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**CUMBRIA POLICE AUTHORITY
PROFESSIONAL STANDARDS COMMITTEE**

Minutes of a Meeting of the Professional Standards Committee held at 10.00 a.m. on Tuesday 1 November 2005 at Police Headquarters, Carleton Hall, Penrith.

PRESENT

Mr A Barry	Mr J Nicholson
Mr R Cole	Mrs L Slavin
Ms S E Donnelly	Mr R Watson
Mr C Moth	

Also Present:

Mr C R Alcock, Clerk & Chief Executive
Mrs C Twigg, Deputy Chief Constable
Chief Superintendent P Kirkbride, Head of Professional Standards Department
Mrs L Rowbotham, Administration Manager

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

14. APOLOGIES FOR ABSENCE

There were no apologies for absence.

15. URGENT BUSINESS AND EXCLUSION OF PRESS AND PUBLIC

(a) Urgent Business

The Chair advised Members that the following item was to be taken as urgent business for the reasons stated:

Item 27. "Independent Custody Visiting Scheme – Appeals Against Disciplinary Findings" to enable the early resolution of the appeals process.

(b) Exclusion of Press and Public

RESOLVED, that under Section 100A(4) of the Local Government Act 1972 the Press and Public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Act.

Item No.

12	Grievances
13	Complaint Against Senior Officers – Update
27	Independent Custody Visiting Scheme – Appeals Against Disciplinary Findings

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There were no members of the Press or Public present.

16. DISCLOSURES OF PERSONAL INTERESTS

There were no disclosures of personal interests.

17. MINUTES

Minute No. 6 (Complaints by the Public): Members asked about the results of the Mystery Shopper research and were informed that these would be presented to the Citizen Focus Group.

RESOLVED, that the Minutes of the Meeting of the Committee held on Wednesday, 20 July 2005, be confirmed as a correct record and signed by the Chair.

18. COMPLAINTS BY THE PUBLIC

The Head of the Professional Standards Department presented a report previously circulated with the agenda papers. He informed Members that Her Majesty's Inspector of Constabulary (HMIC) had conducted a thematic inspection of professional standards during October and the finalised report would not be available until 2006.

The Head of Professional Standards discussed the graph showing the number of complaints in 2005/6 compared to those received in 2004/5. The graph revealed a large increase in the number of complaints received in July, and an overall comparison of the 6 months from April to September with the previous year showed an increase of 31%. He explained to Members that this was due to the change in the way complaints were recorded and, when looked at, most fell in to the categories of lower-level incivility and neglect of duty.

Members were pleased to note that the trend in West Cumbria was changing and that the area breakdown showed that the distribution of complaints was fairly similar.

The Chair of the Committee thanked the Head of Professional Standards for the report and Members agreed that the information it contained was very useful.

RESOLVED, that the contents of the report be noted.

19. INDEPENDENT CUSTODY VISITING SCHEME: REPORT FOR THE PERIOD 1 APRIL TO 20 SEPTEMBER 2005

The Clerk & Chief Executive presented a report which sought to update Members on the operation of the Independent Custody Visiting Scheme. He explained to Members that responsibility for oversight of the Scheme had been devolved to the Professional Standards Committee in September 2004. The attached six monthly report also contained the 12 month review of the Scheme.

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He informed Members that the recruitment process had resulted in new members being appointed to the Scheme and further recruitment would take place during Spring 2006. The training seminars for visitors had been introduced and were held during June and September 2005. Feedback from these events had been very good and the Constabulary input had proved invaluable.

The Clerk & Chief Executive informed Members that the Independent Custody Visitors Association Annual Conference would be held on 5 November in Belfast and would be attended by Mrs L L Shaw, the Authority's Lead Member for Custody Visiting, together with a representative from each of the Custody Visiting Panels.

Members commented on the number of visits made by the Custody Visitors and requested that their concern regarding the unacceptable situation relating to custody facilities in Carlisle be passed to the Authority's Accommodation Working Group.

Members also asked that their thanks be forwarded to the Custody Visiting Panels for the work they have done, and in particular to the Scheme Administrator, Mr S Edwards (Deputy Clerk).

RESOLVED that the report be noted.

20. FORFEITURE OF PENSION ISSUES – APA CIRCULAR NO. 44/2005

The Clerk & Chief Executive presented a report which had been circulated with agenda papers for the meeting. He informed Members of APA Circular No. 44/2005 and its advice to Police Authorities of outcome in a recent appeal against a decision of Dorset Police Authority to forfeit part of a former officer's pension.

Members discussed the circumstances of the case and the principle revealed.

RESOLVED, that the contents of the report be noted.

21. NAMING OF POLICE OFFICERS INVOLVED IN COMPLAINTS – APA CIRCULAR NO. 45/2005

The Clerk & Chief Executive presented a report to Members. He informed them that the Association of Police Authorities (APA) circular number 45/2005 informed police authorities of a letter sent to ACPO by the Independent Police Complaints Commission. The letter outlined circumstances needing to be considered when deciding not to disclose the name of a police officer involved in complaints matters.

