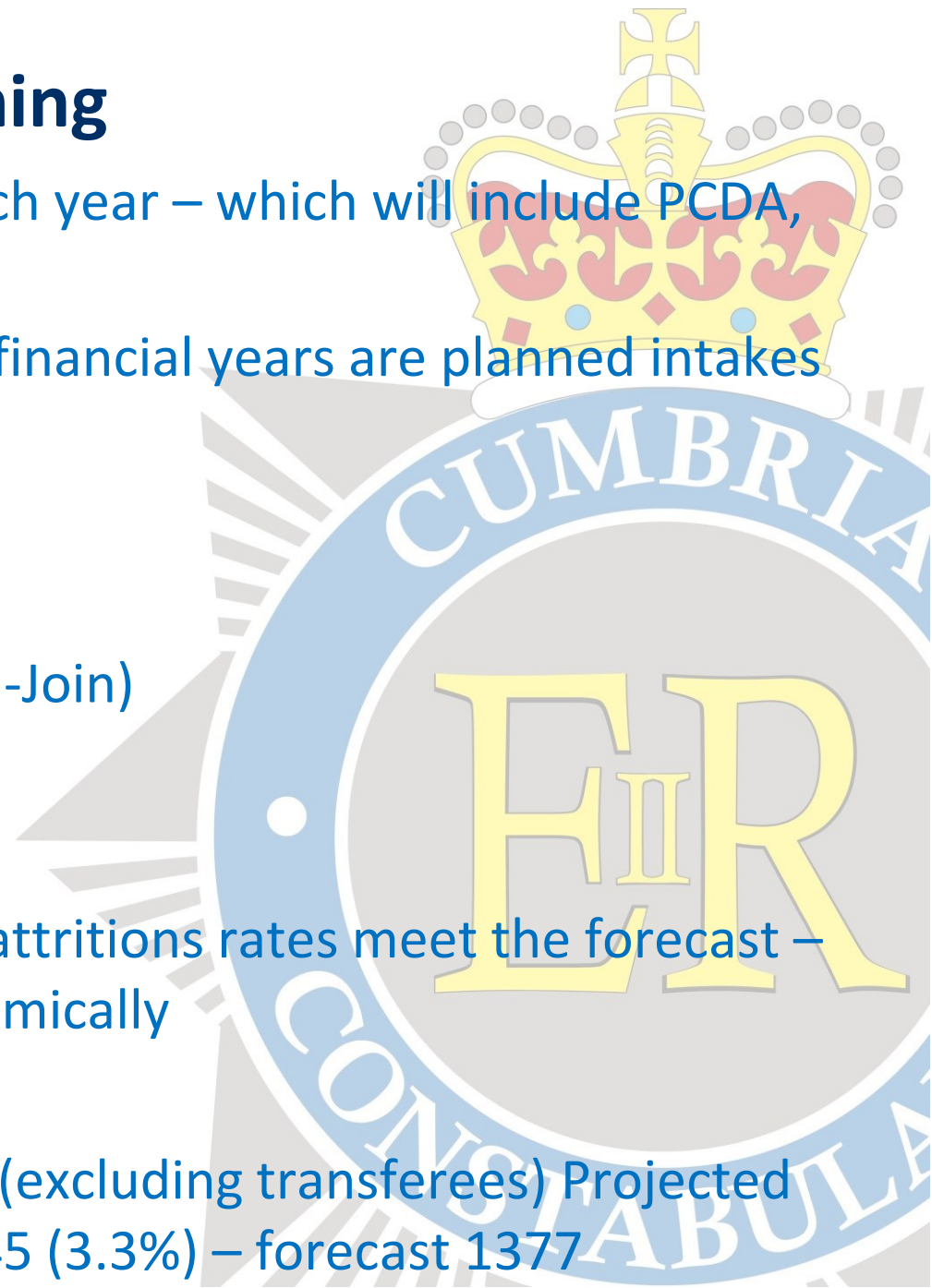
Op Uplift targets and forecat

- Cumbria Constabulary allocated 170 of 20,000
- Headcount prior to Uplift - 1199
- Year 2020/21 – Target Headcount 1250 - Achieved 1272
- Year 2021/22 – Target Headcount 1301 – Forecast 1324
- Year 2022/23 – Target Headcount 1369 – Forecast 1377
- These figures are calculated based on attrition (forecast retirement and leavers). Attrition rate of leavers is 3.35%



Op Uplift – Intake planning

- Intakes are planned across each year – which will include PCDA, DHEP and transferees
- Remaining within the current financial years are planned intakes as follows
 - - November – 21 (DHEP)
 - - December – 2 (Transfers)
 - - January – 25 (20PCDA/ 5 Pre -Join)
 - - February – 5 (Transferees)
 - - March – 31 (DHEP – flexible)
- These figures tallied with the attritions rates meet the forecast – data frequently assessed dynamically
- 2022-2023 – Intake value 134 (excluding transferees) Projected retirement of 36 and leavers 45 (3.3%) – forecast 1377



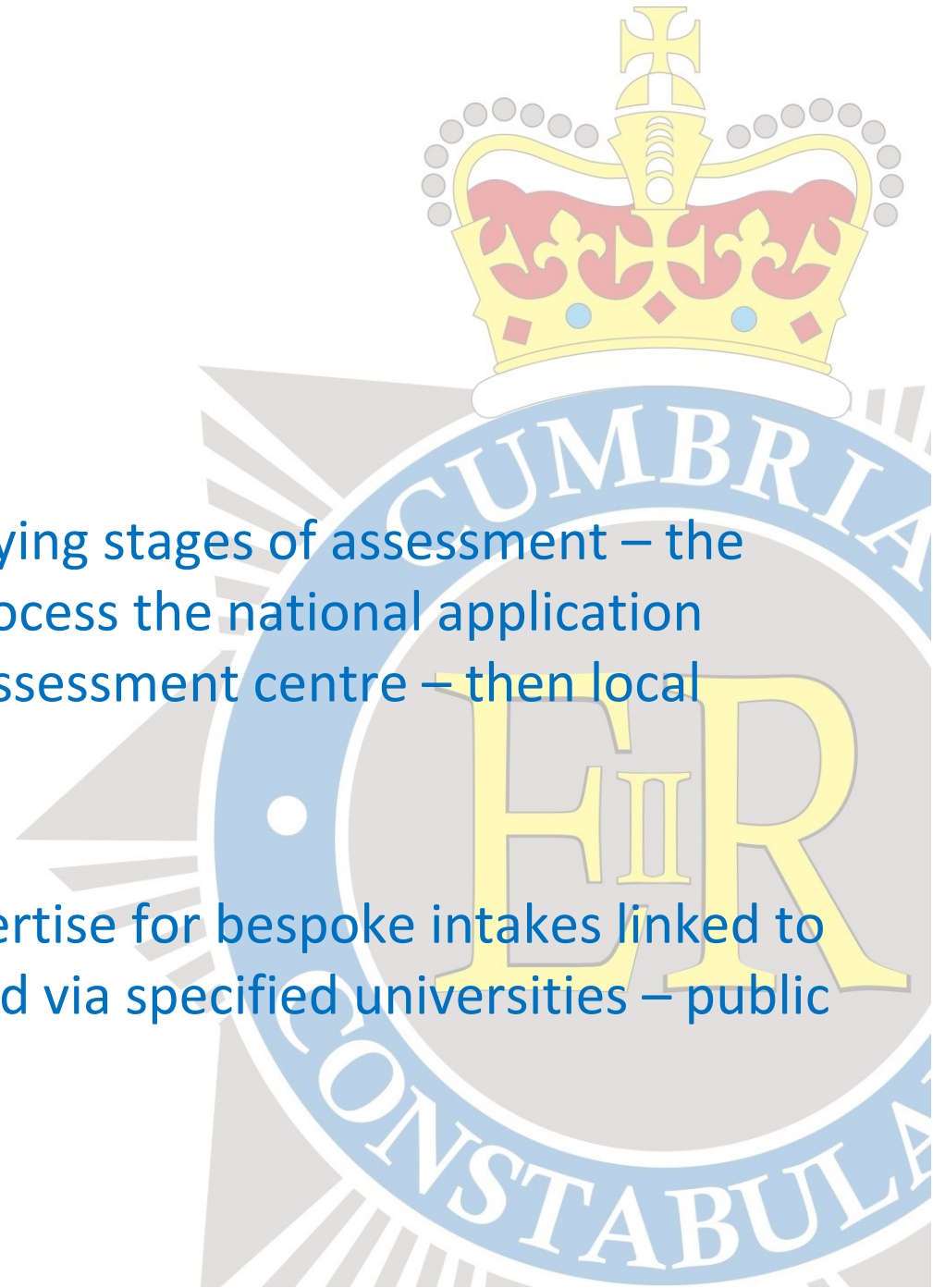
Pipeline Data

Data via recruitment portal

- 215 live applications PCDA
- 237 live applications DHEP

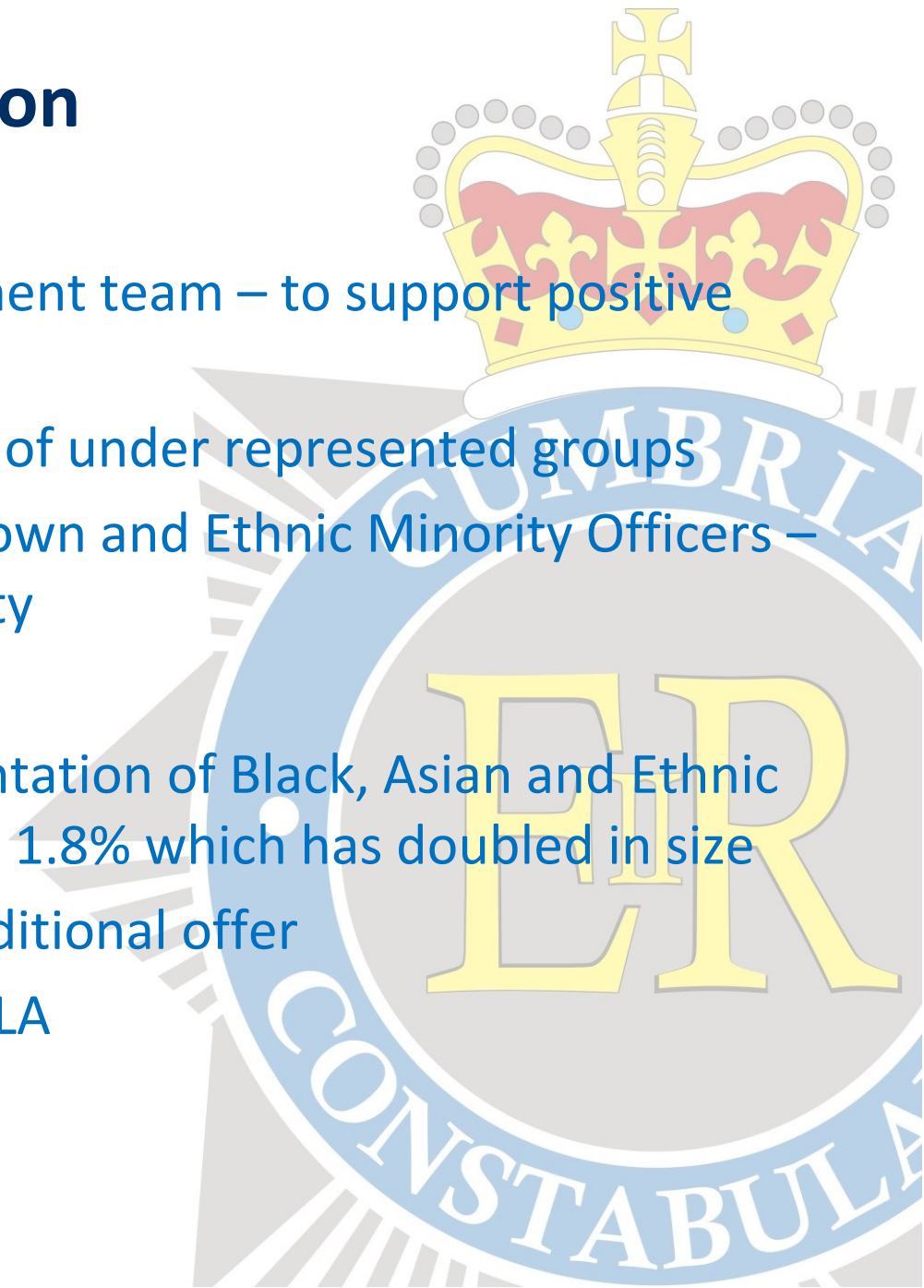
These applications will be at varying stages of assessment – the Constabulary Uplift team will process the national application through to the national online assessment centre – then local interview.

2022 – plans are in place to advertise for bespoke intakes linked to DHEP DC and pre-join (accredited via specified universities – public services course)



Op Uplift – Positive Action


- Embedded within the recruitment team – to support positive action candidates
- Provide proactive recruitment of under represented groups
- Attain a target of 5% Black, Brown and Ethnic Minority Officers – to representative of community
- Figures to date;
 - Current work force representation of Black, Asian and Ethnic Minority Police Officers is at 1.8% which has doubled in size
 - 8 vetting and medical – conditional offer
 - 7 candidates are awaiting OLA




Absences October 2021



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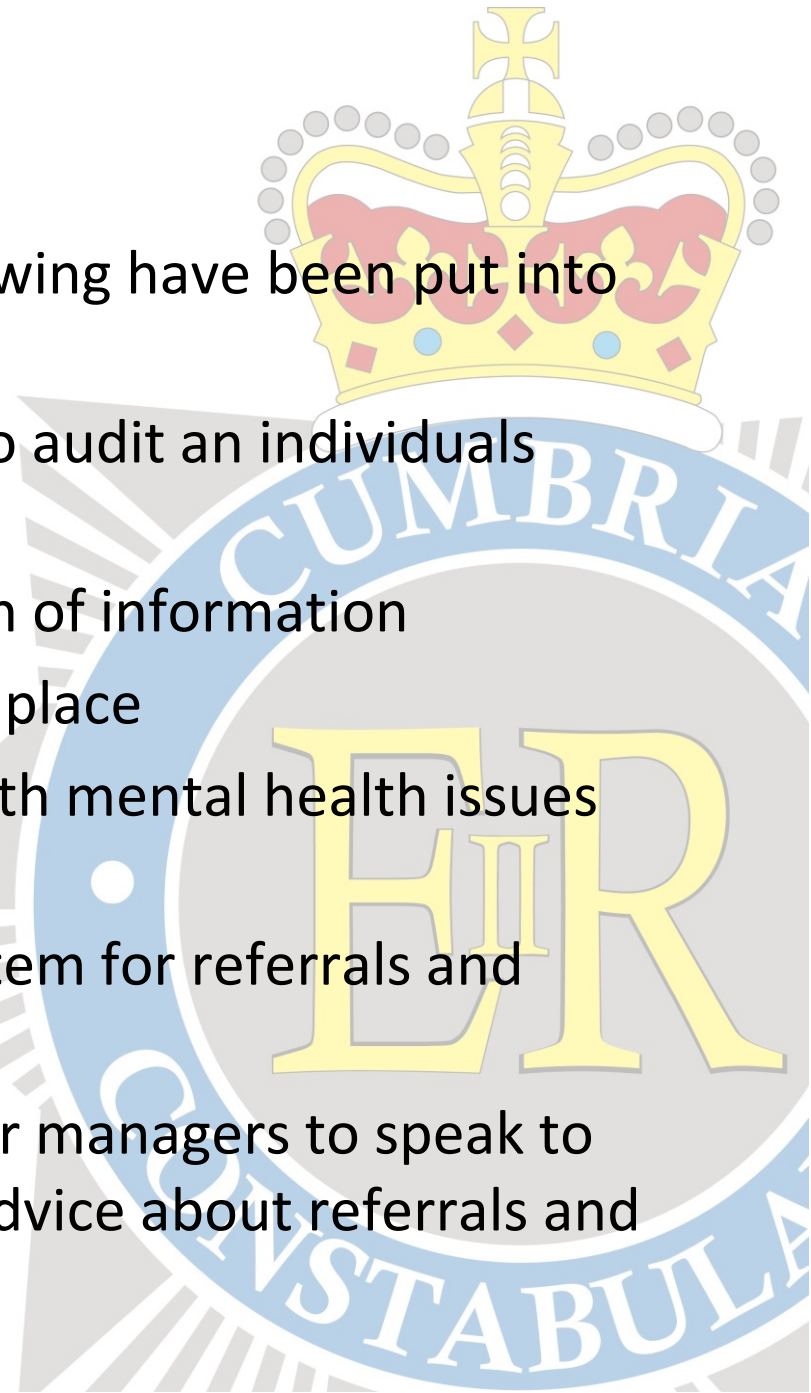
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Attendance Support

As part of Attendance Support the following have been put into place :

