

**POLICE AND CRIME
COMMISSIONER FOR
LEICESTERSHIRE**

**ETHICS, INTEGRITY AND
COMPLAINTS COMMITTEE**

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Report of: **POLICE AND CRIME COMMISSIONER**

Subject: **PRIORITY AREAS FOR 2017**

Date: **FRIDAY 23 SEPTEMBER 2016 – 2:00 p.m.**

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HEAD OF GOVERNANCE AND ASSURANCE**

Purpose of Report

1. The purpose of this report is for members' consideration and approval of a forward work plan and training schedule for the work of the Committee and member development for the next 12 months.

Recommendation

2. It is recommended that members:-
 - (a) approve a forward work plan and training schedule for 2016; and
 - (b) identify any further training members may feel would be advantageous in the next 12 months.

Background

3. At its meeting on 25 September 2015 the Committee agreed its priority work areas for the forthcoming year. These were agreed as:-
 - Complaints and misconduct allegations
 - 'Stop and search' processes
 - 'Whistleblowing' arrangements and processes
 - Facial recognition
 - Resource deployment in a time of austerity
4. All areas have been incorporated into the work of the Committee over the past 12 months and it is now time to consider the coming year and areas within the terms of reference that members may wish to prioritise. A copy of the Terms of Reference is attached at APPENDIX 'A'.

Forward Workplan 2016-2017

5. Apart from the work on complaints which is a standing item for the Committee members may wish to consider which, if any, of the previous priority areas they would like to return to in the coming year and which other areas within the terms of reference they would like to include in the future plan.
6. From the work over the past 12 months members have requested to return to the following issues in the coming year:-
 - Stop and search – viewing of more videos of stop and searches undertaken.
 - Operation Edison – ethical issues around and understanding of the financial management of the new model.
 - Cyber Beat – update after 6 months of its implementation
7. The Chief Constable and Deputy Chief Constable have been consulted and have requested the following areas be considered by the Committee:-
 - Conducted Energy Devices (Taser) and the issues around rollout/usage
 - Mental health detainees in Police cells due to more suitable health care provision
8. Both of the above areas are incorporated in the ethical dilemmas for this meeting however the Committee may wish to receive more in depth information on these areas of business.
9. Some areas within the Committee's Terms of Reference that members may wish to consider for the forthcoming year are as follows:-
 - Expenses paid to officers both within the Force and the OPCC, including the Commissioner and Chief Constable
 - Promotion processes to ensure they are fair and equitable.
 - Review the monitoring undertaken of staff members personal social media
 - Review of the Business Interests Policy and the business interests held by officers, including those declined.
 - Review compliance with FOI requests for both the Force and the OPCC
10. It should be remembered that the Committee may also address others areas within the terms of reference at different times however the focus will be to address areas on the workplan at the time of agenda setting.

Training Schedule

11. Once a forward workplan is agreed for the coming year a training schedule will be drafted to accompany the priority areas. This will be presented to members at their meeting in December for approval.

Implications

Financial :	None.
Legal :	None.
Equality Impact Assessment :	None.
Risks and Impact :	None.
Link to Police and Crime Plan :	The work of the Committee is in line with the Nolan Principles and Code of Ethics.
Communications :	A communications plan is in place to publish the work of the committee.

List of Appendices

Appendix A – Terms of Reference for the Committee

Background Papers

Paper C to the Ethics, Integrity and Complaints Committee - 25 September 2016

Person to Contact

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ETHICS, INTEGRITY AND COMPLAINTS COMMITTEE

Terms of Reference

Purpose

The Ethics, Integrity and Complaints Committee will be responsible for enhancing trust and confidence in the ethical governance and actions of Leicestershire Police. The Committee will provide reassurance to the Police and Crime Commissioner that ethics and integrity are embedded within Leicestershire Police and that complaints against the police are dealt with expeditiously and follow due process. Through its work the Committee will provide assurance to both the Police and Crime Commissioner, and the Chief Constable, that the Force aspires to, and achieves, the highest levels of integrity and standards of service delivery.

The Committee will be overtly unbiased and independent and will discharge its responsibilities by:

- Promoting the highest standards of ethical conduct in all its dealings
- Providing a focus for education into ethical issues
- Ensuring compliance with organisational values
- Identifying good practices and opportunities for improvement.

Committee Responsibilities

The Committee will articulate and promote the influence of professional ethics in all aspects of policing. It will support the PCC and the Senior Command Team in their business portfolios from the perspective of the ethical dilemmas of their work by considering any ethical matters referred by the Commissioner or the Chief Constable.

The Committee will anticipate ethical challenges facing the police service and the correct response. It will advise and influence changes in Leicestershire Police policy.

The Committee will advise the Commissioner, and Chief Constable, on the effectiveness of the embedding of the Code of Ethics within the Force and its on-going influence on service delivery.

The Committee will report biannually on its work and setting out its findings.

The Committee will regularly scrutinise:-

- Expenses paid to officers both within the Force and the OPCC, including the Commissioner and Chief Constable.
- Information published as required by government under the transparency agenda.
- Stop and search data and outcomes including any disproportionality identified.
- 'Any Questions' on the Force intranet site to identify any ethical or integrity issues arising and the responses given.
- Promotion processes to ensure they are fair and equitable.

