

Minutes of a meeting of the Ethics, Integrity and Complaints Committee
held at Police Headquarters, Enderby
at 2:00pm on Friday 23 June 2017

Present

Members:

Prof. Cillian Ryan (Chair)
Dr Steven Cammis
Mrs Karen Chouhan
Mrs Lois Dugmore
Dr Mark Peel
Ms Lynne Richards

Officers:

Mr R Bannister, Deputy Chief Constable
Mr M Tapp, Director of Strategic Communications and Engagement
Ms S Blair, OPCC Communications Advisor
Mr M Ball, Superintendent, Professional Standards Department

11/17 Apologies

Apologies were received from:

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| Miss Linda James | Panel Member |
| Mrs A Perry | Head of Governance and Assurance, OPCC |

12/17 Urgent Business

There were no items of urgent business.

13/17 Declarations of Interest in Items on the Agenda

The Chair invited attendees to make any Declarations of Interest regarding any of the agenda items. No such declarations were made.

14/17 Minutes of the meeting held on 24 March 2017

The minutes of the meeting held on 24 March 2017 were discussed and confirmed as an accurate record with the following amendments highlighted:

Matt Tapp confirmed that he attended the meeting on 24 March 2017 although the draft minutes had not recorded this.

8/17 – DCC Bannister requested that an amendment be made to the third paragraph to read ‘The Deputy Chief Constable stated that as a general rule searches were very straight forward *‘in terms of the basis of their undertaking’*

7/17 – Mrs Richards informed the Committee that in December 2016, a follow-up had been agreed on the subject of Dip Sampling (IT Information System and limitations of the Stop Search Equipment) and was due to have been brought to the March 2017 meeting. To date, this follow-up paper has not been presented. It was agreed there would be a follow up to previous Complaint Ref No CO/489/15. The response from the IT Dept & Information System section, regarding the limitations of Stop Search recording system, will be reported back to the Ethics Committee.

15/17 DARWIN

The Committee received a written report from the Chief Constable about Op Darwin. A copy of the report marked 'A' and appendices are filed with these minutes.

DCC Bannister, who presented the paper, explained that Edison is a Force project which went live in 2015 to address a number of performance issues and resourcing levels in the context of designing a new Target Operating Model. Darwin has been introduced as the evolution of thinking around Project Edison and the Force is using Darwin to manage demand and to improve performance. He explained that Darwin is part of a longer term Change Programme and is being led by a senior officer.

Mrs Richards questioned the impact that internal change would have on partner agencies and DCC Bannister said this was being considered.

Mrs Chouhan asked the DCC to explain the link between Cultural Change and Darwin and he said that it was a transformational rather than transactional link.

Dr Peel mentioned that in the Enhanced Triage slide pack, the data presented was not easy to interpret and he asked if it could be presented more intelligibly in future.

Mrs Richards queried the data analysis, the risk in the way the information was used, the recording systems and how the right information was gained.

DCC Bannister said that all information was factually correct and that there were independent systems with no inherent cross-fertilisation. However, he stressed that sub programmes teased out commonality between the systems. Supt Ball explained to members that NICHE was the intelligence crime network, Sentinel is a partnership system owned by Leicester County Council and that Genie is a system that pulls out all information.

DCC Bannister said that overall crime was increasing particularly in certain categories i.e. firearms, drugs and some areas of violence. He acknowledged that officer strength had reduced, and that there were now 547 fewer police officers than in 2009. He said that in 2006 there was one officer to every 430 residents and that, that ratio has now risen to one officer for every 599 residents. DCC Bannister said that the scrutiny and bar around some crimes, such as Child Sexual Exploitation (CSE), was very high and the complexity of these types of crimes had increased as the perpetrators could be from the other side of the world i.e. online cyber fraud. He added that Force's focus was to reduce demand as much as possible, not least in the Control Room where much of the demand wasn't relevant to the police. He said there needed to be a culture shift in thinking and a channel shift in terms of many functions and processes but that this was difficult, as many partner agencies were shrinking. DCC Bannister invited members to spend some time visiting the Force Control Room.

