

Minutes of a meeting of the Ethics, Integrity and Complaints Committee
held at Police Headquarters, Enderby
at 2:00pm on Friday 21 June 2019

Present

Members:

Mr Cillian Ryan (Chairman)
Ms Linda James
Dr Steven Cammiss
Mrs Karen Chouhan
Dr Mark Peel
Ms Lynne Richards

Officers:

Mr Rob Nixon, Deputy Chief Constable
Mr Martyn Ball, Chief Superintendent
Mrs Angela Perry, Executive Director
Ms Sallie Blair, OPCC Communications Advisor
Miss Teresa Wilcox, minute taker

12/19. Apologies

Apologies were received from Ms Lois Dugmore, Mr Howard Hunt (Interim Strategic Head of Communications and Public Engagement) and Mr Rich Ward (Professional Standards)

13/19. Urgent Business

There were no items of urgent business.

14/19. Declarations of Interest in Items on the Agenda

The Chairman invited attendees to make any Declarations of Interest regarding any of the agenda items.

No such declarations were made.

15/19. Minutes of the meeting held on 15 March 2019

The minutes of the meeting held on 15 March 2019 were discussed and confirmed as a true and accurate record with the following highlighted:

11/18. Dip Sampling of Complaint Files

CO/139/17 – Members received a tabled response and were satisfied with the update provided.

8/19. Complaints Against the Police – Performance Data

It was confirmed that figures in Table 1 related to Quarter three.

Check ethnicity of staff involved in complaints to see if any are Eastern European. The DCC confirmed that after looking at data, none were found to be Eastern European.

The DCC informed the Committee that he would track this through future Race, Religion and Belief group meetings.

9/19. Dip Sampling of Complaint Files

CO/141/18 – The Committee asked who would be carrying out the monthly auditing of telephone calls within the Contact Management Centre. Superintendent Cordiner said she would report back on this query.

10/19. Civil Claims

Mrs Perry notified the Committee that civil claims requiring signing off by the Police and Crime Commissioner were entered on a Decision Log which was published on the OPCC website and that a quarterly report on civil claims was presented to the Strategic Assurance Board.

The Chair asked for all future actions to be logged and tracked via an Action Log.

16/19. Membership of Committee

The Committee received a report from the Executive Director updating members on the future membership of the Committee proposing changes to the working arrangements of the Committee. A copy of the report marked paper “A” is filed with the minutes.

The Committee agreed that it was important that members had an appropriate mix of experience and knowledge and agreed that the person specification needed to be altered to attract someone from within the private sector and to include HR and procurement experience under “knowledge and experience” on the person specification.

The Committee AGREED:-

- (a) To note the position with current member appointments
- (b) The approach to be taken to recruit new members to the Committee
- (c) That Dr Peel be the nominated member for the recruitment process
- (d) With the agreed amendments to approve the working arrangements to the Committee
- (e) The roles of Chair and Deputy Chair will be elected for a 4 year term.
- (f) Representation at Committee meetings will be the Executive Director and the Communications and Public Relations lead from the Office of the Police and Crime Commissioner.
- (g) Secretarial support for agenda setting, collation and distribution of reports and the taking of minutes will be provided through the Office of the Police and Crime Commissioner.
- (h) All members will be appointed for an initial term with the option to continue for a second 4 year term. The maximum period of tenure will be 8 years.

17/19. Ethical Scenarios

The Committee received a report from the Deputy Chief Constable seeking members’ views on ethical scenarios. The Deputy Chief Constable informed that 70% of police demand was not crime and a high percentage was as a result of health issues. A copy of the report marked paper “B” is filed with the minutes.

The following scenarios were discussed by the Committee:-

Appendix A – Transporting persons

Phone call received from an Adult mental health practitioner requesting that we assist in taking an elderly male patient to the Leicester Royal Infirmary for a life threatening medical emergency. He has Alzheimer’s and has historically hit out and spat in the past at people. He is currently aggressive but hasn’t been violent.

This is primarily a health issue, East Midlands Ambulance Service are the most suitable agency to deal with this and have a duty to equip their staff to deal with foreseeable risks and are trained in restraint. Do we attend? Do we assist East Midlands Ambulance Service? Due to his age and frailty if we attended any use of force would have to be proportionate, but does immediately place the officers and organisation under scrutiny.

The Committee noted that under the Mental Health Code of Practice, patients should only be transferred via a medical vehicle in case treatment is required enroute. In the case of this particular patient who was elderly, frail and unwell, it was felt that an ambulance would be the best mode of transport and that police should not attend or transport the individual.

Appendix B – Primacy agencies contacting the police to manage and assist their victim

A member of the CRISIS team contacted police to say that they have a patient who was released from the Bradgate Unit a week ago and is described that she is still in a mental health crisis. She receives daily visits from the CRISIS team however they were really late and this had upset the patient significantly. The female lives alone with her dog is a recluse and rarely goes out. She can be aggressive and was annoyed at the delay. Two hours later when the CRISIS team arrived they couldn't get into the address and they couldn't reach the female on the phone. There was no dog at the address nor was her car there. She contacted the Police to assist her. There is a keysafe at the address and the control room hold the code but she was refusing to enter the house alone due to her aggressive behaviour previously. The code was passed. No information known as to the car registration. PNC checks didn't have any vehicle registered to the address.

