



Agenda Item No 4

CUMBRIA POLICE AUTHORITY

PROFESSIONAL STANDARDS COMMITTEE

Minutes of a Meeting of the Professional Standards Committee held on Thursday 29 April 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

Also Present:

Detective Superintendent Professional Standards Department (Mr K Capstick)
Acting Chief Executive (Mr S Edwards)
Clerk (Mrs H Hinvest)

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

39. APOLOGIES FOR ABSENCE

Apologies for absence were received from Mrs L Shaw and Mr J Mallinson.

40. URGENT BUSINESS AND EXCLUSION OF THE PRESS AND PUBLIC

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>
9	Anti-Corruption Unit Quarterly Report	1
10	Complaint about a Senior Officer	7

41. DISCLOSURE OF PERSONAL INTERESTS

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



42. MINUTES

The Minutes of the meeting of the Committee held on 4 February 2010 had been circulated with the agenda for the meeting.

The Chair asked when the Mental Ill Health and Learning Disabilities report would be available to members (Item 31). The Acting Chief Executive is to progress this report. Mr Huck reported that issues had been raised at a Liaison Forum meeting re MEDACS and that they had been proactive in checking custody suites and providing robust and stringent reports. The Chair suggested that Mr Whittle, a NHS non-executive director, might be able to provide assistance in taking the matter forward. The Acting Chief Executive advised members that MEDACS had been invited to attend the ICV Conference in June 2010.

RESOLVED, that, the Minutes of the Professional Standards Committee meetings held on 4 February 2010, be confirmed as a correct record and signed by the Chair.

43. COMPLAINTS BY THE PUBLIC

Detective Superintendent Capstick presented to members the quarterly report for complaint allegations made between 1 January and 31 March 2010.

Four cases had been referred to the Independent Police Complaints Commission (IPCC); one case was awaiting a decision and three cases were to be investigated locally. Currently there was one managed investigation.

There were 20 less complaints than in the previous year (330 compared to 350), with a peak around March 2010 which may be accounted for by the necessity to record complaints before the year end (March). Some challenges had been experienced during the period of the floods (November 2009) but there was no major cause for concern.

The IPCC revised guidelines had made the system of reporting complaints easier, and they were suggesting that complaints should be handled locally to encourage learning for officers. Detective Superintendent Capstick advised that changes to the management of local resolutions (LRs) within Cumbria had allowed the Force to reach its 70% target. The system in place however was not strictly within the spirit other IPCC guidelines who seek where possible to have complaints locally resolved within BCU's. The PSD were undertaking some scoping work to see if current electronic systems available on Sleuth can be adapted for the management of LR's within BCUs without affecting performance.

Members were advised that it was allowable and encouraged under IPCC guidelines to record complaints that may not have substance if the complainant's perception is that there has been a failing whether or not that was the case.

The Chair informed members that he and Mrs Margaret Johnson had attended a training session in relation to the Revised IPCC Statutory Guidance where it was suggested that admission at an early stage of a complaint could lead to resolution.



Detective Superintendent Capstick informed members that a soft skills training package was being formulated for officers. It was intended that when this package was finalised a pilot scheme in one BCU would be introduced; the training possibly being led by the BCU Training Officer. A member commented that because officers were becoming more involved in the community resulting in more contact with the general public, therefore soft skills training was important to enable them to be aware of the correct way of dealing with members of the public and treat people with respect. The Chair asked that the members of this Committee see the training package when it was finalised.

Detective Superintendent Capstick suggested that the number of complaints must be kept in perspective and whilst acknowledging that every complaint must be handled correctly and in a sympathetic manner, the Constabulary does not receive a lot of complaints.

The Chair asked how sickness affects police officers. Detective Superintendent Capstick is undertaking some research into shift patterns to ascertain whether complaints increase when officers are under stress.

Members expressed concern about the number of allegations of incivility, which had increased in the quarter covered by the report. The Chairman suggested that a group of members look at three random incivility complaint cases in detail and report back to the Committee. If this exercise is considered to be successful it could be repeated annually.

It was noted that a Prevention Officer was to be appointed within PSD in July 2010. The purpose of the role was to undertake pro-active work to identify the causes of complaints and to then address the issues at source thereby reducing the number of complaints received. In the meantime immediate attention would be given to complaints if a trend was identified, for example there had been several complaints recently about the misuse of handcuffs.

Threat Assessment and Management of Employees (TAME) deals with issues regarding inappropriate behaviour of colleagues e.g. bullying. Steps were currently being taken to develop a TAME risk management strategy which would stay with the officer wherever that officer serves within the Constabulary so that the risk can be managed. Any risk assessment from TAME would be undertaken as a result of a disciplinary report.

Detective Superintendent Capstick reported that work is currently being undertaken to try to understand trends in recorded allegations. Some complaints had been received regarding minor motoring offences and police officers speeding, and these are being investigated.

A member questioned the analysis of allegations received. The member had spoken to a member of the public who had a complaint about the behaviour of a police officer but did not want to make a complaint because they feared reprisals.



The member expressed concern that the public may have the perception that they cannot make a complaint without attracting reprisals.

Detective Superintendent Capstick confirmed that there was no culture of retribution against people who make complaints, and the police strive to deal with people who have made a complaint with sensitivity and support in any effort to make people confident about complaining. There were “self help” tools available on the Constabulary website for people to make a complaint. The Chairman advised that it was generally acknowledged that the Constabulary welcomed complaints and handled them well. He asked if expressions of dissatisfaction with regard to complaints can be made via the Police Authority website or the Constabulary website and the Acting Chief Executive advised that he would look into this.