- Resource deployment in a time of austerity.
- The implementation of force policy and procedure to ensure it is adhered to.

In addition the Ethics, Integrity and Complaints Committee will consider and may make recommendations regarding the following:-

Policy and Procedure

- Providing advice to those engaged in the development or review of force policy and procedure;
- Ensuring policy and procedure reflects the stated values of the force and police service

Decision Making/Transparency

- Review the decision making of others
- Review compliance with the agreed Decision Making Model
- Transparency around performance against strategic plans
- Review compliance with declarations of interest, gifts and hospitality
- Review chief officers' diaries and cross check gifts and hospitality against the procurement register to ensure transparency.
- Review the communications to staff on the requirement to complete the hospitality and gifts register, particularly in respect of declined gifts.
- Review compliance with the Publication Scheme
- Review compliance with the Equality Scheme

Leadership

- Review the ethical standards expected of all leaders
- Supporting and if necessary challenging the ethical conduct of leaders

Culture

- Review organisational values
- Promoting the purpose and adoption of value based action and decision making throughout the force
- Ensuring the Code of Ethics and force values are applied consistently across all activities of the force.

People

- Reviewing staff performance in upholding the values of the force and police service
- Scrutinising inter-personal relations, such as behaviour that may fall short of the conduct threshold or indicate a failure to afford an individual dignity or equality in treatment.
- Review the monitoring undertaken of staff members personal social media
- Review the vetting undertaken to ensure it complies with the national standards.
- Make recommendations in respect of resources allocated to PSD, CCU where it is felt this is not adequate to deliver the assurances required.
- Review of the Business Interests Policy and the business interests held by officers, including those declined.

Performance

- Ensuring operational and organisational performance is measured and delivered ethically, upholding the values of the force and Code of Ethics
- Review expected standards and conduct of staff/officers
- Review the arrangements in place for “Whistleblowing”. *(A working protocol will be developed to avoid duplication with JARAP responsibilities in relation to anti-fraud and corruption).*
- Review statistical data in relation to complaints against the police and ensure any issues are identified and acted upon if appropriate.

Conduct

- Ensuring investigations are conducted ethically and in compliance with relevant process and force values.
- Consider potential ethical conflict in relation to matters such as procurement, hospitality, allowances/expenses and personal association.
- Regular reviewing of the IPCC Non-Referral Register held by the Force to ensure decisions are ethical.
- Monitoring of Force and PCC systems for recording and monitoring complaints
- Reviewing complaint cases or misconduct investigations, including appeals, that cause or are likely to cause particular community concern or raise reputational issues
- **Monitoring of performance data regarding complaints to ensure that the Force has an effective complaints reporting system in place and is identifying and learning from any recurring patterns or themes**
- Monitoring the proportionality of decision making around complaints and misconduct allegations, including the potential discriminatory impact on the community and the officers and staff of the Force
- To provide a forum to debate issues concerning professional standards, integrity and ethics, in accordance with principles and standards set out in the ‘Code of Ethics’ published by the College of Policing , and to challenge and make recommendations about ethical dilemmas facing the Force (whether brought to the Committee or raised by the Committee) and relevant integrity policies
- To report, on a biannual basis, the summary findings, conclusions and recommendations of the Committee to the Police and Crime Commissioner and Chief Constable
- Reviewing Hospitality Registers maintained by the Force and the Office of the PCC
- Consider the effectiveness of change or improvement programmes
- To receive feedback on formal inspection of the Force from HMIC, IPCC and any other national body where that inspection relates to integrity, transparency or the handling of complaints.
- Ensure reviews of completed complaint files managed by both the Force and the IPCC are undertaken and best practice and exceptions identified and acted upon if appropriate)
- Review compliance with FOI requests for both the Force and the OPCC.
- Review the adequacy of sharing information and agreed Protocols

Complaints/Misconduct

- To review the handling of public complaints, misconduct and grievances to commend best practice, to identify necessary organisational learning and to report any irregularities to the Commissioner and the Chief Constable so they may take appropriate action.
- To dip sample a minimum of 25 files each quarter, on a theme to be determined in advance by the Chair, to provide assurance that the Force’s procedures, investigations and outcomes have addressed statutory requirements. To take a risk based approach and completion of a review

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proforma for each file examined. PSD to provide a mixture of substantiated, unsubstantiated, locally resolved, withdrawn and discontinued cases.

- To review performance management data to show timeliness of completion of complaints, trends and analysis of types of complaints and or geographical police areas of concern.
- To review the progress of live complaint cases or misconduct investigations, including appeals that cause or are likely to cause particular community concern.
- To monitor the proportionality of decision making around complaints and misconduct allegations, including the potential discriminatory impact on the community and the officers and staff of the Force.
- To provide a forum to debate issues concerning professional standards, integrity and ethics, in accordance with the principles and standards set out in the Code of Ethics and to challenge and make recommendations about ethical dilemmas facing the Force ensuring organisational learning is maximised.
- To ensure the Force is identifying and learning from any recurring patterns or themes arising from complaints or misconduct matters.
- To identify overlapping themes between complaints and civil claims.
- To view a selection of misconduct allegations to reassure of the actions being taken against staff through internal procedures as well as those arising from complaints.

These terms of reference will be reviewed annually by the Committee.

TofR – SAB 1.12.14