

# Minutes

## Professional Standards Committee

Wednesday 26 October 2011, 14.00  
at 6<sup>th</sup> Floor Meeting Room, FHQ, 25 Camden Road

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### Present:

Mrs Wendy Towers  
Mr Lew Adams  
Mr Howard Collins  
Mrs Elizabeth France

### Apologies:

Mr Neil Scales

### In attendance:

Mr Paul Crowther, Deputy Chief Constable  
Mr Alistair Lawson, Detective Superintendent PSD  
Mr Jason Bunyard, T/Detective Superintendent PSD  
Mr Paul Brogden, Chief Superintendent Command Support  
Mrs Kerry McCafferty, HR Business Manager, Futures Programme  
Ms Katherine Hogan, Business Support Officer & Minutes  
Miss Lucy Barrick, Business Manager

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### 37/2011 Welcome and Apologies

Non-Agenda

The Committee received apologies from Mr Scales.

### 38/2011 Matters Arising From the File Review

Agenda Item 1

The Committee reviewed files dealing with incivility complaints as the thematic review for the quarter. The majority of these cases were dealt with at local level due to the less serious nature of the allegations. The Committee noted that the administration of these cases was weak at times, there were instances of misfiled papers, a report sent to an incorrect address, wrong phone numbers being recorded and a minute sheet not corresponding with the letter/report sent to the complainant. It

was acknowledged that local handling is relatively new for most areas and many files were satisfactory, however PSD were asked to check this matter going forward.

The Committee remained concerned that the wording of some letters to complainants was bureaucratic and in some cases the terminology was difficult to understand for a lay person. PSD was asked to review this topic.

### **Agreed**

- PSD to review wording of letters to complainants.

### **39/2011 Minutes of Meeting 27 July 2011**

Agenda Item 2

The minutes were approved as an accurate record.

### **40/2011 Matters Arising**

Agenda Item 3

The BTP explained that the suggestion that police officers automatically receive a copy of the Investigating Officer's (IO) Report had been debated but not actioned in full. It was felt that to issue copies of the IO report to officers would be overly bureaucratic as many public complaints are not upheld. It was also noted that currently only three or four reports were requested each year when the complaint has been of a contentious nature. Whilst the BTPA questioned how much extra work would be added in copying the report to the officer on sending it to the complainant, the BTP expressed concern that it would generate further work in the form of points of debate. As an alternative BTP decided to make officers aware that these reports would be available to them in PSD where they could meet with the IO to read and discuss the report. This would be advertised through an intranet announcement. There was concern from the Committee that as the IO reports technically became public documents on release to complainants, this put officers at a disadvantage. It was also felt that officers may feel uncomfortable having to attend PSD and be taken through the report with the IO. However, it was agreed that this approach would be trialled and that the uptake of this would be monitored at the next quarter PSC.

A review of the guidance on recording speeding offences had been submitted to the DCC for consideration. The report identified that the current process had resulted in a disproportionate approach, and in fact the guidance suggested that offences be assessed by certain criteria on a case-by-case basis to determine whether they should be recorded as discreditable conduct. If the review was accepted the BTP would review the 160 cases that had been recorded, but not sanctioned, thus far with a view to expunging those that did not meet the discreditable conduct

criteria from the recorded conduct figures. It was agreed that on completion the report would be circulated out of committee.

It was explained that CCTV images from the LN Custody Suite strip search room could only be viewed after being recalled from the server room, of which access was limited and auditable. At the last ICV meeting and in the report later on the agenda the issue of CCTV in the strip search room had been raised but not satisfactorily answered. BTP would ensure that Inspector Bragg was briefed to give a full explanation at the next ICV Panel meeting.

All other matters had been discharged.

### **Agreed**

- The committee to monitor the uptake of officers reviewing their IO report at the PSD
- The BTP to circulate their review of the guidance on recording speeding offences out of committee
- The BTP to ensure that Inspector Bragg was fully briefed to provide an explanation on the CCTV in the strip search room at the next Islington ICV Panel Meeting.

