



**POLICE & CRIME
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INDEPENDENT CUSTODY VISITING SCHEME

PART I - HANDBOOK



**VERSION: 1.7
REVISED: AUGUST 2018
NEXT FULL REVISION: AUGUST 2019**

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LEICESTERSHIRE INDEPENDENT CUSTODY VISITING SCHEME

VOLUNTEER POLICY STATEMENT

The Police and Crime Commissioner welcomes volunteer involvement and recognises the value of their work.

Those who volunteer care about where we live and the communities we belong to and volunteer to help improve the quality of life for others.

The Police and Crime Commissioner recognises that people from all walks of life volunteer for many different reasons and for the benefit of others.

The Police and Crime Commissioner encourages volunteer involvement equally across all sections of the community and aims to ensure it reflects all diverse strands of society.

We provide continuous training for all our volunteers and strive to ensure that the environment in which our volunteers operate is safe, secure and healthy and free from harassment, intimidation, bullying, violence and discrimination.

The Police and Crime Commissioner ensures that volunteers are paid out-of-pocket expenses to make volunteering accessible to all and to ensure that they do not suffer a financial burden as a result of their volunteering.

How the Independent Custody Visiting Scheme Operates in Leicester, Leicestershire and Rutland

1. Custody Visiting: How it began and why

- 1.1 The origins of independent custody visiting, originally known as lay visiting, are to be found in the Scarman report into the Brixton disorders in 1981. One of the recommendations of the report was that a system be introduced whereby local community members could make independent, unannounced visits to police stations for the purpose of inspecting procedures relating to the detention of persons in police custody. The purpose of this recommendation was to counter growing mistrust of the police and to increase their accountability to the general public. Whilst Scarman advocated a statutory arrangement, Home Office ministers at this time approved a custody visiting system which was non-statutory.

Development

- 1.2 In 1983 the Home Office produced provisional guidance and pilot schemes were set up in Lambeth and six provincial police authority areas: Cheshire, Greater Manchester, Humberside, Leicestershire, South Yorkshire and West Midlands. Custody visitors in Lambeth and Cheshire were recruited from members of the public, but in the other five areas they were appointed from the elected members of the respective police authorities. These pilot schemes were reviewed during 1984. More London groups, called 'panels', were set up during 1985 in North Westminster, Hammersmith and Fulham, based on the Lambeth model.

Research

- 1.3 In 1987 the Home Office commissioned research from the Bristol and Bath Centre for Criminal Justice to study the extent to which custody visiting schemes had been introduced and the effectiveness of their arrangements.

Revised guidance: Home Office Circulars

- 1.4 In July 1991, following the results of the research, and after extensive consultation with the Metropolitan Police, Association of Chief Police Officers, local authority associations and custody visitors, the Home Office issued detailed revised guidance to London custody visitors. Subsequently Home Office Circular 4/92 was issued to provincial police authorities in January 1992 advising of scheme revisions.
- 1.5 The recommendation of a national agency resulted in the formation of the National Association for Lay Visiting (NALV), whose inaugural conference was held in May 1993. Subsequently the Association changed its name to the Independent Custody Visiting Association (ICVA). Leicestershire is currently a subscribing member to ICVA who provide training sessions, promotional material and guidance on the administration of local schemes.
- 1.6 Home Office Circular 4/92 was subsequently replaced by Home Office Circular 15/2001 which provided guidance based on research into custody visiting undertaken by the Police Foundation. At the time the Scheme still remained non-statutory. This Home Office guidance changed the name of the Scheme from Lay Visiting to Independent Custody Visiting (ICV).
- 1.7 Section 51(1) of the Police Reform Act 2002 placed independent custody visiting on a statutory basis. The Act came into force on 1 April 2003 and part of the requirement contained in the Act was for the Home Secretary to issue a relevant

Code of Practice to which police authorities and independent custody visitors should have regard in carrying out their relevant functions. A copy of the Code of Practice is included in Part III of the Handbook.

- 1.8 To accompany the Code of Practice the Independent Custody Visiting Association (ICVA) produced National Standards which form the third and final part of the framework of rules and guidance to support effective custody visiting. A copy of National Standards is contained in Part IV of the Handbook.

Home Office role

- 1.9 Currently, responsibility for national policy rests with the Policing Powers Directorate of the Home Office, located at 2 Marsham Street, London.
- 1.10 Under the Police Reform and Social Responsibility Act 2011 police authorities were abolished and replaced by a Police & Crime Commissioner (PCC) as the local policing body. The statutory duty to have in place an Independent Custody Visiting Scheme transferred to Police & Crime Commissioners at that time.

Provincial arrangements

- 1.11 The responsibility for custody visiting arrangements lies with each Police and Crime Commissioner (PCC) in consultation with the Chief Constable. Each Commissioner operates his or her own scheme according to local arrangements.

Principles

- 1.12 The principles of custody visiting are indivisible from its purpose: to provide independent oversight of the detention of people in police custody. The purpose of visiting arrangements is to enable members of the local community to observe, comment and report on the conditions under which persons are detained at police stations and the operation in practice of the statutory and other rules governing their welfare, with a view to securing greater public understanding and confidence in these matters. Custody visiting arrangements also provide an independent check on the way police officers carry out their duties with regard to detained persons. Crucial to the Scheme is the independence and impartiality of custody visitors. They may not champion the cause of either the police or the detainee. Their function is to look, listen and report.

Mutual consent

- 1.13 Custody visiting is carried out by consent: the consent of the community from which the visitor has been appointed; the PCC which makes the appointment; the police; and the detainee. Consent may be implied or expressed, but without its presence a scheme would lose its integrity.
- 1.14 Custody visitors need to be aware of the law as it applies to the detention of people in police custody and so must have a knowledge of detainees' rights and the limits of police powers. From that, custody visitors know what they may ask, (and of whom), what to see and what may be done. A custody visiting scheme's credibility depends on the way in which it operates. Custody visits to police stations must be random, unannounced, and carried out with a frequency which is appropriate to the area.

2. The Organisation of the Scheme in Leicestershire

- 2.1 The PCC is responsible for the independent custody visiting scheme in Leicester, Leicestershire, and Rutland. The PCC oversees Custody Visiting arrangements and receives regular reports on the operation of the Scheme.
- 2.2 The Scheme is overseen by the Executive Director and is administered by the Volunteer Manager. The Volunteer Manager will support the Co-ordinator and Deputy Co-ordinators in their role and provide a point of contact for custody visitors.
- 2.3 Contact details for OPCC staff involved in the custody visiting process are contained in Part II Appendix 1.
- 2.4 Within Leicestershire Police the responsibility for addressing any issues or problems that arise with the scheme lies with the Chief Inspector in Criminal Justice.
- 2.5 Leicestershire Police has 3 custody suites all of which are Police and Criminal Evidence Act (PACE) designated sites. The custody suites operate on a 24/7 basis. The custody suites are located as follows:-
- Beaumont Leys - 14 cells
 - Euston Street - 36 cells Weekend, 18 Cells Mid Week
 - Keyham Lane - 17 cells

Role of Independent Custody Visitor (ICV)

- 2.6 A copy of the role description for Independent Custody Visitor is contained in Part II Appendix 2.

Role of the Co-ordinator

- 2.7 The custody visiting team will be led by an experienced volunteer who undertakes the role of Co-ordinator, and two Deputies. The Co-ordinator will be elected annually by vote from the whole team. The role of the Co-ordinator is to ensure that a suitable pattern of visiting is established, facilitating team meetings to keep custody visitors informed of current developments and acting as the link between the individual custody visitor and the OPCC. A copy of the role description for the Co-ordinator can be found in Part II Appendix 3. The Co-ordinator and Deputy Co-ordinators will be paid an allowance for incidental expenses. The level of the allowance is determined by the PCC.
- 2.8 The Co-ordinator will be supported by two deputy Co-ordinators; Deputy Co-ordinators will be elected by the ICV team following the election of the Co-ordinator. All elections will take place at the March ICV team meeting. Deputy Co-ordinators will attend meetings held with the representatives from the OPCC and Criminal Justice. A copy of the role description for the Deputy Co-ordinator can be found at Part II Appendix 4.

Meetings

- 2.9 The Co-ordinator will chair meetings with the team of custody visitors on a quarterly basis to discuss developments, problems, good practice and availability for visits. The Volunteer Manager will be in attendance to provide advice and to raise any issues that may have arisen since the last Co-ordinators' meeting. A copy of the Terms of Reference for team meetings can be found in Part II Appendix 5.

- 2.10 The Volunteer Manager will organise quarterly meetings with the Co-ordinator, Deputy Co-ordinators and the Custody Inspector. The purpose of these meetings is to address issues affecting custody suites, receive feedback from teams, address the issues arising from visits and the response from the Force, ensure that visits are being undertaken and assess the number of occasions on which detainees refuse to speak to visitors. These meetings will be chaired by the Volunteer Manager. A copy of the Terms of Reference for Co-ordinators' meetings can be found in Part II Appendix 6.

E-newsletters

- 2.11 E-newsletters will be forwarded to all ICVs from the OPCC on the last Friday of every month. The e-newsletters provide feedback on issues arising from visits and will set out forthcoming events including dates of team meetings and training sessions as well as informing of latest national and local developments.

3. Regional Collaboration

- 3.1 OPCC officers with responsibility for custody visiting within the East Midlands region, being Derbyshire, Leicestershire, Lincolnshire, Northamptonshire and Nottinghamshire, meet on a regular basis to share good practice, identify areas where schemes can be aligned and where collaboration can take place in the interests of efficiency and cost saving. An annual regional advanced training day will be organised at this forum, for custody visitors across the region to meet together for training purposes and to discuss the wider aspects of their work.
- 3.2 A copy of the Terms of Reference for this meeting is enclosed at Part II Appendix 7.

4. Appointment of Custody Visitors

Qualifications

- 4.1 Custody Visitors should be independent persons of good character, able to make informed judgements in which the community can have confidence and which the police will accept as fair criticism when it is justified. Any person over the age of 18 years living or working in Leicester, Leicestershire or Rutland and resident in the UK for at least three years prior to the date of application, may be appointed as a custody visitor, however in order to avoid any potential conflict of interest, staff of the OPCC, police staff, special constables, magistrates, employees of the Probation Service and serving and former police officers will be excluded. This list is a guideline and other conflicts may occur, applicants should contact the OPCC if they have any queries.
- 4.2 All reasonable adjustments will be made to accommodate those with a disability as defined in the Equality Act 2010, and those who do not have English as their first language but who are able to communicate effectively so as to be understood, where they are considered suitable candidates.
- 4.3 Applications from others involved in the criminal justice system will be considered individually, having regard to the public service principle of being seen to be independent and impartial.

Recruitment Process

- 4.4 The OPCC is responsible for the recruitment, selection and appointment of independent custody visitors. The recruitment process will strive to ensure that individuals appointed to the role are representative of the local community and provide a suitable balance in terms of age, disability, gender re-assignment, race, religion or belief, sex, and sexual orientation. Data on the breakdown of these groups is monitored and reported to the PCC and included in the PCC's annual report published on the PCC's website.
- 4.5 Periodically, advertisements are placed in a variety of local media outlets as well as libraries, universities, community centres, public buildings, supermarkets, places of religious worship and volunteering websites for new custody visitors. Interested persons can apply via the Leicestershire Police HR e-recruitment portal. The e-recruitment portal will consist of an application form, role description, person specification and information about the scheme. At times of recruitment there will be a link to the e-recruitment portal via the PCC's website.
- 4.6 Appointments are subject to vetting or security clearance to an appropriate level as determined by the Association of Chief Police Officers (ACPO) Vetting Policy which will be at NPPV Level 2 Abbreviated. Past offending is not an automatic barrier to acceptance and each case will be considered on its specific circumstances. Relevant factors will include the nature and number of any offences and how long ago they were committed. Any failure to disclose convictions will be treated very seriously and lead to exclusion. For those visiting persons detained under the Terrorism Acts vetting will be undertaken at NPPV Level 3.
- 4.7 Vetting renewal will be undertaken for all visitors as part of the three-year reappointment process.
- 4.8 Leicestershire Police will provide information to enable the Executive Director to make a decision with regard to the suitability of each applicant. The Executive Director will be informed by Leicestershire Police as to the reason(s) for recommending that a volunteer should not be appointed. The final decision on whether or not to appoint will be the responsibility of the Executive Director.
- 4.9 Each shortlisted applicant will be interviewed and all applicants will be notified in writing of the outcome of the interview. Appointments will be made solely on merit subject to the outcome of vetting. Successful candidates will be provided with an appointment letter informing them of a commencement date and details of induction training. Included with the appointment letter will be a written memorandum of understanding summarising the agreed responsibilities and the legitimate expectations of the custody visitor and the OPCC. Successful candidates will also be provided with a consent form. These documents will be required to be signed and returned to the Volunteer Manager.
- 4.10 Upon appointment independent custody visitors will be provided with a copy of the ICV Manual together with contact details of the Co-ordinator and fellow team members.

Confidentiality Undertaking

- 4.11 All custody visitors must sign a confidentiality undertaking. Visitors need to be aware that the unauthorised disclosure of facts concerning police operations or the security of police stations may constitute an offence under Section 5 of the Official Secrets Act 1989.

Identification Card

- 4.12 All custody visitors will be issued with a personal identification card and a lanyard. The identification card will be presented at the time of undertaking a custody visit and the lanyard worn when attending all training and team meetings held on police premises. The identification card will be valid for a three-year term. Lanyards should not be worn during the course of a custody visit. The identification card will be required for entry into the custody suite only and should not be displayed thereafter.

Tenure of Post

- 4.13 There is no maximum stated length of appointment for custody visitors. However all appointments will be made on the basis of a three-year appointment. At the end of every three-year period, from the initial date of appointment, a custody visitor's performance will be examined and the Co-ordinator or Deputy Co-ordinator will undertake a visit with the individual and feedback to the Co-ordinator. A copy of the questions is included in Part II Appendix 8. The Co-ordinator will then be asked to provide written feedback on the visitor's performance and indicate whether or not they endorse a further three year term. A copy of the questions is included in Part II Appendix 9. The ICV will then have a one-to-one meeting with the Volunteer Manager which will allow a full and frank discussion of the role. The ICV will receive a copy of the questions to be asked in the one-to-one in advance of the meeting. A copy of the questions is included in Part II Appendix 10. The key factors in renewing appointments for further periods will be the reliability of the visitor in undertaking visits, attendance at team meetings and advanced training sessions and the continuing ability and willingness of the individual involved to carry out the role effectively.
- 4.14 At the time of the three-year review vetting will be undertaken and the outcome may affect re-appointment to the role.
- 4.15 It is a requirement that custody visitors inform the Volunteer Manager immediately if there are any changes in personal circumstances during their appointment. Changes to personal circumstances include the following:
- Any new persons residing in same household
 - Change in step parents and step siblings
 - Arrest, police caution, civil or criminal proceedings brought against you
 - Any new criminal associations through close relatives (brought about by marriage, civil partnership, friendship, residence, overseas etc)
 - Involvement in, or approaches by, any political, religious or protest group of an extreme nature
 - Association with any individual involved in criminal activity or any person who associates with others involved in criminal activity
- 4.16 All new custody visitors will be required to complete a six month probationary period during which initial training must be completed. Appointments will be confirmed following the successful completion of the six month probationary period. This will include the ICV undertaking an observed custody visit with the Co-ordinator or a Deputy Co-ordinator and discuss the individual's progress and development needs. A copy of the questions is included in Part II Appendix 8. The ICV will have a 'one-to-one' interview with the Volunteer Manager at the end of the probationary period and attend a more informal review after 1 year in the role which will again consist of Co-ordinator feedback and discussions with the Volunteer Manager regarding their

continued performance in the scheme. A copy of the questions is included in Part II Appendix 10.

- 4.17 Upon leaving the Scheme the exit process will be utilised. A copy of the process is included in Part II Appendix 11.

Removal

- 4.18 There may be occasions when the OPCC has to consider the removal of an independent custody visitor from its accredited list, either because of misconduct or poor performance. Misconduct covers such matters as conviction for a criminal offence or abusing the position of an independent custody visitor by failing to act in accordance with agreed guidance or expectations. Poor performance relates to such matters as failure to attend for visits, team meetings, training sessions, the completion of adequate reports or inappropriate behaviour.
- 4.19 Where poor performance has been identified the Volunteer Manager will inform the custody visitor by meeting with him/her to explain the issue/s. This will be confirmed in writing, providing the custody visitor with a period of time in which to demonstrate improved performance in the area identified. If there is no improved performance during this time removal will be considered.
- 4.20 Where removal is being considered, the Volunteer Manager will notify the custody visitor concerned in writing, of the grounds on which removal is being considered. At this stage the custody visitor will be allowed to make oral or written representations, or both as to why they should remain in the scheme.
- 4.21 Based on the evidence for removal, and the representations received, the Executive Director in consultation with the Volunteer Manager will determine whether or not to remove the custody visitor from the accredited list.
- 4.22 If the decision is to remove the custody visitor, the custody visitor will be informed in writing. The custody visitor will also be informed that if they disagree with the decision they have a right to appeal to the Chief Executive for reinstatement. An appeal must be lodged within 14 calendar days of the decision to remove the custody visitor.
- 4.23 If an appeal against the decision is lodged within the timescale, a report presenting the evidence for the decision and the representations from the custody visitor shall be presented to the Chief Executive who will adjudicate on the matter. The decision of the Chief Executive will be final.

5. Training

- 5.1 Training will be provided by the Independent Custody Visiting Scheme within a structured training plan identifying the objectives to be achieved. A copy of the Training Strategy is included in Part II Appendix 12 Initial training, prior to the commencement of any custody visit will be provided over five evenings and one full Saturday.
- 5.2 Optional refresher training will be provided for all custody visitors at initial recruitment stage.
- 5.3 Advanced training will be provided on an annual basis and will focus on scenarios of difficult situations arising during custody visits and to address any new legislation.

Training issues raised by custody visitors themselves will also be provided at relevant times.

- 5.4 All training will be evaluated against the learning objectives outlined through the utilisation of feedback forms. Training will be reviewed annually, with Co-ordinators, based on comments and data received from the feedback forms.
- 5.5 Optional training will be provided to those ICVs who wish to take part in the 'Buddy Scheme' which sees experienced ICVs act as mentors to newly appointed ICVs. These volunteers will be trained on how to successfully mentor a colleague. A role description and criteria for 'Buddies' is included in Part II Appendix 13. The person specification and process for ICVs to apply for 'Buddies' is included in Part II Appendix 14. The process for 'Buddies' to carry out visits with new ICVs is included in Part II Appendix 15.

6. Complaint Procedures

Complaints Received Against Independent Custody Visitors

- 6.1 All complaints against independent custody visitors made by detainees, police personnel, other custody visitors or others who may come into contact with visitors whilst in the course of their duties, should be referred, in writing, to the Volunteer Manager at the earliest convenience. This will allow for an early resolution to the complaint.
- 6.2 The Volunteer Manager will consult with the Executive Director, and, if necessary the relevant ACPO officer, to ensure resolution of the complaint and provide feedback to both parties.

Criminal Offences

- 6.3 If a complaint made to the Volunteer Manager contains an allegation of the commission of a criminal offence by a Visitor whilst carrying out their role, the Volunteer Manager will immediately refer the complaint to Leicestershire Police.
- 6.4 The Complaints Procedure will be held in abeyance pending the outcome of any criminal investigation and proceedings in respect of that allegation.
- 6.5 The Complaints Procedure may be proceeded with in respect of any other related allegations that are not alleging a criminal offence.

Criminal Proceedings

- 6.6 Visitors must notify the Volunteer Manager if they are charged with a criminal offence. In such circumstances, the Volunteer Manager will automatically suspend the Visitor until the outcome of any criminal proceedings is known.
- 6.7 If the Visitor is subsequently found not to be guilty, or if charges are dropped, then consideration will be given to reinstating the Visitor.

