



**POLICE & CRIME
COMMISSIONER**
for Leicester,
Leicestershire & Rutland
Your Communities - Your Commissioner

INDEPENDENT CUSTODY VISITING SCHEME

PART I - HANDBOOK





LEICESTERSHIRE INDEPENDENT CUSTODY VISITING SCHEME

Operation of the Independent Custody Visiting Scheme for Leicester, Leicestershire and Rutland

1. Independent 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 Manual.
- 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 Manual.

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 regarding 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 Chief Executive and is administered by the Volunteers Manager, who is the 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. Euston Street and Keyham Lane are primary custody suites and Beaumont Leys is a secondary/overflow custody suite. The custody suites operate on a 24/7 basis. The custody suites are located as follows:
- Euston Street - 36 cells
 - Keyham Lane - 18 cells
 - Beaumont Leys - 14 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.

Meetings

- 2.7 The Volunteers Manager will chair meetings with the team of custody visitors on a quarterly basis to discuss developments, problems, good practice and availability for visits. The Volunteers Manager will be in attendance to provide advice and to raise any issues that may have arisen since the meeting. A copy of the Terms of Reference for team meetings can be found in Part II Appendix 3.

E-newsletters

- 2.8 E-newsletters will be forwarded to all ICV's from the Volunteers Manager on the last Friday of every month. The e-newsletters provide local scheme updates 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. Each meeting will be hosted by a different region in turn. A regional advanced training day will be organised at this forum, once every two years, for custody visitors across the region to meet 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 4.

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 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 independent custody visitors as part of the three-year reappointment process.
- 4.8 Leicestershire Police will provide information to enable the Chief Executive to decide with regard to the suitability of each applicant. The Chief Executive 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 to appoint will be the responsibility of the Chief Executive.
- 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 Volunteers Manager.
- 4.10 Upon appointment independent custody visitors will be provided with a copy of the ICV Manual together with contact details of the Volunteers Manager and other ICV team members.

Confidentiality Undertaking

- 4.11 All custody visitors must sign a confidentiality undertaking and 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. 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 observed by an ICV buddy in attendance and will provide feedback to the Volunteers Manager. A copy of the observed visit form questions is included in Part II Appendix 5. The ICV will then have a one-to-one meeting with the Volunteers Manager which will allow a full and frank discussion of the role. The Volunteers Manager will then provide written feedback on the visitor's performance and indicate whether, they endorse a further three-year term. A copy of the questions is included in Part II Appendix 6. The key factors in renewing appointments for further periods will be the responsibility 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.

Support and Supervision

- 4.14 Formal supervision takes place during the three-year review process for experienced custody visitors and 6 months for newly recruited custody visitors. The Volunteers Manager is available for informal support at any time during the working week by email or telephone, a face-to-face meeting can also be arranged at a date and time that is convenient. ICVs must inform the Volunteers Manager of any medical conditions that could affect their ability to carry out the role, this would enable the Volunteers Manager to put reasonable adjustments in place to support them. Out of hours contact details will be shared for emergencies.
- 4.15 At the time of the three-year review, vetting will be undertaken and the outcome may affect re-appointment to the role.
- 4.16 It is a requirement that custody visitors inform the Volunteers 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 stepparents 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
- 4.17 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 an ICV buddy. The details will be fed back to the Volunteers Manager and any progress and development needs will be discussed with the individual. A copy of the questions is included in Part II Appendix 6. The ICV will have a 'one-to-one' interview with the Volunteers 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 feedback and

discussions with the Volunteers Manager regarding their continued performance in the scheme. A copy of the questions is included in Part II Appendix 6.

- 4.18 Upon leaving the Scheme the exit process will be utilised. A copy of the process is included in Part II Appendix 7.

