



Minutes

Professional Standards Committee

Wednesday 25 July 2012, 14.00
at BTP PSD, 140 Camden Street, London

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Present:

Mrs Wendy Towers
Mrs Elizabeth France
Mr Len Jackson

Apologies:

Mr Lew Adams
Mr Howard Collins

In attendance:

Mr Paul Crowther, Deputy Chief Constable
Mr Alistair Lawson, Detective Superintendent PSD
Mrs Clare Conaghan, HR Operations Manager (BTP)
Mr Tom Naughton, T/Chief Inspector

Ms Sarah Green, IPCC Commissioner

Mrs Lucy Yasin, Business Manager & Minutes (BTPA)

21/2012 Welcome and Apologies

Non-Agenda

1. The Chair welcomed Ms Green, BTP's IPCC Commissioner, to the meeting. The Chair gave apologies from Mr Adams and Mr Collins who had been called to other meetings.

22/2012 Matters Arising from File Review

Agenda Item 1

2. The Committee were interested to know if some of the cases completed during the past quarter would be dealt with via the service recovery process going forward, and the Force confirmed they would be. Some minor issues were raised, such as no Regulation 15 notice was on file and in one case the Committee did not consider that the complainant's allegation that a strip search was unjustified

was dealt with properly. The Force agreed to respond before the next meeting.

3. Agreed

- 3.1. BTP to respond to the Committee on the handling of the complaint relating to a strip search before the next meeting.

23/2012 Minutes of Meeting 16 May 2012

Agenda Item 2

4. The minutes were approved as an accurate record.

24/2012 Matters Arising

Agenda Item 3

5. All actions had been discharged or were to be discussed in the meeting.
6. DSU Lawson advised that the firearms Liveex was expected to take place around November and Members would receive invitations as soon as the details were finalised. Partners would also attend the exercise including the Metropolitan Police Service (MPS) Specialist Investigations Unit and the IPCC.

25/2012 Update from the Chair

Agenda Item 4

7. The Chair advised that she had a meeting with DSU Lawson on 25 June at which they discussed:
 - 7.1. New Regulations
 - 7.2. Firearms
 - 7.3. Service Recovery
 - 7.4. Department Workload
 - 7.5. Complaints Analysis
8. The Chair said that the Service Recovery Model appeared to be working well and was a positive step forward. The only concern was how this could be effectively monitored and options for this were being reviewed.
9. The 'Subject Intervention Process' was also seen as a positive step. This brought a variety of data sets from both HR and PSD into one process and enabled a clear overview of all areas which may cause concern. A score was compiled for each employee reviewed in the data sets and there were trigger points at which an intervention would take place. The aim being to provide employees with the opportunity to address matters before they became a serious issue. Where an individual scored just below the first trigger point line

managers were advised to discreetly speak to the individual to help prevent matters from escalating.

10. Her Majesty's Inspectorate of Constabulary (HMIC) had carried out their revisit following the 'Without Fear or Favour' Report. The visit had been positive and HMIC had been impressed by the Subject Intervention Process. ACPO and other police forces were also showing interest in the system.
11. The Committee asked whether employees were aware of the Subject Intervention Process. They noted that it was a useful deterrent, and although the data put into the system came from existing databases, employees should be aware of the use that this data was being put to. DSU Lawson advised that the system had been shared with staff associations, the Federation and HR Business Partners who were supportive, but its existence had not been shared further. The Deputy Chief Constable and DSU Lawson agreed that the system should be publicised more generally but noted that there would likely be nervousness from employees about complaints that had not been upheld being included, but they were confident that this was justified.
12. The Committee asked whether information regarding abandoned misconduct proceedings following a resignation was passed to other forces when reference requests were received. This followed the recent case with respect to PC Harwood of the Metropolitan Police Service (MPS). BTP advised that it would report back to the Committee on this process.
13. The workload for PSD remained an issue with a key post on long-term sick, the Analyst post vacant following an internal promotion and the Complaints Process Manager going on maternity leave. The Complaints Process Manager post would be filled in the interim by a temporary person who would work as the 'Business Manager' managing the PSD administration. The assessment element would move to other posts. This was a trial and DSU Lawson would discuss how this was working with the Chair at their one-to-one meetings.
14. **Agreed**
 - 14.1. BTP to publicise the existence of the Subject Intervention Process to all staff.
 - 14.2. BTP to report back to the Committee on the reference request process to see how abandoned misconduct proceedings would be picked up.

