

## **LEICESTERSHIRE POLICE AUTHORITY**

### **Minutes of the Professional Standards Committee Meeting held at Police Headquarters, Enderby on Thursday 3 September 2009**

#### **Present**

Mr P Brown, Dr S Chowdhury, Mr W Naylor, Mr J Orson, Mr D Prince, Mr B Roper and Mr D Snartt,

#### **Officers**

Mr R Swinfield (Chief Executive) and Mrs A Perry, (Deputy Chief Executive).

#### **Representatives from the Constabulary**

Mr C Eyre (Deputy Chief Constable) and D/Supt J Ball (Head of Professional Standards)

#### **Others**

Ms C Archer (Police Authority Inspection Team).

#### **Mr P Brown – in the Chair**

*The Chairman welcomed Ms Archer and the new members of the  
Committee to the meeting*

#### **09/09. Apologies**

There were no apologies.

#### **10/09. Items of Urgent Business**

There were no items of urgent business.

#### **11/09. Declarations of Code of Conduct Interests**

The Chairman invited members who wished to do so to make declarations of any Code of Conduct interests in respect of items on the agenda for the meeting.

No such declarations were made.

#### **12/09. Minutes of the Meeting held on 2 April 2009**

The minutes of the Professional Standards Committee meeting held on 2 April 2009, having been previously circulated, were confirmed and signed.

#### **13/09. Police Complaint Statistics – 1 April 2009 to 31 July 2009**

The Committee considered a report of the Chief Constable presenting figures on complaints received for the period 1 April 2009 to 31 July 2009. A copy of the report marked 'A' is filed with the minutes.

D/Supt. Ball made the following comments:

- The 157% increase in complaints recorded for Loughborough LPU actually referred to the difference between 7 cases last year and 18 cases in the current year.
- The 500% increase at Oadby and Wigston LPU actually referred to just 11 complaints of which 1 had 13 different allegations.
- In relation to incivility and politeness if an officer had 3 complaints within 12 months that officer would be subject to an action plan.
- It was expected that 60% of cases would be dealt with by local resolution by the year end which would be in excess of the target of 55%.
- in relation to table 16, D/Supt. Ball stated that Lancashire police do not provide information on how complaints were finalised.
- Leaflets informing the public on how to make a complaint were widely distributed within the local community.

Members requested the following amendments to future reports:-

- Table 16 of the report to contain percentages as well as figures.
- The pie chart on page A-36 to include information on officers who were subject to complaint who resign in future.
- Outline information be provided in future reports on the background to the cases outlined in Table 37.

Members requested that further information be provided on how Forces around the country compared with Leicestershire for finalising complaints as outlined in Table 16 of the report.

The Committee RESOLVED to note the contents of the report.

#### **14/09. The Policing Pledge**

The Committee received a presentation from D/Supt Ball on the implications for the Professional Standards Department in respect of the Policing Pledge.

A copy of the Authority's Action Plan in relation to their monitoring of the Pledge was tabled at the meeting. A copy is filed with the minutes.

D/Supt Ball made the following comments:-

- There was a conflict with complaints being dealt with within the timelines set out in the Police Reform Act, which specified 10 days, and not 24 hours for dealing with matters of dissatisfaction as promised in the Policing Pledge. If an issue related to a matter associated with an officer's conduct this would be dealt with as a complaint. More general issues would be dealt with as dissatisfaction.
- There was no difference between direction and control and matters of dissatisfaction. Complaints relating to direction and control had been dealt with by the department since 2004 and this process had now been amended to encompass dissatisfaction.
- Complaints of dissatisfaction had usually been dealt with by the time they reached the Professional Standards Department.

The Committee RESOLVED to note the contents of the presentation.

**15/09. Learning the Lessons**

The Committee considered a report of the Chief Constable informing members of lessons learnt relating to command and control issues. A copy of the report marked 'B' is filed with the minutes.

The Deputy Chief Constable stated that the Force undertook national and international learning to embed within the organisation. He added that information from such documents was extracted and forwarded to the relevant departments. D/Supt Ball stated that officers from her department followed this up if a response was required in relation to such things as changing a policy or process.

The Committee RESOLVED to note the contents of the report.

**16/09. Independent Custody Visiting Scheme - Update**

The Committee received a report of the Chief Executive updating members on the Independent Custody Visiting Scheme in Leicestershire. A copy of the report marked 'C' is filed with the minutes.

The Vice-Chairman of the Authority thanked the Deputy Chief Executive and Members Services Officer for the efforts they made in organising and administering the scheme. He also added his thanks to the custody visitors for their enthusiasm for the role.

The Committee RESOLVED to note the contents of the report.