What is required of the Police? Should we take any action, is it our responsibility?

There are no grounds for powers of entry into the address as it's believed she isn't there. Should we treat her as a MFH given her previous suicidal tendencies and actively try and locate her?

The Committee welcomed the report and discussed in detail the pros and cons of Leicestershire Police assisting with such matters.

The Committee recognised the fact that the police would try to be helpful in a situation such as this where there was the potential for violence and that there was frustration regarding demand. It was felt that in partnership work, a partnership agreement needed to be in place. The DCC commented that strategic level discussions were ongoing with other emergency agencies regarding such matters. Members offered to assist in such discussions in support of the Force position.

The Deputy Chief Constable offered to provide some fresh ethical dilemmas to future meetings.

18/19. Review of Expenses Paid to Officers

The Committee received a report from the Chief Constable informing members of any expenses claimed by senior officers of Leicestershire Police and also the Office of the Police and Crime Commissioner. A copy of the report marked paper "C" is filed with the minutes.

The Chair asked if expenses were calculated by subtracting the home to work mileage and Mrs Perry confirmed they were.

The Committee said that it was commendable that expenses were published on the Force and OPCC website and that the PCC was to be commended for reducing a mileage claim by five miles when he felt the journey had been too long.

It was noted that due to working regionally across a number of areas some senior officers mileage had increased slightly.

It was AGREED to note the contents of the report.

19/19. Dip Sampling of Complaint Files

The Committee received a report from the Chief Constable on the findings from the dip sampling of complaint files undertaken on 7 May 2019. A copy of the report marked paper "D" is filed with the minutes.

The Committee discussed the following cases further:-

CO84/18 – The Committee agreed that the Body Worn Video (BWV) should have been switched on. Mr Ball confirmed that a programme was in place whereby regular news articles are published on the Intranet reminding officers that it was best practice to always switch on BWV.

CO328/18 – The Committee agreed that once somebody had been arrested they would fall under the responsibility of staff on duty to prevent escape, harm, loss or damage of evidence etc.

CO533/19 – The Committee felt that management action in this case was a bit harsh however Mr Ball confirmed that he was happy with the management action on this occasion.

CO17/18 – The Committee felt that a further statement should have been taken. Mr Ball noted the Committee's comments.

CM19/18 – The Committee were happy with the update provided by Mr Ball.

It was AGREED to note the contents of the report.

20/19. Complaints Against Police

The Committee received a report from the Chief Constable providing an update on the Force performance for dealing with public complaints during the period 1 April 2018 to 31 March 2019. A copy of the report marked paper "E" is filed with the minutes.

Mr Ball informed the Committee that Supt Ward was currently six months into his transition to the role of Head of Professional Standards. The Committee acknowledged that there had been a significant improvement in regards the paperwork that they see on complaint files.

It was AGREED to note the contents of the report.

21/19. Gifts and Gratuities

The Committee received a report from the Chief Constable informing the Committee of details in respect of the force and OPCC Policies and Procedures for Gifts, Gratuities and Hospitality. A copy of the report marked paper "F" is filed with the minutes.

Mr Ball introduced the report and said the Gifts and Gratuities register was good as it encouraged staff to be transparent. He notified the Committee that the recent Leicester City gifts were presented to the first responders who attended the recent helicopter crash at the football ground.

The Committee asked for a column to be added providing approximate value of the gift, gratuity or hospitality to the Force register as it did not currently show this.

The Committee were pleased to see that some gifts were donated to charity.

The Committee asked about "Nectar" points which were collected via tax payer's money. Mr Ball confirmed that all points were placed in a central pool.

It was AGREED to note the contents of the report.

22/19. Stop and Search

The Committee received a report from Chief Superintendent Streets providing an overview of the use of and scrutiny of Stop and Search powers in Leicester, Leicestershire and Rutland from 1 April 2018 to 31 March 2019. A copy of the report marked paper "G" is filed with the minutes.

The Committee asked about groups of individuals being stopped and searched and disproportionality regarding how some of the figures within the report were calculated. The DCC explained about the demographics relating to knife crime in some areas of Leicester, Leicestershire and Rutland and how an informed judgement of certain areas was achieved by racial profiling and knowledge within some communities.

The Committee felt that the figures within the report did not confirm that more people were being caught, but that certain groups were more likely to be targeted. The DCC said it would be useful to look at the data and see how this could be presented differently. It was noted that differential does not mean discrimination.

The Committee thought that the narrative seemed to be that knife crime was a black issue, when in fact it is not as raw data show primarily that knife crime was more likely to happen in a white community. The Committee stated that the narrative around the intelligence received needed to cover this. The DCC explained that the Force targeted named individuals and not black communities. Members suggested that the narrative should say that stop and search was being undertaken because a community was a risk rather than saying this is what our intelligence is telling us.

It was AGREED to note the contents of the report.

23/19. New Grievance Resolution Procedure 2019

The Committee received a report from the Chief Constable providing a brief update on the proposed new grievance resolution procedure. A copy of the report marked paper "H" is filed with the minutes.

The DCC notified the Committee that the new grievance procedure had been through the Police Federation and UNISON for consultation.

The Committee asked how organisational learning would be picked up and Mr Ball confirmed that HMICFRS inspections would highlight any issues.

It was AGREED to note the contents of the report.

Chairman

2:00 pm – 3:55 pm