Action upon receipt of a Complaint

- 6.8 Upon receipt of a complaint, the Volunteer Manager will investigate the allegation by speaking to the parties concerned and seeking to address the complaint informally.

- 6.9 Should the severity of the allegation be significant or form part of a series of complaints relating to the Visitor, a formal process to remove him/her may be invoked.

Complaints Made by Custody Visitors Relating to Police Personnel

- 6.10 Complaints made by custody visitors relating to police personnel (officers and staff) may amount to a complaint against police and should be reported to the respective supervisor. Where a complaint is about a member of staff other than the Custody Sergeant, the Custody Sergeant should be informed immediately. Where the complaint concerns the Custody Sergeant, the Chief Inspector or in their absence any Inspector, should be notified at the earliest convenience. This will allow for the opportunity for an early resolution to the complaint in accordance with the procedures for the handling of complaints against police.
- 6.11 If it is not possible to report the complaint immediately then full details should be forwarded, in writing, to the Volunteer Manager who will liaise with the Head of Professional Standards to ensure resolution of the complaint and provide feedback to the custody visitor concerned.
- 6.12 In either situation, all complaints relating to police personnel must be notified to the Volunteer Manager, in writing, by the custody visitor concerned.
- 6.13 A complaint about the Volunteer Manager must be notified to the Chief Executive & Monitoring Officer to the Police and Crime Commissioner.

7. Visits

- 7.1 Establishing and maintaining a programme of frequent visits is fundamental to the effectiveness of the system. Infrequent visiting is unsatisfactory in terms of community reassurance, building appropriate relationships with police staff and developing independent custody visitors' relevant skills.
- 7.2 Custody visits should be unannounced and not made at regular or predictable times. For shared understanding, safety, and in case of the need for corroboration, visits will always be undertaken in pairs. If one member of the team is not able to undertake their scheduled visit on the arranged date and time for any reason the procedure will be for that ICV to attempt to swap the allocated time with another team member and inform their visiting partner, the Co-ordinator and the Volunteer Manager. A 'solo' visit will not be allowed and Custody Staff have been instructed not to allow admission under these circumstances. Should an ICV fail to attend for a visit, the visit will be abandoned. In order to claim expenses for an abandoned visit, custody visitors can ask a member of custody staff to sign a paper confirming they attended at the custody suite. This should be attached to the expense claim form.

Number of Visits

- 7.3 Each custody suite will receive a minimum of one visit per week. More than one visit can be undertaken at a custody suite during the week however one visit is the allocated minimum requirement.
- 7.4 On occasions where large scale or sensitive planned police operations are foreseen as resulting in numerous arrests, the OPCC will be notified and the Co-ordinator will be informed. On such occasions custody visitors may be requested to undertake custody visits to the relevant custody suite, being mindful of the fact that too many

visits may risk interfering with the efficient running of the Custody Suite at a particularly busy time.

Organising the Visits

- 7.5 All visits are co-ordinated by the Volunteer Manager who will arrange a rota for the team. The first named visitor on the rota for the week will be responsible for making the initial contact with their partner to make arrangements for the visit to take place.
- 7.6 Custody visitors are asked to arrange their visit rotas as soon as they have received the previous week's visit gap chart from the Co-ordinator. If contact cannot be made with their allocated partner during this time the Co-ordinator should be informed and other arrangements put into place to ensure the visit goes ahead. A flowchart for arranging visits is included in Part II as Appendix 16.
- 7.7 Each week a 'visit gaps' chart is forwarded to independent custody visitors who are due to go on a visit during the next fortnight. The chart identifies timeslots by colour code where visits are required. Those identified by red squares indicate that no further visits are required at that time and those with green squares indicate that visits are required in that timeslot. Teams should aim towards all green squares being turned white by the end of the financial year.
- 7.8 If a visit is missed the independent custody visitors allocated to that week on the rota will be asked to complete a form outlining the reasons why the visit did not go ahead. Information from these forms will be taken into consideration at the time of re-appointment and will also be used to review the process for visits so improvements can be identified. A copy of the form is included in Part II Appendix 17.

Access at the Police Station

- 7.9 When it is foreseen that a custody suite is closed for any length of time, Leicestershire Police will notify the OPCC and notify them further when the suite reopens. The OPCC will notify the Co-ordinator and Deputy Co-ordinators.
- 7.10 A custody visit cannot occur without police consent and co-operation. Custody sergeants are responsible for all matters relating to the detention of prisoners in police station custody suites and, as such, will be receiving and co-operating with custody visitors. Custody sergeants are required to admit custody visitors to the custody suite immediately they are informed by the person in charge of the reception desk that there are custody visitors at the police station. Delay in admittance is only permitted when custody visitors may be placed in danger. If delay occurs a full explanation should be provided to the custody visitors who will record this on the visit report form. Independent custody visitors should not expect, or demand at any time that the business being conducted in the custody suite should be suspended to facilitate a custody visit. A Protocol for Custody Visits is included in Part II at Appendix 18.
- 7.11 It is inappropriate for access to be delayed because the custody officer is busy. In such circumstances the visitors should be admitted to the custody area but invited to wait and observe proceedings until the custody officer, or another officer, is available to escort them on the visit.
- 7.12 All parts of the custody areas are open to custody visitors, including cells, detention rooms, kitchens, relevant storage areas, the chute, showers, medical rooms and interview rooms (unless they are in use). Custody visitors can comment upon the

general cleanliness and tidiness of the custody suite. An aide memoir is included at Part II Appendix 19.

- 7.13 If a visit cannot commence immediately independent custody visitors must be allowed to observe and listen to the activity taking place.

Security and Safety of Visitors

- 7.14 Custody visitors will be escorted during the visits by a member of the custody suite staff.
- 7.15 Police staff will advise custody visitors if there are any specific health and safety risks custody visitors may face e.g. coming into contact with detainees or cells exposed to CAPTOR spray, and advise them accordingly at the commencement of the visit.
- 7.16 Each custody visitor will be provided with a generic risk assessment for the role. A copy of this can be found in Part II Appendix 20.
- 7.17 Custody visitors who use a walking stick should position themselves slightly behind their partner and be nearest to the cell door to reduce the risk of their walking stick being taken by a detainee. This is included in the risk assessment outlined in paragraph 7.16.
- 7.18 If an independent custody visitor has an accident, or near miss while in the custody suite, an entry should be made in the accident book and reported to the Volunteer Manager. The incident should also be reported on the visit report form.
- 7.19 A protocol for the exposure to blood and body fluids is in place and is included in Part II Appendix 21.

Access to Detainees

- 7.20 Independent Custody Visitors will be allowed access to any person detained at a police station.
- 7.21 If a detainee is being interviewed, the interview will not be interrupted. If custody visitors wish to see the person later in the visit, after the interview has been completed, they may do so.
- 7.22 Juveniles, being persons aged 17 and under, may be spoken to with their own consent.
- 7.23 A protocol is in place for custody visitors to visit female detainees and this is contained in Part II Appendix 22. A protocol is in place for two male custody visitors to visit female detainees and this is contained in Part II Appendix 23.
- 7.24 In exceptional circumstances the police may judge that it is necessary for a detained person not to be seen and/or spoken to by independent custody visitors in order to avoid any possible risk of prejudicing an important investigation. **Any decision to deny visitors' access to a detained person must be taken by an officer of or above the rank of Inspector and recorded in the custody record.** The decision to deny access must be taken in each case in the light of all relevant circumstances and where either:-
- (i) after a thorough risk assessment has been carried out the officer reasonably believes that to be necessary for the visitor's safety, or

- (ii) if the officer reasonably believes that such access could interfere with the process of justice.

- 7.25 In such cases consideration should be given to allowing the visitors some limited access to the detainee such as speaking to them through the cell hatch. There must be no presumption that access should be denied to any particular category of detainee or because a decision has been made that a person should be held incommunicado.
- 7.26 A detainee is entitled to 8 hours undisturbed rest. Disturbing a detainee can lead to a new 8 hour period starting and this could lead to the time during which he/she may be detained, expiring. In such circumstances the custody visitors must be guided by the Custody Sergeant's views on whether or not a detainee can be disturbed. If the decision is not to wake the person the custody visitors may request to observe him/her through the cell hatch.
- 7.27 Any decision to deny or limit access must be recorded in the detainee's custody record (together with the relevant authorisation) and by the independent custody visitors in their report of the visit.

Category of Detainees

- 7.28 Detainees will fall into the following categories:

- PACE Detainees

These will constitute the vast majority and are held under the provisions of the Police and Criminal Evidence Act 1984.

- Home Office Prisoners

These are remanded or sentenced prisoners who would normally be held in prison.

- Immigration Detainees

These are persons held under the Immigration Act 1971 and Immigration and Asylum Act 1999 who are subject to deportation proceedings or who are waiting to be removed from the UK as illegal entrants. Detention in police cells must be reviewed by a senior immigration officer after 24 hours, 72 hours and every 24 hours thereafter up to a maximum of 5 days (120 hours).

- People at Risk

These may be persons held for their own protection under the Mental Health Act 1983.

As part of the Places of Safety Regulations 2017 within the Mental Health Act adults can only go to police custody as a place of safety under s136 in exceptional circumstances. As part of the Places of Safety Regulations 2017 within the Mental Health Act children under the age of 18 must not be taken to a police station as a place of safety under S136.

- Other Detainees

Home Office prisoners released to the police for a short period to assist with enquiries.

Detention of Juveniles and Persons who are Vulnerable

- 7.29 Special provisions apply regarding the detention of juveniles and persons who are vulnerable. A person is classified as a juvenile if they are aged 17 or under.
- 7.30 Juveniles should not be placed in cells unless there is no other secure accommodation available and it is not practicable to supervise them in any other way.
- 7.31 The Concordat for Children in Custody clarifies the roles of different agencies in providing accommodation for children. ICVA have produced a checklist which is contained at Part II Appendix 24 and provides ICVs with areas to consider when monitoring the treatment of children in custody.
- 7.32 The police have a responsibility to notify persons responsible for the juvenile's welfare, regardless of whoever else the juvenile nominates. This person is known as the 'appropriate adult'.
- 7.33 'Appropriate adult' in the case of a juvenile means:-
- the parent, guardian or, if the juvenile is in the care of a local authority or voluntary organisation, a person representing that authority or organisation
 - a social worker of a local authority
 - failing these, some other responsible adult aged 18 or over who is not:
 - an independent custody visitor
 - a police officer
 - employed by the police
 - under the direction or control of the chief officer of a police force
 - a person who provides services under contractual arrangements (but without being employed by the chief officer of a police force)
- 7.34 If at any time an officer has any reason to suspect that a person of any age may be vulnerable an 'appropriate adult' must be called
- 7.35 'Appropriate adult' in the case of vulnerable person's means:-
- a relative, guardian or other person responsible for their care or custody;
 - someone experienced in dealing with vulnerable persons
 - failing these, some other responsible adult aged 18 or over who is not:
 - an independent custody visitor
 - a police officer
 - employed by the police
 - under the direction or control of the chief officer of a police force
 - a person who provides services under contractual arrangements (but without being employed by the chief officer of a police force)
- 7.36 Independent Custody Visitors may act as an 'Appropriate Adult'. However ICV's must not switch between those roles during the course of a visit to the same custody suite and must declare if they have previously carried out either role with the same detainee. ICVs cannot perform both roles simultaneously for the same detainee.
- 7.37 Following judicial review into the provision of appropriate adults to 17 year olds, the Home Office provided revised guidance in 2013 which outlined that an appropriate adult should be provided to all 17 year olds. This may be a parent or guardian or a professional appropriate adult, depending on the 17 year old's preference. The

guidance further advises that once the 17 year old has been given an opportunity to speak to the appropriate adult, if they do not wish to have the appropriate adult present for a part or the whole of the custody process, this should be respected.

- 7.38 A Place of Safety Assessment Unit is located alongside the Bradgate Unit at Glenfield Hospital. This is the preferred Place of Safety for all Section 136 Mental Health detainees other than those persons who are violent and those in need of medical treatment or are intoxicated (who will be taken to the Leicester Royal Infirmary).

Prioritising Visits to Vulnerable Detainees

- 7.39 On arrival in the suite, ICVs are informed of the number of detainees in custody at that time. If in the view of the ICVs the suite is particularly busy, short staffed or a prolonged visit would impede the running of it, they should select a reasonable number of detainees to visit. When making the selection, ICVs should use their own judgement regarding which detainees to visit however it is suggested that the following order would be beneficial:
- (a) Where possible vulnerable detainees should be selected, unless the custody officer advises against it for safety reasons. For the purposes of the scheme, vulnerable detainees are classed as all juveniles and any adults who could be considered as vulnerable due to issues such as disability, learning difficulties and health issues (including mental health) etc. ICVA have produced a checklist which is contained at Part II Appendix 25 and provides ICVs with areas to consider when monitoring the treatment of people with poor mental health in custody.
 - (b) Dependent upon the above, after selecting vulnerable detainees, any number of other detainees may also be chosen for a visit.

Introduction to Detainees

- 7.40 Custody visitors will be escorted to the cell by a member of staff from the Custody Suite who will ascertain that it is safe for custody visitors to enter the cell of a detainee. With the member of staff remaining outside the cell, custody visitors will enter the cell and introduce themselves to the detainee. A protocol for this introduction is contained in Part II Appendix 26.
- 7.41 A prompt card outlining the words to be used in the self-introduction is contained at Part II Appendix 27.
- 7.42 At all times during the visit to the detainee the member of custody staff will remain outside the cell door.

Conversation with the Detainee

- 7.43 Detainees may only be spoken to with their consent.
- 7.44 Visits should normally be conducted in English. Translation support will be provided where necessary by the use of translation sheets or BigWord telephone interpreting service. Translation sheets are available in 17 languages at the custody suites. Following the risk assessment review custody sergeant can provide a pencil for the detainee to complete the translation sheet. If it is not safe to provide a pencil, custody visitors will be informed and they can request to communicate with the detainee using BigWord telephone interpreting service. On occasions it may be more appropriate to conduct a visit in another language spoken by the detainee, if

one of the independent custody visitors is fluent in that language. However, in such circumstances care must be taken to ensure that the other custody visitor present is kept informed about what is being said. A full list of the translation sheets are included in Part VI of the ICV Manual.

- 7.45 Discussions between detainees and independent custody visitors must normally take place in sight, but out of hearing, of the escorting officer where that is practical.
- 7.46 The conversation between the detainee and custody visitors should focus on the detainee's rights and entitlements under the Police and Criminal Evidence Act and Human Rights Act 1998 ensuring their welfare by assessing whether the conditions of detention are adequate. A full list of the rights and entitlements of all detainees is included in Part II Appendix 28. A full list of the articles of Human Rights Act 1998 is included in Part II Appendix 29.

Dealing with Issues from Conversations with the Detainee

- 7.47 Where a detainee makes a complaint or raises an issue about their general treatment or conditions at the police station, independent custody visitors must, (*subject to the detainee's consent*), take this up as soon as possible with the custody sergeant, or custody staff, in order to seek a resolution.
- 7.48 If a detainee wishes to make an official complaint against a police officer or member of police staff, the procedure is to record full details on the 'Complaint against Police' (BC21) form. This is then forwarded to the Professional Standards Department where it is assessed and allocated for investigation. The nature of the complaint influences whether it is dealt with by the PSD or sent for local investigation. The aim is to conduct all investigations in a timely and proportionate way during which the complainant will be updated every 28 days.
- 7.49 Independent Custody Visitors must not pass messages to or from detainees or offer to perform other tasks on their behalf. If they are asked to do so they must immediately inform the custody officer.
- 7.50 If detainees press custody visitors for advice about co-operating with the police, making a statement or anything in relation to their defence, custody visitors should explain that it is not part of their role. If a detainee seeks to make admissions or otherwise discuss an alleged offence, the visitor must tell them that the relevant contents of the visit will be made known to the custody officer and may be disclosed in legal proceedings. If the detainee's concerns are linked to not yet having received legal advice that is something the visitors should take up with the escorting or custody officer.
- 7.51 Any immediate concerns about the treatment of particular individuals must be passed on to those in a position to take corrective action. If a detainee indicates that they may harm themselves or any other person, this must immediately be brought to the attention of custody staff.
- 7.52 If an independent custody visitor realises they know or are known by a detainee, they must consider whether to withdraw from the visit. The decision will depend on the nature of the relationship and its likely effect on the visitor's impartiality.
- 7.53 Detainees must not be offered inducements by custody visitors.
- 7.54 Remand or sentenced prisoners held in police stations who seek to complain about their conditions or treatment in prison where they are serving their sentence should

be advised that independent custody visitors cannot involve themselves in such matters.

Complaints of Police Misconduct made by the Detainee

- 7.55 If a detainee makes a complaint of misconduct by a specific police officer or detention officer, they must be advised to address it to the Custody Inspector in charge of the police station. With the detainee's consent, it may be appropriate for visitors to notify the Custody Inspector that the detainee wishes to make a complaint.
- 7.56 Visitors can remind the detainee that they can seek legal advice in relation to the complaint or ask to see a doctor if an alleged assault is involved. Such complaints must be dealt with through formal procedures which are laid down and there is no broader role for custody visitors who must not involve themselves in individual cases or make representations on the detainee's behalf.

Access to Custody Records

- 7.57 Each detainee's details are recorded on a custody record, which is a legal document that can be used in court as evidence. Custody records are held electronically on a system known as NICHE. A protocol is in place for viewing electronic custody records and this is included in Part II Appendix 30. Independent Custody Visitors may not view the front sheet of the custody record as this contains personal details as well as details of the offence. Independent custody visitors will not be required to sign the custody record to confirm they have viewed it.
- 7.58 It is necessary to obtain the permission of the detainee to view their custody record. If permission is given, the custody visitor should check that the information provided by the detainee about their detention accords with what is recorded on the custody record. Discrepancies should be raised with custody staff and noted on the visit report form.
- 7.59 If the detained person is, for whatever reason, incapable of deciding whether to allow access to their custody record the presumption must be in favour of allowing the custody visitor to examine it. This also applies to detainees who are asleep and those who have been admitted to hospital.
- 7.60 Custody Visitors have no right to see other documents concerning the detainee; (e.g. their medical records), however they can see the level of risk assessment for the detainee as well as the custody record.
- 7.61 Specific points to look for when reading custody records are:-
- whether entitlements under PACE have been given and signed for;
 - that medication, diet, injuries and medical examinations are recorded;
 - that procedures to assess special risks/vulnerabilities presented by the detainee have been properly recorded;
 - the timing and frequency of cell inspections of inebriated or otherwise vulnerable detainees;
 - the timing of Inspectors' and senior officers' reviews of the continuing need for detention.

- 7.62 The custody visit itself will be recorded on the custody records of detainees. The names of the custody visitors will not be included.
- 7.63 Any printed pages of custody records provided to independent custody visitors must not, under any circumstances, be removed from the custody suite.

Confidentiality

- 7.64 Report forms include an undertaking not to reveal the names of persons visited or other confidential information obtained in the course of a visit. Breach of this undertaking may make a visitor liable to civil proceedings by the detained person concerned. Independent custody visitors also need to be aware that the unauthorised disclosure of facts concerning police operations or the security of police stations may constitute an offence under section 5 of the Official Secrets Act 1989.
- 7.65 Conversations between independent custody visitors and detainees are private but not privileged and it would be open to a court to issue a witness summons requiring the attendance of a custody visitor to give oral evidence or produce documents such as a report of a particular visit. In such a case the report of the visit would be produced by the OPCC who hold all such records. Custody visitors are under no obligation to give evidence other than in response to a court order, but would be obliged to respond to such an order.