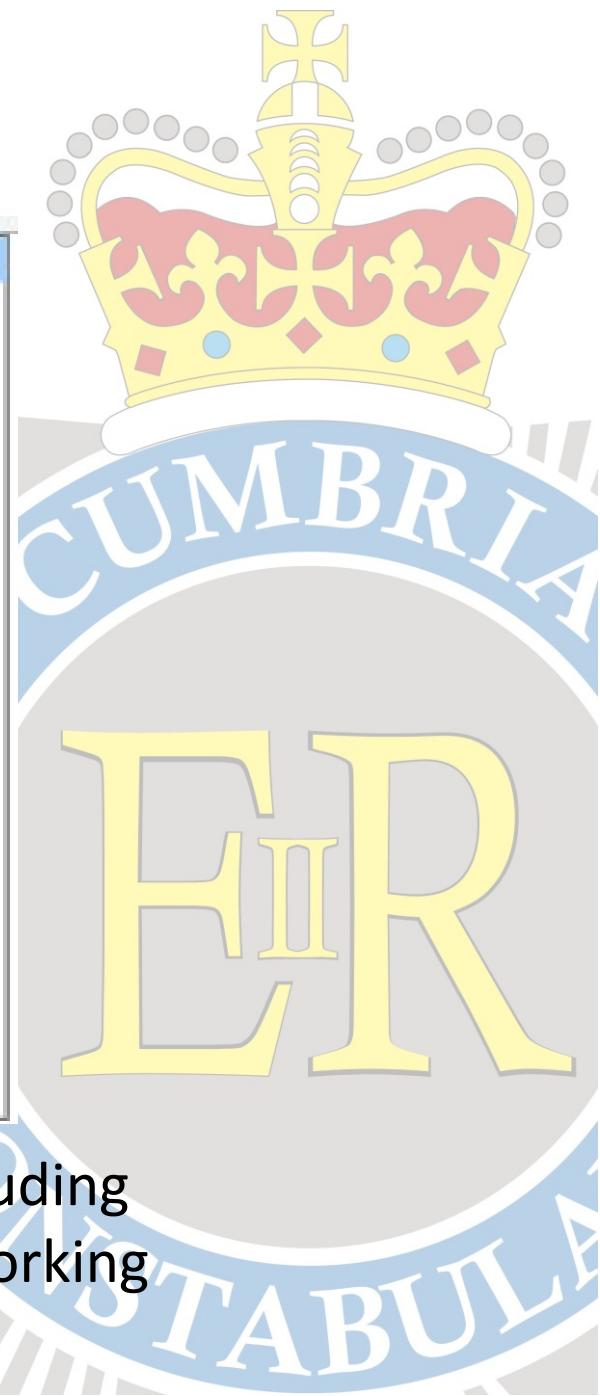
- Fair Passports have been introduced to audit an individuals adjustments and requirements
- Inclusion Hub – signposting to a wealth of information
- Mental Health First Aiders in the work place
- Wiser Minds programme – to assist with mental health issues during and as a result of the pandemic
- New COHORT occupational health system for referrals and direct access to OH staff
- Attendance Surgeries – opportunity for managers to speak to OH & HR professionals for guidance, advice about referrals and interpretations of OH reports



Overall Absences – Officers & Staff

% of Employees Absent as at Month End				
Month	2018	2019	2020	2021
Jan	4.5%	3.2%	3.6%	3.4%
Feb	3.9%	4.3%	3.0%	3.2%
Mar	3.0%	4.3%	4.9%	2.8%
Apr	3.3%	4.2%	2.8%	2.4%
May	2.9%	3.7%	2.5%	2.3%
Jun	2.7%	3.7%	2.3%	3.7%
Jul	3.1%	4.1%	2.4%	3.1%
Aug	3.1%	3.9%	2.2%	3.4%
Sep	3.4%	4.0%	3.4%	3.9%
Oct	4.0%	4.5%	2.9%	
Nov	3.9%	4.5%	3.6%	
Dec	4.2%	4.6%	3.4%	

The above include COVID related absences, including self isolation where someone may have been working



Non Covid Absences – Officers & Staff

These figures provides a picture of officers/staff who were not in the workplace or available for work or deployment.

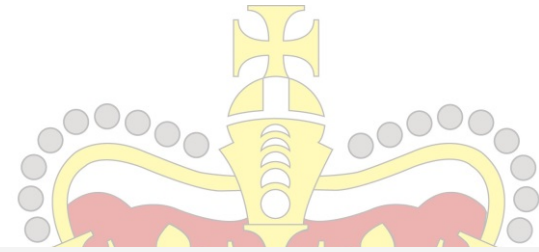
Agile working may be a contributing factor to the low % as some people may have previously reported absent as they were unable to attend the work place, but are now able to continue to work from home



% of Employees Absent as at Month End				
Month	2018	2019	2020	2021
Jan	4.5%	3.2%	3.6%	2.6%
Feb	3.9%	4.3%	3.0%	2.8%
Mar	3.0%	4.3%	3.4%	2.2%
Apr	3.3%	4.2%	2.4%	2.3%
May	2.9%	3.7%	2.4%	2.2%
Jun	2.7%	3.7%	2.3%	2.4%
Jul	3.1%	4.1%	2.4%	2.7%
Aug	3.1%	3.9%	2.2%	2.6%
Sep	3.4%	4.0%	3.3%	3.0%
Oct	4.0%	4.5%	2.9%	
Nov	3.9%	4.5%	3.3%	
Dec	4.2%	4.6%	2.6%	



Covid Absences – Officers & Staff



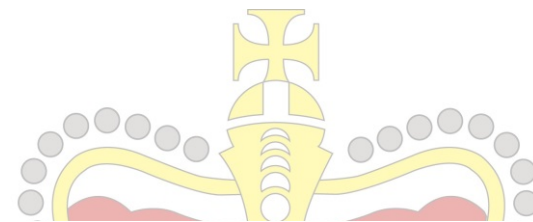
This also includes isolation when someone may have still continued to work

% of Employees Absent as at Month End

Month	2020	2021
Jan		0.8%
Feb		0.4%
Mar	1.5%	0.5%
Apr	0.4%	0.1%
May	0.0%	0.1%
Jun	0.1%	1.2%
Jul	0.0%	0.4%
Aug	0.0%	0.7%
Sep	0.1%	0.9%
Oct	0.0%	
Nov	0.3%	
Dec	0.8%	

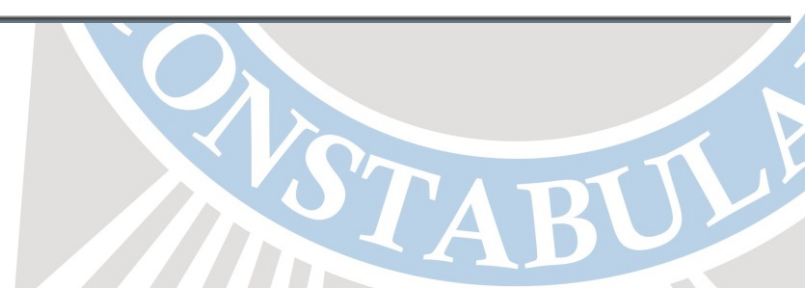
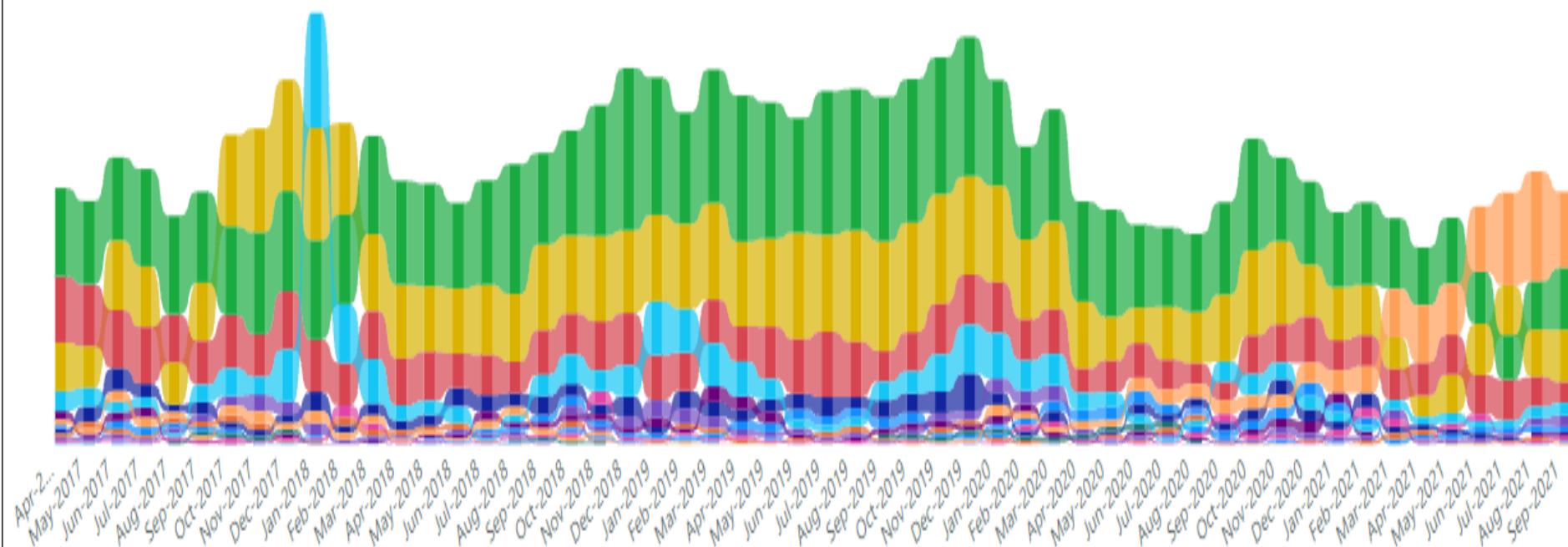


Absence Types – Officer & Staff



Month Total Days Absent

Dorset 12 ● Cardiac/Circulatory ● Digestive Disorder ● Ear/Eye Problems ● Genito-Urinary ● Headache/Migraine ● Infectious Diseases ● Miscellaneous ● Musculo/Skeletal ● Nervous System Disorders ● Psychological Disorder ● Respiratory Conditions ● Skin ● Unknown



Constabulary Report to OPCC



Agenda Item No 11

TITLE OF REPORT:	Constabulary Grievances
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DATE OF MEETING:	19 October 2021
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ORIGINATING OFFICER:	Diane Johnson - HR Manager
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PART 1 or PART 2 PAPER:	PART 1 (OPEN)
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Executive Summary:

The report provides a position overview in respect of ongoing, finalised and newly submitted grievances for the period 01 April 2021 until 30 September 2021.

The last report was April 2021.

Recommendation:

- 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 during the period 01 April 2021 up until 30 September 2021, together with a summary of ongoing and finalised cases within the reference period.
- 1.2 Included in the report is an overview of the characteristics of those lodging grievances. The report identifies the gender and race of those submitting grievances as well as an overview as to the nature of the grievance. In addition, statistics relating to whether the aggrieved is a police officer or member of staff and whether the grievance relates to alleged discrimination have been included.
- 1.3 Summary position is as follows:
 - 13 grievances were ongoing or opened during the reference period and 8 new grievances lodged in this reporting period.
 - 8 remain outstanding at the end of the reporting period.
 - Some issues raised relate to dissatisfaction regarding perceived less favourable treatment. This can be directly from line management or as a result of the application of a policy or procedure. One was specifically in relation to temporary processes to accommodate requirements during COVID. Some were in relation to interpretation of Terms & Conditions.
 - Grievances dealt with during this period are approximately 60% male and 40% female and the majority are from a white, British ethnicity with one unknown.
- 1.4 The period comparison data shows that over the last 2 reference periods a number of grievances have been resolved at all the various stages of the process. It should be noted that 2 of the grievances submitted within this reference period were escalated directly to Stage 3 in order to timely investigate the issues.

It should be noted that the Grievance Policy, Procedure and Guidance documents have been reviewed and will include an informal stage. This policy & procedure was reviewed by the panel and will be considered at Operations Board on 30 September 2021 for formal approval.

2. Issues for Consideration

2.1 Drivers for Change

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

- There are no identified emerging trends or patterns at the time of submitting this report.

3. Financial Implications and Comments

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

3.1 Please see Risk and Equality Implications

4. Legal Implications and Comments

Including advice received.

4.1 Please see Risk and Equality Implications

5. Risk Implications

Including any mitigating actions that can be taken.

- 5.1 With any complaint which is potentially linked to the employment relationship there is the risk of employment tribunal or judicial review should the matter not be resolved. 2 cases are currently being dealt with by the Constabulary's Legal Department.
- 5.2 Through working in partnership with Unison and the Federation the aim is to continue to avoid formal proceedings and resolve issues in an informal manner to the satisfaction of all parties. The new Grievance procedure will clearly identify the informal and formal stages.
- 5.3 Specific items impacting on equality are raised through the Diversity and Inclusion Group (DIG) to ascertain if there are any issues that the Constabulary should be dealing with. At this time no issues have been raised.
- 5.4 1 case is referred to an external legal process in relation to Disability Discrimination. No further information can be provided at this time as it is ongoing.
- 5.5 The People Department will continue to meet with the Federation and Unison when necessary to discuss issues that are emerging and look to informally resolve them prior to a formal grievance being submitted. The Constabulary proactively engages to address concerns.

6. HR / Equality Implications and Comments

Including any actions arising from Equality Assessment.

- 6.1 HR and Legal Services will be reviewing the judgement of any Employment Tribunal cases to identify any lesson to be learned with a view to appropriate dissemination within the Constabulary.
- 6.2 The internal pool of accredited mediators is available for utilisation through the Constabulary Mediation Scheme. The intention is to publicise the Mediation Scheme alongside the revised Grievance procedure.

7. Supplementary Information

7.1 List any relevant documents and attach to report

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

- Appendix 1 - Grievance Data for the reference period
- Appendix 2 - Grievance Comparison Data

Grievances – Overview 1 April to 30 September 2021

Appendix 1

	01/04/21 to 30/09/21	01/11/20 to 31/03/21	01/10/19 to 31/10/20	01/04/19 to 30/09/19	01/10/18 to 31/03/19
Total No. of grievances submitted in period	8	7	2	4	5
Total No. of grievances ongoing at start of period	5	1	7	7	4
Resolved Stage 1	2	-	-	-	2
Resolved Stage 2	-	-	-	-	-
Resolved Stage 3	1	-	-	-	-
Resolved informally prior to Stage 1	1	3	-	-	-
Not Resolved	-	-	2	1	2
Awaiting Action/Resolution	-	5	1	4	4
Withdrawn	1	-	4	-	-
On Hold	-	-	2	3	-
Transferred to alternative procedure	-	-	-	3	-

Grievances – Overview 1 October 2018 to 30 September 2021

Appendix 2

	01/04/21 to 30/09/21	01/11/20 to 31/03/21	01/10/19 to 31/10/20	01/04/19 to 30/09/19	01/10/18 to 31/03/19
Total No. of grievances submitted in period	8	7	2	4	5
Total No. of grievances ongoing at start of period	5	1	7	7	4
Resolved Stage 1	2	-	-	-	2
Resolved Stage 2	-	-	-	-	-
Resolved Stage 3	1	-	-	-	-
Resolved informally prior to Stage 1	1	3			
Not Resolved	-	-	2	1	2
Awaiting Action/Resolution	-	5	1	4	4
Withdrawn	1	-	4	-	-
On Hold	-	-	2	3	-
Transferred to alternative procedure	-	-	-	3	-



Professional Standards Department

Ethics and Integrity Panel Report

2021/2022 Q2

October 2021

DCI Craig Smith – Head of Professional Standards

Hannah Pocock – Force Intelligence Analyst, Anti-Corruption Unit

OFFICIAL

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B - Incident Logs, Crimes and Custody Figures	
C – Public Complaint Allegations by Complaint Groups	
D – Constabulary Workforce Split	
E – Public Complaints by Geographic Location of Complaint	
F – Public Complaint Outcomes	

Background

This report outlines the work dealt with by Professional Standards Department in relation to Public Complaints. Each section will commence with an executive summary followed by a detailed commentary and insight into each headline as well as relevant updates on the previous quarter's report. A final section will cover learning and other updates.

Public Complaints are assessed under Police (Complaints and Misconduct) Regulations 2020 and Police (Conduct) Regulations 2020.

Conduct is reviewed in relation to Standards of Professional Behaviour as defined within the Code of Ethics:

Honesty and Integrity	Duties and Responsibilities
Authority/ Respect/ Courtesy	Confidentiality
Equality and Diversity	Fitness for duty
Use of Force	Discreditable Conduct
Orders and Instructions	Challenging and Reporting Improper Conduct

This report covers 2021/2022 Quarter 2 (Q2), 01/07/2021 to 30/09/2021. Figures in this report are correct as of 05/10/2021.

In line with IOPC data collection and analysis, De-Recorded Public Complaint allegations and cases, unless otherwise stated, have been excluded from the below figures and commentary. De-Recorded cases and/or allegations may concern persons who are not eligible, as per the Police Regulations 2020, to make an expression of dissatisfaction and/or have been logged/recorded in error.

