



**Agenda Item No 17**

**CUMBRIA POLICE AUTHORITY**

**PROFESSIONAL STANDARDS COMMITTEE**

Minutes of a Meeting of the Professional Standards Committee held on Thursday 4 February 2010 in Conference Room 2, Police Headquarters, Carleton Hall, Penrith, commencing at 10.00 am.

**PRESENT**

Mr A Barry (Chair)

Mr R Cole  
Mr R Huck  
Mrs M Johnson

Mrs J Maes  
Mr J Mallinson

**Also Present:**

Detective Superintendent (Mr S Robinson)  
Chief Inspector Criminal Justice Department (Mr N Atkinson)  
Chief Executive (Mr C Alcock)  
Committee Services Officer (Mrs J Head)

**PART I – ITEMS CONSIDERED IN THE PRESENCE OF THE PRESS AND PUBLIC.**

**26. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mrs L Shaw and Mr R Watson.

**27. URGENT BUSINESS AND EXCLUSION OF THE PRESS AND PUBLIC**

The Chair advised that the Police Authority had received a letter of complaint regarding a Chief Officer and therefore this would be considered by the Committee today to ensure that the Authority complied with timescales.

**RESOLVED,** that under section 100A(4) of the Local Government Act 1972, as amended, the press and public be excluded from the meeting during consideration of the following items on the grounds that they involve the likely disclosure of exempt information as defined in the paragraph indicated in Part 1 of Schedule 12A to the Act –

<u>Item</u>	<u>Title</u>	<u>Paragraph</u>
12	Anti-Corruption Unit Quarterly Report	1
13	Complaint about a Senior Officer	7



## **28. DISCLOSURE OF PERSONAL INTERESTS**

There were no disclosures of any personal interest relating to any item on the Agenda.

## **29. MINUTES**

The Minutes of the meeting of the Committee held on 23 October 2009 had been circulated with the agenda for the meeting.

**RESOLVED,** that, the Minutes of the Professional Standards Committee meetings held on 23 October 2009, be confirmed as a correct record and signed by the Chair.

## **30. HMIC / HMIP INSPECTION OF CUSTODY**

Chief Inspector Atkinson briefed members on the outcomes of the inspection of custody suites which had taken place by HMIC (Her Majesty's Inspectors of Constabulary) and HMIP (Her Majesty's Inspectors of Prisons). The inspection had raised some issues in relation to custody suites and ligature points, the details of which had been provided in a full report to the Constabulary in November 2009.

Work had been carried out in Carlisle, Ulverston, Barrow, Workington and Penrith in relation to the cell doors. A member asked whether or not the Constabulary had been liable for the cost of replacing the doors. Chief Inspector Atkinson advised that in Carlisle the door manufacturers had replaced the relevant doors free or charge and the ones at Workington had been replaced under the PFI (Private Finance Initiative) scheme. The Constabulary had had to bear the cost for door replacement at Ulverston, Barrow and Penrith.

Following the inspection an action plan had been created which identified the issues raised. These were being prioritised to ensure that all work was completed within 3 months and members were advised that the all the cell doors would be replaced by the end of March.

With the introduction of low plinths into the cells, it was now recognised that these may cause problems for pregnant females or people with disabilities. The new custody complex to be built at Kendal would have the provision of cells with higher plinths and an alarm bell above the bed for people with disabilities.

Detective Superintendent Robinson informed members that any 'near miss' incidents which occurred within custody suites were reviewed stringently through Health & Safety, Professional Standards Department and the Criminal Justice Unit. Any identifying trends or patterns were then highlighted and resulting risks managed. Custody suite staff were encouraged to report such incidents and indeed had identified a number of issues to provide safe environments within



custody suites. These included the types of paper suits worn by detainees and the types of ligature knives provided to custody staff.

The members thanked the Chief Inspector for his verbal report and asked that they be kept updated of any issues.

**RESOLVED,** that the verbal report be noted.

### **31. MENTAL ILL HEALTH AND LEARNING DISABILITIES**

Chief Inspector Atkinson presented a report outlining the current issues affecting the Constabulary in relation to persons with mental ill health, especially in custody. The Constabulary had a role to play in dealing with detainees with mental ill health issues, however it was nationally recognised that Health should play a more leading role. On many occasions the Constabulary were called to detail with people with mental ill health when in fact it was the Health services who were required. Often police officers were tied up for a number of hours looking after a person with mental ill health before Health professionals took over which was not a productive use of a police officer's time.

National guidance was to be produced by the NPIA (National Police Improvement Agency) within the next few months which would see a shift in responsibility from police forces to the Health service when dealing with people with mental ill health. Assistant Chief Constable Graham and Chief Inspector Atkinson were meeting with various Health officials to progress a multi-agency approach to such issues and defining the roles of the health professionals and the Constabulary.

The dispensation of medication had been raised at a national level and checks were being made locally as to what MEDACS staff were qualified to dispense.