The Committee NOTED the contents of the report and DCC Banister's invitation.

16/17 Culture of Leicestershire Police

The Committee received a written report from the Chief Constable addressing the Culture of Leicestershire Police. A copy of the report marked 'B' is filed with these minutes.

DCC Bannister presented the report and explained that its purpose was to help the Committee understand the approach the Force was taking towards culture change and how the foundations for this were laid in 2010-2011, in reference to Project Edison. He explained that his predecessor DCC Simon Edens had embedded cultural change within the Blueprint 2020 project and carried out a particular audit shown in Appendix A. In summary, DCC Bannister said that the Force had made good progress, especially around evidence-based policing. Page B3 referenced how the transactional focus was moving to a longer-term, problem-solving, transformative programmes and that it was a work in progress.

Mrs Chouhan asked for clarification around the desired leadership culture. If this was going to be achieved, how would that help with tackling austerity and why would this be a helpful way to look at it? She asked that more detail be provided around the behaviours that needed changing.

DCC Bannister said that there was benefit for the organisation in being less "competitive" and more understanding about competing demands within the Force. He said there would also be benefit accrued from a changing management to officer/staff ratio. Today, middle and senior management are responsible for big teams and with that, trust and empowerment of staff was a prerequisite in an organisation which carried firearms and used force.

Mrs Richards said she supported the desired leadership culture and stated that it was critical to target those resistant to change with a targeted programme around communications and training. DCC Bannister confirmed that the Force had "change" ambassadors who had the responsibility to explain the change programme to colleagues.

Mrs Dugmore asked about the budget deficit and how that effected staff morale. She expressed concern that trying to change culture and finding new collaborative ways of working could destabilise the organisation since every other partner organisation worked in a different way.

DCC Bannister concluded that the Force was working very closely with Trade Unions and Staff Associations in relation to culture change.

The Committee NOTED the contents of the report.

17/17 Police and Crime Commissioner's Police and Crime Plan

The Committee received a written report from the Police and Crime Commissioner (PCC) summarising the Police and Crime Plan Report. A copy of the report marked 'C' is filed with these minutes.

Ms Blair explained the aims and the objectives of the Police and Crime Plan.

Dr Peel said he was delighted to read within the Plan the high praise about the performance of the Force with which he said he whole-heartedly agreed. He commented, however, that he was disappointed that the Committee had not been consulted in the drafting of the Plan. Mr Cammis said he disagreed, and that it was the job of the Committee to scrutinise the work of the PCC, not play a part in the development of the Plan.

Mrs Richards asked whether the observations from the Police and Crime Panel had been taken on board or whether any of its recommendations for changes to the plan were outstanding.

Mrs Dugmore said that she did not believe the Plan was completely factual, highlighting the section where it suggested that suicide was not always linked to mental health. She said that this was not a determination that should be made by the Police or by the OPCC. She also suggested that she found it unhelpful that various sections of the Plan currently referred to sexual abuse and that she would have preferred to see this issue dealt with in its own, dedicated section.

Dr Peel mentioned that he had written to the PCC regarding a visit he had made to the Cyber Crime Office and concerns relayed to him by officers about the inadequate power of the existing server, and that he had hoped these concerns would have been reflected in the Plan.

The Committee NOTED the contents of the report.

ACTION: Prof Ryan to meet with Lord Bach to discuss the Committee's thoughts about the plan.

18/17 Complaints

The Committee received a written report from the Chief Constable summarising recent complaints and the findings of the Committee's dip sampling activity. A copy of the report marked 'D' is filed with these minutes.

The Committee discussed cases numbered 00175/16, CO/247/16 and 00435/16 in depth.

The Committee NOTED the contents of the report.

19/17 Ethical Dilemmas

The Committee received a joint report written by the Police and Crime Commissioner and the Chief Constable containing two ethical dilemmas for members' consideration. A copy of the report marked 'E' is filed with these minutes.