Reporting Process and Forms

- 7.66 At the end of each visit, and while they are still at the police station, independent custody visitors must complete the custody visit report form with their findings. A copy of the report form is contained in Part II Appendix 31. Custody staff should not be present while visitors discuss and complete reports and wherever possible they should be able to use a private area for this purpose. Details must include both specific matters (which may already have been brought to the attention of police officers/staff) and more general issues relating to custody conditions or procedures. All reports must be completed in English even if the visit has been conducted in another language.
- 7.67 If independent custody visitors have issues of concern of a serious nature regarding the state of the custody suite or the attitude or behaviour of officers or staff they should contact the Custody Inspector prior to the conclusion of the visit.
- 7.68 The top white copy of the report should be forwarded to the OPCC, the second yellow copy should be provided to the Custody Sergeant and the third pink copy should be retained by an ICV until the Co-ordinator informs the team that the white copy has been received and logged by the OPCC. Any issues raised on the form will be reported to the Co-ordinator's meeting where a response will be provided by the Chief Inspector, Criminal Justice. Identifying trends emerging from visits will also be addressed at this time.

Feedback

- 7.69 Immediate practical issues relating to the detainee will be addressed at the time of the visit in conversation between the custody visitors and custody staff. Responses to issues raised will be included on the report form.
- 7.70 Trends relating to the timing of visits and the issues raised from report forms will be reported to the quarterly Co-ordinators meetings. Custody Inspector will respond to any issues which were not dealt with at the time of the visit.

7.71 Any issues raised, which in the opinion of the Volunteer Manager are of a more serious nature, will be brought to the attention of the Assistant Chief Constable who is the portfolio holder for Criminal Justice. Feedback will be provided directly to the custody visitors concerned with a copy of the response being forwarded to the Co-ordinator.

8. Role and Responsibilities of Personnel in the Custody Suite

- 8.1 Each of the three primary Custody Suites is staffed by a number of trained Custody Sergeants; known as the Custody Officer. Occasionally, non-dedicated Sergeants trained in this area of work are called upon to perform the role of Custody Officer.
- 8.2 The role of the Custody Officer is directed by the Police and Criminal Evidence Act 1984 (PACE) – Code C. A copy of the code is contained in Part V of the Manual. In brief, the Custody Officer is responsible for the welfare of all detained persons in their care and for the expeditious dealings of all matters that relate to their detention.
- 8.3 A custody record must be opened for every person arrested and detained in police custody. All dealings relating to the detained person must be recorded on the custody record (unless specified in the PACE Codes of Practice).
- 8.4 All of the three primary Custody Suites are also staffed by Custody Detention Officers (CDOs). These are civilian support staff employed to assist the Custody Sergeant in carrying out the duties and activities relating to detained persons. They take the primary role in dealing with the physical needs of the detained person and in maintaining a well ordered Custody Suite. Senior Custody Detention Officers are also in place and they have the additional duties to manage daily health and safety checks, weekly audit and health and safety risk assessments, chase up repair works, ensure there are sufficient provisions within the custody suite, amend duties and identify training gaps that are identified for individual Custody Detention Officers.
- 8.5 Other officers who may be in the Custody Suite include Custody Site Managers. These are Police Inspectors with overall responsibility for the management of Custody Suites.
- 8.6 Other persons who may be present in the Custody Suite are nurses, forensic physicians, solicitors and legal representatives, arrest referral workers, appropriate adults, care or social workers, parents and drug testing staff.
- 8.7 Patrol and resolution team Inspectors are on duty 24 hours of the day to provide a tier of supervision to operational policing. This includes specific areas of responsibility in the Custody Suite; mainly to undertake reviews of detention of detained persons, in accordance with PACE.

9. Other Issues in the Custody Suite

Staffing Levels

- 9.1 The East Midlands Criminal Justice Service Command Team are responsible for ensuring staffing levels, shift patterns and support services in each suite are fit for purpose. If custody visitors are concerned about staffing levels this should be recorded on the visit report form.

Medical Issues

- 9.2 Independent custody visitors have no right to see the detainee's medical records. However, key points relevant to medical treatment should be recorded in the custody record. Visitors will wish to pay particular attention to detained persons who appear to be suffering from any form of illness, injury or disability. They should satisfy themselves that, if appropriate, medical advice has been obtained, establish from the custody officer what instructions for medical treatment have been given and confirm by consulting the custody record that these instructions have been carried out.

Female Hygiene Packs

- 9.3 Female hygiene packs should be available in all custody suites. Independent custody visitors should enquire that supplies are available during their visit and female detainees have had the opportunity to speak to their assigned female officer or staff.

Deaths in Custody

- 9.4 Where there is a death in police custody consideration will be given by Leicestershire Police as to whether a custody visit would be helpful in terms of informing and reassuring the local community. If this is deemed to be the case the OPCC will be informed as soon as possible. Any visit following a death in custody or some other major incident should not be allowed to interfere with any relevant investigation which may be taking place. There may be circumstances in which the senior investigating officer dealing with such an incident needs to refuse or restrict access to particular areas. Advice from Independent Office for Police Conduct (IOPC) on Deaths in Custody can be found in Part II Appendix 32.
- 9.5 In the course of an investigation into a death in police custody, custody visitors who may have recently visited the suite may be interviewed and/or asked to provide a statement. Records of custody visits may also be examined and possibly used in evidence.
- 9.6 Custody visitors may also be invited to visit the custody suite at such times when it is perceived that such a visit could assist in defusing any community tension which may be present.

Access to a Solicitor

- 9.7 Any person arrested and held in custody in a police station or other premises may, at any time, consult and communicate privately, whether in person, in writing or on the telephone with a solicitor.
- 9.8 The person may choose their own solicitor or a 'duty' solicitor.
- 9.9 Where a person has been permitted to consult a solicitor, and the solicitor is available at the time the interview begins or is in progress, he/she must be allowed to have the solicitor present whilst being interviewed.

Smoking

- 9.10 Leicestershire Police is a totally non-smoking organisation. No person will be allowed to smoke in any part of the Custody Suite. This includes detainees, custody staff and visitors to the suite.

Access to a Telephone

- 9.11 Detained persons may be allowed to make personal telephone calls but this is at the discretion of the Custody Sergeant. Custody visitors who may have a mobile phone in their possession at the time of the visit must not allow the detainee to use their mobile to make any call.

Meals and Sleep

- 9.12 All detainees are entitled to food which is wholesome, nutritious and well prepared. Special arrangements should be made to cater for special dietary or religious needs. At least two light meals and one main meal shall be offered in any period of 24 hours however all cutlery should be removed from cells immediately after use to prevent self harm. These meals will be offered at recognised meal times, although in exceptional circumstances food may be offered at other times. All meal times are dependent upon the exigencies of duty at the time so may vary slightly.
- 9.13 Cells in use should be adequately heated, cleaned and ventilated. They must be adequately lit and blankets and mattresses should be of a reasonable standard. Access to toilet and washing facilities must be provided.
- 9.14 Brief outdoor exercise shall be offered daily, if practicable. Non-English speaking detainees should be spoken to daily by custody staff via BigWord to ensure all their welfare needs are being met.

Handover Times

- 9.15 Staff handover times take place at the following times:

0700 hours – Sergeants and Detention Officers
1500 hours – Sergeants
1900 hours – Detention Officers
2200 hours – Sergeants

Chute Waiting Times

- 9.16 The chute is a holding area where detainees are placed on arrival and while waiting to be booked into the custody suite.

Reading Material

- 9.17 Detainees can request reading material during their time in custody. Any such material provided should have all staples removed.

10. Miscellaneous

Authorised Professional Practice (APP)

- 10.1 The College of Policing authorises APP as the official source of professional practice on policing including a section on detention and custody. This is contained in the College of Policing website <https://www.app.college.police.uk/detention-and-custody-index/>

Effective working relationships

10.2 For independent custody visiting to be effective it is essential that independent custody visitors and police staff develop and maintain professional working relationships based on mutual respect and understanding of each others' legitimate roles. Such relationships can only exist where there is politeness and consideration on both sides. There is behaviour which has the potential to create tension and conflict. On the Custody Visitor side, problems may arise from:-

- Failing to appreciate police priorities
- Criticising officers in reports without bringing that criticism directly to their notice
- Adopting an overly adversarial approach by concentrating on finding fault
- Criticising police action or questioning their judgement in areas outside the visitor's remit
- Offering inducements to the detainee

10.3 On the police side, problems may arise from:-

- Failing to recognise independent custody visitors' status and their responsibilities
- Demeaning or belittling visitors
- Treating visitors with indifference or disrespect
- Unreasonably delaying or limiting access to custody areas
- Being unhelpful or obstructive during the course of a visit.

CCTV

10.12 Custody visitors will not have access to CCTV footage but can ask the Custody officer to demonstrate that the CCTV equipment is in working order.

Role of Healthcare Professionals

10.14 Detainees must have access to medical support. The custody officer retains overall responsibility for the safety and welfare of detainees in custody and should consider advice offered by Health Care Professionals. When a person appears to be suffering from an illness or injury, the Custody Officer must immediately call a Force Medical Practitioner. This could be either a doctor or nurse. This applies even if the person makes no request for medical attention.

10.15 Medical services to detainees in police custody are provided by an external supplier. The contract includes the requirement for 95% compliance within an overall response time of 60 minutes against all service levels. The response times for all categories is contained in Part II Appendix 33.

10.16 Within custody suites all detainees can access a mental health assessment by a mental health practitioner from the liaison and diversion team. A team of nurses, and a nurse manager, are based at Euston Street Custody Suite to provide support to forensic physicians and an enhanced care regime to detainees.

10.17 Custody visitors should pay particular attention to detained persons who appear to be suffering from any form of illness, injury or disability.

11. Expense Claims

11.1 Travelling expenses, including car park charges where appropriate, can be claimed by custody visitors for all visits and attendance at team meetings and training sessions. The allowances are aligned to HM Revenue and Customs rates. Claims should be submitted on form E18 on a monthly basis, or within a 2 month period of the expense being incurred, direct to the OPCC. Claims submitted outside of this timescale may not be reimbursed. Allowances paid are as follows:-

Car/Van	45p per mile
Motorcycle	24p per mile
Bicycle	20p per mile
Carrying extra passenger	5p per mile

11.2 Reimbursement of taxi fares will be paid in certain justifiable circumstances e.g. volunteers requiring particular accessible transport or when limited public transport is available for volunteers attending meetings/training during unsocial hours.

12. Data Protection Act 2018, General Data Protection Regulations (GDPR)

12.1 The PCC has published a privacy notice which is documented on the PCC's website. There may be changes to the Privacy Notice from time to time and a copy of the Privacy Notice is contained in Part II Appendix 34. If there are changes that affect the way the scheme handles personal data of custody visitors, the Volunteer Manager will contact custody visitors directly.

13. Motor Insurance

13.1 If using their own motor vehicle to undertake custody visits, custody visitors must ensure their insurance cover for the use of their vehicle for this purpose is covered within the policy.

14. Insurance

14.1 Personal accident insurance for Independent Custody Visitors is covered by a policy with AON UK Limited insurance. There is no upper age limit but cover is restricted for persons aged 75 years or over to:-

- Death, loss of limb(s), eye(s) - maximum benefit amount of £100,000.
- Permanent disabling injuries – limitations apply
- Injury – limitations apply

14.2 Independent custody visitors are insured in the event of any civil claims being made against them.

15. Equality and Diversity Statement

15.1 The PCC is firmly committed to promoting equality of opportunity for all local people and communities. It aims to ensure that in its organisational structures, decision-making processes, ways of working, communicating and managing, diversity is welcomed and embraced.

15.2 The OPCC shall treat all individuals, regardless of age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation with dignity and respect. It shall provide a working environment which is free from harassment, bullying, victimisation or discrimination

and in all our contacts with members of the community the principles of respect, dignity and fairness will be upheld.

15.3 Staff and volunteers of the OPCC will demonstrate their commitment to this statement by ensuring that all policies and procedures reflect these aims and by challenging any behaviour which fails to uphold these principles.

15.4 The OPCC extends this commitment to cover all aspects of diversity.

16. Memorandum of Understanding for Custody Visitors

16.1 A memorandum of understanding is in place which reflects the hopes and intentions of the volunteer and the PCC and is not contractually binding in any way on either party.

16.2 Custody visitors are expected to abide by a memorandum of understanding, which is as follows:-

- (a) maintain high standards of personal conduct, integrity and appearance;
- (b) arrange custody visits with fellow custody visitors, in line with agreed rosters;
- (c) keep the Volunteer Manager, Co-ordinator and fellow custody visitors informed of any problems with rostered custody visits;
- (d) carry out custody visits to designated police stations in line with the Scheme guidelines with at least one visit per year being undertaken after 8pm on a Saturday and Sunday;
- (e) produce their ID card at the start of a custody visit;
- (f) check on the conditions in which a detainee is kept, their health and wellbeing and their legal rights and entitlements, with reference to PACE;
- (g) consult, where appropriate, the detainee's custody record to clarify and check concerns raised by the detainee;
- (h) discuss with the custody officer any concerns and requests arising from the custody visit, and to bring to the custody officer and Volunteer Manager's attention any issue that needs to be dealt with;
- (i) complete the Independent Custody Visitor Report form, ensuring that all relevant information is recorded correctly, clearly and concisely;
- (j) maintain confidentiality and impartiality in relation to all parties involved in the Independent Custody Visiting process;
- (k) make informed judgements in which the community can have confidence and which the police will accept as fair criticism when it is justified;
- (l) complete and submit expense claims in line with the Scheme guidelines;
- (m) attend ongoing training sessions;
- (n) attend at least two quarterly team meetings of Independent Custody Visitors annually;

- (o) carry out the duties of an Independent Custody Visitor with regard to the Health and Safety requirements of the Custody Visiting Scheme;
- (p) carry out the duties of an Independent Custody Visitor with regard to Equality and Diversity;
- (q) carry out the duties of an Independent Custody Visitor as set out in the Scheme guidelines;
- (r) maintain effective working relationships with police staff as set out in the Scheme's guidelines;
- (s) complete a six-month probationary period and attend all induction training;
- (t) attend at least one advanced training course within each 3 year period;
- (u) inform the OPCC when withdrawing from the role.

16.3 In return, the PCC will:

- (a) ensure that custody visitors are properly supported in performance of their role;
- (b) pay close regard to Home Office/Independent Custody Visiting Association (ICVA) guidelines and best practice;
- (c) keep custody visitors informed of developments in Independent Custody Visiting both locally and nationally;
- (d) ensure where necessary that any issues/concerns arising from custody visits are dealt with by Leicestershire Police and reported back;
- (e) provide a visiting rota and updated contact details for the team as necessary;
- (f) provide ongoing training sessions;
- (g) process expense claims in a timely and efficient manner;
- (h) have regard to the Scheme's guidelines in respect of the process for dealing with complaints made against custody visitors;
- (i) have regard to the Scheme's guidelines in respect of the process for removing custody visitors from the Leicestershire Scheme;
- (j) provide each Custody Visitor with a Custody Visitors' Handbook, relevant to the Leicestershire Scheme;
- (k) provide identification cards to each visitor;
- (l) hold regular meetings with Co-ordinators to report back on issues raised and to further the development of the Scheme;
- (m) issue a monthly e-newsletter to all visitors informing them of recent developments.



Leicestershire Office of the Police & Crime Commissioner
Appendices to ICV Handbook

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**LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER
OFFICER CONTACT DETAILS**

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NISH PADHIAR Executive Manager Oversees the operation of the scheme	Tel: 0116 229 8703 Email: Nimisha.padhiar@leics.pcc.pnn.gov.uk
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**LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER****INDEPENDENT CUSTODY VISITOR****ROLE DESCRIPTION**

1. To check on the conditions in which detainees are kept, their health and well-being and that they are receiving their rights and entitlements, with reference to the Police and Criminal Evidence Act 1984 (PACE).
2. To carry out the duties of an Independent Custody Visitor, including visits, in accordance with the scheme's guidelines, training provided and Home Office Code of Practice for Independent Custody Visiting (March 2013).
3. To arrange visits to designated custody suites with fellow Custody Visitors during allotted periods and/or in accordance with the agreed roster.
4. To undertake weekend and late night visits to designated custody suites as appropriate
5. To advise the Co-ordinator or the OPCC if there is no appointed Co-ordinator, and fellow Custody Visitors of any problems with rostered/planned visits. If required, make arrangements for another Visitor to substitute as necessary.
6. To check on the conditions in which detainees are kept, their health and well-being and that they are receiving their rights and entitlements
7. Where appropriate, consult detainees custody records to clarify and check any concerns they have raised.
8. To discuss with the Custody Officer any concerns and requests arising from the custody visits, and bring to the Custody Officers attention any issues that need to be dealt with.
9. To complete the Independent Custody Visiting Record Form ensuring that all relevant information is recorded correctly, clearly and concisely and that the copies of the form are sent to the appropriate departments.
10. To maintain confidentiality at all times.
11. To remain up to date with matters relating to custody by attending initial and ongoing training sessions. To attend an Annual Regional Advanced Training Day (minimum of one in each 3 year term).
12. To attend at least two team meetings each year. Adherence to the minimum requirements for training and team meetings is expected. Unless there are exceptional circumstances for non-attendance
13. To complete and submit expense claims in accordance with the scheme guidelines.
14. To carry out the duties of an Independent Custody Visitor with regard to the Health and Safety requirements of the scheme.

**LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER****ICV CO-ORDINATOR****ROLE DESCRIPTION**

1. To ensure the smooth running of the custody visits.
2. To prepare an agreed roster for custody visits across three custody suites.
3. To contact custody visitors as required to ensure rostered visits are arranged and to be available to ICVs and able to take remedial action to ensure all visits are covered.
4. To provide an updated visit gaps chart to relevant team members to encourage a wider variety of visit cover.
5. To bring to the attention of the OPCC any problems arising from the roster, including missed custody visits.
6. To ensure all issues arising from custody visits are reported to the OPCC and to discuss these with the OPCC and/or the custody manager as appropriate.
7. To identify any training needs, either for individuals or the team as a whole, and bring these to the attention of the OPCC.
8. To informally address any performance issues at the time they arise.
9. To ensure that new custody visitors are welcomed and supported by the group and have the opportunity to visit all three suites at a variety of times.
10. To provide feedback on performance and complete a review form for each custody visitor within the group.
11. To organise introductory visits as appropriate with new ICVs and undertake visits as appropriate for training purposes.
12. To attend quarterly Co-ordinators' meeting with representatives of the OPCC and Leicestershire Police.
13. To chair quarterly team meetings and ensure agendas and papers are prepared beforehand and that minutes are issued within 4 weeks of the date of the meeting.
14. To establish a working relationship with relevant Custody Managers.
15. To liaise with the Deputy Co-ordinators regarding issues relating to the team.
16. To arrange representation from a deputy at quarterly Co-ordinators' meeting if unavailable.
17. To provide feedback on any consultation documents received from the OPCC and to give input to any proposed amendments.
18. To undertake observed custody visits with ICVs undergoing their three-year review process and to complete the appropriate feedback pro-forma to inform the review process.

**LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER****ICV DEPUTY CO-ORDINATOR****ROLE DESCRIPTION**

In the absence of the Co-ordinator:-

1. To ensure the smooth running of the custody visits.
2. To prepare an agreed roster for custody visiting across three custody suites.
3. To contact custody visitors as required to ensure rostered visits are arranged and to be available to ICV's and able to take remedial action to ensure all visits are covered.
4. To provide an updated visit gaps chart to team members to encourage a wider variety of visit cover.
5. To bring to the attention of the OPCC any problems arising from the roster, including missed custody visits.
6. To ensure all issues arising from custody visits are reported to the OPCC and to discuss these with the OPCC and/or the custody manager as appropriate.
7. To identify any training needs, either for individuals or the team as a whole, and bring these to the attention of the OPCC.