Unless otherwise stated, the below sections relate to allegations recorded within a given quarter and added to a case which has been logged/recorded in the same quarter. They do not include allegations which have been logged/recorded but added to an earlier quarter's case, eg allegation recorded in Q2 but added to a Q1 case; this is to allow more like for like comparisons between quarters.

Where comparisons are made between Constabulary areas, these areas will be defined, North for example may or may not include HQ and/or Control and Command Room (CCR) but this will be noted in the commentary. Characteristics of the subjects of the Complaints have been considered in some sections below but caution is to be taken as it is possible, although likely low risk, that subjects may have changed area, shift or role within Q2 which may not have been accurately represented in Centurion, PSD database.

Public Complaints Executive Summary

- **Public Complaints have increased in Q2 with a greater share of Complaints sat under Group A – *Delivery of duties and service***
- **Group A Complaints have seen a shift between the most common Complaint allegation types**
- ***North (including HQ) and CCR have increased shares of Public Complaint cases in Q2 whereas South and West have remained relatively similar to Q1***

Q1 Report Updates

- **Schedule 3 Public Complaint cases have continued to increase in Q2**
- **Finalisation times for Public Complaints have improved in Q2**

Risk and Concerns – Low

Rise in cases citing Group A allegations in line with National figures so not causing concern at present.

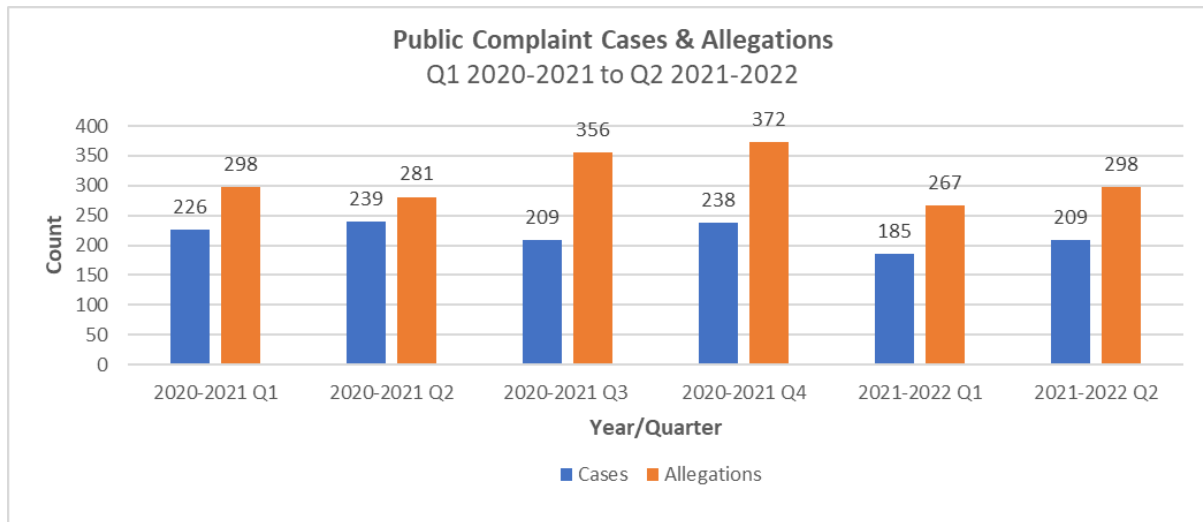
Improved finalisation times of Outside of Schedule 3 Public Complaints is a positive and a continuation of measures implemented in Q1 to improve turnaround times of cases. Finalisation times for Schedule 3 cases remain static but will look to improve in the coming quarters.

It has been identified that young in-service officers are potentially subject of a higher percentage of Public Complaints, however, further work is required regarding this and will be considered in the coming quarters.

Public Complaints

Public Complaints have increased in Q2 with a greater share of Complaints now sat under Group A - Delivery of service and duties

Public Complaint allegations have increased by 12% and cases by 13% in Q2 compared to Q1.



Case numbers and associated allegations are appearing to return closer to average levels, with a month on month increase in both cases and allegations in Q2 (**Appendix A**).

Incident logs, recorded crimes and custody attendances have all increased between 6-8% (**Appendix B**). The slightly higher percentage increase in Complaints may be due to Q1 expressions of dissatisfaction not being reported as soon by the complainant and have been reported in Q2 instead, although other factors may be responsible. However, the number of Complaint cases received per total count of incident logs remains very low at <1% and per count of crimes is ~2%. New figures show that only 1% of custody related attendances resulted in a Complaint case regarding arrest or time spent in custody.

The top three Complaint Groups remain the same as previous quarters, Group A *Delivery of service and duties*, Group B *Police powers, policies and procedures* and Group H *Individual Behaviours*. However, there has been a change in the types of complaints received. Group A have taken an increased share of cases, up from 40% in Q1 to 50% in Q2. Group B have decreased from 25% to 21% and Group H has remained static at 17% share (**Appendix C**). The ~50% share of cases citing Group A allegations is in line with National figures, therefore, this change is not concerning. Although, the changes between the types of Group A Complaints are of more interest and will be monitored moving forward; these changes are discussed in the next section.

Group A Complaints have seen a shift between the most common Complaint allegations types

The most common Complaint allegations since the implementation of the 2020 Regulations, as reported previously, have been A1 – *Police action following contact* followed by A2 – *Decisions* which

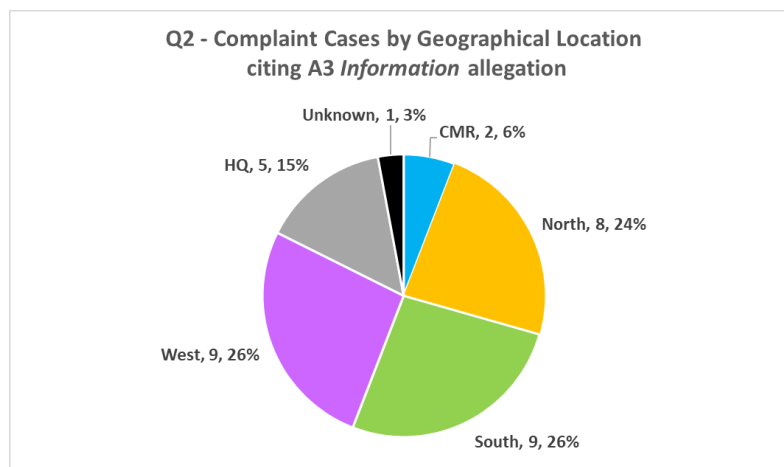
are also the most common Complaint allegations logged/recorded nationally. A1 – *Police action following contact* allegations have increased more than the overall increase of Complaint cases (12%) but remain the most common Complaint allegation made. However, A2 - *Decisions* has been replaced in second place with A3 – *Information* allegations which have more than doubled in Q2 compared to Q4 and Q1.

Type vs Quarter Count of Allegations (% share of All Allegation Types)	Q4	Q1	Q2
A1 - Police action following contact	68 (18%)	42 (16%)	68 (23%)
A2 – Decisions	69 (19%)	40 (15%)	34 (11%)
A3 – Information	22 (6%)	17 (6%)	36 (12%)
A4 - General level of service	12 (3%)	7 (3%)	13 (4%)

A1 – *Police action following contact* Complaint allegations account for nearly a quarter of all allegations logged/recorded in Q2. All areas have seen an increase in cases citing at least one A1 allegation; South, West and HQ at least doubling their case numbers. However, North and HQ have seen the greatest increase, North, particularly Carlisle, has seen the most of any area with nearly a third of all A1 related cases.

Geographical Location of Complaint Case	Count of Q1 Cases citing A1	Count of Q2 Cases citing A1
CMR	2	11
North	3	21
South	7	13
West	9	17
HQ	1	2
Unknown	1	0
Total	23	64

Cases citing A3 - *Information* allegations have been relatively similar throughout the quarter, 10-13 per month and have been spread evenly between the three main areas, North, South and West.



Having considered areas in more detail, Barrow have received the most Complaint cases (8) citing A3 – *Information* allegations and these related primarily to lack of updates from OICs, but also half of the cases related to traffic offences/incidents. The majority of these cases have however been Resolved.

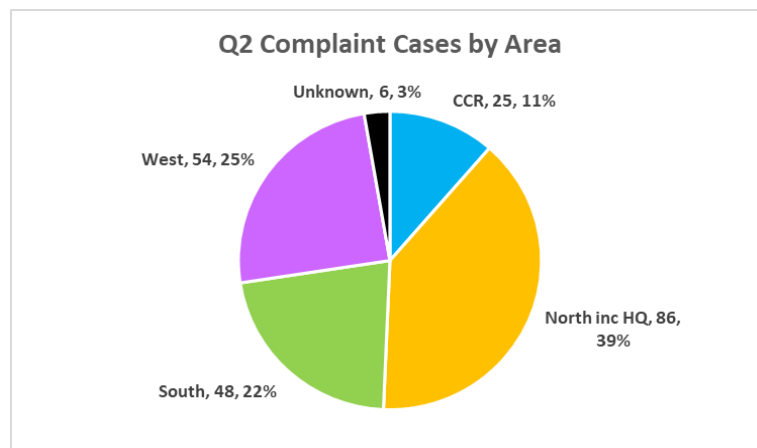
A review of Q2 cases citing A1 – *Police action following contact* and A3 - *Information* allegations has outlined *Investigations* as a key National Factor* being the cause of expressions of dissatisfaction. *National Factor - a set list of topics that Police Forces are expected to tag on complaint cases to assess national themes, examples include Arrests, Custody, Hate Crime, Investigations etc.

Investigative Principles (Investigative Quality) has been re-launched in Q3 which had the tag line of ‘*Getting investigations right, every time!*’. A personal issue pocket sized aide memoire for investigating crimes and also reviewing crimes are being issued to the force in October. It is hoped that this initiative may aid in minimising such Complaints relating to *Investigations*, however, Group A type Complaints are not expected to significantly decrease as they have and are expected to remain the most common complaint moving forward.

North (including HQ) and CCR have increased shares of Public Complaint cases in Q2 whereas South and West have remained relatively similar to Q1

In Q1, all areas apart from West decreased their number of Complaint cases, despite the decrease in cases in Q1 West maintained the number of cases received. Q2 has seen an increase in public Complaints and therefore it would have been expected that this was shared with all areas but this is not so.

Below chart shows Area, Count of Cases and % Share of All Cases, please note that some cases concern more than one area so the case may have been counted twice under both areas and as such the total number of cases exceeds total number of Complaint cases logged/recorded in Q2.



West have again remained relatively static albeit a small decrease from 28% to 25% share of Complaint cases, a decrease of 3 cases. South have also seen a decrease in their share from 25% to 22% of cases but their cases have remained relatively static with an increase of just 2 cases. CCR have seen a small increase from 9% to 11% which equates to 7 additional cases, 25 up from 17. North including HQ has now increased their share from 34% to 39%, 69 cases increasing to 86, a rise of 17 cases.

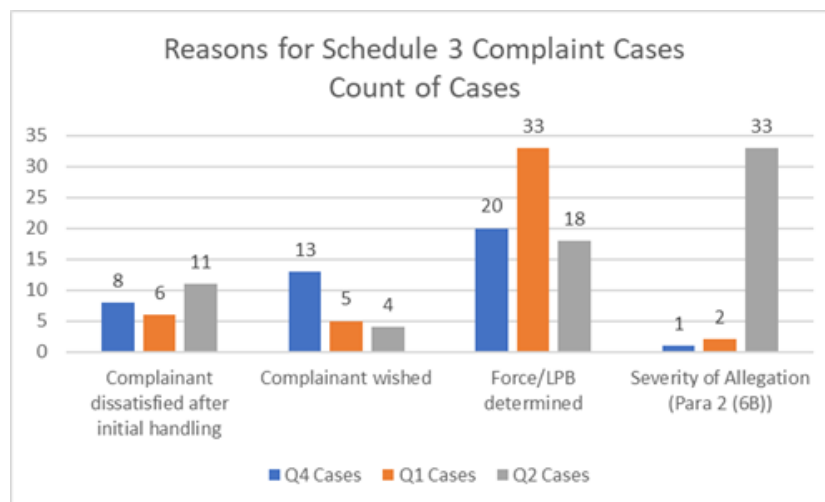
The splits are now closer to the officer splits per area (**Appendix D**) compared to Q1, albeit not quite fully reflective. All Complaint cases for Q2 were considered and this showed that where an officer had

been identified as a subject of a Complaint case, 50% were of 4 years or less service, but this rose to 60% when officers of five years or less service were also identified. Young in-service officers have been noted in previous reports to receive more Lessons Learnt for example following Complaints. However, this analysis only represents Q2 data and would require further extensive work to determine whether or not this is a wider trend and, if so, to determine further analysis and actions required to assess and address this potential theme.

Q1 Report Updates

Schedule 3 Public Complaint cases have continued to increase in Q2

The split between Schedule 3 and Outside of Schedule 3 Complaints have shown some variation between the last 4 quarters, 20/75 and 20/80 splits respectively, although Schedule 3 Complaints now sit at ~30% and Outside of Schedule 3 ~70%. This increase is in response to the continual review of recording practices of Complaints. The review also highlighted that additional cases should be recorded due to *Severity of Allegation* which has seen a significant increase this quarter and taken over from *Force/LPB determined*. The increase of Schedule 3 cases is therefore a positive change, and which will be monitored by the Complaints and Conduct Manager in the coming quarters. The numbers and reasons for recording cases are expected to stabilise in coming quarters.



Finalisation times for Public Complaints have improved in Q2

As predicted in Q1 report, finalisation times for Public Complaints have improved in Q2. Complaints logged Outside of Schedule 3 have seen a significant improvement. The number of Complaints *Service Recovered* within 7 days is the highest for the last 12 months as per the below parameters. Turnaround times for Complaints recorded under Schedule 3 remain relatively static which is promising given the increased numbers of Schedule 3 Complaints recorded in Q2.

The below figures have been calculated in house to the same parameters as the Q4 and Q1 reports. A case must have been logged/recorded and then finalised in the same quarter to feature in the below figures.

Average Finalisation Times of Cases Logged/Recorded

	Average number of days to finalise Complaint case Outside Schedule 3	Average number of days to finalise Complaint case Schedule 3
20/21 Q3	8	19
20/21 Q4	8	24
21/22 Q1	18	31
21/22 Q2	5	32

Outside of Schedule 3 Cases Logged and Finalised within a week in Q2

Days to Finalise Case	Q3 Count of Cases	Q4 Count of Cases	Q1 Count of Cases	Q2 Count of Cases
0 <i>(Finalised same day as logged)</i>	22	15	8	11
1	14	21	11	25
2	5	11	13	14
3	12	8	3	8
4	11	10	3	6
5	4	10	2	10
6	10	5	2	11
Total	78	80	42	85

The improvements are due to a number of factors, including revised practices and daily monitoring of new Complaints, the return to a near full cohort of staff as well as the implementation of the new Complaint Resolution Handlers.

Outcomes for cases have been reasonably consistent with the Outcomes issued for Complaints cases compared to Q1 (**Appendix F**), although not quite at Q4 levels yet. The % of Live cases being rolled over to the next quarter has however seen a small increase which correlates in part to the % decrease in the cases being Resolved in Q2 compared to Q1. The increase in Schedule 3 Complaints may account for this change. De-Recorded cases and NFA cases appear to remain at similar combined numbers.

It is expected that Complaint turnaround times will continue to improve moving forward for cases logged Outside of Schedule 3 due to the improved staffing within PSD. The increase in the number of Schedule 3 Complaints which require investigation may impact on future quarters' figures, but this will be monitored, and it is hoped that the turnaround times will remain at least static, if not improve, for these types of cases.

Learning and Other Updates

Learning has taken forefront in Q2

Learning has taken forefront in Q2 with PRI and 'Small rp' being embraced and issued in a large number of cases. As well as a greater number of news articles being issued via Need to Know to educate the Constabulary on new and emerging issues and reiterating force policies. The online RPRP form project, which is a trail blazer, and believed to be one of a kind with no other force implementing a form of this nature, is nearing completion ready to be rolled out to the Constabulary.

PRI

PRI has been issued by PSD in response to both Complaint and Conduct cases. A repeat officer was issued with PRI in relation to multiple UoF Complaints, another PC issued PRI for not completing a search form and a third PC for the way they spoke to a member of the public.

Small rp

'Small rp' as been issued by area in response to other matters, not necessarily Complaint or Conduct case related. There were 5 recorded instances of 'Small rp' issued in Q2.

PASS Newsletters and Force Wide Learning

During Q2, 6 articles were issued from PSD/ACU in response to recent intelligence, conduct cases or general learning and development identified.

