

Minutes

Professional Standards Committee

Tuesday 27 July 2010, 13.30

at 6th Floor Meeting Room, FHQ, 25 Camden Road

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Present:

Mrs Wendy Towers
Mr Lew Adams
Mr Ian Dobbs
Mr Neil Scales

Apologies:

Mr Howard Collins

In attendance:

Mr Paul Crowther, Deputy Chief Constable
Mr Martin Fry, Detective Chief Superintendent PSD

Mr Tom Davies, IPCC

Miss Lucy Barrick, Business Support Manager & Minutes

22/2010 Welcome and Apologies

Non-Agenda

The Chair welcomed Mr Scales to his first meeting as a Member of the Committee. Mr Davies, IPCC Commissioner, was also welcomed to the meeting. Apologies were noted from Mr Collins.

23/2010 Matters Arising From the File Review

Agenda Item 1

The Committee reviewed a selection of completed files. In one case a third party complaint had been dispensed with as the complainant could not be contacted. The Committee requested assurance that in such cases where there was sufficient information to indicate there might have been a case to answer that the issues would be followed up with the officer concerned. DCS Fry advised this would be the case.

24/2010 Minutes of Meeting 11 May 2010

Agenda Item 2

The minutes were approved as an accurate record.

25/2010 Matters Arising

Agenda Item 3

The quarterly report had been reviewed and amended to streamline the information to make it easier to identify the trends and problem areas. The Committee felt that the report was improved and the trend information included very useful.

The Chair had discussed the PSD Plan with DCS Fry and it had been agreed that the draft 2011-12 Plan should come to the Committee in October for discussion. The Committee would like to see the Plan being outcome focused rather than process driven.

It was agreed that the Independent Custody Visiting updates should remain with the Professional Standards Committee and not be moved to the Performance Review Group as these reports related to standards. Miss Barrick agreed to change the terms of reference for the two committees

The Committee had asked for an explanation for the increase in conduct allegations at its previous meeting. The Force reported that this was the result of an increase in the reporting of motoring offences. The reporting of these had increased following a review of the Driving Standards Standard Operating Procedure (SOP) which had encouraged reporting of all offences. The Force was considering whether all should be regarded as discreditable conduct or whether the circumstances of the offences should be considered before they were recorded as a conduct matter. The Force advised that it would update the Committee when further consideration had been given.

On the number of conduct allegations for FHQ the Force reported that it would expect there to be a higher number than other areas as FHQ was larger than the other areas.

Agreed

- The draft PSD Plan for 2011-12 to be brought to the October meeting for discussion.
- Miss Barrick to amend Terms of Reference for the Performance Review Group and Professional Standards Committee.
- The Force to update the Committee on how it would deal with motoring offences in the future.

26/2010 Update from the Chair

Agenda Item 4

The Chair updated that she had met with DCS Fry between the meetings and had reviewed the direction and control complaints that the Force had dealt with in the last six months. There had been two that the Chair thought should have been recorded as complaints. It was noted that there had been a decline in the number of this type of complaint and the Committee wanted to be assured that the PSD was doing everything to ensure that these were all reported to them by Areas for accurate record keeping. The Force advised the Committee that it would remind Areas to report these to PSD.

The Chair had also attended the PSD training conference of the BTP support groups to help raise the profile of the Authority and its role in complaints. This had gone well and positive feedback had been received.

The training session which had taken place for the new members of the Committee had also been successful, again with positive feedback received.

Agreed

- The Force to remind Areas to report direction and control matters to PSD.

27/2010 Quarterly Report

Agenda Item 5

There are currently 69 public complaint cases under investigation, five of which are IPCC cases, three supervised and two managed. All are allegations of assault.

London South Area was causing concern as its complaints figures had risen again and it had a higher number of complaints per 100 officers than other areas. The Analyst had done an early piece of work on this (see copy in minute book). This considered the number of complaints per 100 arrests in all Areas and London South appeared comparable to other areas when arrests were taken into account. Scotland was shown as demonstrating a high level of complaints per 100 arrests, though this figure was to be treated with caution because of the low numbers involved. The Force advised that a full problem profile on the London South Area would be available at the next meeting.

The Committee questioned whether PCSO complaints should continue to be reported separately from officer complaints as they had been

previously. It was agreed that PCSO complaints would be looked at separately every six months.

The Committee noted that the number of civil claims reported in the Report and in the Key Performance Indicator (KPI) document differed and asked for clarification as to which was the correct number. The Force said that it would review this and report back to the next meeting.