At all times:-

8. To ensure that new custody visitors are welcomed and supported by the group and have the opportunity to visit all three suites at a variety of times.
9. To provide feedback on performance and complete a review form for each custody visitor within the group.
10. To make introductory visits as appropriate with new ICV's and undertake visits as appropriate for training purposes.
11. To attend quarterly Co-ordinators' meeting with representatives of the OPCC and Leicestershire Police.
12. To attend and minute quarterly team meetings and to support the Co-ordinator in the planning and arrangements for such meetings.
13. To establish a working relationship with the relevant Custody Manager.
14. To liaise with the Co-ordinator regarding issues relating to the team.
15. To undertake such delegated duties as are agreed between the Co-ordinator and Deputy Co-ordinator.
16. To undertake observed custody visits with ICV's undergoing their three-year review process and to complete the appropriate feedback pro forma to inform the review process.



LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER

ICV TEAM MEETINGS - TERMS OF REFERENCE

Quarterly meetings for the ICV team between the Co-ordinator, Deputy Co-ordinators, ICV Team members and a representative from Leicestershire Police (who will be a nominated Custody Manager) should take place:

- For ICVs to raise any issues or concerns relating to their role.
- For the Co-ordinator to provide an update on changes in legislation, procedures or guidelines.
- To share best practice identified at Co-ordinators' meeting.
- To consult on new ICV policies and/or procedures.
- To receive feedback on issues identified at visits
- To provide feedback from the team to Co-ordinators' meeting.
- To review the team rota to ensure visiting targets are achieved.
- To undertake further training exercises when appropriate.
- For ICVs and the Co-ordinator to address issues with the Custody Manager.
- For the Custody Manager to update on custody suite activities.
- To network with team members.

Working arrangements:-

- The meeting will be chaired by the ICV Co-ordinator
- The Co-ordinator and Volunteer Manager will draft the agenda for ICV team meeting 2 weeks in advance at ICV Co-ordinators meeting
- The Co-ordinator will distribute papers 5 days before the meeting
- The meeting will generally take place at Police Headquarters
- Minutes of the meeting will be prepared by one of the Deputy Co-ordinators
- Minutes will be distributed within 4 weeks of the date of the meeting

Attendees:

Co-ordinator
Deputy Co-ordinators
ICV Team Members
Volunteer Manager, OPCC
Custody Manager (PACE Inspector with responsibility for Custody Suites)

**LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER****MEETING WITH ICV CO-ORDINATORS & FORCE REPRESENTATIVES****TERMS OF REFERENCE**

Quarterly meetings between the OPCC, the Co-ordinator, the Deputy Co-ordinators and the Custody Inspector will take place to:

- Agree and monitor the frequency with which visits are undertaken.
- Provide feedback from Leicestershire Police on issues raised from visits.
- Review the number of visitors available in the Scheme.
- Provide the Co-ordinator and Deputies the opportunity to raise any issue with the OPCC, or Leicestershire Police, and provide feedback from team meetings.
- Provide the opportunity for discussions on future development of the Scheme.
- Receive updates from Leicestershire Police on any developments within custody.
- Receive updates on the developments and recommendations relating to all custody issues.

Working arrangements:-

- Meeting will be chaired by Volunteer Manager
- Agenda will be drafted 2 weeks prior to meeting date and distributed to those preparing reports
- The Volunteer Manager will distribute papers 5 days before the meeting
- The meeting will generally take place at Police Headquarters
- The Co-ordinator and Volunteer Manager will draft the agenda for ICV team meeting at ICV Co-ordinators meeting
- Minutes will be drafted and distributed within 4 weeks of the date of the meeting

Attendees:

Volunteer Manager, OPCC
Co-ordinator
Deputy Co-ordinators
Chief Inspector, Criminal Justice
Custody Manager (PACE Inspector with responsibility for Custody Suites)



LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER

REGIONAL CUSTODY VISITING SCHEME ADMINISTRATORS NETWORK

TERMS OF REFERENCE

Background

1. Under Section 51 to the Police Reform Act 2002, as amended by Section 117 of the Coroners and Justice Act 2009 and paragraph 299 of Schedule 16 to the Police Reform and Social Responsibility Act 2011, Police & Crime Commissioners' are required to make arrangements for detainees to be visited by persons appointed under the arrangements ("independent custody visitors") and to keep those arrangements under review and from time to time revise them as they see fit.
2. The Association of Police & Crime Commissioners' (APCC) has established a network of collaborating Police & Crime Commissioners and the Independent Custody Visiting Association (ICVA) has wherever possible encouraged regional working to look at particular areas of development and training needs.

Membership

3. The East Midlands Regional Custody Visiting Scheme Administrators Network ("the Network") is available to all Police & Crime Commissioners' Officers in the East Midlands region who have a responsibility for the maintenance and operation of an efficient and effective scheme for the independent inspection of custody facilities and the welfare of detained persons.

Meetings

4. The Network will meet 4 times a year (on a quarterly basis) around the region.
5. The chairmanship of Network meetings will alternate around the region.

Aims

6. The Network will focus on exchanging information, sharing good practice, identifying areas for mutual collaboration, discussing latest national and regional issues, identifying potential savings and offering practical solutions to custody visiting related matters.
7. The Network will also act as an informal forum to share professional practice and experiences (both positive and negative).

8. The Network will make links, where necessary, with national and regional partners including the ICVA, Home Office and APCC.

Administration

9. The responsibility for hosting a Network meeting will alternate around the region.
10. The host member will be responsible for compiling the agenda, producing draft minutes of the meeting and updating the Action Plan.

ICVA National Expert Forum (NEF)

11. Regional representation on the ICVA National Expert Forum will alternate around the region.
12. Representatives will be appointed for a period of one year

Commencement of these Terms of Reference

13. These Terms of Reference came into effect on 16 April 2013 on the decision of the Regional Custody Visiting Scheme Administrators Network meeting held on 16 April 2013. They replace all previous Terms of Reference.



LEICESTERSHIRE INDEPENDENT CUSTODY VISITING SCHEME

ICV REVIEW PROCESS – OBSERVED CUSTODY VISIT

6 MONTHS AND THREE YEARLY REVIEW FORM FOR CO-ORDINATORS TO

COMPLETE



Name of ICV:	Name of Co-Ordinator/Deputy:
Date and Time of visit:	Suite:

1) Was the visitor confident with the self-introduction:

Yes Mostly Not entirely No

2) Was the visitor confident with the visit process and covered all aspects of rights and entitlements

Yes Mostly Not entirely No

3) Was the visitor able and confident to take the lead in speaking with detainees:

Yes Mostly Not entirely No

4) Did the visitor ask the detainee the appropriate questions:

Yes Mostly Not entirely No

5) Was the visitor confident and able to check and report on conditions in which detainees are kept, such as condition of cells, exercise yard, washing facilities, kitchen:

Yes Mostly Not entirely No

6) Was the visitor confident in correctly filling in the visit report form:

Yes Mostly Not entirely No

7) Was the visitor confident in viewing custody records:

Yes Mostly Not entirely No

Please provide comments on any of the above, particularly where the answer is 'no'

Please comment on areas in which the ICV did well:

Please comment on areas where there is room for improvement:

Please suggest any training or specific development this ICV could benefit from:

General Comments from ICV and Observer:

Signed (Observer) Signed (ICV)

_____ _____



LEICESTERSHIRE INDEPENDENT CUSTODY VISITING SCHEME

THREE YEARLY REVIEW FORM FOR CO-ORDINATORS TO

COMPLETE

NAME:

DATE OF APPOINTMENT:

REVIEW DATE:

All Custody Visitors are appointed on a 3-year rolling appointment. At the end of every 3-year period, from the initial date of appointment, a Custody Visitor’s record will be examined and the Co-ordinator will be asked to provide feedback on performance. The key factors in renewing appointments for further periods will be the continuing ability and willingness of the individual involved to do the job effectively.

In the last three years:

1.	Has the ICV demonstrated knowledge of the visiting process? If not, what areas require further training?
2.	Has the ICV demonstrated flexibility for covering visits within a variety of time slots?
3.	Have there been occasions when the ICV has been unable to carry out a rostered visit? What action have they taken to cover the visit?
4.	Does the ICV display good communication skills when interacting with detainees and custody staff?
5.	Has the ICV built good relationships with yourself as Co-ordinator and other team members? Have there been any problems in this area?



6.	Have you had to provide constructive advice or criticism to the ICV? If so, how has this been received by the ICV?
7.	Has the ICV attended at least two team meetings per year and has the ICV contributed to team meetings?
8.	Do you feel the ICV displays the necessary ability and commitment required to carry out the role effectively?

Training attended in the last three years: To be provided by OPCC.

If you would like to give any further comments, please do so in the section below:

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Co-ordinator's Signature Date

**Please return this form to the Office of the Police & Crime Commissioner,
Police Headquarters, St Johns, Enderby, Leicester LE19 2BX**

FOR OFFICE USE ONLY

Outcome of Review Process

Comments:

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Signed **Executive Director**





**LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER
INDEPENDENT CUSTODY VISITOR SCHEME
ONE TO ONE DISCUSSION FORM**

Name of Volunteer:
Time and Date of Meeting:
Venue of Meeting:
1. Attendance in last twelve months: (a) Custody Visits and Time Slots covered: _____ (b) Team Meetings _____ (c) Training Sessions _____
2. Are you finding your role as an ICV rewarding?

3. Are there any aspects of the role you find particularly frustrating, difficult or not rewarding? How could these be improved/prevented?

4. How do you feel about your current commitments to the scheme? Are you making enough visits to keep you involved or are the number of visits you are required to do encroaching too much on your time?

5. Do you think you are sufficiently supported by your Co-ordinator/Deputy Co-ordinator/team members/the OPCC?

6. Do you enjoy team meetings and do you feel able to contribute to the discussion?

7. Have there been any situations whilst in your ICV role where you have felt unprepared? How did you cope? Is there any training that could have been provided earlier to help with such a situation?

8. Has the training provided to date been at the right level? Did you feel well prepared to do the role following the training?

9. Is there any support or training which can be provided to help you to develop your role?

10. Is there anything about the ICV Scheme that you feel could be improved?

11. Are you regularly claiming for out of pocket expenses that you incur as a volunteer for the Police and Crime Commissioner and are these expense claims paid quickly?

12. Are there any comments you would like to make or concerns you would like to raise?

We agree that the information in this form is a correct record of the discussion:

Signed (Volunteer)

Signed (Volunteer Manager)

Date



LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER

INDEPENDENT CUSTODY VISITING SCHEME

EXIT PROCESS

Custody Visitors who resign from the Scheme are provided with the opportunity to meet with the Volunteer Manager for an ‘exit interview’ to discuss their reasons for leaving, any issues they would like to raise from their time in the Scheme, and to offer suggestions for any improvements which they feel could be made.

Custody visitors will be asked to contact the OPCC to arrange a mutually convenient time for this interview to take place. If necessary the interview can be at the custody visitor’s home address.

During the interview the form below, (Interview Exit Form) will be completed.

If custody visitors do not wish to attend for interview they can complete the form themselves and return it to the OPCC.

The reasons for leaving the Scheme will be reported, anonymously, to the Police and Crime Commissioner.

Any issues raised for further development will be reported to the Co-ordinators’ meeting for discussion and for agreement on any future changes to the Scheme.

LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER

INDEPENDENT CUSTODY VISITING SCHEME

EXIT INTERVIEW FORM

The purpose of this form is to identify any underlying reasons for Independent Custody Visitors leaving the Scheme and to help assess any necessary steps that may prevent other volunteers from leaving for similar reasons. This interview will also assist the OPCC to conduct an effective role analysis and project training need for other Independent Custody Visitors.

NAME:

DATE APPOINTED:

LEAVING DATE:

1. What is your reason for leaving?

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2. If you have accepted another volunteer role, what attracted you to it?

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3. In relation to your time as an Independent Custody Visitor, do you have any suggestions for improvement e.g. should the Role Description or Memorandum of Understanding be changed or updated?

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4. How do you feel about the Memorandum of Understanding and other conditions of appointment?

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5. How do you feel about the training you have been offered or received?

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6. What have the relationships been like between yourself, your Co-ordinator, fellow Custody Visitors and OPCC staff and could they be improved?

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7. Are there any other comments that you wish to make?

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Comments of the Volunteer Manager and any suggested future

action:.....

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SIGNATURE OF CUSTODY VISITOR:

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DATE:

SIGNATURE OF VOLUNTEER MANAGER:

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DATE:

Please note that this form should be completed during an exit interview, ideally with the Volunteer Manager and the Independent Custody Visitor. However, it is acceptable for the person to decline an interview and be given the form for self-completion.

If self completion, please return this form to the OPCC in the envelope provided.



INDEPENDENT CUSTODY VISITORS' TRAINING PLAN AND OBJECTIVES

<u>Topic</u>	<u>Mandatory or optional</u>	<u>Aim</u>	<u>Objectives</u>	<u>Delivered by/ Cost</u>	<u>Measured By</u>
Induction Training	Mandatory for new ICVs Optional as refresher training for existing ICVs	To inform newly appointed custody visitors of the background to the development of the Scheme, the National Standards and Code of Practice and how the Scheme operates in Leicestershire. To allow the new ICVs the opportunity to hear about the role from a current ICV. To use ICVA's training manual to inform new visitors about the ICV role, the role of ICVA, human rights, the process of a visit and custody records.	<ul style="list-style-type: none"> Understand the development and context of independent custody visiting. Understand local procedures, documents and forms. Completion of custody forms. Hear the experiences of a current ICV Understand the responsibilities of the role and the details of the role such as the rota. Be aware of the National Standards and Code of Practice under which the Scheme operates. Have a basic understanding of the Governance Arrangements in Leicestershire. Understand the importance and role of ICVA Understand how Human Rights are crucial to the detention of individuals Understand which articles of the Human Rights Act are relevant to the role of Independent Custody Visiting Understand how detainees' Human Rights are being maintained while in Custody 	OPCC Opportunity Costs only	<ul style="list-style-type: none"> One-to-one discussions during six month reviews Evaluation Form
Code C of the Police & Criminal Evidence Act (PACE)	Mandatory for new ICVs Optional as refresher training for existing ICVs	To provide an understanding of the aspects of Code C of PACE which are relevant to the role of Independent Custody Visitor.	<ul style="list-style-type: none"> Understand the different categories of persons who can be detained in police custody. Understand the rights and entitlements of each category of detainee including juveniles, immigration and Home Office detainees. Understand the detention procedures stated in Code C. Be familiar with detention procedures including duration, reviews and authorisation. Understand the implications of non-compliance with Code C of PACE 	Custody Sergeant Opportunity Cost Only	<ul style="list-style-type: none"> Evaluation form ICV Performance discussed at one-to-one meeting Feedback from Co-ordinator

<u>Topic</u>	<u>Mandatory or optional</u>	<u>Aim</u>	<u>Objectives</u>	<u>Delivered by/ Cost</u>	<u>Measured By</u>
The role of the Custody Sergeant and Detention Officer	Mandatory for new ICVs Optional as refresher training for existing ICVs	To provide an understanding of the role of the Custody Sergeant and Custody Detention Officer	<ul style="list-style-type: none"> • Understand the roles and responsibilities of the Custody Sergeant and of other individuals in the Custody Suite • Understand the booking in procedure at custody suites • Have a basic understanding of the risk assessment carried out for each detainee. • Understand the procedures for the assessment, care and supervision of persons detained in police custody. • Understand the process following arrest • Understand the meaning of lawful arrest under Article 2 – everyone’s right to life is protected by law. Understand the Custody Officer’s responsibilities under Article 3 – no one shall be subjected to torture or inhumane or degrading treatment or punishment. 	Custody Sergeant Opportunity costs only	<ul style="list-style-type: none"> • One-to-one discussions during six months reviews • Monitoring of any issues recorded on report form • Evaluation form • Feedback from Co-ordinators
Understanding custody records	Mandatory for new ICVs Optional as refresher training for existing ICVs	To ensure ICVs fully understand the purpose of the custody record and how best to utilise it in their role	<ul style="list-style-type: none"> • Understand the reasons a custody record is held • Understand the layout and workings of the electronic custody record • Understand how different individuals view and use the record • Understand what sections ICVs are and aren’t entitled to see and why • Understand what information should be gained from the custody record and how best to find this 	Custody sergeant Opportunity Costs Only	<ul style="list-style-type: none"> • Understanding in in-session discussion and tasks • Issues in relation to custody records recorded on report form • Discussion in one-to-one meetings
Police Complaints Procedure	Mandatory for new ICVs Optional as refresher training for existing ICVs	To give a basic understanding of police complaints procedures and their application within the Custody Suite.	<ul style="list-style-type: none"> • Understand the process of how complaints against the police are dealt with. • Understand the role of the Independent Office of Police Conduct • Understand the roles and responsibilities of those involved in the complaints process within the force. • Understand the role of the Independent custody visitor in relation to detainees wishing to make a complaint about a police officer and what happens thereafter 	PSD Staff Opportunity Costs Only	<ul style="list-style-type: none"> • Evaluation forms

<u>Topic</u>	<u>Mandatory or optional</u>	<u>Aim</u>	<u>Objectives</u>	<u>Delivered by/Cost</u>	<u>Measured By</u>
Data Protection	Mandatory for new ICVs Optional as refresher training for existing ICVs	To provide an understanding and awareness of Data Protection within the Custody Suite and its application to the role of Independent Custody Visitor.	<ul style="list-style-type: none"> • Understand the Data Protection Act 2018 • Understand General Data Protection Legislation (GDPR) and consent rights for volunteers • Have an understanding of Information Management • Have an understanding of Information Security 	Leicestershire Police Data Protection Officer	<ul style="list-style-type: none"> • Evaluation Form • One-to-one discussions
Healthy and Safety	Mandatory for new ICVs Optional as refresher training for existing ICVs	To provide an understanding and awareness of health and safety within the Custody Suite and its application to the role of Independent Custody Visitor.	<ul style="list-style-type: none"> • Understand Leicestershire Police responsibilities and duties. • Understand individual responsibilities and duties. • Have a basic understanding of reporting procedures for health and safety issues – what to report including near misses and where to report it including accident books/forms. • Understand emergency fire procedures and the provision of first aid. • Have a basic understanding of the risk assessment process and how it applies to custody visitors. • Go through the generic risk assessment form and protocol for blood and bodily fluids for custody visitors. • Have an awareness of risk assessments undertaken for each custody suite. • Have an understanding of the health and safety issues to look for in the custody suite. • Have an awareness of own health and safety and that of detainees. • Have an awareness of health and safety in custody environment. 	Leicestershire Police Health and Safety Manager Opportunity Costs Only	<ul style="list-style-type: none"> • Evaluation Form • One-to-one discussions • Feedback from Co-ordinator
Diversity Training	Mandatory for new ICVs	To raise awareness of equality and diversity issues and their application to the	<ul style="list-style-type: none"> • Recognise and value individual differences. • Have an understanding of the PCC's Equality Scheme 	Head of Diversity Unit, Force	<ul style="list-style-type: none"> • Evaluation form • One-to-one discussion

	Optional as refresher for existing ICVs	role of Independent Custody Visitor.	<p>including the PCC's duties in relation to race, disability and gender.</p> <ul style="list-style-type: none"> • Have a basic understanding of the Equality Act 2010 and the general duty placed on public authorities to tackle racial discrimination, promote equality of opportunity and good relations. • Have an awareness of different cultures and the differing needs of detainees whilst in custody. 	Opportunity Costs Only	<ul style="list-style-type: none"> • Co-ordinator feedback
Mental Health Training	<p>Mandatory for new ICVs</p> <p>Optional as refresher for existing ICVs</p>	<p>To ensure ICVs have knowledge of the Mental Health Act, issues surrounding it and how this will affect the delivery of their role and to ensure ICVs can recognise individuals in custody who may display signs of mental health concerns.</p> <p>To use ICVA's bitesize training presentation</p>	<ul style="list-style-type: none"> • Understand the Mental Health Act • Understand s136 may result in individuals with mental Health issues being held in police custody • Understand what services and support should be made available to detainees with mental health difficulties • Understand and recognise the signs an individual may have mental health needs. 	<p>OPCC</p> <p>Opportunity costs only</p>	<ul style="list-style-type: none"> • Evaluation forms • One-to-one discussions
Tour of custody suite	Mandatory for new ICVs	To provide an insight into the environment of custody suites	<ul style="list-style-type: none"> • Receive a tour of the closed side of Euston Street custody suite • Familiarise with the layout of the booking-in area kitchen • Have an understanding of the facilities available for detainees at custody suites such as washing facilities, exercise yard 	<p>Custody Sergeant</p> <p>Opportunity costs only</p>	<ul style="list-style-type: none"> • Evaluation forms • One-to-one discussions
Police Protective Equipment	Optional	To give a basic understanding of the protective equipment used by police officers.	<ul style="list-style-type: none"> • Receive a demonstration on the protective equipment used by police officers. • Have a basic understanding of the equipment used and its likely physical effect on detainees. 	<p>Force Training Department</p> <p>Opportunity Costs Only</p>	<ul style="list-style-type: none"> • Evaluation forms

