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**CUMBRIA POLICE AUTHORITY
PROFESSIONAL STANDARDS COMMITTEE**

Minutes of a Meeting of the Professional Standards Committee held at 10.30 a.m. on Wednesday 4 May 2005 at Police Headquarters, Carleton Hall, Penrith.

PRESENT

Mr C S Moth

Mrs S E Donnelly
Mr G Humes

Mr R Watson

Also Present:

Clerk & Chief Executive
Deputy Chief Constable
Head of Professional Standards Department
Administration Manager

The Chair welcomed Mr N Hardwick, Chairman, and Ms N Malik, Regional Director of the Independent Police Complaints Commission (IPCC) to the meeting. He hoped that they enjoyed their visit to Cumbria and also that they would gain useful information from the meeting.

The Chair handed to Members a copy of a report of the meeting of the Association of Police Authorities Complaints Network and asked that it be included as an extra item on the agenda.

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

34. APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr J Nicholson, Mr I Stewart and Mrs L Slavin.

35. 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.	
9	Sampling of Cases,
10	Grievances
11	Complaint about Senior Officers

There were no members of the Press or Public present.

36. DISCLOSURES OF PERSONAL INTERESTS

There were no disclosures of personal interest.

37. MINUTES

RESOLVED, that the Minutes of the Meeting of the Committee held on 25 January 2005, as circulated with the Agenda for the meeting, be confirmed as a correct record and signed by the Chair.

38. COMPLAINTS BY THE PUBLIC

The Head of Professional Standards presented a report which had previously been circulated with the agenda papers.

He drew Members attention to item 2 in the report regarding Suspensions and informed them that a decision had been received from the Crown Prosecution Service (CPS) in relation to the officer who had been placed on restricted duties. There had been a lengthy delay before the decision had been received and both he and the Deputy Chief Constable had written to the CPS regarding the unacceptable delays encountered. The Chairman of the IPCC indicated that he was to meet with the Director of the CPS to discuss the issue of delays and indicated that he would include this case at their meeting as an example.

The Head of Professional Standards informed Members that the number of complaints received for the year had increased and these were explained in more detail in Appendix A, which was attached to the report. In the 'Area Breakdown' section of the report, West Cumbria was still showing an increase in complaints and he informed Members that there was on-going action relating to this. He highlighted two cases in the West which were disproportionately affecting the complaints figures.

In the course of considering the information provided by the Head of Professional Standards, Members raised various matters to which the Deputy Chief Constable and Head of Professional Standards responded.

The Head of Professional Standards indicated that work was ongoing to reduce the number of incivility complaints. This was to include 'mystery shopping' in relation to issues like quality of service and civility of staff. A questionnaire had been devised for the collection of relevant information.

Members welcomed these measures and requested that their results be made available at a future date.

RESOLVED, that

- (i) the report be noted, and
- (ii) any feedback from the information-gathering process be presented to a future meeting of the Professional Standards Committee

39. COMPLAINTS STRATEGY

The Head of Professional Standards Department presented a report which had been circulated with the Agenda. He informed Members that the report set out proposed work to improve the standards of investigation and to reduce the number of public complaints.

RESOLVED that the report be noted.

40. REPORT OF THE MEETING OF THE APA COMPLAINTS NETWORK

The Chair of the Committee presented a report he had produced after attending the meeting of the Association of Police Authorities (APA) Complaints Network held on 21 February 2005. Its 'bullet points' presentation set out IPCC draft guidelines and a summary of three particular concerns expressed by the IPCC Workability Group, which included representatives of ACPO and the APA. The Network Group were to look at the different ways Police Authority Members were involved in the monitoring of complaints and the Chair of the Committee had examples from other Authorities to offer by way of comparison.

To make it more effective, he suggested that the time was now right to look again at the way in which the Professional Standards Committee carried out its functions, and in particular the format used for dip-sampling of cases and reports, which had been in place for just over a year. Members noted the report submitted by the Chairman and were in agreement over the need to reconsider how dip sampling was carried out, in the light of what other authorities were doing.

The Chair of the IPCC informed Members that he had spoken to a number of Authorities and had offered to help with training or support, and to act as facilitator. He mentioned that a North West Regional Seminar jointly organised by the APA and IPCC was to be held in York in late June and that invitations would be forwarded in the near future.

