



# Minutes

## Professional Standards Committee

Wednesday 23 January 2013, 14.00  
at BTP PSD, 140 Camden Street, London

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### Present:

Mrs Wendy Towers  
Mr Len Jackson

### Apologies:

Mr Lew Adams  
Mr Howard Collins  
Mrs Elizabeth France

### In attendance:

Mr Paul Crowther, Deputy Chief Constable (part)  
Mr Alistair Lawson, Detective Superintendent PSD  
Mrs Clare Conaghan, HR Operations Manager (BTP)

Ms Sarah Green, IPCC Commissioner

Mrs Lucy Yasin, Authority Business Manager & Minutes

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### 01/2013 Welcome and Apologies

Non-Agenda

1. The Chair gave apologies from Mr Adams, Mr Collins and Mrs France, noting that that the Committee was not quorate, however there was only one decision to be taken and this would be ratified out of committee.
2. The Chair welcomed Ms Green to the meeting.

## **02/2013 Matters Arising from the File Review**

### Agenda Item 1

3. The Committee was provided with all the completed service recovery files since the scheme's introduction in September. A random sample was reviewed and all were found to have been appropriate for service recovery.
4. There were some improvements to be made to the maintenance of the files, in particular all files to show:
  - 4.1. Evidence that any agreed actions had taken place.
  - 4.2. Any comments from the subject officer.
  - 4.3. Confirmation that complainants were content their complaint had been satisfactorily resolved.
5. PSD had identified that the dataset needed to be improved for analytical purposes and this was being rectified. DSU Lawson reported that PSD was also working with supervisors to ensure that agreed feedback was given.
6. Overall the Committee felt that service recovery was working well.
7. The Committee agreed that at its next pre-meeting session it would focus on the integrity and counter corruption work that was taking place following the HMIC 'Without Fear or Favour' Report and other reports published in this area. This would be incorporated with a visit to the Counter Corruption Unit.
8. **Agreed**
  - 8.1. A further session to be held focusing on integrity and counter corruption work following the HMIC 'Without Fear or Favour' Report and other reports published in this area. A visit to the Counter Corruption Unit to be incorporated into the session.

## **03/2013 Minutes of Meeting 24 October 2012**

### Agenda Item 2

9. The minutes were approved as an accurate record.

## **04/2013 Matters Arising**

### Agenda Item 3

10. DSU Lawson confirmed that officers who had been subject to a complaint were now advised that they may request a copy of the investigation report (redacted as necessary). There had been no requests at the time of the meeting.

11. A four-stage exercise was planned to test response should there be a firearms incident. The exact dates for this were to be confirmed and the Committee asked that it be provided with feedback when it had been completed.
12. **Agreed**
  - 12.1. The Committee to be provided with feedback on the firearms exercise.

### **05/2013 Update from the Chair**

#### Agenda Item 4

13. The Chair had not met DSU Lawson between meetings but reported that she had visited the Hydra Suite at London Underground which was used for training and was a useful tool to have available.
14. A number of issues with respect to the grievance process had been raised with the Authority and some additional information, particularly with respect to timings, had been requested as a result.

### **06/2013 Quarterly Report**

#### Agenda Item 5

15. The downward trend for complaints continued, whilst conduct matters had increased over the last 2 quarters, but this followed a significant decrease. London South continued to have a high proportion of complaints compared to the percentage of officers that it represented. It was suggested that this could be partly a result of their high arrest and detection rate. It was agreed that further work would be carried out to explore this theory.
16. The subject intervention process continued to work well and PSD were confident that this was targeting the right people. The focus was now on the quality of interventions. There was a lot of interest from other forces and HMRC to adopt the method for their purposes. DSU Lawson had met the TSSA to explain the system and, following an initial miscommunication, the TSSA had now agreed in principle with the process and were to be invited to join the working group that was being established.
17. A mass Police National Computer (PNC) and Police National Database (PND) screening was planned but had been delayed owing to staffing pressures in PSD. The staffing issues had arisen as a number of people were leaving or due to retire in the near future, and three people were away on sick or maternity leave. PSD were working closely with their HR Business Partner to build resilience and ensure continuity.

18. Operation Inspire had been launched on 10 January. The Committee was supportive of this initiative and asked whether in future it might be helpful to have an Authority Member on the project board where major cultural shifts were discussed.
19. There had been a meeting with the Vigilance Pro software company. The focus of the meeting had been on how the software could be adapted for BTP systems so that it could be used without slowing the network. The outcome had been that the software could be scaled to a level that the BTP network could accommodate without affecting other systems but this would involve the loss of some of the capabilities, such as keystroke logging. However, these more data intensive capabilities could still be used in a more targeted way. The Committee would be kept up to date on how this progressed.
20. The Committee noted that the number of appeals to the IPCC which were upheld had increased. DSU Lawson advised that he was looking at the Investigation Reports to see if this could be reduced but added that the percentage of appeals upheld in BTP cases remained below the average for all cases.
21. The Chair requested that where there had been a delay in cases that were independently investigated, managed or supervised by the IPCC the reason for this be recorded in the report.
22. The Committee was disappointed that the report lacked full analysis and requested this be rectified for the next meeting.
23. **Agreed**
  - 23.1. A breakdown of the percentage of complaints related to arrest by Area to be provided.
  - 23.2. MPS borough complaint statistics to be sought for comparison, to see whether the boroughs which covered BTP's London South had a higher complaint frequency in general.
  - 23.3. The Committee to be kept updated on the situation with the Vigilance Pro software.
  - 23.4. The reason for delays in IPCC cases to be included in the report.
  - 23.5. Full analysis to be included in the next Quarterly Report.