Office of the Police and Crime Commissioner for Leicestershire

Independent Custody Visitors' Training Plans and Objectives

1. Advanced

<u>Topic</u>	<u>Mandatory or optional</u>	<u>Aim</u>	<u>Objectives</u>	<u>Delivered by/Cost</u>	<u>Measured By</u>
Advanced Regional Training	Mandatory – once within a 3 year period	<ul style="list-style-type: none"> Look in depth at areas of Custody Visiting to provide greater knowledge and awareness within the role. To share best practice from across the region. 	<ul style="list-style-type: none"> Be able to deal with a variety of difficult situations which may arise during the course of a custody visit. Be able to interpret custody records more effectively. Understand any new legislation relating to the role of custody visitor. Reinforce National Standards and Code of Practice. 	ICVA, Officers from regional forces, external speakers Some costs incurred – shared amongst the region Estimated cost £500	<ul style="list-style-type: none"> Evaluation forms One-to-one discussions Co-Ordinator feedback

Office of the Police and Crime Commissioner for Leicestershire Police

Independent Custody Visitors' Training Plans and Objectives

2. Additional

<u>Topic</u>	<u>Mandatory or optional</u>	<u>Aim</u>	<u>Objectives</u>	<u>Delivered by/Costs</u>	<u>Measured By</u>
Unconscious Bias Training	Mandatory	To examine what bias is, how it can affect custody visiting and how to mitigate against it.	<ul style="list-style-type: none"> Consider the hidden unconscious bias within us Explore how people get stereotyped and how to break the cycle of misunderstanding Gain practical approaches to override unconscious bias and reduce its impact as part of custody visiting 	Head of Diversity Unit, Force Opportunity costs only	<ul style="list-style-type: none"> Evaluation forms One-to-one discussions
Dementia Friends Training	Mandatory	To give ICVs an insight into this condition and to recognise how it may affect detainees they may encounter in a custody suite and to provide ICVs knowledge to act as a 'dementia buddy' in wider situations.	<ul style="list-style-type: none"> Understand more about the condition and the signs and symptoms of dementia Understand the ways in which individuals can support those with dementia and how this may arise in the course of a custody visit 	Head of Diversity Unit, Force Opportunity costs only	<ul style="list-style-type: none"> Evaluation forms One-to-one discussions
Assertiveness Training	Mandatory	To provide ICVs with soft skills on how to be a skilled communicator and challenge appropriately.	<ul style="list-style-type: none"> Explain how to use a variety of interpersonal skills which include; active listening, giving feedback, fact-finding techniques, interpreting body language, assertiveness and dealing with conflict. To give a full definition of assertiveness and assertive behaviour To give some tips on how to be assertive in particular in a custody context, including assertive language tips To discuss what happens when assertiveness doesn't attain the response needed 	Learning and Development Leicestershire Police Cost to be confirmed	<ul style="list-style-type: none"> Evaluation form One-to-one discussions

Chairing Meetings Training	Mandatory for Co-ordinators	To ensure Co-ordinators understand the methods to chair productive and efficient meetings that engage the whole team and to increase the confidence of Co-Ordinators in handling meetings.	<ul style="list-style-type: none"> • Be able to chair a meeting in the most efficient and productive way possible • Be able to effectively deal with potential difficulties that may arise in a meeting • Understand how to deal with potential disagreements in a meeting. • Understand how best to set and meet objectives for a meeting 	To be sourced	<ul style="list-style-type: none"> • In session exercises and tasks • Behaviour at meetings moving forward • Outcome of future meetings • Feedback from ICVs
Police Link Officer for the Deaf Training (PLOD)	Optional	To ensure ICVs have a knowledge of the Police Link Officer for the Deaf service and how this may come into use on a visit.	<ul style="list-style-type: none"> • Understand more about those who are deaf or hard of hearing and the issues that may affect these individuals in custody • Understand do's and don'ts of communicating with those who are deaf or hard of hearing • Understand who PLOD are and what their purpose is • Understand how and when to contact PLOD in the course of a visit 	PLOD team Opportunity Costs Only	<ul style="list-style-type: none"> • In session question and answers • Evaluation form • ICV Performance
Buddy Mentoring Training	Optional	To provide ICVs the opportunity to be a 'buddy' to new members joining the scheme and to expand opportunities available to ICVs.	<ul style="list-style-type: none"> • To understand what it means to be a mentor • To have knowledge of the actions and attitude needed to support a colleague. 	Learning and Development Leicestershire Police Opportunity costs only	<ul style="list-style-type: none"> • Evaluation form • One-to-one discussions • Feedback from new ICVs



LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER

ICV BUDDY ROLE DESCRIPTION AND CRITERIA

1. To act as a 'Buddy' to newly recruited Independent Custody Visitors in order to develop their understanding and confidence in the role.
2. To remain as a buddy for the first 12 months of the new ICV's term.
3. To act in a mentoring role to the new visitor, providing advice and guidance around the role and scheme.
4. To act as a first point of contact for the new visitor should they have concerns, doubts or queries.
5. To undertake visits with the new ICV in addition to their visits with other team members, guiding them through the process and demonstrating good practice.
6. To gradually encourage and allow the new ICV to take a lead throughout these visits.
7. To help the ICV implement their training into the day to day role and visits.
8. To ensure the new ICV undertakes a variety of visits including late nights and weekends.
9. To ensure the new ICV feels appropriately supported and welcomed within the team.

Criteria to be a 'Buddy'

Volunteers wishing to be considered as a 'Buddy' must meet the following criteria:

- have completed a minimum of one 3 Year Term of Appointment
- have demonstrated a degree of flexibility and availability within their own visits
- have attended at least three out of the last four quarterly team meetings
- have attended at least one regional training event in the last 3 years
- have completed consistently high quality visit report forms



LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER

ICV BUDDY PERSON SPECIFICATION AND PROCESS TO APPLY

Effective 'Buddies' would be ICV's who:

- have a positive and patient approach;
- have demonstrated an enthusiasm for the role;
- have excellent communication skills;
- are open, approachable and willing to share their experiences;
- are willing to promote the principles of the Scheme;
- are willing to report any issues to the Co-ordinator/Deputy Co-ordinator or OPCC.
- are confident in highlighting and correcting any examples of bad practice.
- are willing to be contacted by telephone, by email and face-to face

Process to apply

1. The ICV e-newsletter will ask for 'buddies' prior to the next round of recruitment and those who wish to volunteer will come forward.
2. The ICV Co-ordinator will assess information on the training record, team meeting attendance, recent visit and quality of recent visit forms submitted by the volunteer 'buddy'.
3. The volunteer 'buddy' will be invited in to chat with the Volunteer Manager about the role and the Volunteer Manager will decide whether to appoint the volunteer as a Buddy.
4. For those not successful further training will be identified for their future development to undertake the role.

The Volunteer Manager will then assign each newly appointed ICV a 'Buddy'.

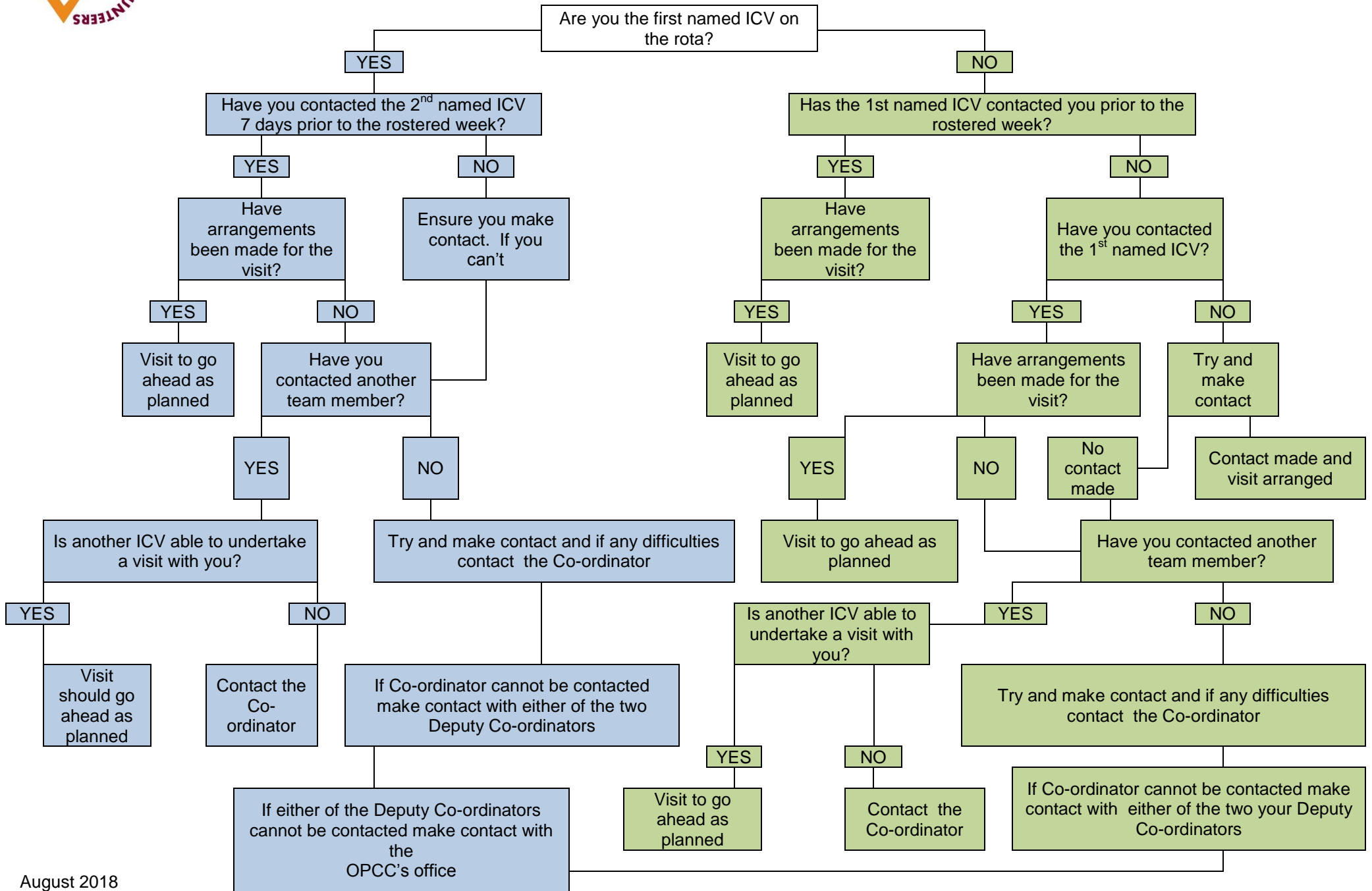
Buddy process for undertaking a custody visit with a new ICV

- 1. Arranging the meeting:** make sure you call the person to arrange the meeting, this way you get to speak to them and reassure them about where to meet. Remember they'll be a bit nervous! Tell them they won't be expected to speak to a detainee unless they feel confident to do so, as this is a first visit its ok for them to just observe and take it all in.
- 2. Arrive early:** Try to get to the venue earlier than your agreed meeting time so you are there to greet them.
- 3. Explain the process:** before you call through to the custody suite, spend a few minutes explaining what's going to happen. Reassure them that you'll take things slowly and that they can ask you anything. Tell them that you always use the time on your own watch so you know that is accurate as the suite clocks may be slow. Explain about starting the clock once custody has been made aware that you're waiting.
- 4. Suite Rules:** Once you're in the suite tell them what's happening, but keep your voices down! Tell them they can speak but not loudly. Again tell them what's going to happen next and things to look out for. Remember it's all new to them so share your observations e.g. the suite seems busy etc.
- 5. New ICV:** Tell the D/O that this is a new ICV so you'll be explaining things, this may prompt the D/O to also share info with them.
- 6. Cells:** before the door is opened to the detainee, tell them where to stand and what to do. Explain that you'll do the talking and they can watch. After speaking to the detainee, ask them what they observed and show them how you're completing the form. If the detainee is asleep tell them what to look for when they observe through the spyhole.
- 7. Kitchen and Exercise Yard:** Explain why you're checking each part of the suite and what you're looking for. Make specific reference to ligature points and say why they're a risk. Show them where on the form you write what you've done.
- 8. Custody Records:** Tell them how you are choosing which records to view. Explain what you are looking at as you read the record, point things out to them.
- 9. Complete the form:** Show them how to complete the form and explain about keeping the pink copy.
- 10. Feedback:** when you get outside ask them how they felt about the visit? What did they observe, was there anything they weren't sure about etc. Tell them that if they have further questions they can always call the coordinator or deputies or yourself (if you're comfortable with that).

Leave them feeling positive and happy!!!



LEICESTERSHIRE OPCC INDEPENDENT CUSTODY VISITING SCHEME
FLOWCHART FOR ARRANGING CUSTODY VISITS





POLICE & CRIME
COMMISSIONER
for Leicestershire

Prevention | Partnership | Protection

INDEPENDENT CUSTODY VISITOR SCHEME QUESTIONNAIRE FOR A MISSED VISIT

CUSTODY SUITE: _____

DATE OF MISSED VISIT: _____

NAME: _____

What is the MAIN reason the visit was not undertaken? *(please tick only one box)*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I forgot it was my week on the rota	I was ill and could not contact anyone	I was unable to contact my partner	I arrived at the custody suite and my partner did not turn up	I was too busy to undertake a visit

Other reason.....
.....
.....

How did you try to contact your partner? *(please tick only one box)*

Email <input type="checkbox"/>	Text <input type="checkbox"/>	Phoned mobile <input type="checkbox"/>	Phoned home number <input type="checkbox"/>
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Comments
.....
.....

If you were unable to contact your partner, how many other team members did you approach to do the visit with you?

Number

Continued overleaf

How many of these:

Were un-contactable <input type="checkbox"/>	Unable to assist <input type="checkbox"/>	Did not respond to messages <input type="checkbox"/>
--	---	--

Comments

.....

.....

Did you contact the Co-ordinator to report any difficulties?
(please tick only one box)

Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	---

Comments

.....

.....

Please provide any further comments below:

.....

.....

.....

.....

.....

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.....

.....

Please return your completed form in the enclosed pre-paid envelope.

LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER**PROTOCOL FOR CUSTODY VISITS**

1. All ICVs to be in possession of a current identification badge which includes an end date and photo.
2. On arrival at the Front desk, ICVs will introduce themselves, produce their identification badge and request that contact is made with the Custody Suite. If the Front Enquiry Office is closed, ICVs will telephone the custody suite via the yellow phones available at all suites or via the custody suite landline numbers which can be called using a mobile phone. In such circumstances ICV's will be required to provide their names and/or collar number to the call taker.
3. In order to maintain safety, clearance must be gained from custody staff that it is safe for ICVs to enter the custody suite. ICVs must not ask to be escorted to the suite without this clearance. ICVs will wait in Reception until a member of custody staff is available to collect them. Under no circumstances should ICVs make their own way to the custody suite. ICVs will make a note of their time of arrival at the Police Station and the time of arrival in the custody suite on the visit form.
4. Whenever possible ICVs will be given immediate access. If staff are unable to admit ICVs immediately due to health and safety issues, an explanation must be sought from the Custody Sergeant and recorded on the visit form.
5. Once in the custody suite, if there is a delay in custody staff being able to facilitate a visit, ICVs will be placed in a safe position to observe proceedings until a member of staff is available. Any such delay will be recorded on the visit report form. It is acceptable in some circumstances, with the agreement of the custody sergeant to check areas such as the kitchen unaccompanied while waiting for the visit to begin; otherwise ICV's shall simply wait for an available staff member to commence their visit.
6. ICVs will be given a copy of the visit report form. ICVs will complete the Date and Time of arrival at the Police Station, the Time at the Custody Suite, whether prompt access was given, Time Visit Started and Number of detainees in Custody.
7. Custody staff will complete the first five columns for each detainee ie, Cell Number, Custody Reference Number, Adult/Juvenile, Male/Female and Category (PACE, Home Office, Other).
8. ICVs will be escorted to each cell and will introduce themselves to detainees (see Protocol for Self-Introduction at Appendix 26 and Aide Memoire for Custody Visits at Appendix 19 for more information on conducting visits).
9. ICVs experiencing difficulties in communicating with a detainee due to a language barrier should use the "BigWord" telephone translation service. A three way conversation should take place with the detainee's permission and be conducted at the custody desk. ICVs using "BigWord" should ask the same questions they would usually ask of a detainee. ICVs should be aware

that any such conversations can only take place at the desk and such other visitors and staff will be in the area during the conversation.

10. Once ICVs have been escorted to all cells, they will inspect other areas of the custody suite (see the Aide Memoire at Appendix 19 for more information). Any issues will be recorded on the visit form.
11. ICVs will be assisted in viewing custody records (see Protocol for Viewing Custody Records at Appendix 30 for more information).
12. ICVs will record issues raised by detainees and complete the 'Action Taken' column.
13. ICVs will print their name and sign at the bottom of the visit form.
14. Custody staff will print their name and collar number and sign at the bottom of the visit form.
15. ICVs will record 'Time Visit Ended'.
16. ICVs will separate the three copies of the visit form ensuring that the top white copy is labelled OPCC. The yellow copy for the Custody Manager is labelled Custody Manager – Euston Street and both copies placed in the internal post tray. ICVs will take the pink copy home until the Volunteer Manager informs the ICV that the OPCC have received the white copy. The pink copy will then be shredded.
17. If ICVs have any serious concerns about what they observe or are told during the course of a visit, they must ensure the Custody Sergeant or PACE Inspector is notified at the time of the visit. They must ensure that it is recorded on the visit form and the OPCC is contacted as soon as practicable following the conclusion of the visit.
18. All ICVs and custody staff to be made aware of this Protocol.

AIDE MEMOIRE FOR CUSTODY VISITS**DETAINEES**

Given Rights and Entitlements

Access to interpreter

Access to appropriate adult if vulnerable or juvenile

Had someone informed

Legal advice

Right to custody record copy

Physical comfort

Adequate food/drink

Special dietary requirements

Offered reading material

Access to toilet/washing facilities, personal hygiene

Female detainees, access to female officer/staff

Replacement clothing

Medical attention

8 hrs rest in 24

Informed of Arrest Referral Scheme

Any other concerns?

USEFUL TELEPHONE NUMBERS

Beaumont Leys Custody Suite	0116 248 3244
Keyham Lane Custody Suite	0116 248 3544
Euston Street Custody Suite	0116 248 5744
Office of the Police & Crime Commissioner	0116 229 8980

ICVs to Check:

Prioritise visit to detainees that are vulnerable i.e. identified as such by risk assessment at booking in time. Juveniles to be considered as being vulnerable

Environment - adequate heating / ventilation / lighting / any safety or security hazards?

Cells – are they clean? Has excess crockery or food been left in the cell?

Detention rooms

Kitchens – cleanliness / whether food is in date?

Adequate bedding

Showers

Interview rooms (if not in use)

Relevant storage areas

The holding chute

CCTV – is it working?

Main reception area

Legal aid notices displayed

Any other concerns?