**17/09. Whistleblowing Policy**

The Committee considered a report of the Deputy Chief Constable informing members about Whistleblowing. A copy of the report marked 'D' is filed with the minutes.

D/Supt Ball stated that whistleblowing was covered by the Anti-fraud and Corruption Policy and Procedure documents. She stated that the words 'or the Force' would be removed from paragraph 6.1 (g) as these were included in error. She added that whilst there were 20 occasions last year when issues were reported by this medium there were many more where individuals had contacted the Department directly.

D/Supt Ball stated that this policy formed part of the overarching Anti-Corruption Policy and was not a policy in its own right. She added that the policy was reviewed annually.

The Committee RESOLVED to endorse the Anti-Fraud and Corruption Policy and Procedure.

**18/09. Direction and Control Policy Review**

The Committee received a report of the Deputy Chief Constable informing members of an internal review of the recording and investigation of direction and control complaints. A copy of the report marked 'E' is filed with the minutes.

D/Supt. Ball stated that complaints of dissatisfaction would now be dealt with under this policy. She added that the outcome of the review of the IPCC

statutory guidance, which was expected in October, would impact upon this policy and a full review would not be undertaken until this was received.

It was RESOLVED to note the contents of the report.

**19/09. Quality of Service Survey**

The Committee considered a report of the Chief Executive informing members of the Quality of Service Survey responses received in the twelve months to the end of July 2009 and proposing amendments to current practice. A copy of the report marked 'F' is filed with the minutes.

The Committee RESOLVED to:-

- (a) amend the survey form to make it clearer that opinions were being sought on the process of the complaint rather than the investigation and outcome;
- (b) amend the letter which accompanied the survey form to make it clearer what the survey was about;
- (c) note the contents of the report.

**20/09. Consultation on IPCC Guidance**

The Committee considered a report of the Chief Executive presenting the consultation report on the IPCC's proposed statutory guidance for the police service 2009. A copy of the report marked 'G' is filed with the minutes.

The Chief Executive stated that when finalised consideration would be given to the format and content of complaint statistics presented to the Authority to ensure the guidance was being followed. D/Supt. Ball stated this was a gap analysis the Force was carrying out.

The Committee RESOLVED to delegate to the Chief Executive, in consultation with the Chairman of the Professional Standards Committee, to provide a response to the consultation paper.

**21/09. Recording of Police/Staff Convictions**

The Committee received a report of the Deputy Chief Constable informing members of the statistics relating to police staff convictions and outlining the force position in relation to the recording of this information. A copy of the report marked 'H' is filed with the minutes.

D/Supt. Ball stated that it was the responsibility of the individual to report such issues. She added that a follow up vetting procedure for employees was currently being considered as the vetting process was currently only undertaken at the time of joining the organisation however she added that this would incur a cost implication.

It was RESOLVED to note the contents of the report.

**22/09. Forfeiture of Police Pensions – Member Training**

Due to time constraints it was unanimously agreed that this item be deferred to a future meeting.

**23/09. Exclusion of the Public and Press**

It was RESOLVED that under Section 100A of the Local Government Act 1972 the public, including the press, be excluded from the meeting during consideration of the following items on the grounds specified on the agenda.

**24/09. Examination of Complaint Files**

*(Exempt by virtue of paras 1 & 7 of Schedule 12A to the Local Government Act 1972 – information relating to an individual and action taken in connection with the investigation of crime)*

The Committee considered a report of the Chief Executive providing information on the dip-sampling of complaint files undertaken by members since 15 December 2008. A copy of the report marked 'I' is filed with the minutes.

D/Supt Ball stated that training would be provided for new members to the Committee.

It was RESOLVED:-

- (a) to note the contents of the report;
- (b) that the next dip sampling of complaint files focus on oppressive conduct and incivility and complaints arising from stop and search; and
- (c) that the next dip sampling take place at 9.30 a.m. on Monday 2 November 2009 at the Professional Standards Department.

*4.10 p.m. - At this stage Ms Archer and Mr Orson left the meeting.*

**25/09. Forfeiture of Pension**

*(Exempt by virtue of para 1 of Schedule 12A to the Local Government Act 1972 – information relating to an individual)*

The Committee considered a report of the Chief Executive for members' determination whether or not to apply to forfeit a former officer's police pension. A copy of the report marked 'J' is filed with the minutes.

A letter from the former officer was tabled at the meeting. A copy is filed with the minutes.

The Committee RESOLVED to apply to the Home Office for a Certificate of Forfeiture in respect of this case.

**CHAIRMAN**

2.00 p.m. – 4.18 p.m.

3 September 2009