
BRITISH TRANSPORT POLICE AUTHORITY

MINUTES
PROFESSIONAL STANDARDS COMMITTEE
THURSDAY 23RD OCTOBER 2008

at
6TH FLOOR – FHQ, 25 CAMDEN ROAD

Present: Mrs W Towers (Chair)
Mr R Culley
Mr I Dobbs
Mr C Foxall

In Attendance: Mr A Trotter, Deputy Chief Constable
Mr E Carroll, Detective Chief Superintendent

Miss L Barrick, Business Support Manager
Miss R Pazos, Administration Assistant & Minutes

45/2008 MINUTES OF MEETING 29TH APRIL

Agenda Item 1

The minutes were approved as an accurate record.

46/2008 MATTERS ARISING / ACTIONS OUTSTANDING

Agenda Item 2

All other actions had been discharged.

47/2008 MATTERS ARISING FROM THE FILE REVIEW

Agenda Item 3

The Committee discussed the outcome of the file review with DCS Carroll. Minor matters were noted for follow up by Professional Standards. The Committee did raise queries in relation to one substantiated case as the communication to the complainant about the deletion of his criminal caution from records, lacked sufficient information about how this would be done. There were also concerns that a caution could be issued when no investigations had been undertaken independently by BTP. DCS Carroll was asked to check and feed back his comments.

Agreed:

- **DCS Carroll to feed back on the Committee's concerns.**

48/2008 QUARTERLY REPORT

Agenda Item 4

The Chair mentioned the continuing concern on the variation on monthly figures in regards to recorded complaint allegations. She asked DCS Carroll if the Analyst would look at this. DCS Carroll said that the Analyst had looked at the variation which was partly explained by the fact that in July, 40% of allegations were from previous periods which had been added to the July figure as the new recording standard was implemented. The high figure for May followed a retrospective audit of the complaint files. DCS Carroll stated that no other reasons had been uncovered by the Analyst for the variations.

Mr Foxall asked what the normal procedure was when a new piece of information was received relating to an existing complaint. He questioned whether the information would become part of the original complaint or whether it would be recorded as a new complaint. DCS Carroll said it would be recorded as a new record, this was in line with IPCC guidance. Mr Foxall said this was an issue in monitoring complaint figures generally.

DCS Carroll said that currently there were various ways of making complaints, including telephone, post, email and the website. He said that he would like to see internet and e-mail recorded as one category. DCS Carroll informed the Committee that the complaint form DC/1 would be replicated on the website, which would improve initial contact.

The Chair noted that in regard to the context in which complaints have arisen the "other" category was high. She asked what was encompassed by the "other" category. DCS Carroll replied that the headings used were those laid down by the IPCC and he would look into which complaints were falling into the "other" category.

DCS Carroll distributed a new ethnicity of complainants table to the Committee (copy in the minute book).

The Chair referred back to the previous meeting and asked Members whether they would like to keep both tables on ethnicity of complaints. The Committee agreed to keep only the table with the complainants' ethnicity updated at the end of the case as these figures were more accurate. The Chair confirmed that the ethnicity of complainants graph could also be removed. A period of two quarters was included on the ethnicity of complainants table and a third quarter would be introduced. Mr Culley asked if for trend analysis it would be possible to go back further than two years. The Chair confirmed that it would only be possible to have two years showing on the trend analysis as the data beyond this was not reliable.

Mr Culley asked, when looking at the ethnicity issue, how the Committee could tell if the figures were good or bad as the Committee did not have an accurate knowledge of the background population. He felt that looking at the charts of a two year period may be more useful figures to the Committee as it would enable them to see any movement more clearly.

The Chair asked DCS Carroll if it would be possible to look at the charts on the next report and see a two year period of analysis. DCS Carroll would look into this and would produce examples for the next meeting.

The Chair said that she was pleased to see more misconduct hearings completed and said the table of forthcoming hearings included in the report was useful.

DCS Carroll said that when Taylor Regulations came in he hoped to see a reduction in the number of misconducts hearings, as more matters should be picked up at earlier stage through management action and should not escalate to the point of requiring formal misconduct proceedings. DCS Carroll said at present it was challenging to fit all panels in.

Mr Foxall asked if a report on police appeal tribunals could be presented to the next meeting, including the numbers, process and resources required. Miss Barrick said that she would be happy to provide this.

Agreed

- **DCS Carroll to look into what “other” context there might be apart from those that are listed on the table.**
- **The Committee agreed to keep the second table of the ethnicity of complainants, with the update of the final figures.**
- **The Chair confirmed that the ethnicity of complainants graph would be removed and a third quarter period would be introduced into the table.**
- **DCS Carroll would give examples of charts that would be able to have a two year analysis in the next meeting.**
- **Miss Barrick to write paper on police appeal tribunals for the next meeting.**

49/2008 UPDATE ON PSD DEPARTMENTAL PLAN

Agenda Item 5

DCS Carroll said that 12 of the actions had been completed, there were 28 actions that were ongoing and on target, and 12 that were ongoing but more work was required. DCS Carroll drew attention to the victims' targets that required more work. He added that he had not heard anything further from the Police Complaints Commissioner Scotland (PCCS) about what he wanted from PSD, but said he would be reviewing all the Scotland complaint files, as the PCCS had requested this of the Scottish forces.

50/2008 SECRETARIAT UPDATE

Agenda Item 6

Miss Barrick updated that the statement of determination had been received in the Khan appeal and the appeal panel had upheld the original decision of the misconduct panel. One appeal had been heard on the 22nd October and a further appeal was due to be heard on 27th October. A new notice of appeal had also been received.