Members raised queries responded to by the Clerk & Chief Executive and the Head of Professional Standards Department.

RESOLVED that the contents of the report be noted.

22. FINAL REPORT ON CHIEF CONSTABLE'S ACTION PLAN

The Head of Professional Standards Department presented the Final Report on the Chief Constable's Action Plan, which had been circulated with papers for the meeting. He informed Members that the focus of the report would not be on specific recommendations but more on outcomes, what had changed and how things were done differently.

The Head of Professional Standards Department explained that the changes being made were part of a continuing process, and he outlined the improvements to procedures which were contained in the report.

Members thanked him for the work on the Action Plan.

RESOLVED, that the report be noted.

23. DIRECTION AND CONTROL COMPLAINTS

The Head of Professional Standards presented a report which sought to update Members on the progress made on developing a policy and procedure for Direction and Control Complaints.

He reported to Members that a meeting had been held with personnel from the Constabulary and Police Authority who dealt with complaints. As a result of that meeting, consultation with the Best Value team, and an action from the HMI Thematic Inspection of the Professional Standards Department, it had been decided that direction and control complaints could not be considered in isolation. It had been decided to merge all work in a mapping process, the results of which would be submitted to the January 2006 meeting of the Committee.

RESOLVED, that

- (i) the contents of the report be noted, and
- (ii) a further report showing the outcome of the mapping process for direction and control complaints be submitted by the Head of Professional Standards Department to the 23 January 2006 meeting of the Committee.

24. DIP-SAMPLING OF CASES PROCEDURE

The Chair of the Committee and Head of Professional Standards Department had met together to discuss a procedure whereby a member of the Committee could attend the Professional Standards Department (PSD) and 'dip-sample' closed cases against an agreed checklist or template.

The Head of Professional Standards had prepared a report which was circulated with the agenda papers, appended to which were several checklists proposed for use by Police Authority Members when dip-sampling.

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Members discussed the contents of the report, the Clerk & Chief Executive reminding them of an existing protocol already in place for this procedure. The current procedure was for the Chair of the Committee, in consultation with the Deputy Chief Constable and Professional Standards department (PSD), to identify cases for dip-sampling which were then presented to the Committee for consideration.

The Clerk suggested the mooted checklists be incorporated in a refined version of the existing protocol and Members, after raising various points, agreed. The Head of Professional Standards would meet with the Clerk & Chief Executive to draw up a revised protocol incorporating the Checklist for submission to the Committee at a future meeting.

It was felt that all Members of the Committee should be involved in this process and that, if necessary, appropriate training could be provided. Members agreed that, ideally, they would like to carry out dip-sampling within the PSD by arrangement once a month and carry out the process in pairs, under a procedure to be identified in the protocol. A rota for the suggested visits should be prepared and 1 February 2006 was suggested as a start date.

RESOLVED that

- (a) the contents of the report be noted;
- (b) the Head of Professional Standards Department and the Clerk & Chief Executive meet to revise the dip-sampling procedure, and
- (c) the revised dip-sampling procedure be submitted to a future meeting of the Professional Standards Committee.

PART II – ITEMS CONSIDERED IN THE ABSENCE OF THE PRESS AND PUBLIC.

25. GRIEVANCES

The Deputy Chief Constable presented the report to Members which set out the number of grievances lodged in the current year so far and compared them with those lodged in the previous two fiscal years. She explained that this report was also to be submitted to other Committees of the Authority.

RESOLVED that the report be noted.

(Note: The Deputy Chief Constable and Head of Professional Standards Department left the meeting)

26. COMPLAINT AGAINST SENIOR OFFICERS - UPDATE

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The Clerk & Chief Executive presented a report which had been circulated to Members only. He explained the background to the case in full and discussed various points in detail with Members.

Members were concerned that:

- over 12 months had elapsed since the Professional Standards Committee had first considered the case, and
- a date was still awaited from the relevant Tribunal for a hearing of their associated case, to await whose outcome this Committee had already been postponing for over a year matters which considerably predated the entry of the complaints in any event.

RESOLVED, that the Clerk & Chief Executive be asked to write to the IPCC to ask for dispensation from dealing with the matters before the Committee due to delay.

27. INDEPENDENT CUSTODY VISITING SCHEME – APPEALS AGAINST DISCIPLINARY FINDINGS.

The Clerk & Chief Executive explained to Members that on 6 October 2005 the Personnel Committee had held a disciplinary hearing involving two Independent Custody Visitors. The Visitors concerned had subsequently appealed against the decision reached by the Personnel Committee.

On 27 October 2005, a report regarding appeal procedures generally had been submitted to the Police Authority and it had been resolved at that meeting that “the Professional Standards Committee acts as an appeal panel where cases involving Independent Custody Visitors have previously been considered by the Personnel Committee”.

RESOLVED that the following Members of the Professional Standards Committee be appointed to the Appeals Panel:

Mr A L Barry
Mr R Cole
Ms S E Donnelly

The Meeting ended at 11.45 a.m.