Removal

- 4.19 There may be occasions when the OPCC must consider the removal of an ICV 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.
- 4.20 Where poor performance has been identified the Volunteers 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.
- 4.21 Where removal is being considered, the Volunteers 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.
- 4.22 Based on the evidence for removal, and the representations received, the Chief Executive in consultation with the Volunteers Manager will determine whether to remove the custody visitor from the accredited list.
- 4.23 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.
- 4.24 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 Plan and Objectives is included in Part II Appendix 8. Initial training will be provided during one full day, on a Saturday. There is also a requirement to complete bitesize training modules provided by ICVA and the OPCC during their probationary period.
- 5.2 Optional refresher training will be available to all custody visitors.
- 5.3 Advanced regional training will be provided once every two years 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, based on comments and data received from the feedback forms.
- 5.5 Optional training will be provided to those who wish to take part in the 'Buddy Scheme' which sees experienced custody visitors act as mentors to those newly appointed. These volunteers will be trained on how to successfully mentor a colleague. A role description, criteria and person specification for the role of a 'Buddy' is included in Part II Appendix 9, together with the application process. The "Buddy" process for new custody visitors is included in Part II Appendix 10.

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 during their duties, should be referred in writing to the Volunteers Manager at the earliest convenience. This will allow for an early resolution to the complaint.
- 6.2 The Volunteers Manager will consult with the Chief Executive and if necessary, the relevant ACPO officer, to ensure resolution of the complaint and provide feedback to both parties.

Action upon receipt of a Complaint

- 6.3 Upon receipt of a complaint, the Volunteers Manager will investigate the allegation by speaking to the parties concerned and seeking to address the complaint informally.
- 6.4 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.

Criminal Offences

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

Criminal Proceedings

- 6.8 Custody visitors must notify the Volunteers Manager if they are charged with a criminal offence. In such circumstances, the Volunteers Manager will automatically suspend the ICV until the outcome of any criminal proceedings is resolved.
- 6.9 If the custody visitor is subsequently found not to be guilty, or if charges are dropped, then consideration will be given to reinstating them.

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 Volunteers 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 Volunteers Manager in writing, by the custody visitor concerned.
- 6.13 A complaint about the Volunteers 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, and the Volunteers 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. 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 Volunteers Manager 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 Volunteers 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 visits gap chart from the Volunteers Manager. If contact cannot be made with their allocated partner during this time the Volunteers Manger 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 11.
- 7.7 Each week a 'visits gap' 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. Once a visit has been completed the gap chart will be updated where green timeslots are changed to white. 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 12.

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 Volunteer Manger.
- 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 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 at the reception desk that there are custody visitors present 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 13.
- 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 memoire is included at Part II Appendix 14

- 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 specific ICV risk assessment for the role. A copy of this can be found in Part II Appendix 15. Each custody visitor will also be provided with a generic Leicestershire Police working in custody risk assessment. A copy of this can be found in Part II Appendix 16.
- 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 a 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 Volunteers Manager. The incident should also be reported on the visit report form.
- 7.19 A protocol for the exposure to blood and bodily fluids is in place and is included in Part II Appendix 17.

Access to Detainees

- 7.20 Custody visitors will be allowed access to any person detained at a police station, provided they are not high risk detainees.
- 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 18.
- 7.24 Female hygiene packs should be available in all custody suites. Custody visitors should enquire that supplies are available during their visit and female detainees have been asked if they require or are likely to require any menstrual products while they are in custody. They should also ensure that such detainees had the opportunity to speak to their assigned female officer or staff. A protocol is in place for two male custody visitors visiting female juvenile detainees and this is contained in Part II Appendix 19.

- 7.25 All detainees must be asked if they wish to speak in private with a member of custody staff about any matter concerning their personal needs relating to health, hygiene and welfare; if the detainee wishes to take this opportunity to raise any needs, this member of staff may be of the same sex and arrangements should be made as soon as practicable.
- 7.26 Access to toilet and washing facilities must take account of the detainee's dignity. Pixelation is provided in cells on CCTV monitoring, to give privacy in the toilet area, detainees should be made aware of this when they are placed in the cell.
- 7.27 The above provisions around health, hygiene and welfare products take into account the possible needs of transgender individuals. ICVA have produced a checklist contained at Part II Appendix 20.
- 7.28 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. 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.
- 7.29 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.
- 7.30 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 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.
- 7.31 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

7.32 Detainees will fall into the following 3 categories:

1. PACE Detainees

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

2. Home Office Prisoners

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

3. Other Detainees

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

- ii. 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).

- iii. 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.