Previously 35% of responses by MEDACS staff would be via the telephone. This was recognised as not an acceptable method in most cases and had now been reduced to 25% although the Constabulary were working towards reducing this further. It was noted that the availability of doctors around the county when required under Section 12 Mental Health Act differed. In the north of the county an agreement was in place with a designated doctors' surgery for them to attend. Unfortunately a similar agreement was not able to be put in place in the west or south of the county, causing delays in detainees being seen by a doctor.

**RESOLVED,** that the report be noted.

(NOTE: Chief Inspector Atkinson left the meeting at this point)

### **32. COMPLAINTS BY THE PUBLIC**

Detective Superintendent Robinson presented members the quarterly report for complaint allegations made between 1 October and 30 December 2009. He



advised that since the appointment to the department of an analyst and researcher future reports would provide more details.

Three officers had been suspended during the reporting period; resulting in one being dismissed; one receiving a Final Written Warning and the third remained suspended. Members were advised that a further two officers were suspended; one under IPCC (Independent Police Complaints Commission) investigation and the other was subject to a criminal investigation. For the benefit of new members to the committee Detective Superintendent Robinson explained the difference between an IPCC Managed and Supervised investigation.

During the reporting period there had been a reduction in the number of allegations recorded. West Cumbria had seen a reduction and this was attributed to an Inspector mentoring and supporting new sergeants to ensure that leadership of police officers was to a uniformed standard across the force. North Cumbria had seen an increase in the number of allegations received and members were advised that previously a similar approach to West Cumbria had been undertaken by an Inspector, although they had now moved roles. South Cumbria had also seen an increase in the number of allegations of incivility.

The Constabulary had previously created an incivility profile which identified common themes under which members of the public made complaints and provided examples of good practice. This was being refreshed and would be published to all officers and staff at the end of February. A DVD had been produced to highlight to officers and staff who came into contact with members in relation to soft skills providing awareness when speaking to members of the public.

A member provided details of an issue of incivility she had been made aware of by a member of the public. Detective Superintendent Robinson asked that he be provided with the details of the issue as it would appear that this would fall under the Quality of Service protocol.

Detective Superintendent Robinson advised that later in the year it was the intention of the Professional Standards Department to analyse existing data to ascertain whether or not there were any emerging trends in relation to Direction and Control issues. These would be reported to the Authority in due course.

Members were keen to note what issues young people in Cumbria complained about and it was agreed that when the committee undertook its next dip sample session, the members would also look specifically at some of the complaints from young people.

In relation to performance 72 allegations were finalised with 36 being dealt with by way of local resolutions, 31 by the Professional Standards Department and 5 by area. The target measure for dealing with local resolution complaints within 40 days was 80% and during the last quarter 86.1% performance had been achieved which was pleasing to note. This could be attributed to telephoning the



complainant with a follow up letter being sent rather than just an initial letter which the complainant may not respond to.

(NOTE: Mr R Huck left the meeting at this point)

Detective Superintendent Robinson advised the meeting that the IPCC were holding events throughout the country in relation to the Revised IPCC Statutory Guidance. Members of the committee were invited to attend an event and were informed that one would be held on 19 February 2010 at Newby Wiske, North Yorkshire and another on 12 March 2010 at Manchester. Mr Alan Barry, Mrs Maragret Johnson and Mr John Mallison all indicated they would like to attend one of the events.

**RESOLVED,** that the report be noted.

### **33. COMPLAINTS BY THE PUBLIC**

Two members of the committee had carried out dip sampling of police complaint files on 26 January 2010. They commented upon the easy identification of the different documents within the files following the introduction of a new system. There had been a couple of minor issues with the files viewed which had been raised at the session and a suitable explanation provided.

To assist new members of the committee who were to carry out the dip sampling of complaint files the Professional Standards Department were asked to provide a breakdown of the timescales in which complaints had to be dealt with. This would then be provided to members as an aide memoire. Members had noted that more complaints were being received via email through the Constabulary's website.

The member thanked the Professional Standards Department for their assistance and guidance during the procedure.

The list of the files sampled, together with a copy of the check lists completed during dip-sampling, forwarded from the Professional Standards Department, would be placed on file with the papers for the meeting.

**RESOLVED,** that the report be noted.

### **34. QUALITY OF SERVICE AND PLEDGE ISSUES**

On 19 January 2010 a report was presented to the full Police Authority to approve a protocol for handling 'Quality of Service' cases and Policing Pledge issues which were received by the Authority from members of the public. The full Police Authority had duly approved the protocol.

As Cumbria Police Authority is the oversight body for the Constabulary on behalf of the public of Cumbria it is responsible for ensuring that the public receive a good



quality of service of policing in Cumbria. The protocol will also be used to assess whether the Constabulary are meeting the required standards of the Policing Pledge. Indeed the Home Office were currently circulating a post-White Paper concept still in statutory draft intended to modify the 2008 Police Authorities (Particular Functions and Transitional Provisions Order) which would mandate authorities to monitor quality of service issues. Therefore by agreeing the protocol Cumbria Police Authority would already be carrying out this function.