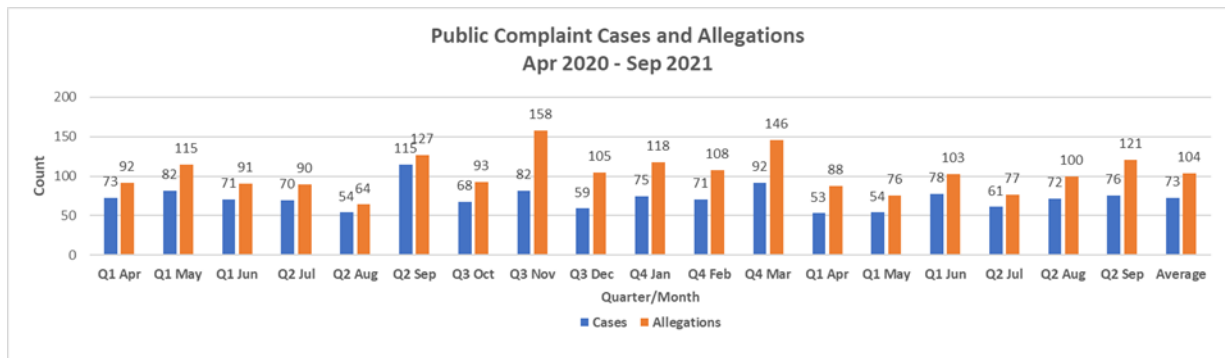
01/07/2021	Viewing of Incident Logs
09/07/2021	Appropriate relationships and behaviours in the workplace
22/07/2021	BWV Campaign – BWV Gym (Video)
09/08/2021	Force Device Restrictions
09/09/2021	Why supervisors must contact PSD – not issue their own 'management action'
23/09/2021	WhatsApp Not to be used for sharing operational policing matters (Video)

Covid-19

Covid-19 related Public Complaints has all but ceased, with only 1 or so report per section. However, the impact of Covid-19 may still be indirectly impacting on the department due to increased visitor numbers to the area which may be resulting in some of the Complaint cases. This hypothesis will be considered further once administrative updates regarding new Shift/Department nomenclature introduced by the Constabulary early this year are rectified within Centurion Complaints database. It is hoped hotspots of Complaints by area may be established alongside potential themes of Complaints.

Appendices

Appendix A - Public Complaint Cases and Allegations April 2020 – June 2021



Appendix B – Incidents, Crimes and Custody Figures

Table B1: Incident Logs, Crims and Custody Q1 and Q2 Comparison

	2021-2022 Q1	2021-2022 Q2	% Change
Incident Logs <i>(minus duplicates/errors)</i>	22197	23726	Up 7%
Crimes	8858	9594	Up 8%
Custody*	2869	3043	Up 6%

*Includes Arrests and Voluntary Attendance at Custody

Table B2: Complaint Cases per Incident Logs and Crimes

	2021-2022 Q2	% of Complaint Cases** per count of Logs/Crimes
Incident Logs <i>(minus duplicates/errors)</i>	23726	0.88%
Crimes	9594	2.18%

**Based on all Public Complaint cases (209 in Q2). Although it should be noted that not every expression of dissatisfaction made to the constabulary is as a result of an incident or a log. Therefore, the % figures are likely to be less than quoted if Complaint cases were further separated, albeit this separation would not be feasible with current recording practices.

Table B3: Custody related Complaint Cases per Custody Attendance

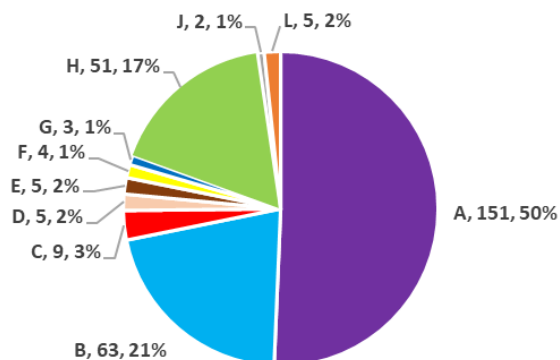
	2021-2022 Q2	% of Custody related Complaint Cases*** per Count of Custody Attendances
Custody	3043	1.05%

*** Any Complaint that has been allocated a Custody and/or Arrest allegation type and/or National Factor tag, 32 cases in Q2

Appendix C – Public Complaint Allegations by Complaint Groups

Q2 Complaint Allegations by Complaint Group

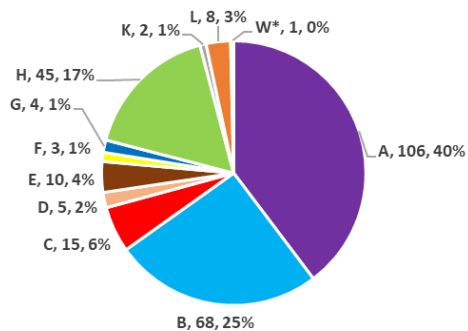
Complaint Group/Number of Allegations/% Share



Complaint Group
A - Delivery of duties and service
B - Police powers, policies, and procedures
C - Handling of or damage to property/premises
D - Access and/or disclosure of information
E - Use of police vehicles
F - Discriminatory behaviour
G - Abuse of position/corruption
H - Individual behaviours
J - Sexual conduct
K - Discreditable conduct
L - Other
W* - Other (2012 Regulations)

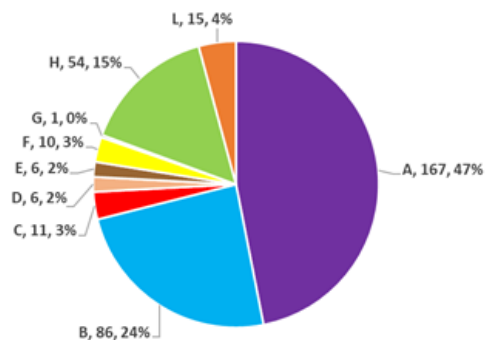
Complaint Allegations by Complaint Group - Q1 Cases Only

Complaint Group/Number of Allegations/% Share



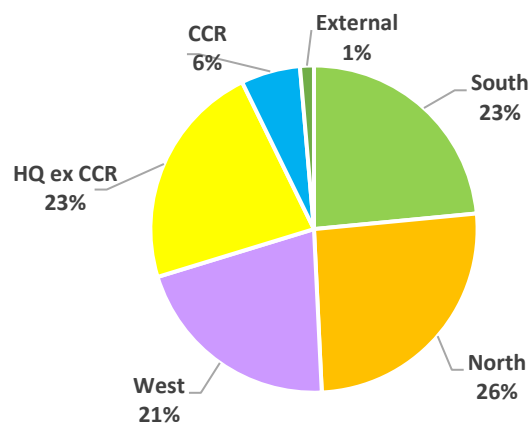
Complaint Allegations by Complaint Group - Q4 Cases Only

Complaint Group/Number of Allegations/% Share

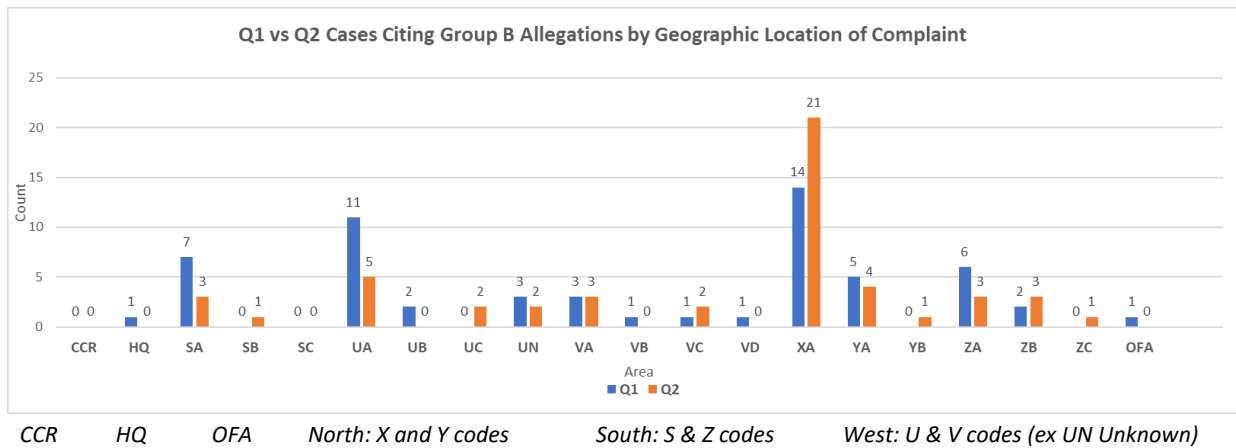


Appendix D – Constabulary Workforce Split - Figures as of 30/06/2021

Police Officer Split Headcount by Area



Appendix E – Group B Public Complaints by Geographic Location of Complaint



Appendix F – Public Complaint Outcomes

Public Complaint Case Outcome	Q4 % of Cases	Q1 % of Cases	Q2 % of Cases
Live	24%	33.5%	38%
Resolved	58%	54%	50.5%
Not Resolved NFA	3%	1%	1%
NFA Required	1%	0.5%	3%
Not determined if the service provided was acceptable	0%	0.5%	0.5%
The service provided was acceptable	6%	3.5%	3.25%
The service provided was not acceptable	1%	0.5%	0.5%
De-Recorded	7%	6.5%	3.25%



Policy and supporting procedures.

Policy:	Ethical Standards, Public Complaints, Misconduct, Service Confidence, Suspension from Duty/Alternative Duties and Confidential Reporting Policy and supporting Procedures. Request to Provide a Statement.
Approved by which board (or Chief Officer) and date:	Operations Board – 2 nd September 2021
Owner	Superintendent Head of People Department
For release under Freedom of Information?	Yes
Supporting procedures	Contained within
Contact for advice	Professional Standards Department
Review date	July 2024

If changes have been made to an existing policy, you must complete the boxes below

Amendments made	An amalgamation of a number of policies into one which also incorporate procedures as appendix.
Date and Version Number	April 2019 – Version 1.0 June 2021 – Version 1.1

1. Equality Analysis

What is the potential impact in relation to the General Duty of this proposal on each of the protected groups below?

Protected characteristics	Positive Impact				Negative Impact (provide details and mitigating actions taken or proposed)	No Impact (v)
	Does the proposal:					
	eliminate unlawful discrimination (provide details)	advance equality of opportunity (provide details)	Foster good relations (provide details)	Other positive impact (provide details)		
Age	The policy will make sure that anybody of any age will be dealt with in the same way therefore eliminating discrimination	As all people that commit fraud/corruption will receive the same investigation, equality of opportunity would be afforded to all	A positive message is given to all staff/volunteers/contractors that all personnel no matter what position they hold within the force would be treated in the same way			
Disability	The policy will make sure that anybody with any disability will be dealt with in the same way therefore eliminating discrimination. Reasonable adjustments in accordance with the Equality Act 2010 will be implemented when required.	As all people that commit fraud/corruption will receive the same investigation, equality of opportunity would be afforded to all	A positive message is given to all staff/volunteers/contractors that all personnel no matter what position they hold within the force would be treated in the same way			
Sex	The policy will make sure that anybody of	As all people that commit	A positive message is given to all			

	any gender will be dealt with in the same way therefore eliminating discrimination	fraud/corruption will receive the same investigation, equality of opportunity would be afforded to all	staff/volunteers/contractors that all personnel no matter what position they hold within the force would be treated in the same way			
Sexual orientation	The policy will make sure that anybody of any sexual orientation will be dealt with in the same way therefore eliminating discrimination	As all people that commit fraud/corruption will receive the same investigation, equality of opportunity would be afforded to all	As all people that commit fraud/corruption will receive the same investigation, equality of opportunity would be afforded to all			
Gender reassignment	The policy will make sure that anybody from the trans community will be dealt with in the same way therefore eliminating discrimination	As all people that commit fraud/corruption will receive the same investigation, equality of opportunity would be afforded to all	As all people that commit fraud/-corruption will receive the same investigation, equality of opportunity would be afforded to all			
Marriage and civil partnership	No impact					v
Pregnancy and maternity	The policy will make sure that anybody that is pregnant will be dealt with in the same way therefore eliminating discrimination	As all people that commit fraud/corruption will receive the same investigation, equality of opportunity would be afforded to all	A positive message is given to all staff/volunteers/contractors that all personnel no matter what position they hold within the force would be treated in the same way			
Race	The policy will make sure that anybody of	As all people that commit	A positive message is given to all			

	any race will be dealt with in the same way therefore eliminating discrimination	fraud/corruption will receive the same investigation, equality of opportunity would be afforded to all. If required interpreters will be sourced in accordance with the current contracts	staff/volunteers/contractors that all personnel no matter what position they hold within the force would be treated in the same way			
Religion and belief including non-belief	The policy will make sure that anybody of any religious belief will be dealt with in the same way therefore eliminating discrimination	As all people that commit fraud/corruption will receive the same investigation, equality of opportunity would be afforded to all. We will where appropriate respect different cultural customs and religious practises	A positive message is given to all staff/volunteers/contractors that all personnel no matter what position they hold within the force would be treated in the same way			

If there is no potential impact (positive or negative) please provide a brief explanation why this is the case, e.g. The data utilised in arriving at the decision, summary of responses to consultation etc.

1. What is the potential impact in relation to the General Duty of this proposal on each of the protected groups below?

<p>Brief explanation of the 'no impact' decisions above N/a</p>
--

2. Aim

Seek to maintain the highest standards of professional behaviour expected of all Police Officers and Police Staff in order to achieve the highest levels of confidence in Cumbria Constabulary with reference to the College of Policing Code of Ethics.

Where these standards have not been met then this policy and supporting procedures address the action to be taken.

Ensure that Cumbria Constabulary provide an ethical service that is open and transparent, engendering trust and confidence both internally, amongst those within the organisation and, members of the public.

Ensure parity in decision making process across the whole of the policing family.

To ensure that welfare needs, safeguarding and risk assessments of individuals subject to any area within this policy are properly accounted for, this may extend to the needs of their families.

Provide procedures and guidance in respect of the management of public complaints against the police and disciplinary matters, referencing legislation and statutory guidance.

To maintain an ethos of fair management so as to treat officers and staff members with respect and dignity, including when an individual has been suspended from duty.

To ensure that decisions to suspend or place individuals on alternative duties are taken objectively against a set criteria

The policy is mandatory and applies to all police officers, special constables, police staff, volunteers and agency staff under the direction and control of the Chief Constable and assisting the Constabulary in pursuing its aims, and those third parties with whom the Constabulary have dealings.

This policy has been written to bring together a number of policies and supporting procedures under one document to enable a simpler and more effective way in which every member of the police family can access, read and use.

3. Terms and Definitions

The “**Appropriate Authority**” as defined by Section 29 (1) Police Reform Act 2002 is formally delegated to the Deputy Chief Constable.

Constabulary Employee – Police staff/Police Officer

Police Staff – all references to Police Staff include reference to Police Community Support Officers and volunteers.

Police Officers – all references to Police Officers include reference to Special Constables.

Source Sensitive - For the purpose of this document means information or intelligence obtained legitimately but which legislation prohibits use other than for intelligence purposes, or where disclosure would compromise and put at risk investigations, investigative methods or individuals.

Serious Concerns -It is not possible to provide a precise definition of ‘serious concerns’ and each set of circumstances will be judged on merit using the following considerations as a guide:

- Whether the alleged action of the individual(s) was undertaken knowingly or recklessly. This will include an assessment of the likelihood of a recurrence of the action.
- The credibility of the individual(s) as witnesses of truth in police prosecutions and requirements for disclosure.
- The nature of the current post and the potential risk to the public, colleagues or operations if the subject continues in post or undertaking those duties.
- The risk caused by improper association with criminals and potential corruption.
- Suspected unethical or dishonest conduct or corruption.

Service Confidence Case Conference - The confidential procedure by which service confidence investigations will be assessed and the means whereby the panel (Head of People/Human Resources/DCC/Legal Services/Commanders) will determine what actions and support are necessary to address the issue(s) of concern and are communicated to the Police employee.

Ethical Interview - A confidential interview to seek explanation or clarification and a resolution to information that raises concerns about a police employee.

Nominated Officer

- This will be the person issuing the Regulation/Investigation notice and could be a member of PSD, a supervisor or HR.

Suspension –a period of temporary cessation from work (Police Staff) or temporary suspension from duty and office of constable (Police Officer), in exceptional and justified circumstances, until further notice. **Suspension is a neutral act and does not imply guilt.** Suspension is intended to facilitate investigation and /or alleviate stress on the individual concerned.

Alternative Duties – temporary redeployment or any restrictions on the individual’s role during the investigation.

Protected Disclosure - “the disclosure by an employee (or professional) of confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the workplace be it of the employer or fellow employee” (Lord Barrie QC, Business Ethics and Accountability) and the Public Disclosure Act 1998.

Members of Cumbria Constabulary - Police Officers (including Special Constables), Student Officers and Police Staff.

4. The Policy

Ethical standards

The College of Policing has issued the Code of Ethics (July 2014) as a code of practice under section 39A of the Police Act 1996 (as amended by section 124 of the Anti-Social Behaviour, Crime and Policing Act 2014).

The expectation of the public and the professional body is that every person working in policing will adopt the Code of Ethics and this includes all those engaged on a permanent, temporary, full-time, part-time, casual, consultancy, contracted or voluntary basis.