Scenario 1

Introduction

Within this scenario, I would invite the Ethics Committee to consider the Force position in respect of substance misuse testing of employees, and in particular whether or not it is appropriate to extend the scope of the existing policy to include the random testing of a wider section of the workforce.

Policy/ Guidance

1. Leicestershire Police Procedure for Preventing & Dealing with Substance Misuse

2. Code of Ethics

8.1 Fitness for work: According to this standard you must be fit to carry out your role in policing and fulfil your responsibilities, not consume alcohol when on duty, not use illegal drugs, not misuse legal drugs or other legal substances.

2. Police Staff Council Police Staff Standards of Professional Behaviour (Sept 2008)

Fitness for Work - Police staff when at work are fit to carry out their duties.

Circumstances

The existing Force policy for the prevention and management of substance misuse within the workforce has a number of objectives, including awareness of the risks associated with such misuse, support and guidance, and seeks to deter individuals from substance and alcohol misuse by the prospect of their behaviour being detected.

The scope of substance misuse testing is detailed at section 6 of the Force policy. The committee is asked to consider only the issue of 'routine random testing'.

Routine random testing is managed on behalf of the Force by the Counter Corruption Unit and planned in advance on an annual basis. Approximately 80 tests are completed per year, and although individuals are selected at random, there will be some pre-selection of the departments to be tested to ensure that vulnerable and safety critical posts are included during the course of the annual testing programme (See Appendix 5 of Force policy).

*Only Police officers and Special Constables will be selected for random testing. Police staff employees may only be tested where there is 'reasonable cause' to do so. With the extension of police staff to front line policing and investigative roles (such as Police Community Support Officers and Investigative Support Assistants) and the key support role of other police staff employees, does the Committee consider that routine random testing should be applied to **all individuals** working for Leicestershire police, regardless of rank, warranted officer status or role?*

Question

DCC Bannister said that random, routine tests for substance misuse are carried out in the Force on police officers but not for non-police personnel, and he invited the Committee to consider whether the programme of such tests should be extended to all police employees.

After considerable debate, the Committee determined that it was unethical to only test Police Officers and recommended that the programme was extended to everyone who worked for the Force.

Scenario 2

Tattoos

Introduction

Within this presentation, I would invite the Ethics Committee to consider the application of the appearance Standards laid down in relation to police officers and staff, particularly in relation to visible tattoos.

The standards are applied when recruiting warranted officers and staff and also as a measure to maintain standards for serving offices and staff. Recruitment for Leicestershire is managed by shared HR services with Derbyshire Police, however the forces apply their own individual standards

Appearance standards currently vary from Force to Force and have been much debated. The Police Federation have lobbied for a more relaxed approach and commissioned an Ipsos Mori poll which found that The College of Policing has also proposed a national set of appearance standards which has been shared with us by a Leicestershire officer who is a proponent of a greater acceptance of visible tattoos. Included are the relevant sections of both the current version of the policy and the proposed national standard.

When tattoos are declared they are currently reviewed by a manager within Professional Standards Department and assessed against the appearance standards. Tattoos are rarely seen which could be described as offensive, however it frequently involves consideration of tattoos which are visible on the hands, neck or face.

The ethics committee are invited to consider:

- 1) How Leicestershire Police should generally approach the reviewing of tattoos and application of the appearance standards.*
- 2) A range of tattoos and indicate whether each should be acceptable.*

Current Force appearance standards in relation to tattoos

6. Tattoos

The wearing of tattoos has become a more socially accepted practice, and this procedure does not seek to impinge upon the rights of the wearer. This procedure aims to balance individual rights against the need to present a professional image of Leicestershire Police.

Tattoos are deemed unacceptable if they:

1. Undermine the dignity and authority of the officer and/or the organisation.
2. Could cause offence to members of the public or colleagues.
3. Are visible upon the hands, face or neck.
4. Indicate unacceptable attitudes towards women, minority groups or any other section of the community.
5. Indicate alignment with a particular group (political or otherwise) that could cause offence.
6. Are considered or could reasonably be interpreted as discriminatory, rude, lewd, crude, racist, sexist, sectarian, homophobic, violent, threatening or intimidating.