Agreed

- A full problem profile on London South to be available at the next meeting.
- PCSO complaints to be reviewed separately every six months.
- The Force to report back to the next meeting on the number of civil claims ensuring that the number in the report and the KPI document tally, or that an explanation is provided if not.

28/2010 Disproportionality of Outcomes of Complaints against BME staff

Agenda Item 6

ACPO had conducted a survey into this subject which produced mixed results, and had found that BME officers were more likely to be subject to anti corruption investigations but white officers were more likely to have misconduct findings against them. Greater Manchester Police has now commissioned further work on the subject

It was noted that the Force's six-monthly report on complaints against BME officers was due to the Committee's October meeting.

29/2010 Lessons Learned

Agenda item 7

This document was for noting and had been requested to ensure that the briefing on lessons learned was communicated out to the officers.

Mr Davies added that lessons learned should not just stem from those arising out of complaints but from everyday business. He advised that some forces had a good method of tracking all lessons learned so that it was part of daily business rather than solely linked to the negativity of complaints.

Agreed

- The Force to review the methods that other forces employ to track lessons learned from daily business.

30/2010 Update on PSD Plans

Agenda Item 8

The Force presented its updated annual PSD plan. The Force advised that the lease on its York PSD base had expired and it would be moving premises. The new premises would have facilities for misconduct hearings. The need for a base at York had been reviewed as part of this process and the requirement confirmed as necessary.

The Force advised they were trialling a move from local resolution to local investigation in London South. The IPCC had indicated that it would welcome attempts at simplifying the complaints process and Force had therefore reviewed its processes for dealing with complaints at the lower end of the severity spectrum. The proposal was that areas conduct local investigations quickly and proportionately following a severity assessment to deal with the low level complaints as soon as possible. This would be managed by the duty officer and then passed to PSD for recording once complete. The complainant would receive a copy of the investigation report and would have the right to appeal the outcome of the investigation.

Mr Davies said that from consultation the public had said that they want investigations and officers are often unhappy with the local resolution process.

The Committee felt that this was a step in the right direction but the report must be a professional document.

The Force advised that the pilot area identified for this had been London South Area and all the Inspectors and Sergeants would receive training. The trial would last for three months and would begin in September.

There was some concern raised regarding the pilot area as it had been identified as a problem area for complaints. It was agreed that the decision as to where to pilot the new process would be reviewed. The Force would report to the Committee at its next meeting to update on the situation.

Agreed

- The Force to review the pilot area.
- The Force to report to the Committee in October on progress.

31/2010 Executive Update

Agenda Item 9

Miss Barrick updated that there were two police appeal tribunals that remained ongoing. These were both expected to be complete before the next Committee meeting.

The Independent Custody Visiting Reports did not raise any serious concerns with regards to standards. Miss Barrick was meeting with the Scheme Manager from the Metropolitan Police Authority to discuss how the audit trail between BTPA and MPA could be strengthened and would report back to the Committee.

Agreed

- Miss Barrick to report back on discussions with the MPA regarding the strengthening of the audit trail.

32/2010 IPCC Update

Agenda Item 10

The IPCC stocktake and the new Taylor regulations had led to five major shifts for the IPCC these included:

- The change to the complaint system to fix the problem rather than find blame
- To move to a faster system for dealing with complaints
- To increase learning from complaints
- To have a more proportionate system
- To reduce costs

From these shifts came ten proposals which included ensuring that complaints were dealt with in the most proportionate way according to their severity. To widen the complaint definition and have the opportunity to uphold a complaint even if no individual was found guilty of misconduct.

There was also a new operating manual and performance framework.

The Force asked if the IPCC would work with them on suicide prevention and help to get other partner agencies involved. Mr Davies said that he would be happy to help and would speak with his research team.

Agreed

- The Force and IPCC to work together on suicide prevention and engage partner agencies.

33/2010 IPCC Statutory Guidance

Agenda Item 11

This was noted.

34/2010 Senior Officer Complaints Policy

Agenda Item 12

The Policy was put before the Committee as an external facing document for use by the public. An internal process document was under development.

The policy was approved and it was agreed that it would be forwarded to the Authority ahead of its Authority meeting on 29 July for information.

Agreed

- Circulate the document to the Authority ahead of its meeting on 29 July.

35/2010 ACPO Professional Standards Conference

Agenda Item 13

DCS Fry gave an update on the conference.

Date of Next Meeting - 26 October 2010

File Review 11.30 - 13.30, Meeting 13.30 - 15.30

Signed.....

Chairman