RESOLVED, that ,

- (i) the report be noted;
- (ii) two members look at three random incivility complaint cases in detail and report back to the Committee; and
- (iii) the Acting chief Executive to ascertain whether members of the public can use the Authority’s website to make a complaint against a police officer

45. DIP SAMPLING OF PUBLIC COMPLAINTS PROCEDURE

Two members of the committee had carried out dip sampling of police complaint files on 14 April 2010. The members had reviewed 16 files which had been finalised during the quarter. At the previous committee meeting it had been agreed that members would look specifically at complaint files from young people in addition to the normal number of files reviewed. Three out of the four files examined related to young people who were drunk at the time of making complaints about unfair treatment.

During the dip sample process members were taken through files which had identified best practice. One such file related to a girl who was arrested for shop lifting and held in custody with no appropriate adult for six hours. The best practice identified within the case was disseminated to the Constabulary’s Custody Forum.

The Chairman thanked the members for undertaking the dip sampling and for presenting the report.

RESOLVED, that the report be noted.

46. INDEPENDENT CUSTODY VISITORS ANNUAL REPORT

The Acting Chief Executive presented a report for the period 1 October 2009 to 31 March 2010 which outlined a number of issues relating to the Independent Custody Visiting Scheme.



The target number of 12 Independent Custody Visitors (ICVs) on each panel has been achieved. There will be a recruitment drive later in the year as some panel members will be leaving the Scheme having completed their three year term of office.

The Acting Chief Executive asked members to consider the proposal that ICVs be allowed to undertake a third three-year term of office. Mr Huck reported that this proposal had been discussed at a recent meeting of Chairs and Vice Chairs and it had been suggested that the decision to stand for a third three-year term be an optional choice for the individual ICVs but that overall the term of office should not exceed nine years.

All panels apart from North Cumbria have undertaken observational visits and found these to be a valuable experience.

The self-introduction pilot scheme at Barrow is to be extended to 30 June 2010 and will be reviewed by the Committee in July 2010.

The Cumbria Conference at Stonecross Manor, Kendal on 12 June 2010 will cover several topics, including self-introduction, personal safety for ICVs, restraint techniques used in custody, the role of the Detention Officer, a presentation by MEDACS and human rights in custody.

Mr Huck asked if the Police Authority would like a 10-15 minute presentation on the ICV Scheme, and members were in favour of this suggestion. This could be undertaken at the September meeting.

A member said that the custody sergeant role was a very specialist role and asked if there was any mechanism for this role to receive extra remuneration. Detective Superintendent Capstick said that extra remuneration for specialist roles would be within the gift of the Chief Constable but it would be a very difficult formula to establish. There is a bonus scheme which can be given to individuals to recognise hard work and this is within the gift of local managers.

The Code of Practice on Independent Custody Visiting made by the Secretary of State for the Home Department in April 2010, a copy of which had been circulated with the Agenda, was noted.

Mr Huck wished to formally acknowledge the hard work and commitment to the Independent Custody Visiting Scheme by the Acting Chief Executive over the last seven years. Some of the initiatives introduced by the Acting Chief Executive have been acknowledged by the IPCC. He was now stepping down from this role and his duties would be taken over by the Community Engagement Officer.

RESOLVED, that, the
(i) report be noted;



- (ii) Independent Custody Visitors be allowed to serve three consecutive three year terms within the Scheme to a maximum of nine years; and
- (iii) the revised Home Office Code of Practice on Custody Visiting be noted.

47. REVISED IPCC STATUTORY GUIDANCE

Members received a verbal update from Detective Superintendent Capstick regarding the revision of IPCC Statutory Guidance.

RESOLVED, that the report be noted

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

48. ANTI-CORRUPTION QUARTERLY REPORT

Detective Superintendent Capstick presented a report which provided an overview for the period from 1 January 2010 to 31 March 2010.

It was encouraging to note that most reporting was open and not made in confidence or anonymously. The Chairman felt this was due in no small part to Detective Superintendent Capstick and his staff. Details of the types of cases dealt with by the Anti-Corruption Unit were provided within the report.

Naseem Malik, the Independent Police Complaints Commission's Regional Commissioner, was due to visit Workington in June to understand the type and nature of policing problems faced by the County in its urban areas.

The Constabulary has been invited to present its development of PASS prevention strategy at the ACPO National Anti Corruption Conference to be held in June at Nottingham.

RESOLVED that, the report be noted.

49. COMPLAINT ABOUT A SENIOR OFFICER

The Acting Chief Executive advised that a dispensation had been received from the Independent Police Complaints Commission (IPCC) granting the Authority to take no further action in regard to a complaint which the committee had reviewed at its last meeting. Members were advised that the IPCC had conveyed its decision directly to the complainant.

RESOLVED, that, the report be noted

Meeting ended at 12.10 p.m.

Professional Standards Committee – Action Sheet

Agenda Item	Action to be taken	Person Responsible	Date to report back to Cttee	Date Action Completed
DATE OF MEETING: 23 October 2009				
No 7 – ICV 6 monthly report	ICV newsletter to be sent out with Sec 96 notification letters in an effort to inform people of the work of the Scheme and Authority	S. Edwards & liaison secretaries	4.02.2010	
	Observational Visits be arranged for committee members to custody suites	S. Edwards	4.02.2010	To be arranged
DATE OF MEETING: 29 April 2010				
Complaints by the Public	Members to be provided with a copy of the soft skills training package when complete	D/Supt Capstick	19.07.10	
	Members look at three random incivility cases in detail and report back		19.07.10	Incivility complaint cases were sampled by members on 6.7.10 during the dip sample session
	Acting Chief Executive to ascertain whether or not the Authority's website affords members of the public the opportunity to complain about police officers	S. Edwards	19.7.10	The Authority's website has the facility for members of the public to make a complaint regarding a police officer/ staff/special constables/PCSOs