### **41/2011 Update from the Chair**

Agenda Item 4

The Chair updated that she had met with DCS Fry in September. A number of matters had been outstanding but were now being progressed. The drop in local resolutions had been discussed and would be updated further in the next item on the agenda.

The Chair also updated that she had sat on two Police Appeal Tribunals since the last meeting and had attended a Gold Group meeting in relation to an ongoing complaint.

BTPA had been sent the Reportable Debt Policy by BTP as part of the consultation on the document. BTPA had some queries and concerns which had been fed back. It was noted that the HMIC Integrity Review was imminent and this would be reviewed again after this.

### **42/2011 Quarterly Report**

Agenda Item 5

On recorded complaints it was noted that there had been a 30% increase in complaint cases between 2011/12 Q1 and Q2 (from 98 to 127) and that there had been a 46% increase in complaint allegations over the same period (from 149 to 218). There was a significant spike in the last quarter. There mirrored the previous year, also there was an issue with staffing in PSD which was in the process of being addressed as a new member of

staff was currently being recruited. However, this staffing issue had not resulted in any delays in investigations.

The Committee noted that the majority of the discriminatory complaint allegations related to disability, although the number was small. BTP said this was not typical and it was agreed this would be monitored. Incivility and intolerance complaints showed a 79% increase since quarter one, representing 26 additional complaints. It was explained that a problem profile was currently being produced to explain this increase more fully. It was agreed that this profile would be submitted at the next committee meeting.

On complaints by Area it was noted that the increase in complaint allegations against FHQ was largely attributed to one complaint which included five allegations.

On complaints per 100 officers, the data showed spikes in London South and Scotland. It was explained that London South make more arrests and come into contact with the public more regularly than other areas which could explain this in part. PSD were currently consulting with the Metropolitan Police who have seen a 17% reduction on incivility complaints since developing a training presentation to determine if lessons could be learned.

The court case in a high profile case in which a BTP officer had been charged with driving offences had concluded with a 'Not Guilty' verdict. The IPCC had been managing the PSD investigation and were now due to present their opinion on the outcomes shortly.

The Committee requested that, in future, they only receive a summary of the Lessons Learned, rather than the full section.

PCSO's continued to present a disproportionate number of breaches . It was noted that they also have the highest incidence of sickness which was the subject of a separate review. Some time ago a value for money study of PSCOs had been conducted but at that time PCSOs had not been employed for long enough to produce any meaningful data. The Committee observed that a review of this work might be timely.. The Committee agreed to continue to monitor PCSO complaints.

The BTP confirmed that whilst Direction of Control Complaints would have to be recorded as public complaints in the future, the BTP diagnostic system would still be able to break down the figures and show Direction of Control complaints separately.

The paper on grievances demonstrated significant data weaknesses and the Committee were advised that after further work the level of 'missing data' was now 5.9% rather than the 41% in the paper. The BTP assured the

Committee that all grievances had been recorded using the system, but due to a lack of training, staff at the HRBC had often not recorded data in full. The number of grievances that were live over 70 working days had, since writing the paper, been reduced from 19 to 11. This was also attributed to a data recording issue in that recording staff had not been closing off cases on the system. The BTPA requested that in future papers, narrative be added to the grievance section to enable further analysis. It was also agreed that the Committee would monitor the disparity between grievances raised by gender.

There were currently two independent, two managed and one supervised investigation by the IPCC.

There had been 127 complaint cases recorded in the last quarter, representing a 30% increase on the previous quarter. These included 218 separate allegations a 46% increase from the previous quarter.

### **Agreed**

- The Committee to monitor the number of complaint allegations categorised as discriminatory behaviour
- BTP to provide a profile of incivility complaints at the next meeting
- BTP to provide a summary of the Lessons Learned over the quarter rather than the full report
- The Committee to continue to monitor PCSO complaints
- BTP to add further narrative to the grievance section on future quarterly reports
- The Committee to monitor grievance data split by gender

### **43/2011 PSD Business Plan**

#### Agenda Item 6

The Committee appreciated the work put into the paper but advised that in future the progress in objectives need only be reflected in the table to help save time.