Detention of Juveniles and Persons who are Vulnerable

- 7.33 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.
- 7.34 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.
- 7.35 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 21 and provides custody visitors with areas to consider when monitoring the treatment of children in custody.
- 7.36 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'.
- 7.37 '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)

- 7.38 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.
- 7.39 '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)
- 7.40 Custody visitors may not act as an 'appropriate adult' in addition to their custody visiting role.
- 7.41 Following judicial review into the provision of appropriate adults, the Home Office provided revised guidance in 2013 which outlined that an appropriate adult should be provided to all children and young people aged 10 - 17 years old. This may be a parent or guardian or a professional appropriate adult, depending on the child or young person's preference. ICVA have produced an appropriate adult checklist which is contained at Part II Appendix 22 and provides custody visitors with areas to check when carrying out visits to this group of detainees. The guidance further advises that once the child or young person 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.
- 7.42 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).
- 7.43 ICVA have worked alongside post-doctoral fellow Dr Miranda Bevan (post-doctoral fellow, London School of Economics) who detailed her research and findings into children and young people in police custody to produce a more extensive checklist including all aspects of the detention of children and young people in custody. This can be found at Part II Appendix 23.

Prioritising Visits to Vulnerable Detainees

- 7.44 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 in Part II Appendix 24 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

- 7.45 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 also stand outside the and introduce themselves to the detainee. A protocol for this introduction is contained in Part II Appendix 25.
- 7.46 A prompt card outlining the words to be used in the self-introduction is contained at Part II Appendix 26.
- 7.47 At all times during the visit to the detainee, the member of custody staff will remain outside the cell door.

Conversation with the Detainee

- 7.48 Detainees may only be spoken to with their consent.
- 7.49 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 several languages at each custody suite where each language sheet has been photocopied and disposed of after use. There is a master copy within the folder and can be used to photocopy more if required. Depending on the detainee's risk assessment, the custody officer will hand over a pencil for them to complete the translation sheet or they can point to the appropriate answers. 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 is included in Part VI of the ICV Manual.
- 7.50 Discussions between detainees and custody visitors must normally take place in sight, but out of hearing of the escorting officer where that is practical.
- 7.51 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 27. A full list of the articles of [Human Rights Act 1998](#) is included in Part II Appendix 28.

Dealing with Issues from Conversations with the Detainee

- 7.52 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, to seek a resolution.
- 7.53 If a detainee wishes to make an official complaint against a police officer or member of police staff, the procedure for the detainee 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.
- 7.54 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.
- 7.55 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.
- 7.56 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.
- 7.57 If a custody visitor realises they know or are known by a detainee, they must to withdraw from visiting that particular detainee. The custody visitor must inform the Custody Sergeant and Volunteers Manager as soon as possible.
- 7.58 Detainees must not be offered inducements by custody visitors.
- 7.59 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

- 7.60 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.
- 7.61 Custody 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.

Reprisals

- 7.62 The Office of the Police and Crime Commissioner (OPCC) for Leicestershire has a responsibility to ensure that detainees can speak to custody visitors openly and without fear of reprisals from the force as part of its responsibility under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).
- 7.63 Where a detainee alerts a custody visitor of a reprisal or fear of a reprisal, the custody visitor shall inform the custody sergeant (with the permission of the detainee). If the reprisal is about the custody sergeant, the custody inspector must be informed. The custody visitor will include this in their report to the Volunteers Manager in the OPCC.
- 7.64 If complaints of reprisals are made as a result of interaction with custody visitors, Leicestershire Professional Standards Department will inform the Volunteers Manager of the complaint, actions taken and the outcome.
- 7.65 All complaints regarding reprisals as a result of intersection with custody visitors will be reported to the Commissioner through reports. Such complaints will also be reported to ICVA.

Access to Custody Records

- 7.66 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.
- 7.67 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 **does not** apply to detainees who are asleep.
- 7.68 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.
- 7.69 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

7.70 The custody visit itself will be recorded on the custody records of detainees. The names of the custody visitors will not be included.

7.71 Any printed pages of custody records provided to independent custody visitors must not, under any circumstances, be removed from the custody suite.

Confidentiality

7.72 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.