26/2012 Quarterly Report

Agenda Item 5

15. The HMIC visit report had been received the previous day and was very complimentary to BTP on how much had been implemented. It noted the following positive aspects:
 - 15.1. The new Integrity and Compliance Board (It was noted that Andrew Figgures and Lucy Yasin would be meeting Chief Superintendent Brogden in the near future to review the new governance arrangements and how these fed into the BTPA structure).
 - 15.2. The new guidance and Force position on Gifts and Hospitality reducing the risk in that area.
 - 15.3. The monitoring and approval of business interests and secondary occupations moving from HR to PSD, with the Head of PSD as the single authorising officer.
 - 15.4. BTP working to significantly reduce the number of procurement cards in use.
16. PSD had been sending out global emails reminding all staff of the standards of professional behaviour and any new rules, such as those regarding gifts and hospitality. Mrs France observed that message fatigue could occur if these were too frequent resulting in emails being deleted unread. BTP advised that it was keeping this to one email a month but added that there was going to be a trial of an internal social network called 'Yammer' which was part of Microsoft and similar to Twitter, which could become the vehicle for reaching the organisation.
17. DSU Lawson had attended a meeting with the Police Complaints Commissioner for Scotland (PCCS). At this meeting they had discussed the PCCS's concern with respect to officers conferring when responding to complaint investigations. It had become clear that PCCS's concern was less with conferring and more with the copying of notes. DSU Lawson agreed with the PCCS's concerns in this respect and advised that guidance had been given to officers in Scotland that whilst they could confer, copying of statements in complaint investigations was not acceptable.
18. Complaint allegations had reduced by 36% since the last quarter and cases by 32%. This was attributed to the introduction of the Service Recovery Model, as the number of contacts with dissatisfied people remained unchanged.
19. A form had been developed for Inspectors and Sergeants to complete when they had dealt with an expression of dissatisfaction using the Service Recovery Model. Completed forms would be forwarded to PSD for logging on Centurion. DSU Lawson added that

he anticipated a possible upward trend in expressions of dissatisfaction as this initially got underway.

20. The Committee were supportive of the Service Recovery Model. The only concern was with respect to monitoring this and this may be partially answered by reviewing completion forms. Ms Green of the IPCC noted that when a system such as this was first launched there was a balance to be achieved as to what was suitable to be dealt with using this method. In terms of monitoring, Ms Green added that some police authorities had looked at how long things took to resolve, as if this was not near immediate it suggested that the matter should be classified as a complaint. Ms Green concluded by saying that the IPCC was very supportive of this approach.
21. DSU Lawson advised that he was looking for a target of 48 hours to resolve an expression of dissatisfaction using the Service Recovery Model. As such, if a matter was not resolved there was still sufficient time to meet the IPCC recording and referral guidelines.
22. The Chair requested further clarification on the chart at section 3.2.4 as the average figures for the North Eastern Area looked odd in comparison to the recent complaint levels.
23. DSU Lawson concluded by advising the Committee that PSD was in the process of reintroducing the local resolution process.
24. **Agreed**

- 24.1. Further clarification on the chart at paragraph 3.2.4 to be provided as the average figures for the North Eastern Area look odd in comparison to recent complaint levels.