## **07/2012 Grievance & Employment Tribunal Update**

Agenda item 7

24. The report contained a large amount of written repetition of the information that could be seen in the charts. It was requested that this written repetition be reduced and contextual information added. The context would be included in the next report but assurance was offered to the Committee this had been reviewed since the

circulation of the report and no overlaps between grievances had been found.

25. The high proportion of grievances for the London South and Wales and Western Areas were noted. The Committee was advised that the Wales and Western Area proportion was skewed as a result of a number of grievances from a small number of individuals. The Committee was assured that the London South command team had been made aware of the grievance issue and were working to resolve this.
26. As part of Operation Inspire a new Dispute Resolution SOP had been published replacing the Grievance Resolution SOP. This was designed to place more emphasis at the line management level to resolve matters before they became formal disputes. It had a similar approach to the service recovery model for public complaints but with an internal focus.
27. The Committee expressed concern at the length of time some of the grievance matters were taking close. More information was requested in the future on the reasons why cases take more than 3 months to close. Mrs Conaghan advised that there were some cases which had not been closed down by the HR Business Centre when they had been completed and work was ongoing to ensure that grievances were routinely closed on the system as soon as they were finalised. The Committee noted that this had been a reason provided in May 2012 and needed to become a matter of course. It was noted that there would be some cases linked to Employment Tribunals which would run for a long time, but these should be the exception rather than the rule.
28. **Agreed**
  - 28.1. The written repetition to be reduced and contextual information added.
  - 28.2. More information to be provided in the future on the reasons why cases take more than 3 months to close.

## **08/2013 PSD Business Plans**

### Agenda Item 7

29. DSU Lawson reported good progress against the 2012/13 PSD Business Plan, although this had slowed recently as a result of staff sickness. The 2013/14 Business Plan was under development and would have 3 key strands, with a focus on educating, supporting and coaching to help embed learning. The draft Plan would be circulated out of committee for comment.

30. A detailed end of year report on the 2012/13 Plan would be brought to the next meeting.

31. **Agreed**

31.1. The draft 2013/14 plan to be circulated out of committee for comment.

31.2. A detailed end of year report on the 2012/13 Plan to be brought to the next meeting.

**09/2013 Executive Update**

Agenda Item 8

32. The number of complaints received at BTPA for BTP, whilst always low, had reduced with only two in the last quarter. It was not clear whether this was a result of the general reduction in complaints or the new and improved BTP website helping to direct people.

33. BTPA had received two emails in the last quarter, one from a BTP officer and another from a relative in a separate case, complaining about incorrect management procedures being applied. The complaints also raised concerns about the grievance procedure in trying to resolve the issues. BTPA had examined the issues raised and found that whilst these had been satisfactorily resolved there was a divergence with standard procedure which was acknowledged and dealt with through the grievance process.

34. Independent Custody Visiting reports from BTPA's partners continued to provide positive reports of BTP custody facilities and the treatment of detainees.

35. The target for introducing the new regulations had moved to 1 April 2013. The Committee was updated that the England and Wales regulations were drafted and ready and were only waiting for clearance from the Home Office on the appropriate authority issue before the Conference with the Federation and final approval by the Authority took place. The Conference with the Federation was not anticipated to raise any issues as the Regulations had already been shared with the Federation and positive feedback received. A meeting had been held with the Home Office at which the appropriate authority matter had been discussed and agreement on the status quo reached. The Home Office was drafting a submission to Ministers to reflect this.

36. The BTP (Complaints and Misconduct) (Scotland) Regulations presented more of an issue. These must reflect the changes that would come into effect with the move to the Police Investigations and Review Commissioner (PIRC), who takes over from the Police Complaints Commissioner Scotland (PCCS) on 1 April 2013.

However, exactly how the PIRC will work remains unclear preventing the BTP (Complaints and Misconduct) (Scotland) Regulations from being finalised. The Executive is working with BTPA's Scottish lawyers and ACC McCall to progress this.

37. The Committee was advised that fast track legislation had been making its way through the Houses of Parliament to give the IPCC the power to compel police officers to give witness evidence, where previously they could only be compelled if they were the subject of a complaint or conduct matter. The legislation is being progressed as part of the measures for the Hillsborough investigation and BTP is named as an additional policing body to which this legislation will apply.

### **10/2013 Custody Report**

#### Agenda Item 9

38. Police detainee healthcare will be commissioned and delivered through a partnership with local Home Office police forces and the local NHS Commissioner from April 2015. BTP has no option but to move to this commissioning approach. BTP currently has a contract with the Metropolitan Police Service (MPS) for healthcare provision but the MPS have discussed increasing the cost of this very significantly from around £140k per annum to £1.25m. Work to look at an interim arrangement, should it be required, is underway.
39. There is also a significant amount of work taking place looking at mental health provision and more effective ways of managing people than taking them into police custody under section 136 of the Mental Health Act. A piece of work was also taking place looking at any patterns or trends of self harm which may help guide custody staff as to when to be on high alert to make early interventions.

**Date of Next Meeting - 16 May 2013**

**Thematic Session 12.00 - 14.00, Meeting 14.00 - 16.00**