7.73 Conversations between 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

7.74 Custody visitors must use the ICV Custody App using the provided electronic device located in each custody suite to record findings from their visit. At the end of each visit, and while they are still at the police station, custody visitors must complete the custody visit report form with their findings. A user guide on how to use the App and record a visit can be found at Part II Appendix 27. In situations where custody visitors are unable to utilise the App (for example the electronic device battery is dead), paper forms are available. A copy of the paper visit report form is contained in Part II Appendix 30. Once completed, the report should be forwarded via email to the Volunteers Manger to input the details on to the custody app.

7.75 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.

7.76 If 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 and Volunteers Manager/OPCC prior to the conclusion of the visit. Up to date names and collar numbers of ICV liaison Custody Inspectors and Chief Inspector will be shared by the Volunteers Manager.

7.77 Any issues raised from visits will be reported to the Volunteers Manager where a response will be provided by the Custody Inspector, Criminal Justice. Identifying trends emerging from visits will also be addressed at this time.

Feedback

- 7.78 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.
- 7.79 Trends relating to the timing of visits and the issues raised from report forms will be reported to the quarterly ICV Team meetings. Custody Inspector will respond to any issues which were not dealt with at the time of the visit.
- 7.80 Any issues raised, which in the opinion of the Volunteers 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 Volunteers Manager.

8. Role and Responsibilities of Personnel in the Custody Suite

- 8.1 Each of the 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 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 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. Custody visitors will need 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.

Deaths in Custody

- 9.3 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 31.
- 9.4 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.
- 9.5 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

- 9.6 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.
- 9.7 The person may choose their own solicitor or a 'duty' solicitor.
- 9.8 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

- 9.9 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

- 9.10 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

- 9.11 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.
- 9.12 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.
- 9.13 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

- 9.14 Staff handover times take place at the following times for both custody officers and detention officers

0700 hours & 1900 hours

Chute Waiting Times

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

Reading Material

- 9.16 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 custody visitors and police staff develop and maintain professional working relationships based on mutual respect and understanding of each other's' 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 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 a visit.

CCTV

10.4 The independent custody visitors code of practice (Section 50) states that custody visitors should be allowed access to CCTV cameras and systems (in PACE detention facilities) to ensure that they are operational.

10.5 They must also check that detainee privacy is respected and that no detainees are displayed on public screens without their consent.

A custody visitor can request a particular function of the CCTV system including checking individual cell cameras. However, a prolonged viewing of a particular detainee in a cell without the detainees permission would not be acceptable.

10.6 A detainee may be displayed (with consent) if in an exercise yard. The APP states that outside areas have ligature points, so custody staff are required to make detainees aware that they will be placed on CCTV in this setting.

Role of Healthcare Professionals

10.7 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.

10.8 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 the document Mitie Medical Provider – response times Part II Appendix 32.

- 10.9 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.
- 10.10 Custody visitors should pay particular attention to detained persons who appear to be suffering from any form of illness, injury or disability.

11 Data Protection Act 2018, General Data Protection Regulations (GDPR)

- 11.1 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 33. If there are changes that affect the way the scheme handles personal data of custody visitors, the Volunteers Manager will contact custody visitors directly.

12 Motor Insurance

- 12.1 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.

13 Insurance

- 13.1 Personal accident insurance for 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
- 13.2 Custody visitors are insured in the event of any civil claims being made against them.

14 Equality and Diversity Statement

- 14.1 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.
- 14.2 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.
- 14.3 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.
- 14.4 The OPCC extends this commitment to cover all aspects of diversity.

15 Memorandum of Understanding for Custody Visitors

- 15.1 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.
- 15.2 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 an agreed rota
 - (c) keep the Volunteers Manager and custody visitors informed of any problems with rota 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 Volunteers Manager's attention any issue that needs to be dealt with
 - (i) complete the 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 Custody Visitors annually
 - (o) carry out the duties of a Custody Visitor with regard to the Health and Safety requirements of the Custody Visiting Scheme
 - (p) carry out the duties of a Custody Visitor with regard to Equality and Diversity
 - (q) carry out the duties of a 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

15.3 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 the Volunteers Manager and 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