The Code of Ethics sets out the 9 policing principles and 10 standards of professional behaviour that will promote, reinforce and support the highest standards from everyone who works in policing in England and Wales.

The Code also has a preventative role. It requires everyone in policing to prevent unprofessional conduct by questioning behaviour which falls below expected standards. Additionally, it supports reporting or taking action against such behaviour.

See Code of Ethics APPENDIX A

Public Complaints

The primary focus of the initial handling of a complaint should be to resolve it, with the exception of certain serious complaints, which must be referred to the Independent Office for Police Conduct (IOPC). The fact that someone has made a complaint means that he or she is dissatisfied with the way that he or she has been treated or with the service that he or she has received. This needs to be taken seriously and the concerns of the complainant should be addressed as soon after receiving the complaint as possible. Speed is important as a complaint is more likely to be successfully resolved if the force is seen to respond promptly. This gives the complainant a clear message that his or her concerns are being taken seriously.

Embed culture learning and development individual / organisational and reflective learning. Reflect good practice.

The Police Reform and Social Responsibility Act 2011 introduced a number of changes to the police complaints system.

The Police Reform Act 2002 and The Police (Complaints and Misconduct) Regulations 2012 provides the requisite legislation for the recording and management of complaints against the police.

The Independent Office for Police Conduct (IOPC) came into being on 08th January 2018 as a successor to the Independent Police Complaints Commission (IPCC). The IOPC has a statutory duty to secure and maintain public confidence in the police complaints system in England and Wales. The IPCC Statutory Guidance (May 2015) is issued under Section 22 of the Police Reform Act 2002 and provides guidance in order for police forces to navigate through and effectively handle public complaints in accordance with the aforementioned legislation.

'A complaint is an expression of dissatisfaction by a member of the public about the conduct of a person serving with the police' (IPCC Statutory Guidance May 2015).

[Refer to the Police \(Complaints and Misconduct\) Regulations 2020](#)

Misconduct

[Refer to the Police \(Conduct\) Regulations 2020](#)

Service Confidence and Integrity Interviews

This policy is an anti-corruption measure that will allow the Chief Constable to deal effectively with concerns regarding a member of staff which cannot be substantiated by either a criminal or discipline investigation but nevertheless indicate a loss of confidence in that member of staff to work in a particular post or specified duties.

It will apply to:

- All Police Officers and Special Constables.
- Police Staff – as employees of the Police Authority under the direction and control of the Chief Constable.
- Volunteer Staff – providing as service or support to the Constabulary in the achievement of its aims and objectives.

The Policy will be used by the Head of Professional Standards Department when investigating instances where the Constabulary has a loss of confidence and a serious concern about the

appropriateness of an individual member of staff to work in a particular post or specified role within the organisation.

The Service Confidence Procedure provides a framework to deal with the loss of confidence in an individual where the Police Service has received information about the conduct or activities of a member of staff, which calls into question that individual's integrity but which cannot be substantiated by either a criminal or a discipline investigation. The information may be such that, while there is no doubt about its provenance, it could not be used as evidence in either a criminal or disciplinary hearing. Such information may be subject to Public Interest Immunity and is source sensitive. Consequently, full disclosure of the information as evidence would reveal the source of the information or disclose covert policing tactics and thereby cause an unacceptable risk to individuals or to policing operations. The procedure provides clarity and guidance regarding the circumstances when it will be used, the rules regarding disclosure of information, case conference arrangements and any subsequent action plans etc. It sets a range of responsibilities for those involved in the process and explains the process through which staff may be transferred to a less vulnerable post or duties. The Policy provides and ensures that management intervention is fair, objective, accountable and proportionate thereby protecting members of staff and the organisation by management intervention and action.

Cumbria Constabulary have a duty of care to the public, its employees and a responsibility to the criminal justice system to ensure confidence in and the reputation of the Police Service is maintained. It would therefore be remiss to ignore any serious concerns raised by source sensitive information leading to vulnerability.

See supporting procedures document APPENDIX B

On occasions, the ACU (Anti-Corruption Unit) will receive intelligence that cannot be corroborated or comes from an anonymous source. If background checks reveal no concerns, then often it is appropriate to simply speak with the individual who is subject of the intelligence. This ensures the individual is aware of the intelligence and gives them an opportunity to explain or clarify issues/concerns that have been identified. In these cases it will be appropriate to follow the **Integrity Interview Procedure**.

See supporting procedures document APPENDIX C

Suspension from duty / Alternative duties

Cumbria Constabulary:

- Acknowledges that the decision to suspend or place an individual on alternative duties is a serious one with potential consequences on the individual (and family) and can incur significant costs to the organisation.

- Will ensure that the suspension or placing an individual on alternative duties under this Policy only occurs in exceptional and/or justified circumstances, is necessary, proportionate, and lawful and is managed in accordance with this Policy.
- Will retain responsibility as an organisation for the welfare of any individual subject of suspension or alternative duties under this Policy.
- Will limit suspension to only those cases where alternative duties, a temporary move to a new location or role has been considered but is not appropriate in the circumstances, and the continued presence of the individual on duty might prejudice the investigation or proceedings, or where it is in the public interest having regard to the nature of the report, complaint or allegation or where it is necessary in managing the risk.
- Will use the criteria set out in this Policy to decide if an individual will be suspended or placed on alternative duties
- Has developed this Policy in co-operation with key stakeholders and with regard to The Police (Conduct) Regulations 2020 and the Constabulary Police Staff Disciplinary Policy.

See supporting procedures document [APPENDIX D](#)

Confidential reporting

Cumbria Constabulary is committed to the highest possible standards of openness, integrity, probity and accountability.

It recognises that, in order to ensure that the people of Cumbria feel safe, confident and reassured, it must continue to sustain a “corruption resistant” organisation to ensure that standards are complied with and symptoms of wrongdoing are vigorously challenged at the earliest opportunity.

Cumbria Constabulary have established a procedural framework to ensure any breaches in standards can be reported openly with the full support of the Constabulary and that such allegations are appropriately investigated and addressed.

The aims of this policy are to:

- Establish and maintain a climate where members of the Cumbria Constabulary feel an obligation to report corruption, dishonesty, malpractice, mismanagement, breach of Health and Safety law, or any other illegal or unethical act that may have been carried out by another individual within the Constabulary openly with the support of their colleagues and managers.
- Provide effective mechanisms for ‘open’ and ‘confidential’ reporting of wrongdoing.
- Provide a ‘protected disclosure’ procedure.
- Provide a framework within which the Constabulary can address allegations.

- Provide comprehensive arrangements for supporting personnel who, in good faith, make such report.
- Acknowledge potential impact on an individual, department and/or the service, and
- Provide for other reporting methods e.g. anonymous reporting, to improve staff confidence in internal systems and their willingness to make professional standards reports.

Terms and Definitions

- Protected Disclosure - “the disclosure by an employee (or professional) of confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the workplace be it of the employer or fellow employee” (Lord Barrie QC, Business Ethics and Accountability) and the Public Disclosure Act 1998.
- Members of Cumbria Constabulary, Police Officers (including Special Constables), Student Officers and Police Staff.

The Policy

Cumbria Constabulary acknowledges that it is legally accountable and subject to public scrutiny in respect of the delivery of policing services.

It recognises that, in order to ensure that the people of Cumbria feel safe, confident and reassured, it must continue to sustain a “corruption resistant” organisation to ensure that standards are complied with and symptoms of wrongdoing are vigorously challenged at the earliest opportunity.

Cumbria Constabulary have established a procedural framework to ensure any breaches in standards can be reported openly with the full support of the Constabulary and that such allegations are appropriately investigated and addressed.

Supporting Information

This policy applies to

- All Police Officers, (including Special Constables). Under Section 51 of the Health and Safety at Work etc. Act 1974, as amended by the Police (Health & Safety) Act 1997, personnel holding the office of Constable, Special Constable or Student Officer are treated as “employees” of the Chief Officer.

[See supporting procedures document APPENDIX E](#)

Request to Provide a Statement

This procedure sets out the framework to be used by Police Officers, Police Staff and Volunteers representing Cumbria Constabulary.
(Any reference to Volunteers includes: - The Special Constabulary, Police Support Volunteers and Cadets).

The procedure gives guidance and direction for requests to provide a statement or give evidence for in relation to :-

1. Interviews with Witnesses
2. Interviews of Police Officers/Staff/Volunteers
3. Visits to Crime Scenes
4. Police Officers, Police Staff or Volunteer Attending Court and Giving Evidence as a Witness for the Defence in Criminal Cases.

See supporting procedures document APPENDIX F

5. Supporting Information

This policy and supporting procedures have been written giving due regard to the above legislation and has considered the risk of unfair and/or disproportionate impacts on individuals or groups (actual or perceived) and has done so via an equality impact assessment (EIA). This policy takes into account the most recent legislation at the time of writing unless there are any fundamental legal requirements that must be referenced which is included within.

This policy and supporting procedures have been written giving due regard to legislation and has considered the risk of unfair and/or disproportionate impacts on individuals or groups (actual or perceived) and has done so via an equality impact assessment (EIA).

6. Monitoring and Reviewing

The Policy will be reviewed every 3 years unless there is an earlier change in legislation /regulations which requires policy review after being agreed at the relevant board.

The Head of People will be responsible for reviewing the policy.

The reviewer will

- Check relevant statistics, comments as necessary and where available, in order to identify any trends, issues or concerns
- Check that the Policy has been put into practice
- Check that the policy is being effective
- Verify that all of the elements are operating properly
- Verify that published procedures are being applied and complied with
- Ensure that the aims of the policy are achieved
- Monitor that the Policy does not discriminate against those with protected characteristics

In the event that an individual feels disadvantaged by the requirements of a Policy or Procedure or where they perceive there to be an impact which is intentionally or unintentionally unfair the matter should be dealt with in accordance with the **Policy and Procedure Review Process / Selection Process Appeals Procedure** contained in the Fairness At Work (Grievance Resolution) Policy and Procedure. This information will also be monitored and considered when reviewing the Policy.

7. Comments and Contact

All comments on how this policy can be improved are welcomed and should be forwarded to the Policy Owner at the correspondence address below:

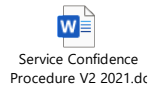
Head of People
Corporate Support
Cumbria Constabulary Police Headquarters
Carleton Hall
Penrith
Cumbria
CA10 2AU

E-mail: PSDadmin@cumbria.police.co.uk

APPENDIX A - Ethical Standards College of Policing Code of Ethics

http://www.college.police.uk/What-we-do/Ethics/Documents/Code_of_Ethics.pdf

APPENDIX B - Service Confidence Procedure



APPENDIX C – Integrity Interview Procedure



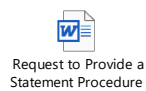
APPENDIX D – Suspension from duty / Alternative duties Procedure



APPENDIX E - Confidential Reporting Procedures



APPENDIX F – Request to Provide a Statement



Ethics and Integrity Panel



Title: OPCC Complaints & Reviews

Date: 21 October 2021

Agenda Item No: 15a

Originating Officer: Joanne Head

CC:

Executive Summary:

In accordance with the Police Reform and Social Responsibility Act 2011 the Police and Crime Commissioner has a responsibility in relation to conduct and complaints. The introduction of the Policing and Crime Act 2017 and subsequent complaint and misconduct regulations mandate Commissioners to deal with public complaint appeals now known as reviews.

The Commissioner is the appropriate authority for complaints and conduct matters relating to the Chief Constable only. The Chief Constable is the appropriate authority for any complaints regarding police officers (below the rank of Chief Constable) or police staff conduct whilst carrying out their work/duties under the Direction and Control of the Chief Constable.

Recommendation:

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

1. Introduction & Background

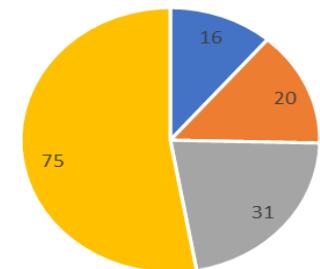
- 1.1 The Office of the Police & Crime Commissioner (OPCC) receives telephone calls and emails from members of the public who wish to make complaints about police officers and/or police staff under the rank of Chief Constable. As this is a matter for the Chief Constable to deal with a process has been developed with the Constabulary to forward such complaints onto the Constabulary's Professional Standards Department, advising the complainant accordingly.
- 1.2 Some issues which are brought to the attention of the OPCC do not constitute a complaint but are regarding quality of service issues. Again, a system has been developed with the Constabulary to pass on the issues to the Chief Constable's Secretariat. The issues are then raised at a local level with the OPCC being kept updated as to progress and advised of either a final solution which has been agreed or a final response which the Commissioner will then send to the author. A separate report is provided to this meeting.

2. Issues for Consideration

Complaints received by the OPCC

- 2.1 This chart details the number of complaints which have been received by the OPCC up to 30 September 2021. The complaints received were all regarding police officers below the rank of Chief Constable and the Police and Crime Commissioner has no statutory responsibility to deal with such matters.

Complaints Received



■ 2018 ■ 2019 ■ 2020 ■ 2021

- 2.2 There is a noted increase in the number of members of the public who are writing to the Police and Crime Commissioner regarding complaints about the Constabulary. This can be attributed to the visibility and increased awareness of the Commissioner's role; and a noted increase in the number of complaints being process by PSD. Where this occurs the OPCC will explain that the Police and Crime Commissioner does not have any statutory authority to investigate such complaint, and it is the overall responsibility of the Chief Constable. Contact details are provided for the Constabulary's Professional Standards Department (PSD) who are the appropriate body to deal with such complaints. If requested, the OPCC will forward the correspondence to PSD on behalf of the complainant.

Commissioner Complaints

- 2.3 Complaints made regarding the Police and Crime Commissioner are dealt with by the Police and Crime Panel (PCP). This Panel has statutory responsibility for holding the Commissioner to account for the work that he carries out and they are therefore the logical body to deal with any complaints. Chapter 4, Section 30 of the Police Reform and Social Responsibility Act 2011 details the circumstances in which a Police and Crime Commissioner could be suspended this being that the Commissioner has been charged with an offence which carries a maximum term of imprisonment exceeding two years. The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 details the role of the PCP.
- 2.4 Any complaint regarding the Commissioner is sent to Cumbria County Council's Monitoring Officer to assess and consider its severity. If it does not meet the above criteria an agreed protocol is in place whereby the Monitoring Officer will correspond with the Commissioner/OPCC Monitoring Officer to ascertain the circumstances surrounding the complaint and provide the complainant with an explanation. If the complainant is satisfied with the explanation such a complaint would be finalised as an informal resolution.
- 2.5 If the complaint cannot be dealt with by informal resolution the PCP will then consider the complaint and may decide to establish a subcommittee to consider the findings of the initial investigation of the Monitoring Officer and consider whether to undertake a more detailed investigation.
- 2.6 The majority of the complaints received relate to individuals who are dissatisfied with the way in which the Commissioner has carried out his duties or work he has undertaken in their opinion, rather than his personal conduct. Detailed below are the number of complaints regarding the Commissioner, Mr Peter McCall, whereby the OPCC has been requested to provide information to the Police and Crime Panel.

YEAR	N° of Complaints Received	Complaint not about the PCC	Dealt with by informal resolution	Police & Crime Panel investigation
2019	0	0	0	0
2020	0	0	0	0
2021	2	2		

2.7 Although two complaints have been received by the PCP, they are yet to confirm whether or not it is in fact in relation to the Police and Crime Commissioner; and they are therefore yet to be finalised.

2.8 **Chief Constable Complaints**

The Commissioner is the appropriate authority for complaints and conduct matters relating to the Chief Constable. Members of the public may write to complain about the Chief Constable when in fact they are unhappy about the way in which policing is provided or regarding a policy or procedure rather than her personal conduct.

2.9 Changes in regulations mean that where it is apparent that the complaint is not in relation to the conduct of the Chief Constable and may in fact relate to that of officers below this rank, they are then automatically sent to the Constabulary's Professional Standards Department to deal with the issues raised. This would mean that the complaint is not in fact logged with the OPCC. As of 30 September 2021, the OPCC had received 4 complaints against the Chief Constable. Three have been concluded with one being reviewed by the IOPC and not upheld. The fourth is not yet concluded.

