

Minutes

Professional Standards Committee

Wednesday 27 July 2011, 14.00
at BTP, 140 Camden Street, London

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Present:

Mrs Wendy Towers
Mr Lew Adams
Mrs Elizabeth France

Apologies:

Mr Howard Collins
Mr Ian Dobbs
Mr Neil Scales

In attendance:

Mr Paul Crowther, Deputy Chief Constable
Mr Martin Fry, Detective Chief Superintendent PSD
Mrs Stephanie Calvert, Complaints Process Manager
Mrs Elaine Derrick, Executive Assistant to the Chief Constable
Ms Katherine Hogan, Business Support Officer & Minutes
Miss Lucy Barrick, Business Manager

25/2011 Welcome and Apologies

Non-Agenda

Apologies had been received from Mr Collins, Mr Dobbs and Mr Scales. The Committee was introduced to Elaine Derrick who was welcomed to her first meeting. The Chair advised that Ian Dobbs was leaving BTPA and thanked him for his work, he had been a strong support to the Chair of the committee for some time. She wished him well for his transfer to Australia.

26/2011 Matters Arising From the File Review

Agenda Item 1

The Committee were pleased with the standard of the files reviewed and raised a few general points.

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The Committee was surprised that officers did not get a copy of the Investigating Officer's (IO) report and the PSD were asked to give consideration to the officers receiving the same copy as the complainant. It was considered that as this was in the public domain there was no confidentiality reason why this could not be given to officers.

While there has been a recent review of communications from PSD to complainants the Committee considered there were still problems with some communications which would not be easily understood by the general public. The particular example noted related to a complaint of neglect of duty which was out of time. This could have been a straightforward communication however it became long winded and bureaucratic, necessitating a number of emails to explain what was happening.

Agreed

- PSD to give consideration to officers receiving the same copy of the IO Report as the complainant.
- The Committee to be updated on the outcome of the above at its next meeting.

27/2011 Minutes of Meeting 12 May 2011

Agenda Item 2

The minutes were approved as an accurate record.

28/2011 Matters Arising

Agenda Item 3

All matters had been discharged.

29/2011 Update from the Chair

Agenda Item 4

The Chair had met with DCS Fry in June and the following matters were discussed.

The Chair and DCS Fry had debated the best measure to be reflected on the BTPA Strategic Dashboard in relation to PSD and decided to suggest the number of complaints and conduct matters as the best indicator of performance currently available. 'Reducing Grievances' was in the KPI's for the HR Department and was also to be monitored on the dashboard. The Committee noted that more complaints and grievances could also indicate a healthy, transparent system in which the public and staff felt able to air complaints and grievances so any target would have to be qualified. It was suggested that in future it may be better to change the dashboard monitoring to check the number of grievances being settled before Stage 3 rather than the overall number.

The Chair had asked how BTP dealt with negative allegations made by members of the public on the internet, such as negative blog comments.

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It was explained that the Media and Marketing Team managed a BTP Twitter account, among other mediums, to enable them to correct any false allegations or rumours. The example discussed was where a blog claimed that BTP officers threatened to arrest those that had disembarked a train during a delay, when in reality the threat had been made by rail staff, not officers. Any media mentions were also captured as part of the learning the lessons culture.

The Chair mentioned that training was requested by the LU area champion on London South, on the local handling of complaints. DCS Fry advised that additional training was being given to all London area champions.

30/2011 Quarterly Report

Agenda Item 5

It was noted that there had been an increase in conduct matters brought to the attention of PSD and recorded as discreditable conduct. The BTP explained these were largely the result of the Home Office requirement for all police officers and staff to report driving offences, and as part of the Performance Development Review (PDR) process officers had been required to produce their driving licences which had resulted in a number of minor driving offences being recorded as a result.

A downward trend was reported on complaints, including a reduction in allegations on London South which was encouraging. This was attributed to the extra training provided.

The Committee asked whether it was usual procedure to investigate sexual assault allegations locally. It was explained that it was dependent on the nature of the allegation including whether there was corroboration.

On misuse of Police Systems the Committee sought reassurance that the BTP was investigating the issue thoroughly. It was explained that in the main this was due to officers sending restricted documents home to continue working on, which although well intended was sometimes breach of the protective marking procedure. Officers had been reminded of the protective marking procedure and rules.

It was agreed that the BTP would provide further detail on the Judicial Review civil claim.

The large number of Lessons Learned notices included in the report was noted. It was explained that this was an amalgamation of Lessons Learned notices that were sent every two weeks and that bulletins were targeted to particular roles, rather than all staff receiving such large notices. The BTP agreed to provide the Lessons Learned Communication Strategy at the next meeting. The Committee was encouraged by the broad approach.