27/2012 Grievance & Employment Tribunal Update

Agenda item 6

25. The Chair requested that in future the Committee receive year on year trend data rather than quarterly data.
26. It was noted that Employment Tribunals (ETs) were slightly down on the previous year and that it had been agreed with the Court that there would be no ETs during the Olympic period.
27. There was a draft Dispute Resolution Standard Operating Procedure (SOP) that was about to go out for consultation. BTP was working to change the culture of how it engaged with its employees when they had issues. The new SOP would try and encourage resolution through the informal route ensuring that all possible informal options had been attempted. BTP wanted there to be a proportionate approach and there would be a key individual assessing grievances.

To assist with the success of this approach a clear message was being given to managers that they would be supported when managing performance effectively and appropriately. BTP reported that the staff associations had taken a positive view of this approach.

28. The Committee felt that this was a positive step.
29. The Committee were not reassured by the comparative grievance data that had been provided and asked BTP to clarify what was included in the figures from other forces to gain a clearer picture.
30. **Agreed**
 - 30.1. BTP to provide year on year trend data on Employment Tribunals and Grievances rather than quarterly data.
 - 30.2. BTP to engage with the comparator forces to determine what was counted in their grievance data to provide a clearer picture of how this compared to BTP.

28/2012 PSD Business Plans

Agenda Item 7

31. Progress against the Business Plan was going well. It was noted that there had been a significant decrease in complaints as a result of the Service Recovery Model but that the workload resulting was still reported to be demanding. DSU Lawson explained that although the overall volume of complaints had reduced the Department was still dealing with several complex and time-consuming cases.

29/2012 Executive Update

Agenda Item 8

32. The conduct matters that had been under investigation had been completed.
33. The Independent Custody Visiting reports received from partners had all been positive with only a few minor environmental issues raised.
34. There was an outstanding clarification that was required before the BTPA Conduct SOP could be finalised. This referred to the assessment of a conduct matter or complaint. It was agreed that this would initially be made by the appropriate authority so that it could be forwarded to be dealt with as appropriate. Where a matter was sent for investigation the investigator would then review the initial assessment and make their own assessment. They would continue to monitor whether the assessment required revising throughout their investigation. Once the investigation was complete the appropriate authority would then make the final assessment and decide the way forward taking account of the investigator's recommendations.

35. An update was provided on the regulatory work. The process had been agreed with the DfT and as Secretary of State approval was not required it was expected that the deadline of 22 November could be met. The delivery plan and a risk review were included in the report.
36. A draft version of the new IPCC section 26 agreement that would commence on 22 November was presented. It was also noted that the IPCC were consulting on draft new Statutory Guidance. Members were asked to provide their comments to Mrs Yasin who would draft a BTPA response.
37. The report was noted.

30/2012 Custody Report

Agenda Item 9

38. The Custody SOP had been revised and was out for consultation. BTP was currently collating data on how effective the cell usage was. The Committee advised that they would be interested to see this.
39. BTP were expecting an external inspection from HMIP/HMIC in the near future as they had not yet received one. The Committee was advised that in these situations the BTP control room would receive a phone call giving 30 minutes notice of arrival of the inspectors and this could be at multiple sites. BTP were confident that there were no major issues.
40. There had been an increase in training and it had been ensured that there was a person trained in using a defibrillator on each shift.
41. There had been a national pilot looking at the efficacy of the NHS taking a strategic lead in the commissioning of police custody healthcare. This was seen as a helpful step and was being reviewed by the DCC and ACC Pacey for BTP. It was noted that this would not be a short-term implementation if it were to go ahead. Twelve forces had taken part in the pilot and all reported success.
42. **Agreed**

- 42.1. The Committee to see the cell usage statistics when it receives its next Custody Report in January.

31/2012 AOB

Non-agenda

The Committee expressed their thanks to Mrs Calvert for all her hard work and sent her their best wishes.

Date of Next Meeting - 24 October 2012
File Review 12.00 - 14.00, Meeting 14.00 - 16.00

Signed.....

Chairman