41. CHIEF CONSTABLE'S REVIEW REPORT – ACTION PLAN - UPDATE

The Deputy Chief Constable presented a report updating Members on the Chief Constable's Review Report, so they could monitor continuing progress against the agreed Action Plan. An update was provided to the previous meeting of the Committee on 26 January and actions which had been completed were shaded in the report. (Some work had been delayed due to the demands of an IPCC-Managed investigation being conducted by the Constabulary).

In serious cases, an initial assessment and a decision-making framework had been developed and these were currently in use. The Head of Professional Standards undertook to bring samples to the next meeting of the Committee.

At the end of the year an Annual Report should be submitted by the Chief Constable to the Committee, reporting on how the systems were working.

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RESOLVED, that

- (i) the report be noted;
- (ii) examples of initial assessments of cases and a decision making framework be submitted to Members for consideration at the next meeting; and
- (iii) an Annual Report be submitted to the Committee at the end of the year by the Chief Constable.

42. A PROTOCOL FOR HANDLING COMPLAINTS REGARDING SENIOR OFFICERS.

The Clerk & Chief Executive reported to Members on the progress made to date with the draft Protocol for handling complaints regarding senior officers. He had previously submitted a draft version of the Protocol to the meeting of the Committee on 26 January 2005 and, since that date, consulted with officers of the Force and of other Police Authorities nationwide. It appeared most Authorities still did not have a comparable document in existence, although the Metropolitan Police Authority provided a copy of a substantial document they had commissioned from London solicitors and agreed could be used as the basis for any Cumbrian equivalent. He stressed how important it was that the Authority had a clear and concise Protocol in place for handling complaints regarding senior officers and he would continue to liaise with senior officers of the Force and other authorities in the region so this could be achieved.

The Chairman of the IPCC informed Members that they were themselves currently working on a draft Protocol to cover these eventualities and he suggested that the Clerk & Chief Executive make contact with the IPCC officers involved in the preparation of the document.

RESOLVED, that progress and the contents of the report be noted

(Note: The Head of Professional Standards Department together with the Chairman and the Regional Commissioner of the IPCC left the meeting at this point. The Chairman and Regional Commissioner of the IPCC thanked Members for giving them the opportunity to 'sit-in' on the meeting. The Chairman thanked them for attending and hoped that they had found it of interest.)

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

43. SAMPLING OF CASES

The Chair informed Members that, because of time limitations, the dip-sampling of cases would not be carried out at this particular meeting of the Committee. Referring back to the discussion at item 40 above, he expressed concern

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regarding the current format and suggested that the procedure be reviewed in order that the information available was more informative. Members discussed various points and it was agreed that in order to review the Sampling of Cases procedure a report setting out suggested options to enable change should be submitted to the next meeting of the Committee.

RESOLVED, that a report reviewing and suggesting improvements to the Dip Sampling of Cases procedure be submitted to the next meeting of the Committee by the Head of the Professional Standards Department on behalf of the Chief Constable.

44. GRIEVANCES

The Deputy Chief Constable presented a Grievance Statistics Report which showed the number of grievances lodged in the current year to date, broken down in terms of sex and race, for both police officers and support staff. The current years statistics were compared to those lodged in the whole of the previous financial year. This report had already been submitted to other Committees of the Authority and it was felt by Members that it was important that this practice should continue.

RESOLVED, that the report be noted.

(Note: The Deputy Chief Constable left the meeting at this point).

45. COMPLAINTS ABOUT SENIOR OFFICERS

The Clerk & Chief Executive informed Members that, since the last meeting of the Professional Standards Committee on 26 January 2005 and despite regular enquiries, no further representations had been received from the parties and no further information was available regarding a fixed date for the Investigatory Powers Tribunal hearing.

Members considered the balanced points made by the Clerk & Chief Executive both for and against dealing with the matter now and took the view that the position previously adopted still applied. The decision made by Members of the Committee at their meeting on 20 October 2004 should therefore remain unchanged:

RESOLVED, that the Committee should continue to defer any further action or decision on the complaints, pending the outcome of the hearing of a similar complaint by the Investigatory Powers Tribunal on the basis their linked circumstances are effectively '*sub iudice*'.

The Meeting ended at 12.05 p.m.

[Note: After the meeting Members were given an introductory talk about the use of the 'TASER' gun by PC Burns and Inspector Telford from the Constabulary's Firearms Department, which was followed by a practical demonstration].