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The grievances reported were all the live cases currently open rather than those raised in the last quarter. It was agreed that a table would be added to show progress of cases against the agreed timescales.

Agreed

- The Deputy Chief Constable to review the guidance on recording speeding as discreditable conduct.
- It was agreed that the BTP would provide further detail on the Judicial Review civil claim
- BTP agreed to provide the Lessons Learned Communication Strategy at the next meeting
- BTP to add a table to show progress of cases against the agreed timescales

31/2011 Update on Progress of PSD Strategic and Business Plans

Agenda Item 6

It was confirmed that the PSD Business Plan has now been published on the Intranet. The Committee was updated on the progress of the plan.

A consultation exercise has now been completed on the PSD Strategic Plan and this had been published.

Agreed

- BTPA to send a hard copy of Strategic Plan to Mr Adams.

32/2011 Executive Update

Agenda Item 7

The Committee was updated on the two complaints which had been received since the last meeting, both of which had been referred to PSD.

One of the complaints, alleging a Data Protection Act breach, was discussed and it was advised that BTP has the power of discretionary disclosure in regards to individual's criminal convictions.

The Authority had referred two grievance matters from ex BTP officers to its solicitors to provide reassurance that the Authority has fulfilled its duties. It was noted that the Authority continues to receive complaints from BTP employees and ex employees and is keeping a log to enable any trends or patterns to be identified and reported.

No new police appeal tribunal notices had been received since the start of the year. It was noted that the number of staff resigning before going to level two misconduct hearings had risen under the new regulations, a factor could be that these did not allow for the sanction of requirement to resign but dismissal only. It was reported that since this regulation change all Forces were experiencing a similar rise in resignations.

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Custody visits were reported to have gone very well and were now being conducted weekly at the new London North facility. The only issue reported had been around a camera present in a strip search room at the new facility. The BTP agreed to investigate and clarify what the situation with regard to this camera was as various different responses had been given on this subject.

Agreed

- BTP to investigate and confirm the situation regarding the CCTV in the strip search room at the N London custody suite

33/2011 PCSO Complaints and Allegations

Agenda Item 8

A detailed analysis has been conducted on whether PCSOs attract more complaints proportionately than officers or police staff. However, no disproportionality had been identified in the analysis but it was noted that the low numbers of complaints made analysis difficult.

The Committee noted that the conduct allegations for PCSOs in London South and London Underground were high and asked that these were monitored but did not consider that a separate annual report on PCSO complaints and allegations was required in the future if there was no evidence of disproportionality.

Agreed

- PCSO complaint numbers would be picked up in the annual Strategic Assessment.

34/2011 Whistle blowing Report

Agenda Item 9

A recent Tribunal against BTP which cleared the Force of any inappropriate action had identified some areas of the whistle blowing process which could be strengthened which related to a lack of awareness of the whistle blowing process among BTP staff. Steps were now being taken to make staff aware of the whistle blowing process, especially those in receipt of whistle blowing reports.

The BTP explained that reports received confidentially were dealt with in one of three ways;

- they were deemed unworthy of action and a response was sent explaining this decision,
- they were referred to Area for local handling, and
- serious complaints were investigated by PSD centrally.

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It was further noted that BTP had a presence on the ACPO Counter Corruption Group.

BTP also updated the meeting about work being done in relation to recent publicity about phone hacking and related issues.

BTP advised that it was confident that none of its covert human intelligence sources were journalists or private investigators as this would be picked up in the risk assessment process but a review had also been conducted to confirm this. The BTP was also in the process of reviewing its vetting process for CHIS, and reviewing its hospitality register for any meetings with media professionals. Guidance would soon be issued by the Home Office on how to manage relationships with the media in the future.

In managing and investigating leaks the BTP explained that it was able to track emails that were sent to media groups or outside parties, but that due to the nature of the BTP phone system it was very difficult to track phone calls.

35/2011 Grievance Report

Agenda Item 10

An analysis of grievances was conducted at the request of the BTPA. It was reported that historically there had been an issue with lack of data but that from April 2011 data had been captured using the Centurion system which would facilitate trend analysis in the future. The BTPA noted that there still seemed to be a concern around the number of grievances raised by female employees; however the figures reported were too low analyse

36/2011 AOB

Agenda Item 11

It was agreed that complaints regarding incivility should be the focus of the next thematic review.

Agreed

- Complaints regarding incivility should be the focus of the next thematic review
- Mr Adams to be sent a hard copy of the revised Dip-Sampling Policy

**Date of Next Meeting - 26 October 2011
File Review 12.00 - 14.00, Meeting 14.00 - 16.00**

Signed.....

Chairman

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