

POLICE AND CRIME COMMISSIONER FOR LEICESTERSHIRE

ETHICS, INTEGRITY AND COMPLAINTS COMMITTEE

PAPER MARKED

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Report of	CHIEF CONSTABLE
Subject	ETHICAL SCENARIOS
Date	FRIDAY 22 JUNE 2018 – 2:00 P.M.
Author	DCC BANNISTER

Purpose of Report

1. The purpose of this report is to seek members' views on two ethical scenarios outlined within the Appendices.

Recommendation

2. It is recommended that members consider the ethical scenarios and provide their views.

Commentary

3. The Terms of Reference provide for the Committee to be a forum for debate concerning professional standards and make recommendations about ethical dilemmas facing the Force. As such a standing item of 'Ethical Scenarios' will be included on all future agenda for members to discuss and provide their views.

Implications

Financial :	None.
Legal :	None.
Equality Impact Assessment :	None.
Risks and Impact :	<ul style="list-style-type: none">• The scenarios provided are anonymised in order that no individual can be identified. The views of the Committee will be taken into account on any future similar incidences.• Public perception and reputational issues for the Force.
Link to Police and Crime Plan :	Links to the Nolan Principles and Code of Ethics contained within the Plan.
Communications :	Communications Plan will be approved by the Committee at this meeting.

List of Appendices

Appendix 1 – Mental Health

Appendix 2 – External Demand

Background Papers

None.

Person to Contact

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Scenario 1

Introduction

Within this scenario, I would invite the Ethics Committee to consider the Force position in respect of a person needs transporting to the psychiatric inpatient unit and is clearly mentally unwell and the ambulance have no ETA. What is in the patient's best interest v safeguarding the organisation?

Policy/ Guidance

1. Mental Health Act Code of Practice.

2. Leicestershire Police Section 136 Mental Health Act Procedure

Circumstances

The existing Mental Health Act Code of Practice states police vehicles should only be used when it is the most appropriate method of transport.

Paragraph 17.14 of the MHA Code of Practice for England indicates that the police may be involved in moving the patient to suitable healthcare facilities if they are likely to be 'violent or dangerous'. Paragraph 17.13 of the MHA Code of Practice for England, also states that it may be appropriate for the police to assist with patients who are 'unwilling to be moved'.

In all cases an ambulance will be requested to assist with the transport of the detained person. If this cannot be facilitated for example EMAS are stating it will be an unacceptable length of waiting time then all the reasons as to why should be documented by the detaining officer. It is always preferable to transport someone by ambulance. However, when there are identified risks, then measures may need to be taken to ensure the safety of the person, ambulance staff, healthcare professionals and police officers. The safety of staff always needs to be a consideration in these circumstances. The other options to be considered are:

- Police vehicle to follow ambulance
- Police Officer(s) to travel in the ambulance with patient and ambulance staff
- Patient to be transported in a Police vehicle only in exceptional circumstances, with ambulance staff observing in a safe position within the police vehicle or, an ambulance travelling behind the police vehicle and in a position to assist if necessary.

Does the committee support officers in the transportation of mentally unwell patients even when there is no ambulance as this ensures the patient arrives at the required destination in a timely manner however this carries any organisational risk if the person becomes physically unwell.

Scenario 2

Introduction

The Ethics Committee are invited to discuss implications for both the public and partner agencies of Leicestershire Police changing how it receives and responds to external demand.

Current Policy & Practice

Leicestershire Police received 628,464 calls in 2016/17. 21.64% (136,055) of these were 999 calls (Emergency) and 78.36% (492,409) were via the 101 (Non-emergency) number. Approximately 59% of calls are for matters not related to a crime or Police incident, with up to 10% being demand attributed to concern for safety/health related matters. Leicestershire officers and staff attend about 97,895 incidents per year. 60% of service users nationally have indicated a preference for contacting the police online. Just 7% of public and partner contact is currently transacted using online methods.

Circumstances

Whilst it has become the norm across the majority of the private sector and large sections of the public sector to administer services online, the police are still predominantly a telephone based business. Due to their 24/7 presence, the police now respond to a growing amount of demand from partner organisations and it is likely that if left unchecked – that this will increase as further austerity cuts cause some frontline services to shrink.

Leicestershire Police is exploring ways of delivering services online. This may involve measures intended to change customer behaviour by requiring certain types of demand to be transacted online. This may also include an expectation that the customer is required to attend a service centre (located at local police stations), rather than a police officer or staff colleague attending their home address. It is not envisaged that the method by which police attendance at emergency incidents or those involving the vulnerable will change.

This approach may also involve Leicestershire Police directing demand to the most appropriate partner agency where it falls outside of the scope of their services – but may have previously through local custom and practice been accepted over time as a task that the police are prepared to complete.

This change will enable the redeployment of valuable resources to mitigate the threat in new and emerging areas of criminality, such as cyber, fraud and human trafficking and modern slavery and enhance frontline services in neighbourhoods.

Scenario 3

Following a change process, it is agreed that 3 PCs will move from one station to another. Due to the skills match required in the neighbouring station, there are potentially 4 officers who could be transferred. The three people chosen were 2 males and 1 female. There had been several meetings over 2 months and the decision was made by the Superintendent and Chief Inspector. None of the officers who were chosen had been informed of their transfer.

The day before they are told they will be transferred, the female officer puts in a grievance about sexual harassment. The person she is complaining about is the male officer who has not been chosen to transfer stations, but he has the appropriate skills and could be transferred. In the grievance the female officer asks for the male officer to be transferred stating that she wishes to stay in the station she is based as she likes the work.

Dilemma

Do you implement the decision to transfer the 3 chosen, as the decision was made before a grievance was raised?

The female officer may well see this as an act of victimisation, even though the decision was completely unconnected.

If the female officer is not transferred, do you transfer the male officer?

What will his perception be if becomes suddenly named in the grievance. Will he see this as a sanction or a disadvantage as he has denied that he engaged in any sexual harassment?

Do you transfer neither of them until the grievance is concluded? What will this mean for the skills required in the neighbouring station?