It was agreed that the Staff Charter would be submitted to the Committee at the next meeting, before being made public.

The BTP currently meet with SAME and LINK to discuss issues around disproportionality in the complaints process. The Committee asked PSD to review the staff associations list to ensure that there were no other groups it wished to meet regularly.

### **Agreed**

- A draft outline of the PSD Plan 2012-13 to be brought to the January Committee meeting
- The BTP to submit the Staff Charter at the next meeting

- BTP to review the staff associations that it meets regularly to discuss disproportionality in the complaints process

#### **44/2011 Executive Update**

Agenda item 7

The BTPA have continued to receive complaints around vetting and recruitment. It was recognised that vetting must be carried out in the final stages of recruitment whilst those rejected at the vetting stage may have preferred to have been vetted earlier. On asking whether expectations could be managed better, the BTP explained that the details of the process were clear, and that the vetting procedure was outlined on the website.

The BTPA had now closed the two ongoing grievance matters based on legal advice received.

A contract with Merseyside Police Authority to provide an ICV service has now been signed, and another with Strathclyde was agreed on 25 October 2011.

The number of ICV visits carried out by the MPA had improved. However it was agreed that the London North Custody Suite staff should receive further training in the role of ICVs. The BTPA also agreed to contact the MPA regarding the spread of the timing of ICV visits.

#### **Agreed**

- BTP to inform the LN Custody Suite of the role of ICVs
- BTPA to contact MPS about the spread of the timing of ICV visits.

#### **45/2011 Olympics - PSD Strategy for dealing with Risks**

Agenda Item 8

It had been agreed that complaint investigations resulting from complaints made against mutual aid officers during the Olympics once mutual aid officers had arrived with their host force and before they left would be dealt with by the host force. Reports would be passed back to the officer's home force at the adjudication stage. In cases of alleged gross misconduct the officer would be sent back to their home force for the complaint to be processed. If a complaint was received once a mutual aid officer had returned to the home force it was expected that this would be handled by their home force with assistance as required.

PSD had also attempted to look at the trends on complaints at past events but the Metropolitan Police did not hold data of this kind. PSD explained that this was a work in progress.

PSD have worked in partnership with the Learning and Development Department developing a three day training package for those officers coming to the BTP on mutual aid.

BTP were mindful that there would likely be an increase in complaints for the Olympics period but advised that they were confident it would have the appropriate resources to deal with these.

#### **46/2011 Proposed Legislative Changes**

Agenda Item 9

The legislation change that would have the biggest impact to the BTP was around Unsatisfactory Performance and Attendance Procedures (UPP). It is currently unclear whether the proposed legislative changes will come into force from May 2012 as originally planned or be delayed until November to coincide with the establishment of Police and Crime Commissioners (PCCs). It was noted that the IPCC had some concerns with regard to the changes to the legislation on UPP and these would be articulated through the consultation.

It was noted that PSD, HR and L&D had developed a working group to review the current SOP on UPP as the proposed changes provided an opportunity to align UPP for staff and officers. It was identified that officers and staff may not fully understand UPP, and a training package was now being developed. There were also some issues for BTP having reviewed the proposed changes and BTP, in partnership with BTPA, would be providing a response to the consultation.

It was agreed that the BTP would continue to monitor the situation and would update the Committee in January.

#### **Agreed**

- BTP to update the Committee on the progress of UPP in January.
- The Executive to send a copy of the consultation to the Committee when it becomes available.

#### **47/2011 Changes at the Police Complaints Commissioner Scotland (PCCS)**

Agenda Item 10

The changes to the PCCS were still under consultation and it was agreed that the BTP would monitor the situation and keep the Committee updated.

The report was noted.

#### **Agreed**

- BTP to update the committee on the PCCS situation.

**48/2011 Lessons Learned Communication Strategy**

Agenda Item 11

The BTPA thanked the BTP for the paper. Now that the situation was clear it was agreed that only a summary would be required at future meetings.

**Date of Next Meeting - 25 January 2012**  
**File Review 11.30 - 13.30, Meeting 14.00 - 16.00**

Signed.....

Chairman