The Professional Standards Department will consider exceptions to (3) above on the grounds of religious belief, other cultural reasons, or application that the size, nature and prominence are such that it should be deemed acceptable.

All staff are required to cover tattoos on their upper and lower arms when at work.

Whilst unacceptable tattoos may prevent recruitment into Leicestershire Police, those currently working for the organisation that obtain an unacceptable tattoo, could breach of the Standards of Professional Behaviour and face misconduct proceedings.

If in doubt, the advice of the Professional Standards Department should be sought.

Proposed National appearance standards in relation to tattoos

Following some last minute feedback from unison and one final discussion with the Chief Constable these will be presented to the College of Policing professional committee and NPCC.

Tattoos

Independent research conducted by Ipsos Mori on behalf of the Police Federation of England and Wales, in 2016 has found that members of the public are largely accepting of police officers and staff with visible tattoos, however visible tattoos are deemed unacceptable if they could reasonably be interpreted as discriminatory or offensive and /or indicate attitudes or views which are inconsistent with the College of Policing Code of Ethics and the Standards of Professional Behaviour.

Careful consideration will be given by the organisation to any tattoo located on the neck, face or hands in deciding if it is acceptable. This includes consideration of the size, nature and prominence of the tattoo. Officers and staff should keep this guidance in mind when deciding whether to have such a tattoo.

Police Federation Article - Police tattoos



Introduction

One in five 18-29 year-olds has a tattoo. In 30-39 year-olds, it's one in four. However, many police forces are taking a tougher and less tolerant line on officers with tattoos, and tightening up the rules on what can and can't be displayed, requiring tattooed officers to wear long sleeves on hot summer days and under body armour. The Home Office national guidance relating to police and visible tattoos is currently being interpreted differently by each of the 43 forces, creating confusion and unequal treatment.

What are our concerns?

We are concerned that if tougher policies on visible tattoos are adopted, the police service risks missing out on a generation of able, talented and committed officers just because they are inked. We are also concerned that existing officers are being treated unfairly, as different policies are enforced in different parts of the country. There have been cases in which different policies on visible tattoos have prevented officers from transferring between forces. We are concerned about the equality issues of age and sex discrimination. The new policies that are being rolled out across the country are having a derogatory impact on a significant number of our members (1 in 3 of young adults). Tattoos on hands and necks are also more common amongst young women. Additionally, we are concerned about the health and safety impact if officers are forced to wear long sleeved tops regardless of the weather conditions.

What is PFEW calling for?

PFEW wants national standardisation, rather than local interpretation. We are calling for a modern, consistent national approach to tattoos to be adopted across the police service. PFEW believes that if the police service truly wants to embrace diversity and widen the talent pool it recruits from, then forces need to be more open-minded, so communities have a police service that reflects today's society.

What is PFEW doing about it?

We have undertaken two pieces of research – one with [police officers](#) and one with [members of the public](#) – to find out how they feel about officers with tattoos. The results are very informative and positive, the key headline being that 81% of the public who were asked said that dealing with an officer with a tattoo had no effect on their confidence in the officer. There is also a summary of the [key findings](#) from each.

A small working group has now been set up with the intention of drafting some national guidance and all Chief Constables have been written to. Our research will contribute to this work and help to inform it.

How you can get involved

Thanks to all who have contributed to the debate. We have had a great response on social media, with many people getting in touch with us about this issue.

You can still join the conversation on social media by tweeting your thoughts on the subject using [#FedINK @PFEW_HQ](#).

Read the blog ['Why do many police forces have an old-fashioned attitude towards tattoos?'](#) by the PFEW's lead on tattoos, Victoria Martin.

Watch some of our [video discussion on the topic](#) via our YouTube channel.

Questions

If you have any questions about this campaign, please email the Federation lead on this issue: [Victoria Martin](#).