LEICESTERSHIRE POLICE ROLE RISK ASSESSMENT FORM

APPENDIX 20

TYPE OF RISK ASSESSMENT: **Assessment of risks posed to third parties****TASK/TITLE: Independent custody visits to custody suites**

AREA/DEPT: OPCC

THOSE AT RISK: Independent Custody Visitor (ICV), other visitors, police personnel, G4S staff, other custody staff

AUTHORISING MANAGER: Angela Perry, Executive Director, OPCC

AUTHORISING COMMITTEE AND CHAIR (to be ratified within the committee minutes): Ch. Supt. Corporate Services, Support Health and Safety Committee

Version control – complete each time risk is reviewed

Date	Version	Reason for amendment	Completed by	Date sent to H&S unit
24/10/17	1	First version on new format and introduction of translation sheets	M Jones and D Dave	24/10/17
27/06/18	2	Audit of control measures on risk assessment completed	P Hindson	06/07/18
20/08/18	3	Slight amendment to number of ICVs	D Dave	20/08/18

Further information about the role: The Police and Crime Commissioner (PCC) has a statutory responsibility for the independent custody visiting scheme in Leicester, Leicestershire, and Rutland and appoints volunteer independent custody visitors to carry out this function. Independent custody visitors make visits in pairs to primary custody suites within Leicestershire. It is their responsibility to check on the conditions in which detainees are held, the detainees health and well-being and that they receive their rights and entitlements. The PCC oversees Custody Visiting arrangements and receives regular reports on the operation of the Scheme. Within Leicestershire Police the lead officer for custody visiting is the Chief Inspector in Criminal Justice.

SUB TASK		ACCIDENT, INJURY, HAZARD				LIKELIHOOD			RISK
No.	Description of sub-task including who is involved	Accident (how and why)	Reasonably Foreseeable Worst Case Injury	Hazard	Hazard level (H)	Likelihood factors (e.g. previous harm, frequency of activity, special groups etc)	Existing Controls in place	Likelihood level (L) (1-5)	Risk level (HxL)
1.	<p>Independent Custody Visitors entering cells in pairs to introduce themselves to detainees to ascertain if they wish to speak to them about their welfare whilst in police detention.</p> <p>Issues discussed are recorded on a visit form (using a pen) by the custody visitors at the time of the visit.</p>	Violence caused by detainee towards ICV. This could involve a weapon, for example a pencil or pen.	Life changing injury.	Detainee	5	<p>There are 2 custody visitors.</p> <p>A detention officer is outside the cell to intervene if needed for the duration of the visit.</p> <p>There is one detainee per cell.</p> <p>25 ICVs (as at August 18) undertaking 1 visit per week, per custody suite.</p>	<p>ICV is told to inform the custody Sergeant of any pre-existing medical condition they may have or any other issue that may impact on their own health and safety.</p> <p>ICVs apply to become an ICV and are trained on induction. This training includes a health and safety input discussing this risk assessment. Visitors who use walking sticks are instructed how to position themselves in the cell to reduce the risk of the stick being taken and used as a weapon. This is communicated to all visitors during OPCC induction training. ICVs are also trained by the Volunteer Manager on the national standards set out by the Independent Custody Visiting Association. The training addresses the physical signs to be aware of in changes of attitude and behaviour of people reacting to stressful situations. In such cases ICVs are instructed to bring conversations to a speedy end and leave the cell.</p>	1	5 (Low)

	<p>As part of the visit, if a detainee does not speak English, they, if authorised by the custody sergeant, are given a pencil and translation sheet to complete a form on their welfare.</p>				<p>No known previous harm other than a ICV who collapsed, which was linked to a pre-existing medical condition that had not been disclosed.</p> <p>The escorting officer remains with the ICVs for the duration of the visit.</p>	<p>ICVs to inform Volunteer Manager of any medical conditions which may impact upon this role.</p> <p>ICVs are trained in how to summon help.</p> <p>The health and safety training includes how to report an accident or near miss.</p> <p>ICVs are instructed to ensure they always locate themselves between the detainee and the cell door for quick egress if needed.</p> <p>Pre-assessments are undertaken at the start of each visit with the Custody Sergeant to ensure the visit does not have unacceptable risk and to ensure the ICV's health and safety is managed. ICVs will be told of any detainees that they should not approach.</p> <p>When using the translation sheets the pencil is given to the detainee and they then return it as soon as the form is completed. If custody staff recommends that the detainee must not be provided with a pencil, the translation sheet will not be used.</p> <p>The ICV is escorted by a police officer or detention officer who waits outside the cell and can be called upon immediately if needed.</p> <p>A protocol is in place for how such visits are to be conducted.</p> <p>The Detention Officer views the detainee through the cell hatch prior to ICVs entering the cell to ascertain if the detainee is likely to be receptive for a visit.</p>		
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						<p>At the start of a visit the custody sergeant will communicate with the ICVs. Access to potentially violent detainees is controlled and communicated to custody visitors prior to entering the cell. Visitors are briefed accordingly if a detainee is aggressive/violent and advised not to visit.</p> <p>Alarms are fitted along cell corridors in all custody suites and can easily be activated to summon assistance from other officers present in the custody suite. These are tested weekly and records kept in custody.</p> <p>ICVs are shown location of panic alarms.</p> <p>Custody visitors brief the escorting officer on the format of the visit.</p> <p>Custody staff are trained in first aid.</p> <p>Bolt on cell door can be positioned to ensure the cell door cannot be closed from the inside.</p> <p>Visits to detainees are always in pairs.</p> <p>ICVs are instructed to not hand over the pen and to keep it with them at all times, although they will hand over a pencil for the purposes of the translation form if needed and assessed as safe to do so by the officers present.</p> <p>Personal belongings of ICVs are left at the custody desk at the start of any visit.</p>		
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		Fire and explosion	Life changing injury	Heat / smoke / explosive	5		<p>Risk assessment for each custody suite are provided to ICVs on induction and included in the ICV Handbook.</p> <p>Recap of fire arrangements given to ICVs on each visit to custody suite. This includes evacuation procedure and assembly point.</p> <p>Fire alarms and emergency lighting is maintained. Weekly alarm test and quarterly lighting tests are kept in custody.</p> <p>Contingency plans and procedures exists in relation to suspect objects that could cause a fire / explosion risk. Such concerns are reported immediately to a member of staff.</p>	1	5 (Low)
		Exposure to communicable diseases and infestation including blood or other bodily fluids	Diagnosed disease including HIV and Hepatitis B.	Bacterium / virus	5		<p>Custody Sergeant is made aware of any known diseases disclosed by detainee and protocols are in place for each. The Custody Sergeant does not allow ICV to be put at risk of infection.</p> <p>A protocol for dealing with exposure to blood or other bodily fluids is in place and is issued to all custody visitors. A copy is stored in each custody suite.</p> <p>Hand sanitizing foam dispensers are provided throughout the suites.</p>	1	5 (Low)
		Exposure to Captor spray being used by an officer to subdue a violent detainee in order to restrain them	Effects of Captor, specifically discomfort to eyes and reduced vision (temporarily)	Captor spray	2		<p>Neutralising agent available in the event of exposure.</p> <p>Previous assessment by custody sergeant reduces risk of ICV speaking with a person who may require spray by Captor.</p> <p>Officers will take into account presence of visitors and may decide not to use Captor.</p>	1	2 (Very Low)

		Trips whilst walking around the custody suite	Minor injury requiring first aid	Items left on floor, such as a mop bucket or clothing outside a cell	2	<p>Other person, such as detention officer removes ICV if required.</p> <p>Custody suites have a quarterly walkthrough to hazard spot.</p> <p>Custody staff undertake daily checks to ensure good housekeeping.</p> <p>Work such as contractor work is planned such that work is cleaned and cleared.</p> <p>Any concerns reported immediately to Estates.</p>	1	2 (Very Low)
		Slips whilst walking around custody suite	Minor injury requiring first aid	Wet floor surface	2	<p>All floors have a painted non-slip treatment.</p> <p>Cleaning contact in place to ensure floors are clean and safe.</p>	1	2 (Very Low)

FURTHER ACTION REQUIRED

No	Further Control Measures Required	Who is responsible and by When	Date and detail of action	Residual risk level
1.	Consider an audit to observe and check if controls are still working and in place.	D. Dave, OPCC June 18	OPCC Chief Executive Paul Hindson completed audit on 27 June 2018 to observe and check controls are working. Paul Hindson approved risk assessment controls.	
2.	Communicate the new risk assessment to current ICVs and others affected by the risk, such as through the EMCJ Health and Safety Committee	D. Dave, OPCC and M. Jones, H&S, Jan 18	Risk assessment communicated to ICVs at team meeting on 13 December 2018	
3.	ICVs to be told difference in panic and fire alarms and what to do in each case.	D. Cooper to provide M. Jones with audible recording and then add to ICV induction training , Dec 17.		
4.	Review assessment if the visit form is done via an App on a display screen and any associated risks included.	D. Dave to monitor throughout 2018.		
5.	ICVs to inform volunteer manager of any medical conditions – put in ICV Handbook	D Dave March 2018		

Planned review date: 30/11/2018

Risk rating

Severity of injury/hazard level (potential for harm)

1	Very minor injury/ill-health requiring no first-aid
2	Minor/less serious injury/ill-health requiring first-aid or medical attention
3	Serious injury/ill-health (non-RIDDOR) lasting up to seven days
4	Major injury as defined by RIDDOR or over seven day absence from full duties. Major ill-health with over seven days absence.
5	Single or multiple fatality or life/career changing injury/ill-health.

Likelihood (of hazard being realised) level

1	Very unlikely (occurring once every five years or more).
2	Unlikely (occurring once every 1-5 years).
3	Likely (occurring once every 6-12 months).
4	Very likely (occurring every 1-6 months).
5	Certain (occurring at least once a month).

Risk matrix

		Likelihood level				
		1	2	3	4	5
Hazard level	x	1	2	3	4	5
	1	1	2	3	4	5
	2	2	4	6	8	10
	3	3	6	9	12	15
	4	4	8	12	16	20
5	5	10	15	20	25	

1-4	Very low
5-9	Low
10-14	Medium
15-19	High
20-25	Very high



EAST MIDLANDS COLLABORATION HR SERVICES OCCUPATIONAL

HEALTH UNIT - (EMCHRS-OHU)

Leicestershire Police - Occupational Health Unit

CUSTODY VISITORS TO THE CUSTODY SUITE – RISK OF EXPOSURE TO BLOOD & BODY FLUIDS

GENERAL HYGIENE PRECAUTIONS

Intact skin is your body's best defence against all types of infection and transmissible disease. Therefore, good basic hygiene precautions are essential: -

- You should cover any open wounds with a waterproof plaster or similar dressing prior to attending the Custody Suite
- If plasters or dressings become wet or soiled, they should be changed immediately
- Do ensure that you thoroughly wash your hands with soap and water both **before and after** your cell visit.

WHAT SHOULD I DO IF THE FOLLOWING INCIDENTS HAPPEN?

1. If your skin has been punctured with a needle or other sharp instrument that may be contaminated with blood / body fluids.
2. If blood/body fluids (i.e. saliva) have been splashed over any part of your body which has cuts or abrasions.
3. If blood/body fluids have been splashed into your eyes or mouth.
4. If you have received a human bite which has resulted in a break in the surface of your skin.

IMMEDIATE FIRST AID TREATMENT THAT MUST BE CARRIED OUT

1. If your skin has been punctured you must encourage the wound to **bleed** by force bleeding / squeezing. **DO NOT SUCK THE WOUND!**
2. **Wash** the wound thoroughly with soap and warm water (warm water helps to dilate the blood vessels and encourages bleeding).

3. If blood or body fluids (i.e. saliva) has entered your eyes or mouth, **rinse** your mouth or eyes thoroughly with copious amounts of cold tap water. **DO NOT SWALLOW THE WATER.** If contact lenses are worn then rinse before and after removal.
4. **Cover** any open wounds with a waterproof plaster.
5. You must ensure that the incident is immediately **reported** to the on-duty Custody Sergeant who will ensure that an incident form is completed (and he/she will notify the **On-Call Health Professional** who will then attempt to obtain the detainee's consent to allow for blood testing).
6. **Immediately contact your General Practitioner** to arrange for:
 - an accelerated course of Hepatitis B vaccinations (this consists of 3 vaccines 1 month apart, followed by a 4th vaccine after 12 months). This should be given as soon as possible after exposure.
 - a 'Serum Save' blood test (your GP will know what this means and will also arrange for future follow-up blood tests). **It would be advisable for you to take this information sheet with you.**

NB- If you experience any difficulties in obtaining the vaccination or your GP would like to speak to a member of the Occupational Health Team, our telephone number is 0116 248 2073.

IMPORTANT NOTE – HIV Exposure

In addition to Hepatitis B, there are other viruses that can be transmitted via the blood / body fluids of an infected person. These are Hepatitis C and HIV. *To date, there are no vaccines to protect against HIV and Hepatitis C.*

- If you have been exposed to blood or body fluids, and have any concerns about HIV, you are encouraged to contact the **Leicestershire Sexual Health Service**. This clinic offers a free and confidential counselling service. To arrange an appointment at one of the clinics in Leics, please contact :
- **Leicestershire Sexual Health Service - tel. 0300 124 0102**

Julie Mayne
Occupational Health Nurse



LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER

PROTOCOL FOR ICV'S VISITING FEMALE DETAINEES



Custody visitors visiting female detainees should enquire that they have had the opportunity to speak to their assigned female officer or member of support staff. Where appropriate custody visitors should check the custody record to ensure female detainees had been assigned a female officer/staff.

Visiting of females under the age of 18 in custody – Females under the age of 18 must be under the care of a woman while being detained, conveyed to and from court, or waiting to be so conveyed. This is a requirement under section 31 of the Children and Young Persons Act 1933.

i) **Females under the age of 18 must be “under the care of a woman”** whilst being detained, transported or in custody for any other purpose. This refers to a female police officer or female member of police staff. Subject to the risk assessment, the carer need not be physically present and with the detainee at all times, but must be readily available and assigned to the detainee throughout the period of detention. Officers and staff must treat each case individually and should always give consideration to whether a carer needs to be physically present or not. The assigned responsibility can be shared by more than one female carer and may be transferred at shift handover. The assigned carer should arrange with the custody officer to visit the detainee and check on her welfare needs.

Leicestershire Police must implement policies and procedures to ensure that all girls who are detained and in custody are under the care of a woman.

The custody officer must:

- tell the detainee that she can speak to the carer at any time
- ensure that the assigned officer visits the detainee to check on her welfare as soon as possible following the detainee's arrival in the suite
- record the details of the assigned officer/staff member on the custody record

ii) **Females aged 18 and over** must have access to a female member of staff who is responsible for checking on their welfare needs. The selection of the assigned person is as per that for the carer for a female under 18.

The custody officer must:

- tell the detainee that she can speak to the staff member at any time
- provide access to the a nominated member of staff promptly and, in any case, as soon as is practicable after it is requested
- record the details of the assigned officer/staff member on the custody record

iii) All visits by the carer/female member of staff, the outcome of the visit and actions taken and changes to the person undertaking the role must be recorded on the custody record.



LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER

PROTOCOL FOR TWO MALE ICV'S VISITING

FEMALE JUVENILE DETAINEES



Visiting of females under the age of 18 in custody – Females under the age of 18 must be under the care of a woman while being detained, conveyed to and from court, or waiting to be so conveyed. This is a requirement under section 31 of the Children and Young Persons Act 1933.

The following has been agreed regarding two male ICV's custody visits to females under the age of 18:

- (i) Where two male custody visitors wish to visit a female juvenile and no female Detention or Police Officer is available to accompany, they should liaise with the Custody Sergeant regarding the perceived risk of undertaking such a visit or whether or not the visit should be undertaken by way of conversation through the hatch in the cell door;
- (ii) Where a female juvenile is in detention, and no female Detention or Police Officer is on duty in the custody suite, custody visitors should ascertain from the Custody Sergeant whether the juvenile is being moved to another custody suite where a female Detention or Police Officer is present or whether a female Detention or Police Officer will be available to attend. In both cases custody visitors should record the timescales for these arrangements on the visit form; and
- (iii) In cases where no alternative arrangements are being made for a female juvenile to come under the care of a female Detention or Police Officer, custody visitors should request to speak to the Duty Inspector and request that such arrangements are put in place. This should also be recorded on the visit form.



The Concordat for Children in Custody

A checklist of considerations for ICVs

The Concordat for Children in Custody clarifies the roles of different agencies in providing accommodation for children who have been refused bail. ICVs have a role in monitoring the treatment of children; this checklist provides ICVs with areas to consider when going on custody visits.

When you arrive in custody

- Ask how many children are currently in police custody.
- Try to visit children as a priority, vulnerable group of detainees.

During your visit

- Check on rights, entitlements and wellbeing as you would for any visit.
- Check whether the detainee has had timely access to an Appropriate Adult.
- Ask to see the custody record.

When looking at the custody record (with permission)

- Check how long the child has been in custody.
- Check whether the child has been charged.
- If the child has been charged, check whether local authority accommodation has been requested.
- If accommodation has been requested, check whether it will be provided and in what timescale.

When completing your report

- Note how many children are in custody.
- Note how many children you were able to visit and reasons why you could not visit.
- Report on rights, entitlements and wellbeing as normal.
- Report on whether an Appropriate Adult has been requested and provided.
- Note if you have not been able to access the custody record and why.

If you have had access to the custody record:

- Report when the child came into custody and how long they have been there.
- Note whether or not the child has been charged.
- If the child has been charged, please report on what has happened next – whether local authority accommodation has been requested, agreed or not provided.

Scheme managers

- Please collate visit reports on children and highlight any problems, themes or strengths to your PCC.
- Please raise issues on children with staff in the constabulary as required.
- Please report themes and issues to ICVA as part of your quarterly report.

Mental Health in Custody

A checklist of considerations for ICVs

ICVs have a role in monitoring the treatment of people with poor mental health in custody; this checklist provides ICVs with areas to consider when going on custody visits and supports the bitesize training.

When you arrive in custody

- Ask how many people who have / are suspected of having poor mental health are currently in police custody.
- Try to visit these detainees as a priority, vulnerable group of detainees.

During your visit

- Check on rights, entitlements and wellbeing as you would for any visit.
- Check whether the detainee has had timely access to an Appropriate Adult.
- Ask to see the custody record (or assume consent in line with National Standards).

When looking at the custody record

- Check whether detainee is in custody under s136. If so, ask why.
- Check for 30 minute medical checks.
- Check that risk is being monitored so that the detainee can be moved out of police custody once the risk has subsided.
- For all detainees – ask whether a mental health bed or assessment has been requested.
- If requested, note time and ask how long it is expected to take.
- Check the length of time that the detainee has spent in custody.

When completing your report

- Note how many detainees with / suspected of having poor mental health are in custody.
- Note how many of these detainees you were able to visit and reasons why you could not visit.
- Report on rights, entitlements and wellbeing as normal.
- Report on whether an Appropriate Adult has been requested and provided.
- Note if you have not been able to access the custody record and why.

If you have had access to the custody record:

- Note if detainee is in custody under s136 and, if so, why.
- Note whether medical checks are taking place as required (minimum every 30 minutes).
- Note whether risk is being monitored so that the detainee can be moved out of police custody once the risk has subsided.
- Note whether a mental health bed / assessment has been requested and how long this is likely to take.
- Note the length of time the detainee has spent in custody

Scheme managers

- Collate visit reports on mental health and highlight any problems, themes or strengths.
- Raise issues on mental health with staff in the constabulary as required.
- Report themes and issues to ICVA as part of your quarterly report.



LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER

PROTOCOL FOR SELF-INTRODUCTION
FROM 1 AUGUST 2008

1. All ICVs to have their own copy of the introduction card to take with them on custody visits see Appendix 27.
2. Each pair of ICVs to agree beforehand who will deliver the self introduction to the detainee.
3. On arrival at the Custody Suite ICVs will ascertain from the Custody Sergeant the number and category of detainees in custody. This will be entered onto the form by the custody staff.
4. ICVs to inform the Custody Sergeant that they will introduce themselves to the detainees. Taking this into consideration, the Custody Sergeant will advise if there are any detainees who should not be visited due to risk to the ICVs.
5. Prior to entering the cell ICVs should ensure they have with them the introduction card, visit report form on the approved clipboard and pen to record any issues raised.
6. ICVs will be accompanied to the cell by the detention officer who will first view the detainee through the cell hatch to ascertain that the visit can go ahead. The detention officer will then unlock the cell door and stand back to let the custody visitors enter.
7. ICVs will enter the cell and ensure that they are positioned between the detainee and the cell door. The detention officer will remain immediately outside the cell door for the duration of the visit. Generally the escorting officer will remain out of view but at a safe distance.
8. On entering the cell ICVs will introduce themselves to the detainee and ask them to sit down (if not already seated). The wording on the introduction card will be used for this purpose. Custody visitors are encouraged to deliver this in an informal manner without reading verbatim from the card if possible.
9. If the detainee states they do not wish to receive a visit the custody visitors will ask the detainee if they can view the log kept on them since their arrival to check that they are being properly looked after.
10. If a visit is refused the ICVs will leave the cell and note this outcome on the visit report form, including whether or not permission is given to view the detention record.
11. When a visit has been refused at no time will the ICVs endeavour to dissuade the detainee from changing their mind. This also applies if the detainee has refused permission to view the detention record.
12. Where the detainee indicates they do wish to speak to ICVs the visit will proceed as normal.

13. ICVs will note on the visit report form any issues raised by the detainee. These will be recorded on the visit form by the ICVs. Issues raised will be brought to the attention of the escorting officer.
14. If any issues raised by detainees are resolved during the course of the visit this is to be noted on the report form.
15. ICVs will indicate on the visit report form where they have viewed a detention record of a detainee and write any issues arising from the record.
16. All custody staff to be made aware of this Protocol.



LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER

SELF-INTRODUCTION FOR INDEPENDENT CUSTODY VISITORS

We are Independent Custody Visitors who would like to speak to you.

We are members of the public and are nothing to do with the police.

**We are here to see how you are being treated by the police and
to have a look at the conditions in which you are being kept.**

Can we speak to you for a couple of minutes?

Can we also have a look at the log kept on you since you have been here?

LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER**RIGHTS AND ENTITLEMENTS AND HOME OFFICE RIGHTS WHILST
DETAINED DOCUMENT PROVIDED TO DETAINEES****Detained persons – normal procedure**

When a person is brought to a police station under arrest or arrested at the station having gone there voluntarily, the custody officer must make sure the person is told clearly about:

- (a) the following continuing rights, which may be exercised at any stage during the period in custody:
 - (i) their right to consult privately with a solicitor and that free independent legal advice is available as in section 6;
 - (ii) their right to have someone informed of their arrest as in section 5;
 - (iii) their right to consult the Codes of Practice (see Note 3D); and
 - (iv) if applicable, their right to interpretation and translation (see paragraph 3.12) and their right to communicate with their High Commission, Embassy or Consulate (see paragraph 3.12A).
- (b) their right to be informed about the offence and (as the case may be) any further offences for which they are arrested whilst in custody and why they have been arrested and detained in accordance with paragraphs 2.4, 3.4(a) and 11.1A of this Code and paragraph 3.3 of Code G.

Detainees must be given written notice setting out

The detainee must also be given a written notice, which contains information:

- (a) setting out:
 - (i) their rights under paragraph 3.1, paragraph 3.12 and 3.12A;
 - (ii) the arrangements for obtaining legal advice,
 - (iii) their right to a copy of the custody record as in paragraph 2.4A;
 - (iv) their right to remain silent as set out in the caution in the terms prescribed in section 10;
 - (v) their right to have access to materials and documents which are essential to effectively challenging the lawfulness of their arrest and detention for any offence and (as the case may be) any further offences for which they are arrested whilst in custody, in accordance with paragraphs 3.4(b), 15.0, 15.7A(c) and 16.7A of this Code;
 - (vi) the maximum period for which they may be kept in police detention without being charged, when detention must be reviewed and when release is required.
 - (vii) their right to medical assistance in accordance with section 9 of this Code
 - (viii) their right, if they are prosecuted, to have access to the evidence in the case before their trial in accordance with the Criminal Procedure and Investigations Act 1996, the Attorney General's Guidelines on Disclosure, the common law and the Criminal Procedure Rules.
- (b) briefly setting out their other entitlements while in custody, by:

- (i) mentioning: ~ the provisions relating to the conduct of interviews; ~ the circumstances in which an appropriate adult should be available to assist the detainee and their statutory rights to make representations whenever the need for their detention is reviewed.
- (ii) listing the entitlements in this Code, concerning ~ reasonable standards of physical comfort; ~ adequate food and drink; ~ access to toilets and washing facilities, clothing, medical attention, and exercise when practicable.

Detention can be authorised in order to

- Secure or preserve evidence.
- Obtain evidence by questioning.
- Or for another lawful reason such as breath test/breach of the peace/warrant.

Detained Persons – Special Groups

If the detainee appears to be someone who does not speak or understand English or who has a hearing or speech impediment, the custody officer must ensure:

(a) that without delay, an interpreter is called for assistance in the action under *paragraphs 3.1 to 3.5*. If the person appears to have a hearing or speech impediment, the reference to ‘interpreter’ includes appropriate assistance necessary to comply with *paragraphs 3.1 to 3.5*. See *paragraph 13.1C* if the detainee is in Wales. See *section 13* and *Note 13B*;

(b) that in addition to the continuing rights set out in *paragraph 3.1(a)(i) to (iv)*, the detainee is told clearly about their right to interpretation and translation;

(c) that the written notice given to the detainee in accordance with *paragraph 3.2* is in a language the detainee understands and includes the right to interpretation and translation together with information about the provisions in *section 13* and *Annex M*, which explain how the right applies (see *Note 3A*);

(d) that if the translation of the notice is not available, the information in the notice is given through an interpreter and a written translation provided without undue delay.

If the detainee is a citizen of an independent Commonwealth country or a national of a foreign country, including the Republic of Ireland, the custody officer must ensure that in addition to the continuing rights set out in *paragraph 3.1(a)(i) to (iv)*, they are informed as soon as practicable about their rights of communication with their High Commission, Embassy or Consulate set out in *section 7*. This right must be included in the written notice given to the detainee in accordance with *paragraph 3.2*.

If the detainee is a juvenile, the custody officer must, if it is practicable, ascertain the identity of a person responsible for their welfare. That person:

- may be:
the parent or guardian;
if the juvenile is in local authority or voluntary organisation care, or is otherwise being looked after under the Children Act 1989, a person appointed by that authority or organisation to have responsibility for the juvenile’s welfare;
any other person who has, for the time being, assumed responsibility for the juvenile’s welfare.

- must be informed as soon as practicable that the juvenile has been arrested, why they have been arrested and where they are detained. This right is in addition to the juvenile's right in section 5 not to be held incommunicado.

If a juvenile is known to be subject to a court order under which a person or organisation is given any degree of statutory responsibility to supervise or otherwise monitor them, reasonable steps must also be taken to notify that person or organisation (the 'responsible officer'). The responsible officer will normally be a member of a Youth Offending Team, except for a curfew order which involves electronic monitoring when the contractor providing the monitoring will normally be the responsible officer

If the detainee is a juvenile, mentally disordered or otherwise mentally vulnerable, the custody officer must, as soon as practicable:

- inform the appropriate adult, who in the case of a juvenile may or may not be a person responsible for their welfare, of:
the grounds for their detention;
their whereabouts.

- ask the adult to come to the police station to see the detainee.

If the detainee is blind, seriously visually impaired or unable to read, the custody officer shall make sure their solicitor, relative, appropriate adult or some other person likely to take an interest in them and not involved in the investigation is available to help check any documentation. When this Code requires written consent or signing the person assisting may be asked to sign instead, if the detainee prefers.

Rights and Entitlements

- Right not to be held incommunicado.
- Detainee may have one friend or relative or other person notified of arrest.
- If first person nominated is not available, detainee may choose up to two alternatives.
- Detainees to be allowed visits at custody officer's discretion.
- Enquiries as to whereabouts of detainee to be answered subject to the detainee's agreement.
- Detainee to be supplied with writing materials on request. Letters (other than those to a solicitor) may be read.
- Detainee may be allowed to speak on the phone for a reasonable time to one person. The call will be listened to (except when to a solicitor) and terminated if abused.

Conditions

- So far as it is practicable, not more than one detainee should be detained in each cell.
- Cells in use must be adequately heated, cleaned and ventilated. They must be adequately lit, subject to such dimming as is compatible with safety and security to allow people detained overnight to sleep. No additional restraints shall be used within a locked cell unless absolutely necessary and then only restraint equipment, approved for use in that force by the chief officer, which is

reasonable and necessary in the circumstances having regard to the detainee's demeanour and with a view to ensuring their safety and the safety of others. If a detainee is deaf, mentally disordered or otherwise mentally vulnerable, particular care must be taken when deciding whether to use any form of approved restraints.

- Blankets, mattresses, pillows and other bedding supplied shall be of a reasonable standard and in a clean and sanitary condition.
- Access to a toilet and washing facilities must be provided.
- If it is necessary to remove a detainee's clothes for the purposes of investigation, for hygiene, health reasons or cleaning, replacement clothing of a reasonable standard of comfort and cleanliness shall be provided. A detainee may not be interviewed unless adequate clothing has been offered.
- At least two light meals and one main meal should be offered in any 24-hour period. Drinks should be provided at meal times and upon reasonable request between meals. Whenever necessary, advice shall be sought from the appropriate healthcare professional, on medical and dietary matters. As far as practicable, meals provided shall offer a varied diet and meet any specific dietary needs or religious beliefs the detainee may have. The detainee may, at the custody officer's discretion, have meals supplied by their family or friends at their expense.
- Brief outdoor exercise shall be offered daily if practicable.
- A juvenile shall not be placed in a police cell unless no other secure accommodation is available and the custody officer considers it is not practicable to supervise them if they are not placed in a cell or that a cell provides more comfortable accommodation than other secure accommodation in the station. A juvenile may not be placed in a cell with a detained adult.
- Detainees should be visited at least every hour. If no reasonably foreseeable risk was identified in a risk assessment, there is no need to wake a sleeping detainee. Those suspected of being under the influence of drink or drugs or both or of having swallowed drugs, or whose level of consciousness causes concern must, subject to any clinical directions given by the appropriate healthcare professional: be visited and roused at least every half hour; have their condition assessed and clinical treatment arranged if appropriate.
- Complaints regarding treatment of detainee must be referred to an officer of rank of Inspector or above, who is not connected with the investigation.

Treatment – Medical

The custody officer must make sure a detainee receives appropriate clinical attention as soon as reasonably practicable if the person: (a) appears to be suffering from physical illness; or (b) is injured; or (c) appears to be suffering from a mental disorder; or (d) appears to need clinical attention. If detainee is suffering from significant infectious disease, person and property are to be isolated; medical advice as to fumigation and precautions to be sought.

This applies even if the detainee makes no request for clinical attention and whether or not they have already received clinical attention elsewhere. If the need for attention appears urgent the nearest available healthcare professional or an ambulance must be called immediately.

- **If a person is required to take medication on medical directions, the custody officer is responsible for safe-keeping and ensuring administration at proper times. No police officer may administer drugs which are "controlled" under the Misuse of Drugs Act 1971 and administration of such drugs must be administered by a Forensic Medical Examiner.**
- **If it appears to the custody officer, or they are told, that a person brought to a station under arrest may be suffering from an infectious disease or condition, the custody officer must take reasonable steps to safeguard the health of the detainee and others at the station. In deciding what action to take, advice must be sought from an appropriate healthcare professional. The custody officer has discretion to isolate the person and their property until clinical directions have been obtained**
- **If a detainee requests a clinical examination, an appropriate healthcare professional must be called as soon as practicable to assess the detainee's clinical needs. If a safe and appropriate care plan cannot be provided, the appropriate healthcare professional's advice must be sought. The detainee may also be examined by a medical practitioner of their choice at their expense.**
- **If a detainee has in their possession, or claims to need, medication relating to a heart condition, diabetes, epilepsy or a condition of comparable potential seriousness then, the advice of the appropriate healthcare professional must be obtained.**

Remember your rights whilst detained

The rights in this Notice are guaranteed to you under the law in England and Wales and comply with [EU Directive 2012/13](#) on the right to information in criminal proceedings.

Your rights at the police station are summarised on this page
There is more information in paragraphs 1 to 11 on the next pages.
Full details are in the police Code of Practice C.

1. Tell the police if you want a solicitor to help you while you are at the police station. This is free.
2. Tell the police if you want someone to be told where you are. This is free.
3. Tell the police if you want to look at their rules - they are called the Codes of Practice.
4. Tell the police if you need medical help. Tell the police if you feel ill or have been injured. Medical help is free.
5. If you are asked questions about a suspected offence, you do not have to say anything. However, it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence.
6. The police must tell you about the offence they think you have committed and why you have been arrested and are being detained.
7. The police must let you or your solicitor see records and documents about why you have been arrested and are being detained and about your time at the police station.
8. If you need an interpreter, the police must get you one. You can also have certain documents translated. This is free
9. Tell the police if you are not British and you want to contact your embassy or consulate or want them to be told you are detained. This is free.
10. The police must tell you how long they can detain you for.
11. If you are charged and your case goes to court, you or your solicitor will have a right to see the prosecution evidence before the court hearing.

If you are not sure about any of these rights, tell the police custody officer



Home Office



Legal Aid
Agency



The Law Society

See the pages after the summary for more information about how the police should treat and care for you

This version of the Notice of Rights and Entitlements has effect from 2 June 2014

LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER

ARTICLES OF HUMAN RIGHTS ACT 1998

(Article 1 is introductory and is not incorporated into the Human Rights Act.)

Article 2: Right to life

A person has the right to have their life protected by law. There are only certain very limited circumstances where it is acceptable for the state to take away someone's life, e.g. if a police officer acts justifiably in self defence.

Possible custody issues: Failure to adequately monitor and respond to detainees who are a suicide risk may lead to a breach of Article 2.

Article 3: Prohibition of torture

A person has the absolute right not to be tortured or subjected to treatment or punishment which is inhuman or degrading.

Possible custody issues: breaches can include physical or psychological abuse, neglect/carelessness ie, failing to provide medical treatment, poor conditions in custody, strip searches without regard to dignity, excessive force used to restrain, authorities failing to protect individual from abuse, malnutrition and dehydration.

Article 4: Prohibition of slavery and forced labour

A person has the absolute right not to be treated as a slave or to be required to perform forced or compulsory labour.

Article 5: Right to liberty and security

A person has the right not to be deprived of their liberty – 'arrested or detained' – except in limited cases specified in the article (e.g. where they are suspected or convicted of committing a crime) and provided there is a proper legal basis in UK law.

Article 6: Right to a fair trial

A person has the right to a fair and public hearing within a reasonable period of time. This applies both to criminal charges against them and to cases concerning their civil rights and obligations. Hearings must be carried out by an independent and impartial tribunal established by law. It is possible to exclude the public from the hearing (though not from the judgment) if it is necessary to protect things like national security or public order. If it is a criminal charge, the person is presumed innocent until proven guilty according to law and has certain guaranteed rights to defend themselves.

Article 7: No punishment without law

A person normally has the right not to be found guilty of an offence arising out of actions which at the time they committed them were not criminal. They are also protected against later increases in the maximum possible sentence for an offence.

Apart from the right to hold particular beliefs, the rights in Articles 8 to 11 may be limited where that is necessary to achieve an important objective. The precise objectives for which limitations are permitted are set out in each article, but they include things like protecting public health or safety, preventing crime and protecting the rights of others.

Article 8: Right to respect for private and family life

A person has the right to respect for their private and family life, their home and their correspondence. This right can be restricted only in specified circumstances.

Possible custody issues: lack of dignity in respect of personal care needs, refusal to allow family visits or contact, inappropriate use of restraint or medication, negative and patronising attitudes and insufficient attention paid to confidentiality.

Article 9: Freedom of thought, conscience and religion

A person is free to hold a broad range of views, beliefs and thoughts, and to follow a religious faith. The right to manifest those beliefs may be limited only in specified circumstances.

Article 10: Freedom of expression

A person has the right to hold opinions and express their views on their own or in a group. This applies even if those views are unpopular or disturbing. This right can be restricted only in specified circumstances.

Article 11: Freedom of assembly and association

A person has the right to assemble with other people in a peaceful way. They also have the right to associate with other people, which include the right to form a trade union. These rights may be restricted only in specified circumstances.

Article 12: Right to marry

Men and women have the right to marry and start a family. National law will still govern how and at what age this can take place.

(Article 13 is not included in the Human Rights Act.)

Article 14: Prohibition of discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Article 1 of Protocol 1: Protection of property

(A 'protocol' is a later addition to the Convention.)

A person has the right to the peaceful enjoyment of their possessions. Public authorities cannot usually interfere with things people own or the way they use them, except in specified limited circumstances.

Article 2 of Protocol 1: Right to education

A person has the right not to be denied access to the educational system.

Article 3 of Protocol 1: Right to free elections

Elections for members of the legislative body (e.g. Parliament) must be free and fair and take place by secret ballot. Some qualifications may be imposed on who is eligible to vote (e.g. a minimum age).

Article 1 of Protocol 13: Abolition of the death penalty

These provisions abolish the death penalty.

Main source: <https://www.legislation.gov.uk/ukpga/1998/42/schedule/1>



LEICESTERSHIRE OFFICE OF THE POLICE & CRIME COMMISSIONER

PROTOCOL FOR INDEPENDENT CUSTODY VISITORS VIEWING

CUSTODY RECORDS VIA THE NICHE SYSTEM

1. Detainees who consent to a visit are to be asked if custody visitors can have permission to view their custody record whether or not a visit takes place. The custody record to be referred to as 'the log kept on you since being here'.
2. If a detainee is for any reason incapable of deciding whether to allow access to their custody record, the presumption must be in favour of allowing the custody visitors to view the custody record.
3. Where time permits, custody staff should assist custody visitors in viewing the relevant custody records on a terminal in the custody suite.
4. Custody visitors should be allowed to view the 'Detention Log view' of the custody record and know the risk assessment outcome. Custody visitors may not see the full custody record or risk assessment as these outline details of the offence and other sensitive or medical information.
5. If the custody suite is busy and staff are unable to assist on-screen viewing, a printed copy of non-police version of the custody record (minus any sensitive information) will be provided to custody visitors along with a suitable work space.
6. All printed documentation should be returned to custody staff for disposal. Under no circumstances should any paperwork be taken from the custody suite.
7. Custody visitors should not be asked to electronically sign the custody record.
8. Any issues arising from examination of the custody record or regarding the process for viewing records should be recorded on the visit form. A copy of the form will be forwarded to the OPCC, and the Custody Manager.
9. All staff working in the custody suite to be made aware of this Protocol.

**INDEPENDENT CUSTODY VISITING SCHEME
VISIT REPORT FORM**

Custody Suite
Date: **Page** **of**

Time at Police Station	Time in Custody Suite	If immediate access to Custody Suite not gained please state why Immediate access is: entering the custody suite within 5 minutes or less of informing staff of your arrival	Time Visit Started	No in Custody	Time Visit Ended

Cell No.	Custody Ref. No.	Adult or Juvenile A or J	Gender M or F	Category*	DP Seen**	Consent to see C.R. Y or N	C.R. Seen Y or N	Issues Raised Briefly outline why person or record not seen and any matters for the attention of the Custody Officer	Action Taken What was done to sort the issue out

I UNDERTAKE NOT TO REVEAL TO ANY UNAUTHORISED PERSON ANY PERSONAL INFORMATION I MAY OBTAIN DURING THIS VISIT

Visitors general comments about access and other issues.....
.....