YEAR	N° of Complaints Received	Not Logged	Logged	Dealt with by NFA	Investigation	IOPC Appeal
2020	4	1	3	4	0	0
2021	4	0	4	2		1

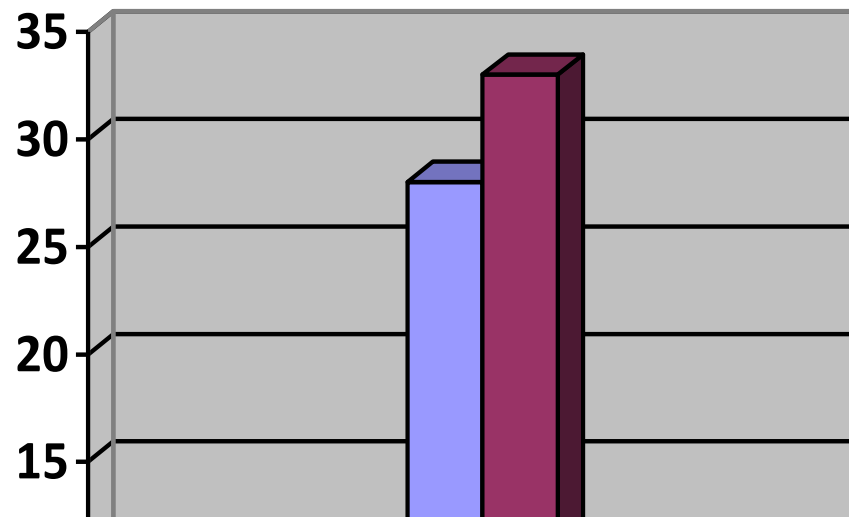
2.10 **OPCC Staff Complaints**

One complaint has been received regarding a member of OPCC staff during the reporting period and is being looked in to.

2.11 **Complaint Reviews**

From 1 February 2020, the Local Policing Body became the appropriate authority to deal with complaint reviews relating to cases dealt with as Recorded – No Investigation. The reviews are undertaken by an independent review officer to provide additional independence and transparency to the process.

- 2.12 During 2020 the OPCC received 32 requests for reviews, with 12% being upheld. Up to 30 September 2021 40 requests have been received with again 12% being upheld.



- 2.13 Upon the completion of their review the independent review officer will provide a written determination which is then provided to the complainant. This outlines what they have reviewed, taken into consideration and their final decision.
- 2.14 Where the review is upheld, they may provide recommendations for the Constabulary's Appropriate Authority to consider. Within the legislation and statutory guidance, the Appropriate Authority must advise the OPCC and the complainant within 28 days of whether or not they will carry out the recommendations. The Commissioner, nor the OPCC, have any authority to direct or instruct the Constabulary to carry these out. However, as the ethos of the new process is to learn and improve, the recommendations are generally accepted and implemented.
- 2.15 On average the complaint reviews take 15 days from receipt to finalisation, however this will depend upon the complexity of the matter and staff availability to carry out and administer the review process.

3. Implications

- 3.1 Financial - with the added statutory responsibility for undertaking complaint reviews there is an additional cost for the independent review officer. This is seen as value for money as they are only paid for the work that they carry out, there are no ancillary costs as there would be if they were an employed member of staff.
- 3.2 Legal – none identified.
- 3.3 Risk - None identified, beyond that to the OPCC's reputation if it does not deal with the issues raised appropriately and proportionately according to the merits of the individual case.
- 3.4 HR / Equality - none specifically identified.

Ethics and Integrity Panel



Title: OPCC Quality of Service & Policing Issues

Date: 19 October 2021

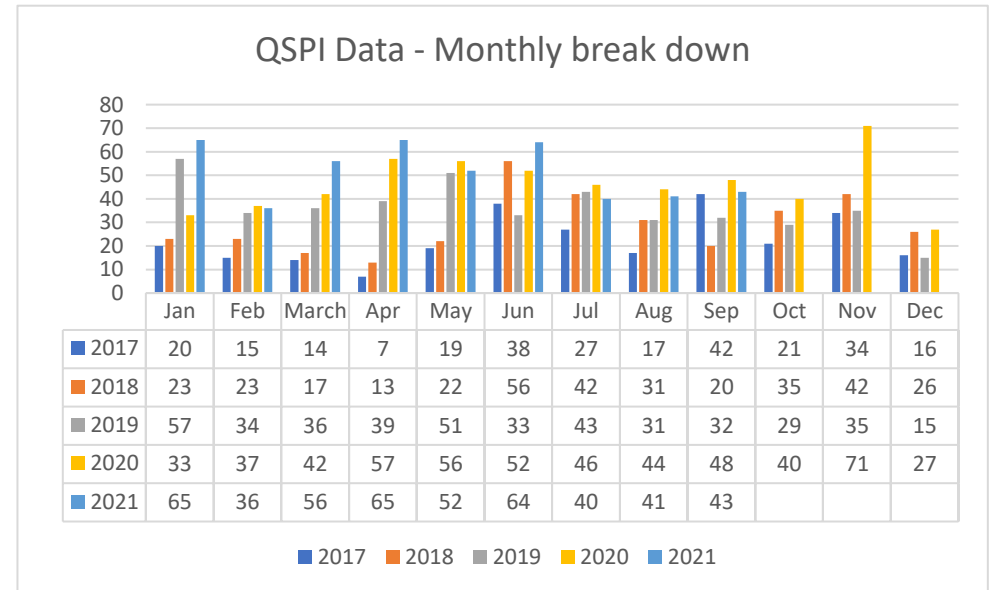
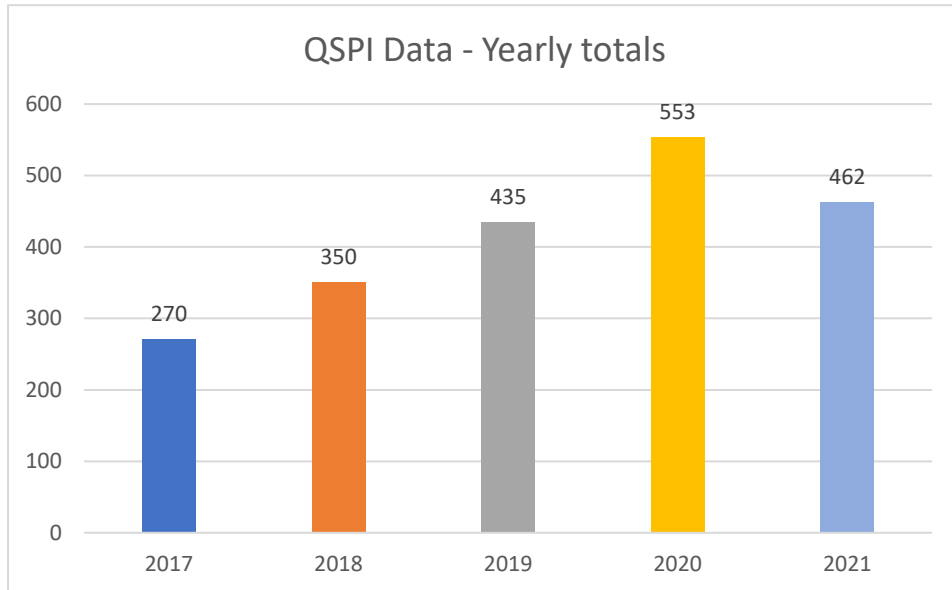
Agenda Item No: 15b

Originating Officer: Lisa Hodgson, Governance Officer

1. Introduction & Background

- 1.1 This report focuses on QSPI's received between **01/04/2021 & 30/09/2021**, in this period a total of **305** QSPI's were received.
- 1.2 The Office of the Police & Crime Commissioner (OPCC) receives a number of telephone calls, letters and emails from members of the public who wish to raise issues or dissatisfaction about some element of the policing service they have experienced, or concerns they have within the community. These are regarded as Quality of Service and Policing Issues (QSPI).
- 1.3 A system has been developed within the OPCC to acknowledge, log and monitor the resolution of the issues raised. Once a QSPI is logged within the OPCC it is then allocated appropriately. Predominantly issues are passed through to the Chief Constable's Office who may allocate it to the appropriate Neighbourhood Policing Team (NPT) or department to deal with. Regular contact between OPCC staff and the Chief Constable's Office takes place to ensure that matters are progressed in a timely manner. Once the matter is finalised, an update is provided to the author and where possible this will be provided at the earliest opportunity and is often before 28 days.

1.4 Since its inception the number of QSPIs received and dealt with by the OPCC has increased year on year as can be seen from the chart shown. 2021 figures are included up to 30/09/2021. Also included is a breakdown of QSPI's received per month. As can be seen below a steady increase can be seen each year, this can be attributed to the Police and Crime Commissioner's profile being raised across the communities in Cumbria and accessibility to raise issues and concerns.

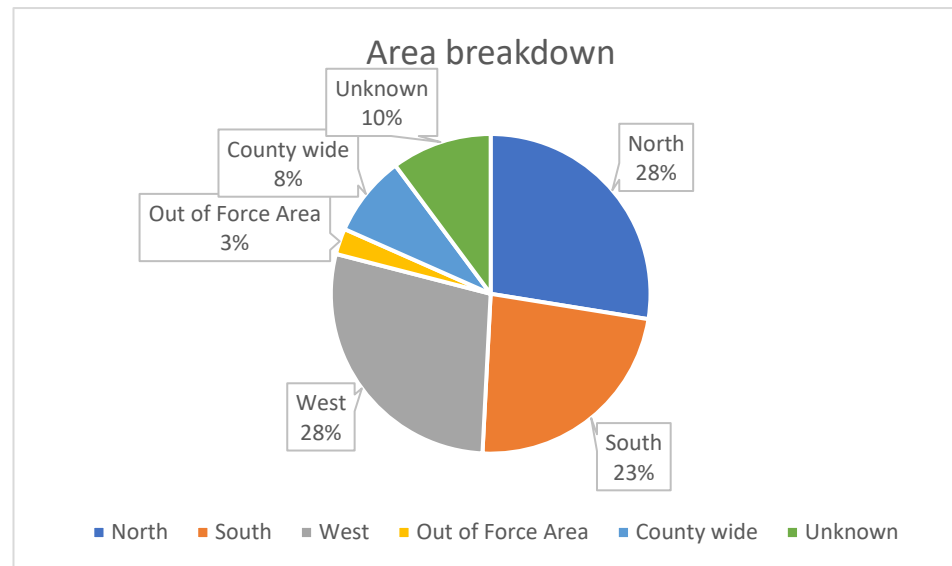


The following data focuses on the period 01/04/2021 & 30/09/2021, during which 305 QSPI's were received

1.5 Shown here is an area breakdown of where the complainant is based in Cumbria. When contacting the OPCC an individual may not always provide their location which is recorded as 'unknown'.

QSPI's are broken down into:

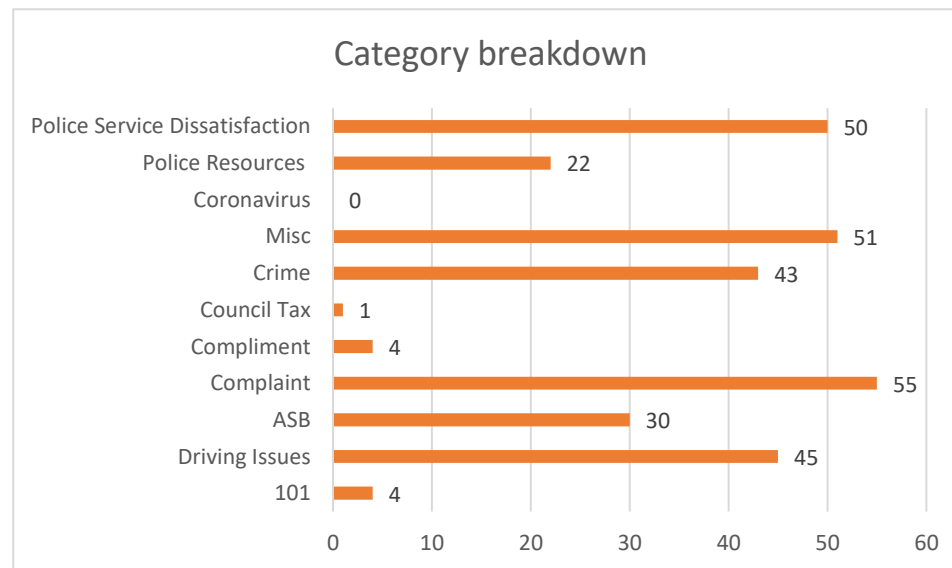
- North
- South
- West
- County Wide
- Out of Force Area (OFA)
- Unknown



1.6 Members of the public will contact the OPCC regarding a broad range of issues. The Commissioner will write to every individual using information provided by the Constabulary, within the OPCC or other partner organisations. Shown here is a breakdown of the issues raised in the reporting period. As can be seen from this chart, the top 4 issues raised were:

1. Miscellaneous – 51 QSPI's were received
2. Police Service Dissatisfaction – 50 QSPI's were received
3. Anti-Social Driving – 45 QSPI's were received
4. Crime - 43 QSPI's were received

Complaints - *When members of the public write to the OPCC to make a formal complaint about the police service received/ conduct of police officers/staff, these are recorded by the OPCC in the same way. The OPCC write back to all complainants advising that their complaint must be dealt with by the Professional Standards Department, and if we receive consent, we will forward this to PSD on their behalf. Further information specifically in relation to complaints is detailed in the complaints report.*



2. Identified Issues

2.1 Miscellaneous

The OPCC has received 51 QSPI's recorded as 'Miscellaneous'. Alone, the QSPI's recorded as 'Miscellaneous' would not be statistically significant, however these do need to be captured in some way.

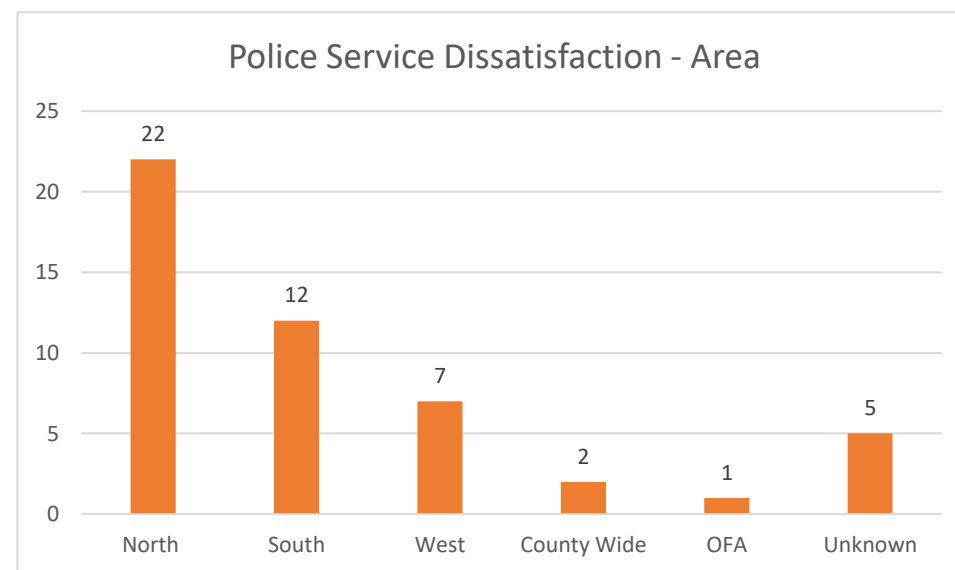
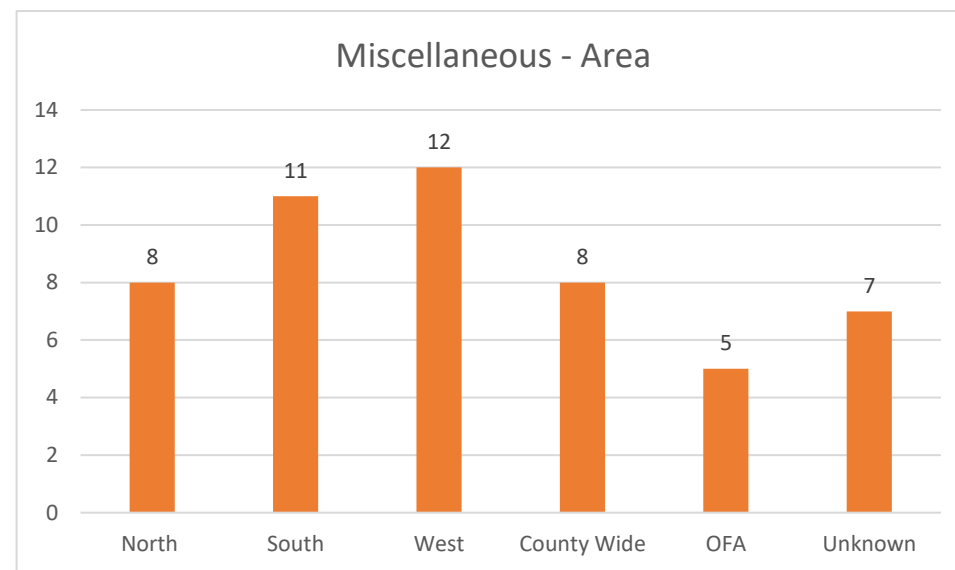
Some examples of QSPI's logged in this category include – the way in which crime figures are recorded, the length of process in relation to DBS checks and CCTV cameras. These QSPI's are dealt with in exactly the same way being provided with a detailed response to the query/concern raised.

2.2 Police Service Dissatisfaction

During the reporting period, 50 concerns were raised in relation to the level or standard of policing service received. In the last reporting period 27 concerns were raised in this category meaning this is an 85.18% increase.