The Committee felt that most images of tattoos provided were acceptable for police officers. They felt that tattoos were now more widely accepted but that if a tattoo was on a highly visible part of the body and was 'aggressive', racist, or discriminatory, then it would not be acceptable. The DCC said that that individuals applying to join Leicestershire Police were asked on the application form if they had tattoos and where they were on the body. Applicants are also asked to submit photographs of their tattoos with their application forms.

The Committee deemed the following tattoos as acceptable:

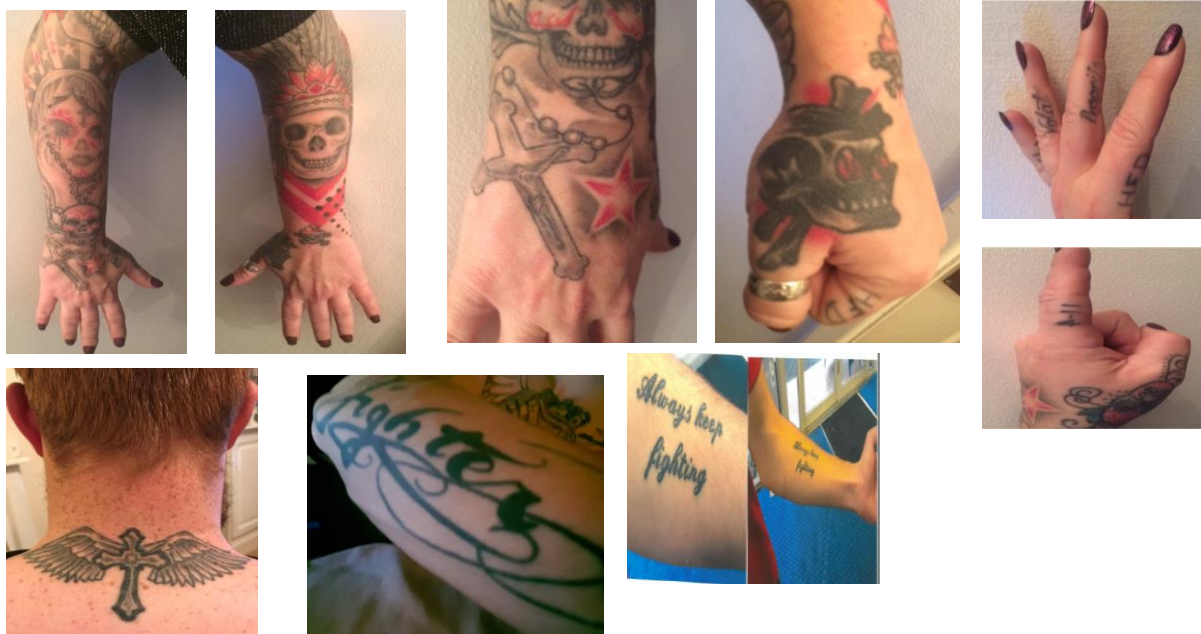




The Committee agreed that the tattoos below were acceptable as long as they were covered up:



The Committee agreed that the tattoos below were not acceptable:



The Committee NOTED the contents of the report.

Exclusion of the Public and Press

It was RESOLVED that under paragraph 7.9 Schedule 12A to the Local Government Act 1972 the public, including the press, be excluded from the meeting during considerations of the following item on the grounds of information relating to any action to be taken in connection with the prevention, investigated or prosecuted of crime.

20/17 Cyber Beat – Update

Due to events that have taken place since the agenda paper was prepared, the Chair read the following statement in order to exclude the Public and Press from the meeting: “I move that the public, including the press, be excluded from the meeting during consideration of the next item by virtue of paragraph 7 of Schedule 12A to the Local Government Act 1972, information relating to any action to be taken in connection with the prevention, investigation or prosecution of crime.”

The Committee then received a verbal update from the DCC on the Cyber Beat Project and the Committee agreed to NOTE the contents of the report.

Chair

2:00 pm – 4:05pm