Visitor Name (Print) **Signature**

Visitor Name (Print)..... **Signature**

Custody Officer (Name & Rank)..... **Collar No.** **Signature**

Escorting Officer (Name & Rank) **Collar No.** **Signature**

Key: Category* Column: PACE (P); Home Office (HO); Other (O) **DP Seen** Column:** Observed (O); Seen (S); Refused Visit (R); Unavailable (U)



A Death in Custody Advice from the Independent Office for Police Complaints (IOPC)

Background

Unfortunately, deaths and serious incidents occur in police custody. These may be referred to the Independent Office for Police Complaints (IOPC) and Independent Custody Visitors (ICVs) may become involved in investigations. ICVA recognises that scheme managers and ICVs may need additional support through these investigations and has submitted questions to the IOPC. This document comprises the questions and the IOPC's responses in order to help prepare scheme managers prior to an investigation, and to support them in the event of an investigation.

1. What incidents, within a custody environment, would be referred to the IOPC?

The majority of complaints against the police are dealt with by the relevant police force without IOPC involvement. However, certain types of complaints and incidents must be referred by the police to the IOPC.

The 'appropriate authority' (e.g. a police force) must refer to the IOPC all 'Death and Serious Injury' (DSI) matters. A DSI matter means any circumstances in, or as a result of which, a person has died or sustained serious injury and:

- at the time of death or serious injury the person had been arrested by a person serving with the police and had not been released or was otherwise detained in the custody of a person serving with the police; or
- at or before the time of death or serious injury the person had contact of any kind - whether direct or indirect - with a person serving with the police who was acting in the execution of his or her duties and there is an indication that the contact may have caused - whether directly or indirectly - or contributed to the death or serious injury.

The appropriate authority must also refer:

- complaints alleging that conduct has resulted in death or serious injury
- allegations of conduct which constitutes:
 - serious assault
 - serious sexual offence
 - serious corruption
 - criminal offence or behaviour which is liable to lead to misconduct proceedings and which, in either case, is aggravated by discriminatory behaviour on the grounds of a person's race, sex, religion or other status identified in paragraph 8.18 of the IOPC's statutory guidance
 - a relevant offence
- complaints which the IOPC notifies the appropriate authority that it requires to be referred.

In addition, the appropriate authority can make voluntary referrals. The IOPC encourages appropriate authorities to refer matters that do not have to be referred but where the gravity of the subject matter or exceptional circumstances justifies referral.

2. What is the process after an incident is referred?

Once an incident has been referred the IOPC then decides what level of involvement it should have in any investigation of the matter. It may choose to conduct its own independent investigation, manage or supervise a police investigation, or decide that the matter can be dealt with locally by the police. The IOPC will always carry out an independent investigation if it appears that Article 2 of the European Convention on Human Rights is engaged.

In an independent investigation, our investigators will obtain evidence to establish all the circumstances. This may involve taking witness statements, interviewing police officers or members of police staff, analysing CCTV footage and obtaining other documents and records. An investigation may also include forensic analysis; the use of experts to provide independent evidence; liaison with the Coroner, Crown Prosecution Service and/or other agencies - for example, the Health and Safety Executive.

If someone dies during police contact, the police will always be on the scene before the IOPC. The local police force should immediately secure the scene and refer the matter to the IOPC. As soon as that happens, the IOPC make a decision about whether to send investigators to the scene straight away. It can take some time for their investigators to reach the scene depending on how far they need to travel. During this time, the local force is responsible for securing the scene (for example, cordoning off the area where the death occurred) under the IOPC's direction. The police must by law assist the IOPC during this process.

In an independent investigation, IOPC investigators take responsibility for direction and control of the scene - for example, deciding the extent of any forensic examination of the scene and what, if any, specialist forensic scientists are required to attend. The actual forensic examination is carried out by police crime scene examiners under the IOPC's direction. They are either from a neighbouring force or the force where the incident took place.

IOPC investigators ensure that initial accounts are obtained from the police officers and staff and arrange for police witnesses to attend interviews if required. Throughout this time, the police remain under an obligation to ensure the preservation of evidence and the integrity of our investigation, to assist the IOPC and to carry out activities as directed.

3. Will the IOPC notify the Police and Crime Commissioner (PCC) after they receive a complaint?

Although complaints can be made via the IOPC, under the police complaints system all complaints against the police must be recorded by the relevant police force or, in the case of chief officers, the relevant Police and Crime Commissioner (PCC). The IOPC therefore do not ordinarily notify a PCC when they receive a complaint, unless the complaint is about a chief officer.

Statutory responsibility for informing a PCC about a matter that involves their force lies with the chief officer for the force. However, the IOPC will also provide information to PCCs / the Mayor's Office of Police and Crime on cases involving their force at regular liaison meetings.

4. How long would an IOPC investigation be likely to take?

The length of an investigation will depend on many elements, such as the scope of the investigation and the volume and complexity of the evidence.

5. What information might the IOPC request from a scheme manager as part of an investigation?

This would depend on what information a scheme manager has about the incident under investigation and what their connection is to the incident. They might be asked for any information they have that is relevant to the investigation.

6. Who can ICV scheme managers contact in the IOPC to ask questions about the investigation and seek clarification on the involvement of ICVs and scheme managers?

If an ICV and / or scheme manager is a witness in an IOPC investigation they will be provided with the contact details of an IOPC investigator. The investigator will be able to answer questions about the process of the investigation, but cannot provide information about the investigation itself.

7. What might ICVs be expected to do if they are involved in an investigation? For example, will ICVs written notes be used in court? What will ICV involvement look like? Will ICVs' data be used as part of disciplinary proceedings?

If someone has died in the custody of the police, or immediately following their release, or as been involved in a serious incident, and an ICV has recently spoken to or seen them, or reviewed their custody record, it is possible that the IOPC might wish to talk to the ICV as part of the investigation.

If contact has been significant the ICV might be treated as a witness. This might involve the IOPC asking the ICV to provide a statement and / or asking them for any relevant notes they might have taken during their visit to the custody centre.

It is possible that the ICV could be asked to give evidence to a court if any prosecution takes place or at disciplinary proceedings. If their evidence is not in dispute written evidence might be agreed by the parties without the need for the ICV to give evidence in person.

An ICV might also be asked to give evidence to an inquest in person or by providing a statement. This would be the same for any member of the public who has significant evidence about what happened. The Coroners' Society and office of the Chief Coroner can provide more information about the inquest process.

8. How should ICVs and scheme managers interact with custody staff following an incident? Do they face any restrictions?

There is a risk that if witnesses discuss an incident their evidence could be contaminated, whether consciously or unconsciously. There are guidelines for police officers and staff in relation to not conferring following a death or serious injury. Non-police witnesses are also routinely warned not to discuss the incident either before or after they have given their accounts.

9. What might happen if it becomes clear that ICVs have made recommendations for change that have not been implemented by custody staff and have contributed to a problem? Will ICVs data be used as part of disciplinary proceedings?

If it became apparent that a recommendation relevant to the investigation had previously been made by another party this would be considered alongside the other evidence in the case.

If the IOPC considered it appropriate, in light of the evidence in the case, it may wish to make a recommendation. The IOPC can make recommendations both in relation to disciplinary proceedings for individuals, and in relation to organisational learning - for example if the IOPC thinks a change to policy or practice is required to help prevent a similar matter happening again.

Organisational learning recommendations might be made to a single police force or organisation, or on a national level - i.e. where the recommendation relates to a change to the law, national policy or national practice.

National recommendations relating to policing may be made to organisations such as the College of Policing or the National Police Chiefs' Council (NPCC). By law, the recipient of an organisational learning recommendation must respond to the IOPC. With some limited exceptions, the IOPC publish organisational learning recommendations and the responses of the recipients on its website.

It is possible that an ICV could be asked to give evidence at disciplinary proceedings. If their evidence is not in dispute written evidence might be agreed by the parties without the need for the ICV to give evidence in person. Evidence might include ICV data if it is relevant to the proceedings. However, please be aware that as the employer, the police force will be responsible for arranging disciplinary proceedings.

10. What, if any, feedback or recommendations can volunteers or OPCCs expect from an investigation?

The IOPC is able to make organisational learning recommendations. Recommendations can be made to any relevant organisation.

It is unlikely that the IOPC would provide feedback about an individual investigation to an ICV scheme manager or volunteer. However, the IOPC are always happy to discuss our work more generally with stakeholders wherever we are able to do so.

Further information

You can read about the process of IOPC investigations more generally on its website, here:

<http://www.policeconduct.gov.uk/>

And about organisational learning recommendations here:

<https://www.policeconduct.gov.uk/research-and-learning/learning-and-recommendations>

MITIE MEDICAL PROVIDER – RESPONSE TIMES

APPENDIX 33

Category	Incident Description	Service Type Description	Contract Response Time (minutes)
1	Requires immediate attention or transfer to Hospital		15 minutes (Immediate)
		Resuscitation cases	
		Unconscious patient	
		Major bleed	
		Chest pains	
		Open wounds that require stitches	
		Collapsed, difficulty in breathing	
		Breathless detainee	
		Detainees unable to bear weight or walk 4 steps	
		Fractured bones	
		Head injury with vomiting	
		Intoxicated with head injury, giving cause for concern	
		Altered consciousness	
		Chest/abdominal injuries	
		Major RTC	
		Cold/clammy detainee	
		Fitting detainee or suffered fit whilst in custody	
		Pregnant female complaining of vaginal bleeding or abdominal pain	
		Abdominal pain after assault or trauma	
2	Fitness for Detention	FTD13 - Injuries to Treat	60
2	Fitness for Detention	FTD14 - Return from Hospital	60
2	Fitness for Detention	FTD15 – Juvenile	60

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2	Fitness for Detention	FTD01 - Suspected Overdose	60
2	Fitness for Detention	FTD02 - Drugs Related	60
2	Fitness for Detention	FTD03 - Alcohol Related	60
2	Fitness for Detention	FTD04 - Medication	60
2	Fitness for Detention	FTD05 - Methadone User	60
2	Fitness for Detention	FTD06 - Mental Illness Suspected	60
2	Fitness for Detention	FTD07 - Self Harm/Suicide Risk	60
2	Fitness for Detention	FTD08 - CS Spray/Tasered	60
2	Fitness for Detention	FTD09 – Pregnant	60
2	Fitness for Detention	FTD10 - Head Injury	60
2	Fitness for Detention	FTD11 - Pre-existing Illness	60
2	Forensic Examination: Intimate Search	IS1 - Intimate Search	60
2	Forensic Examination: Drink Drive/Blood/Drugs/Impairment	RTA1 - Drink Drive Bloods (Station)	60
2	Forensic Examination: Drink Drive/Blood/Drugs/Impairment	RTA6 – Drink Drive Bloods (Hospital)	60
2	Forensic Examination: Drink Drive/Blood/Drugs/Impairment	RTA3 – Impairment Test (Station)	60
2	Forensic Examination: Drink Drive/Blood/Drugs/Impairment	RTA4 – Failure to Provide (Station)	60
2	Forensic Examination: Drink Drive/Blood/Drugs/Impairment	RTA5 – Other (Station)	60
2	Forensic Examination: Drink Drive/Blood/Drugs/Impairment	RTA8 – Impairment Test (Hospital)	60
2	Forensic Examination: Drink Drive/Blood/Drugs/Impairment	RTA9 – Failure to Provide (Hospital)	60

MITIE MEDICAL PROVIDER – RESPONSE TIMES

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2	Forensic Examination: Drink Drive/Blood/Drugs/Impairment	RTA10 – Other (Hospital)	60
2	Forensic Examination: Drink Drive/Blood/Drugs/Impairment	RTA7 – Drug Drive Bloods (Hospital)	60
2	Forensic Examination: Drink Drive/Blood/Drugs/Impairment	RTA2 – Drug Drive Bloods (Station)	60
3	Forensic Examination: Intimate Samples	FE6 - Intimate Samples	90
3	Forensic Examination: Non-intimate Samples	FE5 - Non Intimate Samples	90
3	Forensic Examination: Both Intimate and Non Intimate Samples	FE7 - Both Intimate and Non Intimate Samples	90
3	Forensic Examination	FE2 - Murder/GBH Suspect	90
3	Forensic Examination	FE3 - Assault / Other	90
3	Forensic Examination	FE4 - Complaint against Police	90
2	Telephone Advice	TEL1 - General Tel Advice	10
2	Telephone Advice	TEL2 - Meds Authorisation	10
2	Telephone Advice	TEL3 - HCP to HCP	10
3	Fitness for Travel	FTT1 - Fit for Travel/Transfer	90
3	Fitness for Interview	FTI1 - Murder Suspect	90
3	Fitness for Interview	FTI2 - Intoxication	90
3	Fitness for Interview	FTI3 - Withdrawal	90
3	Fitness for Interview	FTI4 - Mental State	90
3	Fitness for Interview	FTI5 - Pre-existing Illness	90
3	Fitness for Interview	FTI6 - Other	90
3	Fitness for Release	FTR1 - Fit to Release	90
3	Fit to Charge	FTC1 - Fit to Charge	90
3	Injury assessment and treatment	IA1 - Injury Documentation Murder Suspect	90

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3	Injury assessment and treatment	IA2 - Injury Documentation Other	90
3	Injury assessment and treatment	IA3 - Police/Civilian Officer Examination	90
3	Sexual Offence Examination: Victims	SO1 - Sexual Offence – Complainant (16+)	90 - unless appointment agreed
4	Sexual Offence Examination: Suspect		120 - unless appointment agreed
4	Suspicious/Sudden Death	SD1 - Sudden/Suspicious death	120 - unless appointment agreed
5	Mental Health (s.136) Examination	MH1 - Section 136 Examination	240
6	Appointments	Appointments	OIC request
		Attendance at scene of Death (NB: if body in public place, immediate appointment can be made)	Appointments
		Examination of victim of historic sexual offence	Appointments
		Nurse to Nurse referral	Appointments
		Nurse to FME referral	Appointments
		Forensic interpretation of injuries	Appointments
		Detainee requests medical attention for any other reason	Appointments
		Detainee already seen by HCP that requests further visit (no obvious change in condition)	Appointments



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Privacy Notice

Introduction

Data Protection Act 2018, the General Data Protection Regulation replaces previous data privacy legislation. This law gives more rights to you as an individual and more obligations to organizations holding your personal data.

One of the key rights enshrined in the new legislation is a right to be informed, which means that the Office of the Police and Crime Commissioner (OPCC) must give you detailed information about the ways in which we use, share and store your personal information.

We may need to make changes to our Privacy Notice from time to time, so please continue to check our websites for updates. If there are important changes that affect the way we handle your personal data we will contact you directly where instructed to do so by the new legislation.

Who are we?

This Privacy Notice is provided to you by the Office of the Police and Crime Commissioner for Leicestershire, which is the data controller of your data.

Your personal data – what is it?

Personal data is any information about a living individual which allows them to be identified from that data (for example a name, photographs, video, email or personal address). Identification can be directly using the data itself or by combining it with other information which helps to identify a living individual. The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the General Data Protection Regulations and other key legislation such as the Human Rights Act 1998. From the 25th May a new Data Protection Act 2018 will be the overriding applicable legislation concerning personal data.

The role of the Data Protection Officer

In accordance with the legislation the OPCC have appointed a Data Protection Officer to advise on all data protection compliance matters and to ensure that your individual rights are upheld. In order to be transparent, members of the public and organisations, can contact our Data Protection directly to discuss any data protection issues or concerns that they may have.

Office of the Police and Crime Commissioner for Leicestershire

Police Headquarters, St John's, Enderby, Leicester LE19 2BX | Telephone 0116 229 8980

Email police.commissioner@leicestershire.pnn.police.uk | Web www.leics.pcc.police.uk



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Our current Data Protection Officer is Steven Morris, Head of Information Management and his contact details are:

Tel: 0116 248 5222
Email: Steven.Morris@leicestershire.pnn.police.uk

The data we may collect about you.

In order to carry out our functions the OPCC may collect personal data about you which includes (but is not limited to) the following:

- Name, address and any other contact details such as email addresses and telephone numbers
- Employment documentation including previous employment history, references and educational history
- Gender, ethnicity, religion and nationality data
- Passport/Visa details
- Health and Disability Information
- Criminal antecedent history (where the information is necessary to carry out a legislative function).
- Complaint information
- Finance data to provide payments – e.g. to employees, contractors etc

What is the legal basis for processing your personal data?

The Police and Crime Commissioner may process personal data for the following reasons:

- Where you have consented to provide us with the information
- The performance of a contract with you, the data subject, in order to assist you with your desire to work with the Police and Crime Commissioner.
- Where the processing is considered to be in the legitimate interest of the OPCC and its statutory functions
- Where a separate statutory basis allows for the processing of your personal data

Our Data Protection Obligations

The OPCC is required to comply with Data Protection Law. This says that the personal data we hold about you must be:

- Used lawfully, fairly and in a transparent manner



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- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes
- Relevant to the purposes we have told you about and limited only to those purposes
- Be accurate and up to date
- Kept only as long as is necessary to carry out our functions
- Storing your personal data in a secure manner and ensuring its secure destruction when it is no longer necessary to process your personal data.

For more information on the Data Protection legislation please visit the Information Commissioners Website which can be found on <https://ico.org.uk/>

Use of your personal information

Our main aim in gathering your personal information is to provide you with a customised service. If you fill your details in our contact us section we use your personal information in order that we can contact you and respond to any questions and needs that you may have. We use your personal information so that we can carry out your requests.

We may also use aggregate personal information and statistics for the purposes of monitoring website usage in order to help us develop the website and our services and may provide such aggregate personal information to third parties. These statistics will not include any data that can be used to identify any individual. If, at some time in the future, we wish to use your personal data in ways other than those set out in this privacy notice, then we will notify you about this and seek your permission to do so.

Sharing your personal information

The OPCC may share your information with Leicestershire Police in order to resolve any complaints or queries that you have raised with us directly. Further information sharing with Leicestershire Police may take place where there is a clear legal basis for doing so.

We may also engage the services of commercial companies to store and manage your information on our behalf. Where we have these arrangements, there is always a contract, memorandum of understanding or information sharing agreement in place to ensure the requirements of the Data Protection legislation are met.

Information will only be shared with other agencies where there is a clear legal basis for doing so and this will predominantly be undertaken with your consent.

We do not currently envisage our wishing to transfer personal information about you outside of the European Economic Area, but in the unlikely event we should wish to do so in future, we will only do so to the extent that it is permitted under all privacy and communications legislation applicable within the United Kingdom. Of course if we need your specific and express consent to do this, we will obtain it before transferring any personal information. In all cases, any use of your personal information by the OPCC will comply with this privacy policy.



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How long do we keep your personal data?

Personal data will be kept in line with our retention policy which can be found here: **[insert link]**

How do we keep your information secure?

We are committed to ensuring that your personal data is safe. In order to prevent unauthorized access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the information that we hold about you. These include:

- Secure work areas
- Information security awareness for our staff
- Access controls on relevant systems
- Encryption of personal data
- Testing, assessing and evaluating the effectiveness of technical security controls

The internet is not a secure medium and The OPCC cannot absolutely guarantee the security of your personal information provided over the internet. However we have put in place various security measures as set out below. Our website and associated databases are protected by certified firewalls in order to protect your personal information from access by unauthorised persons and against unlawful processing. The website uses the latest technology with full backups. We also keep your personal information confidential. All outgoing and incoming email is scanned for viruses.

Your rights and your personal data

You have the following rights in relation to your personal data:

- Right to be informed
- Right to Access
- Right to request rectification
- Right to erasure
- Right to restrict Processing
- Right to Data Portability
- Right to object to processing
- Rights relating to automated decision making



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Further Processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use. This will be provided prior to commencing the new processing and will set out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

Changes to this notice

We keep this privacy notice under regular review and we will place any updates on the website www.leics-pcc.police.uk