The concerns logged within this category indicate that the individual is unhappy with the level of policing service they have received and/or the outcome of the investigation. The OPCC has identified that a number of these concerns are triggered by the lack of communication or updates received from the Police during an investigation. When the OPCC responds to these cases we include details of what has happened during the investigation and why. If appropriate we also include contact details for the officer in the case (OIC) to enable the individual to make direct contact should they require any further updates. In some cases, we arrange for a local officer to go and visit or telephone the individual to provide clarity regarding the investigation and advice of any other action that can be taken by the individual.

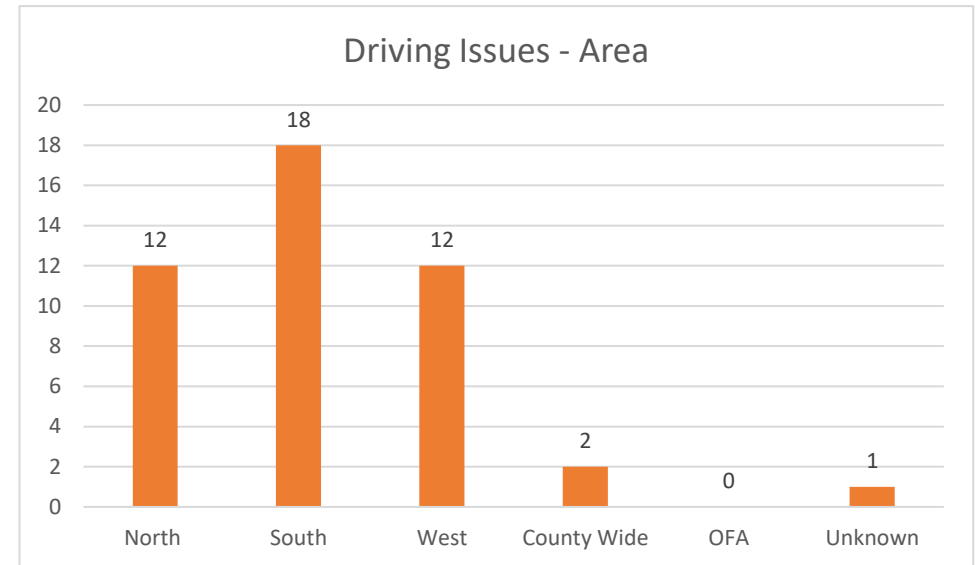
Some examples of QSPI's logged in this category include – members of the public that are unhappy that they have not received updates in relation to an investigation/crime and members of the public that are unhappy with the police service received (but do not wish to make a formal complaint).



2.3 Driving Issues

The OPCC received 45 QSPI's in relation to 'Driving issues'. This category largely includes concerns raised regarding anti-social driving and speeding.

Where possible, a detailed response is provided following enquiries with the relevant Collision Reduction Officer for the area, including general safety advice where appropriate. However, as many of the concerns raised are multi-agency issues, they are passed to the Casualty Reduction and Safer Highways (CRASH) group for consideration. This is done via the Constabulary's area Collision Reduction Officers. The CRASH group updates the individuals directly following consideration at the meetings.



2.4 Crime

During the reporting period the OPCC received contact from 43 members of the public regarding crime. Some examples of concerns raised and logged in this category include drug dealing, rural crime, and ongoing 'in progress' ASB type neighbour issues.

With assistance from the Chief Constable's office, each individual case was looked into to determine the best course of action. In some instances, the author may not have reported the issue to the police, therefore this would be sent to CCR for a log to be created and allocated to an officer. The author would be updated with this information and advised that they would be contacted directly by an officer.



3 Compliments

The OPCC has received 3 forms of correspondence thanking the Commissioner and/or the Police for the service provided. It is important to recognise the compliments received and these are always shared where possible with the individual officers, and the Chief Constable's Office.

4 Making a difference

Correspondence from members of the public highlight to the Commissioner issues that are concerning local communities. In addition to individuals receiving a response, the information gathered is used to look at how assistance or changes can be provided throughout Cumbria.

Safer Streets

The Office of the Police and Crime Commissioner manages the delivery of the Home Office Safer Streets Fund, providing crime prevention advice, home security equipment and street lighting in an area affected by acquisitive crime. The OPCC secured £436,994 from the Home Office Safer Streets Fund to help reduce the number of burglary offences in the Salthouse Road area of Barrow. With the funding, the OPCC and Barrow Borough Council have supplied thousands of pounds worth of crime prevention measures and home security equipment, free of charge, to any home within the area. Cumbria County Council has used the funding to install new street lighting in unlit back alleys and provide an upgrade of existing lighting in the front streets across the whole area.

The project concluded in Barrow in April 2021. Using the Constabulary's crime data for residential burglary within the defined LSOA, there were 4 crimes recorded in the year 1st August 2020 – 1st August 2021, compared to 8 crimes recorded for the same period the previous year. Whilst this 50% reduction in the crime rate is encouraging, crime in general fell due to the pandemic so the decrease may not solely be attributed to our intervention, the OPCC and Constabulary will continue to monitor the situation. The Safer Streets team and the Constabulary's PCSOs re-visited a number of properties in the later stages of the project to gather anecdotal evidence from the community, specifically around feelings of safety. The majority of residents said that the new and upgraded street lighting made them feel safer at night. Of the homes where the project carried out work to improve the security of properties, a large proportion of householders expressed their gratitude to the team, saying that they not only felt safer within their homes, but the new yard doors made the area look smarter and feel more cared for.

Workington is next to receive crime prevention measures thanks to the Safer Streets Fund Round 2. On 3rd June 2021 Cumbria OPCC were notified that our primary bid was successful, and we had been awarded £311,358 for our bid focusing on residential burglary in the LSOAs St Michael's Central and St Michael's South in Workington. This area covers a population of 3465 residents and 2000 dwellings made up predominantly of terraced homes with 50% being owner occupied. We wanted to lower the burglary rate and have a secondary benefit of reducing instances of anti-social behaviour, so increase the feelings of safety within the community.



Property Fund

Within this reporting period, the Property Fund has awarded £15,394.52. The funds have been provided to community groups and projects that will target/work in the following areas:

- Drugs/alcohol youth prevention
- Youth diversionary activities
- Deliver awareness sessions around healthy relationships to young people

The projects will assist communities in building relationships with young people, supporting young people in their learning and personal and social development. The overall aim of the projects is to develop long term connections with young people to reduce the risk of them becoming involved in criminality and/or risk-taking behaviours. The success of the projects will make a positive impact on communities across Cumbria.

During the life cycle of the project Police and Crime Commissioner staff keep in contact with project lead, community support police officers and PCSOs liaise with project leads through engagement duties. In addition, grant holders are required to submit an end evaluation by completing an end of project monitoring form or report. The end evaluation provides the OPCC with information and evidence on how successful the project was, the objectives achieved and where there were issues or problems face implementing and delivering the project.

Consultations

The Office of the Police and Crime Commissioner consulted members of the public, to listen to and obtain the views of local people on

- Policing priorities, to help formulate the new Police and Crime plan 2021-2025
- Firearms licencing in the county, as part of APCC national survey
- Perception of violence as part of developing the VAWG strategy
- Hate crime and Hate behaviour

Ministry of Justice

The Office of the Police and Crime Commissioner secured £600,000 from the Ministry of Justice Sexual Violence and Domestic Abuse Fund to develop a new service for children and young people affected by domestic abuse in Cumbria. Launching in November, the new service will work with those aged between 8-18 who are victims or witnesses of domestic abuse and are living in or have experienced domestic abuse in households assessed as at high risk of harm. As every young persons' needs, and risks will vary, this dedicated support will be structured and tailored to their specific situation ensuring that children and young people get the specialist support they need.

Pathways

The Office of the Police and Crime Commissioner recently launched Pathways, an innovative programme that aims to both listen to the wishes of victims and prevent offenders returning to crime – after they have faced consequences for their actions. Pathways, changes how the criminal justice system in Cumbria can deal with some lower-level offending, including being drunk and disorderly, theft and vandalism. The offender works with a Pathways support worker and a personalised plan is written where they must abide to a number of strict conditions, such as taking part in a rehabilitation programme, providing possible compensation to victims or being prevented from going to certain places. On completion of the Pathways Programme and only if they have completed the strict conditions set, the offender will not receive a police caution or charge to court, removing the need for victims to potentially attend court and give evidence - but also putting the offender on a path that prevents re-offending.

'They Matter'

After a successful pilot study, the Office of the Police and Crime Commissioner secured £200,352 from the Home Office 2021-22 Domestic Abuse Perpetrator Programme fund, to extend the 'They Matter' programme across the county. 'They Matter' is aimed at perpetrators who are at high risk of causing harm, thereby reducing the risk to victims of abuse. Working in partnership with Children's Services, Police, IOM and Probation, the programme supports the perpetrator to take responsibility and be accountable for their actions. Talking about the programme, Peter McCall comments: "To reduce the number and severity of incidences of domestic abuse, we need to do more to reduce the causes, and to make victims feel that they have options and do not have to accept the situation, especially as so many perpetrators are repeat offenders."

Keep Safe

The Office of the Police and Crime Commissioner has developed and manages the 'Keep Safe Project' to ensure victims of crime and antisocial behaviour have access to crime prevention advice and home security equipment. This could be for offence types such as domestic abuse, burglary, hate crime, antisocial behaviour, rape, criminal damage and threats to life, etc. A range of crime prevention advice and home security equipment has been provided from door chains to window sash jammers, non-snap door locks and window film. Dip samples are taken each month, with some of the client comments being:

'Very happy with the work conducted assisted making my life easier, I now feel safer in the address and can sleep again.'

'After the incident I suffered I need to feel safe at home, the works done helped a lot to making me feel better in my home. Dave was empathetic listened to me and made every attempt to make me feel safe and reassured that the house would provide me security until the services could come.'

'Everyone should have crime prevention advice for their home to keep them safe. You have explained everything and its so beneficial to us.'

From 1st April to date the Crime Prevention Officer has handled 305 cases. Of these: 184 cases related to domestic abuse, 276 of clients were female, 181 were referred by the police, 17 cases were in relation to fear from being a witness, and 7 of those cases were in relation to the murders in Carlisle. PCSOs have handled an additional 32 cases this year to date, with the majority being for theft or burglary offences, or anti-social behaviour.

Cyber Crime and Get Safe Online

Cyber Crime is continually growing across the nation and the PCC is keen to tackle this crime type in Cumbria. The Cyber Crime and Digital Unit, funded by the Police and Crime Commissioner, celebrated its two-year anniversary in May 2021. Since its launch, the Cyber and Digital Crime Unit have assisted with an array of cases including 114 investigations where warrants and arrests have been made regarding online child abuse cases, including indecent images. In relation to other cyber-crime offences, 183 investigations were launched. All victims were contacted by specialists from the CDCU to provide advice to assist the victims with protecting themselves online.

The Office of the Police and Crime Commissioner has developed a campaign with partners agencies to raise public awareness of the risk and danger of online crime and to provide information about how to keep safe. Three training sessions have taken place with the penultimate training session focusing on parents and guardians and the last one focusing on online scams around Christmas. Future collaboration between the PCC and Get Safe Online is currently in development.

Rural Crime

The Office of the Police and Crime Commissioner has a 2021/22 rural crime communications strategy which is fully developed and covers topics from quad bike thefts and safety to animal worrying. The PCC has partnered with Neighbourhood Watch and NFU to tackle and prevent rural crime and aims to increase reporting amongst rural communities. Engagement opportunities are in development to increase the profile of the PCC with rural communities and re-enforce the message that the PCC is the voice of the public of Cumbria. Peter McCall has also recently been elected as Vice-Chair of the National Rural Crime Network that works to prevent and tackle rural crimes nationally.

Drugs

Understanding, preventing and tackling drug related crimes in Cumbria is a priority of the Police and Crime Commissioner. A new strategy has been developed to raise awareness around the dangers and consequences of the misuse of drugs – legal and illegal – with opportunities to learn more about the perception of drugs in the county from younger people and highlight the underlying reasons to why people in our communities start experimenting with drugs. The aim of the strategy is also to change perceptions around drugs and highlight the services available to those who need help to quit or to not re-offend. To assist with the tackling of drugs, the PCC launched a property fund opportunity with a focus on services that prevent or stop re-offending of those who have taken or are addicted to drugs and assist in their recovery.

Operational Visits

Part of the role of the Police and Crime Commissioner is to hold the Force to account to make sure that the Constabulary are tackling the issues that are important to the public. Since his re-election in May 2021, the PCC has visited all three Territorial Policing Areas (TPAs) to meet with frontline Officers to discuss the issues raised with him by locals and what the Police are doing to tackle these issues, especially around anti-social behaviour. The visits took place in Kendal, Windermere, Workington, Wigton, Carlisle and Brampton to cover the range of rural and urban settings to highlight both the similarities and differences both types of settings face in relation to crime. The PCC also met with partners in these areas that the Police work with to help reduce crime including Barwatch volunteers and Manna House.

5. Implications

- 5.1 Financial - there are no additional financial costs associated with dealing with these complaints, quality of service issues as these tasks form part of staff roles.
- 5.2 Legal – none identified.
- 5.3 Risk - None identified, beyond that to the OPCC’s reputation if it does not deal with the issues raised appropriately and proportionately according to the merits of the individual case.
- 5.4 HR / Equality - none specifically identified.



Cumbria Shared Internal Audit Service
Internal Audit report for Cumbria Constabulary
Audit of OPCC Complaint Review Process

Draft Report Issued: 3rd September 2021

Final Report Issued: 24th September 2021

Audit Resources

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Audit Manager	Emma Toyne	emma.toyne@cumbria.gov.uk	07810532759
Lead Auditor	Diane Lowry	diane.lowry@cumbria.gov.uk	07775113487

Audit Report Distribution

For Action:	Joanne Head - Governance & Business Services Manager
For Information:	Gill Shearer - Chief Executive / Head of Communications and Business Services
Audit Committee:	The Joint Audit Committee which is due to be held on 17 th November 2021 will receive the report.

Note: Audit reports should not be circulated wider than the above distribution without the consent of the Audit Manager.

Executive Summary

Background

This report summarises the findings from the audit of **The Office of the Police and Crime Commissioner (OPCC) Complaint Review Process**. This was a planned audit assignment which was undertaken in accordance with the 2021/22 Audit Plan.

The Policing and Crime Act 2017 (the Act) and supporting regulations made significant changes to the police complaints and disciplinary systems. It introduced a number of changes designed to achieve a more customer-focused complaints system. From 1 February 2020, the Act placed a mandatory requirement upon Local Policing Bodies to review the outcome of police complaints when this is requested by a complainant. This change is aimed at making the system clearer and more accessible for complainants, while maintaining their rights to have decisions about their complaints reviewed.

The complaint review considers whether the handling of the complaint or the outcome is reasonable and proportionate. The review is not a reinvestigation of the complaint. Where the relevant review body finds that the outcome of the complaint is not reasonable and proportionate it will uphold the outcome of the review.

The OPCC can only deal with complaint reviews where they have been identified as the Relevant Review Body. This is for those complaints which were Recorded but where No Investigation has taken place.

Audit Approach

Audit Objectives and Methodology

Compliance with the mandatory Public Sector Internal Audit Standards requires that internal audit activity evaluates the exposures to risks relating to the organisation's governance, operations and information systems. A risk-based audit approach has been applied which aligns to the five key audit control objectives. Detailed findings and recommendations are set out within the Management Action Plan.

Audit Scope and Limitations

The Audit Scope was agreed with management prior to the commencement of this audit review. The Client Sponsor for this review was Joanne Head, Governance Manager (OPCC). The agreed scope of the audit was to provide assurance over management's arrangements for governance, risk management and internal control in the following areas:

- **Communication of the complaint review procedure** – The audit will consider the arrangements in place to ensure that there is a clearly defined complaint review procedure which is visible to the public, officers and staff
- **Compliance with the procedure** - Arrangements in place to ensure that the complaint review procedure defined by the OPCC is complied with.

Assurance Opinion

Each audit review is given an assurance opinion, and this provides the Joint Audit Committee and Officers with an independent assessment of the overall level of control and potential impact of any identified system weaknesses. There are 4 levels of assurance opinion which may be applied. The definition for each level is explained in **Appendix A**.

From the areas examined and tested as part of this audit review, we consider the current controls operating within the OPCC Complaint Review Process provide **Substantial Assurance**.

Note: as audit work is restricted by the areas identified in the Audit Scope and is primarily sample based, full coverage of the system and complete assurance cannot be given to an audit area.

Summary of Audit Findings and Recommendations

Controls were operating effectively in the following areas:

- The OPCC complaint review process is readily accessible on the PCC's website. The 'Police Complaint Reviews' webpage sets out the date from which the Police and Crime Act 2017 placed a mandatory requirement upon Local Policing Bodies to carry out reviews of the outcome of police complaints when requested by a complainant. It includes links to the statutory regulations and frequently asked questions.
- The OPCC has developed a complaint review process, which has been clearly set out in a procedures document. The procedure, which is also available on the OPCC website, provides background on the complaint review process and sets out what individuals requesting a review can expect from the OPCC. The procedure was approved by the OPCC Executive Team in February 2020 and was reviewed by them in January 2021.