There had been two recruitment evenings for independent members which had been held in conjunction with the MPA and City of London Corporation. Both events had been successful with around 150 people attending in total and over 500 expressions of interest. The closing date for application forms was 31st October and it was anticipated that interviews would take place in January with a view to the additional independent members starting in March 2009.

The BTP Taylor regulations were with the DfT currently and a meeting was scheduled to discuss these on 31st October when it was hoped that approval would be given by the DfT. A Transport Police Conference would then be organised for sign off by the Federation.

51/2008 UPDATE ON TAYLOR RECOMMENDATIONS

Agenda Item 7

DCS Carroll confirmed that ACPO training was taking place in December/January. Seminars had been held for all first line supervisors, and NCALT, which was an e-learning package from the NPJA, was being loaded onto Force computers and access given to all staff.

There was a Taylor page on the internet, which was managed by the Taylor Group, and gave updates on progress. There had also been articles in the Blue Line and screen savers to raise awareness of the Taylor reforms and their relevance to BTP officers and staff.

DCS Carroll confirmed that the Force was well ahead in its preparations.

52/2008 HMIC SELF ASSESSMENT

Agenda Item 8

DCS Carroll informed the Committee that the self-assessment had been a useful exercise, and it had been found that overall the Force was meeting the expected standards. There were some action points to be followed up but it was largely a positive outcome.

The Chair asked whether the PSD risk register should come to the Committee meeting in future. DCS Carroll said that he would be happy to bring it to the Committee, but the HMIC point had been to ensure that all risks coming out of PSD were going to the appropriate risk registers. Mr Foxall felt that the risk register should be presented to the Committee.

The Chair said she had not seen the initial draft of a PSD communications strategy. She said she was interested in the external communications strategy and wanted it to be clear to the public what the PSD does, as she felt the website currently did not explain the role of the PSD. Mr Foxall suggested that it might be an idea to have a PSD section in the Annual Report. DCS Carroll confirmed that communications was something that he was working on.

Agreed

- **The PSD Risk Register to come to the Committee in future.**
- **DSC Carroll to look into external communications and update the Committee on progress at its next meeting.**

53/2008 IPCC COMPLAINTS REPORT

Agenda Item 9

The Chair said that the Report showed no average increase in complaints across all forces, but this encompassed a large range of increases and decreases, within which BTP did not particularly stand out. DCS Carroll said that the figures would likely rise for 2009 with the new recording standard, but he did not see this as being negative. He added that it was a positive that the number of allegations per officer for BTP was low compared to other forces.

The Chair said that the report showed a high proportion of complaints against PCSOs for BTP. DCS Carroll said that the Analyst had looked at this but none related to handcuff use, which he had considered could be a factor, as only BTP PCSOs had powers to use handcuffs. The majority of the complaints appeared to relate to incivility, intolerance and impoliteness, which was possibly due to the way BTP used its PCSOs and the environment that they were in. Mr Dobbs said that BTP PCSOs probably had more people contact than other PCSOs as they were stationed at large railway interchanges creating more opportunity for complaints. Mr Foxall added that PCSOs confront low level offences which could add to the explanation. Mr Dobbs felt it would be worth looking into this further. DCS Carroll said he could do a problem profile. The Chair suggested that for the current time this stay in the report and should a problem profile be required this could be requested at the next Committee meeting.

DCS Carroll confirmed that IPCC would be coming to do a dip-sample on PDS Files on the 18th November 2008. He said that the IPCC had requested that PSD select twenty files for them to check. He said they would be concentrating ensuring the correspondence was correct, and the files have been completed correctly.

Agreed:

- **DCS Carroll to keep PCSO complaint figures in the quarterly report and the Committee to consider whether a problem profile is required at its next meeting.**
- **DCS Carroll to feedback to the committee on the IPCC dip-sampling.**

54/2008 BTP POLICE APPEAL TRIBUNAL RULES 2008

Agenda Item 10

The BTP Police Appeal Tribunal Rules were approved for consultation.

55/2008 DIP-SAMPLING REVIEW

Agenda Item 11

It had been agreed that the Committee would consider the dip sampling protocol at this meeting, however the implementation of the Taylor recommendations would mean a further review of the protocol during 2009. It was suggested that the review should be deferred until April 2009. Mr Foxall said he felt more confident with the file review process now, and said he was content to leave a review of the protocol for a while.

The Chair suggested that it would be useful for Miss Barrick, DCS Carroll or DS Gent to have a meeting with her to discuss the current dip-sampling protocol following the implementation of Taylor. Taylor was due to be implemented from 1st December so the Chair suggested that a meeting be scheduled for March.

Agreed:

- **A meeting with the Chair, Miss Barrick, DCS Carroll or DS Gent be arranged for March to discuss the dip-sampling protocol.**

56/2008 AOB

Agenda Item 12

The Chair confirmed that she had reviewed the comments made by the Committee at the file reviews and checked that these files had been followed up by the Force. The Chair said she had reviewed and signed the log of hearings held.

In regards to direction and control complaints, the Chair confirmed that she had reviewed a sample of these complaints and there were a couple of issues. One file had an unrelated complaint in it; one had been treated as a complaint where as the writer was asking for advice, and it was not clear the requested advice had ever been given.

DATE OF NEXT MEETING – 26th January 2009, File Review 12.00 – 14.00, Meeting 14.00 – 16.00

Signed.....

Chairman