Members asked how the Constabulary were monitoring issues in relation to the Policing Pledge. Detective Superintendent Robinson advised that a system was being implemented in a pilot scheme in West Cumbria to record any complaints of quality of service relating to the policing pledge. This would be linked to a daily management process and reviewed on a monthly basis to identify any issues.

**RESOLVED,** that, the

- (i) report be noted; and
- (ii) protocol for handling 'Quality of Service' cases coming to the Authority's attention be agreed.

### **35. COMMITTEE SCRUTINY OF POLICING PLAN PRIORITIES AND THE POLICING PLEDGE**

The Chief Executive presented a report which highlighted to members the suggested priority areas for the committee in relation to its scrutiny of Constabulary performance. In relation to the Policing Pledge reports had been provided to the full Police Authority, which members who have seen and to the Policing Plan and Performance Committee.

Contained within the appendix to the report was a breakdown of the committee's responsibilities for the Authority's monitoring of the Policing Plan 2009-12. Members were reminded in the report that relevant community feedback was provided to the full Police Authority. The Authority was involved in the mystery shopping of services which would provide it with additional information on the Constabulary's delivery of the Policing Pledge and support its scrutiny of performance in this area.

**RESOLVED,** that the report be noted.

### **36. INDEPENDENT CUSTODY VISITORS REPORT**

The Chief Executive presented a report which outlined a number of issues relating to the Independent Custody Visiting Scheme.

A number of Independent Custody Visitors (ICVs) from the North and West Panels had arranged observational visits at Durrhill and Workington. Members had previously expressed an interest to attend such visits and they would be advised of the programme once finalised.



A three month pilot scheme of self introduction by ICVs was being undertaken in Barrow. At the end of the pilot in March the results would be evaluated and reported to the committee.

Several ICVs had agreed to undertake mystery shopping on behalf of the Police Authority for which they received training on 22 January. Completed forms are returned to the Authority and then forwarded to the Constabulary's Strategic Development Department for analysis.

At the previous meeting members asked what systems were in place to monitor issues which were identified by ICVs when they visited custody suites. The report detailed the process which was followed by ICVs to raise issues during their visits and the recording of these issues by the Authority on a spreadsheet. Members were advised that as part of the six monthly custody visiting report they received, annotated to the spreadsheet would be any feedback requested and received.

**RESOLVED,** that,  
 (i) the report be noted  
 (ii) future custody visiting six monthly reports include any feedback requested and received.

## **PART 2 – ITEMS CONSIDERED IN THE ABSENCE OF THE PRESS AND PUBLIC**

### **37. ANTI-CORRUPTION QUARTERLY REPORT**

Detective Superintendent Robinson presented a report which provided an overview of intelligence reports which had been dealt with from 1 October to 31 December 2009.

The unit had received 42 intelligence reports during the reporting period. Details of the types of cases dealt with by the Anti-Corruption Unit were provided within the report.

Detective Superintendent Robinson advised the initially the Anti-Corruption Unit had been set up as a 12 month pilot. Following a decision made by the Senior Management Forum the unit would be given another 12 months following which funding would be reviewed.

The Anti-Corruption Unit were undertaking preventative work and had been involved in the launch of the P.A.S.S. system – People we Know, Areas we Work, Standards of Professional Behaviour and Systems we Use. All staff were to receive an information leaflet within their pay slips which provided guidance to staff on their use of social networking websites and was seen as a preventative measure for staff.

**RESOLVED** that, the report be noted.



### **38. COMPLAINT ABOUT A SENIOR OFFICER**

The Independent Police Complaints Commission (IPCC) had received and duly forwarded to Cumbria Constabulary a complaint against a senior police officer. As it is the responsibility of the Police Authority to deal with such complaints the complaint was duly forwarded to the Authority who then had ten working days to deal with it. Members were advised that this timescale would expire on 12 February 2010.

Copies of documentation in relation to the complaint were provided to members for their consideration. They related to matters raised by the complainant person in relation to the delay in a CRB (Criminal Records Bureau) check being completed in April 2006 and subsequent mistakes in data held regarding the complainant.

Following discussion and further consideration of the documentation available the Members of the committee agreed that they would go on to record the complaint.

Further, due to the time elapsed and the stale nature of the complaint, it was agreed that the Authority should write to the IPCC and seek a dispensation so that the Authority could then deal with the matter in so far as it involved the Authority as it saw fit, including by not investigating it any further.

**RESOLVED,** that, the

- (i) report be noted;
- (ii) Police Authority record the complaint; and
- (iii) Police Authority apply for a dispensation from the IPCC on the basis that the complaint made was in some way vexatious.

**Meeting ended at 1.25 pm**