- In addition to the Public version of the Complaint Review Procedure, which is published on the website, there is also an internal version of the procedure. This includes additional information on the different stages of the review process that the OPCC Governance Manager and Governance Officer need to carry out (such as responsibility for requesting information from Professional Standards Department, updating the Centurion case management system and informing any officers or staff involved in the original complaint, that a review is underway).
- The options available to the OPCC for reviewing complaints were reviewed and considered and the Police and Crime Commissioner took the decision to use an independent review officer (who is external to the OPCC and Constabulary) to carry out reviews of complaints to ensure openness and transparency in the process.
- Arrangements are in place to ensure that the Independent Review Officer has access to all relevant information pertaining to the complaint, and a data protection impact assessment has been undertaken to ensure the security of the information provided to them. This includes obtaining confirmation from the Independent Review Officer that all documentation has been deleted from their systems upon completion of their determination.
- The Independent Review Officer's determination report is subject to a quality review by the Governance Manager before being passed to the OPCC's Appropriate Authority for consideration and sign off.
- The OPCC Appropriate Authority for complaint reviews is identified in the OPCC Scheme of Delegation.
- The outcome of the complaint reviews and any recommendations made by the Independent Review Officer are recorded on the OPCC internal tracking spreadsheet and on Centurion (the Constabulary's case management system).
- Arrangements are in place for a further independent review should the OPCC not agree with the Independent Review Officer's determination or feel that the recommendations being made may cause harm or distress to a victim or witness. The outcome of any second review is final.
- The Ethics and Integrity Panel receive a six-monthly report on Complaints and Quality of Service and Policing Issues. The report, which is prepared by the OPCC's Governance Manager, also includes information on complaint reviews.

- The Ethics and Integrity Panel undertake dip sampling of the OPCC complaint review files in accordance with their annual programme of work.

The recommendations arising from this review can be summarised as follows:

High	Medium	Advisory	Total
0	0	2	2

The three levels of audit recommendation are defined in **Appendix A**.

Areas for development: Improvements in the following areas are necessary in order to strengthen existing control arrangements:

High Priority Issues:

- No High Priority Issues identified

Medium Priority Issues:

- No Medium Priority Issues identified

Advisory issues:

- The Memorandum of Understanding and Data Sharing agreement between the OPCC and Sancus Solutions, who employ the Independent Review Officer (IRO), references duties to be undertaken as a Custody Visitor, rather than as the IRO.
- OPCC internal procedures sets out that if a complaint review is not complete, an update will be provided to the complainant after 28 days. The method used to calculate the number of days taken to carry out a complaint review is not always consistent.

OPCC Chief Executive / Head of Communication and Business Services Comments

I welcome the comprehensive Internal Audit report. The OPCC has worked diligently to ensure the establishment of the Complaint Review process and to ensure that it has been implemented properly and fairly. This report confirms the processes are correct and working according to the legislation.

The advisory recommendations have already been implemented.

This is an important area of work for the OPCC and members of the public.

Management Action Plan

Advisory

Audit finding	Management response
<p>Memorandum of Understanding</p> <p>There is a Memorandum of Understanding (MoU), between the OPCC and Sancus Solutions which has been prepared to highlight the main areas of the Independent Review Officer's (IRO) role when carrying out reviews of public complaint files and the security of information. The MoU covers roles and responsibilities, system access, confidentiality of information, Code of Conduct, Equality and Diversity & Personal Data.</p> <p>The MoU was updated to include the OPCC's expectations regarding retention of data as a result of the COVID-19 restrictions and the way in which the IRO would gain access to the complaint information.</p> <p>Examination of the latest MoU, signed in March 2021, noted that section 4. Code of Conduct, makes reference to carrying out duties of the "Custody Visitor", rather than duties of the Independent Review Officer.</p>	<p>Agreed management action:</p> <p>The Memorandum of Understanding has been updated. References to the Custody Visitor have been removed and have been replaced with the Independent Reviewing Officer.</p> <p>The updated MoU has been signed by the OPCC Chief Executive and the Director - Sancus Solutions.</p>
<p>Recommendation 1:</p> <p>The reference to carrying out duties of the Custody Visitor in the Memorandum of Understanding with Sancus Solutions should be updated to refer to the duties of the Independent Review Officer and the MOU should be re-signed.</p>	<p>Responsible manager for implementing: Governance & Business Services Manager</p> <p>Date to be implemented: Implemented on 16th September 2021</p>
<p>Risk exposure if not addressed:</p> <ul style="list-style-type: none"> Lack of accountability as all duties of the Independent Review Officer are not effectively reflected in the Memorandum of Understanding 	

Advisory Issue

Audit finding	Management response
<p>Monitoring compliance with OPCC Complaint Review Procedures</p> <p>The OPCC’s complaint review procedure includes an internal timescale of 28 days for updating the complainant on the progress of the case if it is not complete. Statutory guidance does not place any time limit on the OPCC to complete a complaint review.</p> <p>The complainant is advised of the 28 day update timescale in the procedure document published on the website and in the acknowledgement letter, issued by the OPCC on receipt of the review request.</p> <p>An internal tracking spreadsheet was prepared by the OPCC in 2020, to record the complaint reviews and key dates in the review process.</p> <p>As time has progressed and reviews have taken place, the spreadsheet has been developed and updated with additional information being captured. Details recorded now include the date the review request was received; and the number of working days taken to complete the review.</p> <p>The point at which the 28 day timescale begins has also changed over time. It was initially taken to be the date the information was passed to the Independent Review Officer but was later changed to the date the review request was received by the OPCC.</p> <p>Sample testing on the number of days recorded on the 2021 spreadsheet identified that there were some inconsistencies in the way they were calculated. For example, some</p>	<p>Agreed management action:</p> <p>The spreadsheet record has been updated to include an additional column showing the date that the 28-day update is due.</p> <p>The Centurion progress log is also being used to provide a prompt for the OPCC after 21 days. The system produces a task which serves as an alert so that progress with the review can be followed up and arrangements can be made to update the complainant within 28 days if required.</p>

included the start and end dates in the calculation others did not, some included bank holidays where others did not.

Since the 'complaint review received date' was added to the spreadsheet most of those tested used this as the start date, but two of the sample tested still used the date the review was sent to the Independent Review Officer at Sancus Solutions as the start date.

At the time of the audit, the 2021 spreadsheet indicates that 37 reviews had been requested since January 21. It shows that only one exceeded 28 days, taking 34 days to complete.

The Governance Manager informed us that no update was provided in this case as she was aware that the review was nearing completion, so felt a 28-day update at this point was unnecessary.

When recalculating the number of days for a sample of complaints from the 2021 spreadsheet (using the date received as the start date and excluding bank holidays), audit testing identified a further two cases that marginally exceeded the 28 days without an update being provided.

In order to effectively monitor compliance with the 28 day timescale for updating the complainant on progress there is a need to consistently apply the method of calculation.

Recommendation 2:

The method used to calculate the number of days a review is active should be agreed and consistently applied.

Risk exposure if not addressed:

- Compliance with OPCC internal procedures cannot be demonstrated because they are not consistently applied.

Responsible manager for implementing:

Governance & Business Services Manager

Date to be implemented:

Implemented on 6th September 2021

Appendix A

Audit Assurance Opinions

There are four levels of assurance used, these are defined as follows:

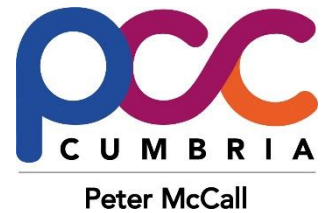
Assurance Level	Definition
Substantial	Sound frameworks of governance, risk management and internal control are in place and are operating effectively. Recommendations, if any, will typically be no greater than advisory.
Reasonable	Frameworks of governance, risk management and internal control are generally sound with some opportunities to further develop the frameworks or compliance with them. Recommendations will typically be no greater than medium priority.
Partial	Weaknesses in the frameworks of governance, risk management and/or internal control have been identified or there are areas of non-compliance with the established control framework which place the achievement of system / service objectives at risk. Recommendations will typically include high and medium priority issues.
Limited	There are significant gaps in the governance, risk management and/or internal control frameworks or there are major lapses in compliance with the control framework that place the achievement of system / service objectives at significant risk. Recommendations will include high priority issues.

Grading of Audit Recommendations

Audit recommendations are graded in terms of their priority and risk exposure if the issue identified was to remain unaddressed. There are three levels of audit recommendations used; high, medium and advisory, the definitions of which are explained below:

Grading	Definition
High	A recommendation to address a significant gap in governance, risk management or internal control frameworks or to address significant non-compliance with controls in place.
Medium	A recommendation to address a gap in governance, risk management or internal control frameworks or to address aspects of non-compliance with controls in place.
Advisory	A recommendation to further strengthen governance, risk management or internal control frameworks or to improve compliance with existing controls.

Ethics and Integrity Panel



Title: 2022 Panel Work Programme & Meeting Dates

Date: 18 October 2021

Agenda Item No: 17

Originating Officer: Joanne Head

CC:

Executive Summary:

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

Recommendation:

That, the Panel considers and finalises the proposed work programme and meeting dates for 2022.

1. Introduction & Background

- 1.1 The Ethics and Integrity Panel were established in February 2015 and upon its formation it was agreed that the Panel would meet on a quarterly basis throughout the year.
- 1.2 An annual work programme is agreed to enable the Panel to fulfil its terms of reference and scrutiny role. The programme is managed to ensure wherever possible meetings are balanced in terms of volume of work and annual reviews are incorporated.
- 1.3 Meeting dates are set up to correspond with the reporting cycle of the Constabulary to ensure that reports contain the most up to date information possible.
- 1.4 Following each Panel meeting a report is prepared and presented to the Police and Crime Commissioner at the next available Public Accountability Conference meeting.

2. 2022 Work Programme

- 2.1 The Panel has cyclical information which they review and consider throughout the year. These include, complaints, grievances, civil claims, stop and search, information management compliance, OPCC Complaints and QSPI's. With a marked increase in the number of

complaints being received the Panel may wish to consider increasing the frequency of their dip sampling.

- 2.2 Detailed within the attached draft programme are the current cyclical elements for the Panel and some proposals for Thematic Sessions based on current and future work; HMICFRS and IOPC inspections outcomes whilst acknowledging the Government's Beating Crime Plan. The Panel Members, Cumbria Constabulary and the OPCC are invited to comment and make any suggestions for areas for business to review.
- 2.4 How such thematic sessions and reviews are undertaken would need to be agreed, ensuring that the panels work did not interfere with any ongoing or appeal processes; nor conflict or duplicate work already undertaken by the Constabulary. The findings of the panel would be reported to the Police and Crime Commissioner and the Chief Constable.
- 2.5 Following agreement of the annual work programme the Panel provide an annual report to the Police and Crime Commissioner and the Chief Constable on the work they have carried out during the year. It identifies any issues or concerns they have found, and where learning has been recognized and implemented.

3. 2022 Meeting Dates

- 3.1 When considering the meeting dates for 2022 thought has also been given to the dip sample sessions that the Panel members carry out in relation to public complaints, police officer/ police staff misconduct cases and grievance cases. These are held approximately 1 week prior to the Panel Meeting.
- 3.2 The proposed meeting dates for 2022 are:
- ❖ Thursday 10th February
 - ❖ Tuesday 3rd May
 - ❖ Thursday 4th August
 - ❖ Thursday 3rd November
- 3.3 The additional dip sample sessions for public complaints, misconduct files and grievance cases have been arranged as follows:
- ❖ Tuesday 26th April @ 9.00 am / 2.00 pm
 - ❖ Thursday 27th October @ 9.00 am / 2.00 pm
- 3.4 Any additional thematic sessions would be scheduled using existing dates or additional dates agreed throughout the year.

4. Appendices

App 1 - 2022 Annual Work Programme

Ethics & Integrity Panel Annual Work Programme 2022

1 Purpose of the Annual Work Programme

An annual work programme has been developed to enable the panel to fulfil its terms of reference and scrutiny role. It aligns the work to be undertaken by the panel at each of their scheduled meetings ensuring wherever possible meetings are balanced in terms of volume of work and annual reviews are incorporated at the correct time of year. In addition to the cyclical information to be reviewed and considered, the panel could be asked to review additional areas of work. Such reviews were undertaken would need to be agreed, ensuring that the panels work did not interfere with any ongoing or appeal processes. The findings of the panel would be reported to the Police and Crime Commissioner and the Chief Constable.

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

Recommendations:

Detailed below is the potential 2022 Work Programme for the Panel to consider and discuss areas for thematic sessions.

10 February 2022	4 May 2022	4 August 2022	3 November 2022
<p>Thematic Session & Report to Panel Meeting:</p> <ul style="list-style-type: none"> ▪ Mental Health Detention (Annual Review) ▪ 101 Live Chat ▪ Whistleblowing process 	<p>Thematic Session & Report to Panel Meeting</p> <p>SIX MONTHLY DIP SAMPLE</p> <ul style="list-style-type: none"> ▪ Public Complaint files ▪ Complaint Review files ▪ Misconduct – officer & staff discipline ▪ Grievances 	<p>Thematic Session & Report to Panel Meeting:</p> <ul style="list-style-type: none"> ▪ Stop & Search (annual review) ▪ Children in Custody ▪ TASER (IOPC Recommendations) & report to Panel Meeting 	<p>Thematic Session & Report to Panel Meeting</p> <p>SIX MONTHLY DIP SAMPLE</p> <ul style="list-style-type: none"> ▪ Public Complaint files ▪ Complaint Review files ▪ Misconduct – officer & staff discipline ▪ Grievances
Panel Meeting Reports			
<p>INTEGRITY</p> <p>(a) Public complaints performance; (b) Officer and Staff Misconduct; and (c) Anti-fraud & corruption unit report; (d) Files which are 12 months or over & every 6 months thereafter</p>	<p>INTEGRITY</p> <p>(a) Public complaints performance; (b) Officer and Staff Misconduct; and (c) Anti-fraud & corruption unit report:</p>	<p>INTEGRITY</p> <p>(a) Public complaints performance; (b) Officer and Staff Misconduct; and (c) Anti-fraud & corruption unit report; (d) Files which are 12 months or over & every 6 months thereafter</p>	<p>INTEGRITY</p> <p>(a) Public complaints performance; (b) Officer and Staff Misconduct; and (c) Anti-fraud & corruption unit report:</p>
<p>ANNUAL REPORT: To consider the annual report to be provided to the Commissioner on the work carried out by the Panel.</p> <p>INFORMATION MANAGEMENT COMPLIANCE: To receive a report on the Constabulary and OPCC's compliance with statutory legislation</p> <p>POLICE OFFICER & STAFF UPDATE: To receive a report on the Constabulary's officer & staff establishment, recruitment and wellbeing.</p> <p>SPIT GUARDS To receive an annual report on the Constabulary's usage of Spit Guards</p> <p>CONTACT WITH THE PUBLIC REVIEW Update on the progress of this work and a copy of the final report.</p> <p>DATA ETHICS CONSULATION GROUP: An update to be provided on the work carried out by the group</p> <p>PCC & CHIEF CONSTABLE TO ATTEND MEETING</p>	<p>CIVIL CLAIMS: To receive a report on Civil Claims to monitor any trends/issues and how learning/training has been implemented.</p> <p>GRIEVANCES: To receive a report on Grievances against the Constabulary identifying any trends or issues.</p> <p>OPCC COMPLAINTS & QSPI: To receive a report on complaints and quality of service issues received by the OPCC.</p> <p>DATA ETHICS CONSULATION GROUP: An update to be provided on the work carried out by the group</p>	<p>STOP AND SEARCH FORMS: Annual dip sample of the Constabulary's stop and search forms.</p> <p>CODE OF ETHICS/CONDUCT – to be included annually within the Misconduct / OPCC Complaints report on their compliance</p> <p>INFORMATION MANAGEMENT COMPLIANCE: To receive a report on the Constabulary and OPCC's compliance with statutory legislation</p> <p>OFFICER & STAFF UPDATE To receive a report on the Constabulary's officer & staff establishment, recruitment and wellbeing.</p> <p>DATA ETHICS CONSULATION GROUP: An update to be provided on the work carried out by the group</p>	<p>CIVIL CLAIMS: To receive a report on Civil Claims to monitor any trends/issues and how learning/training has been implemented.</p> <p>GRIEVANCES: To receive a report on Grievances against the Constabulary identifying any trends or issues.</p> <p>OPCC COMPLAINTS & QSPI: A report on complaints and quality of service issues received by the OPCC.</p> <p>ANNUAL WORK PROGRAMME: to approve the work programme and meeting dates for the following year.</p> <p>DATA ETHICS CONSULATION GROUP: An update to be provided on the work carried out by the group</p>

In addition the following will be considered when required:

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

Constabulary Data Ethics Advisory Group:

When the above group is asked to carry out work on behalf of the Constabulary, a member of the Ethics and Integrity Panel will be appointed. This will enable consistent oversight of ethical issues across the Constabulary and the Office of the Police and Crime Commissioner.