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Minutes of a meeting of the Ethics, Integrity and Complaints Committee held at Police Headquarters, Enderby at 2:00 p.m. on Friday 24 June 2016

Present

Members:

Professor Cillian Ryan (Chair)
Dr Steven Cammiss
Mrs Karen Chouhan
Ms Lois Dugmore
Miss Linda James
Dr Mark Peel

Officers:

Mrs Angela Perry, Head of Governance and Assurance, OPCC
Mr Paul Stock, Chief Executive, OPCC
Mr Roger Bannister, Deputy Chief Constable (DCC)
Mr Simon Hurst, D/Superintendent, Professional Standards Department (PSD)
Mr Paul Coffey, Communications, OPCC
Mr Michael Mulqueen, Superintendent (Supt)
Mr Mark Newcombe, Superintendent
Mr Matt Tapp, Director of Strategic Communications and Engagement
Miss Teresa Wilcox (minute taker)

9/16 Apologies

Apologies were received from Ms Lynne Richards and Superintendent Martyn Ball (PSD).

10/16 Urgent Business

There were no items of urgent business.

11/16 Declarations of Interest in Items on the Agenda

The Chair invited attendees who wished to do so to make Declarations of Interest in respect of items on the agenda for the meeting.

No such declarations were made.

12/16 Minutes of meeting held on 18 March 2016

Minute 5/16 Stop and Search – The committee welcomed the opportunity to view video footage of stop and search, they noted that training was ongoing and looked forward to viewing it again in twelve-months' time.

Action: Stop and Search video footage to be viewed again in twelve-months (morning session).

The minutes of the meeting held on 18 March 2016 having been previously circulated were agreed as a correct record.

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13/16 Plans for Blueprint 2020 and/or Strategic Alliance

The Committee received a verbal report of the Deputy Chief Constable (DCC), on the current situation regarding Strategic Alliance.

The DCC informed the Committee that a substantial piece of work had been presented to the three Chief Constable's and the three Police and Crime Commissioners from Leicestershire, Nottinghamshire and Northamptonshire and that an agreement had been reached to continue to develop collaborative activity in areas such as, and including, enabling services which covered areas of HR, Finance and IT, Procurement and Asset Management, Contact Management and Professional Standards Department.

The DCC informed the Committee that Blueprint 2020 was a longer term piece of work to identify challenges and different ways of working, and how various anticipated financial challenges between 2015 and 2020 could be met.

The DCC notified the Committee that he was heavily involved in both the Blueprint 2020 and Strategic Alliance and that the two were intrinsically linked.

Members asked the Deputy Chief Constable if Blueprint 2020 looked like a blueprint or if there was another report which they could look at summarising issues. The DCC said there was a document which had been prepared for key stakeholders last autumn and that he would circulate it to members.

Action: Slides presented during morning session "Resource Deployment in a time of Austerity" and document sent out to stakeholders to be forwarded to Committee members.

It was RESOLVED to note the contents of the verbal report.

14/16 Bi-Annual Report on the Work of The Committee

The Committee considered a report of the Office of the Police and Crime Commissioner seeking members' comments on the bi-annual work of the Committee. A copy of the report marked 'A' is filed with these minutes.

The Head of Governance and Assurance notified the Committee that a lot of work had been carried out over the first six months and that everything was on track regarding the forward plan and priorities for the year.

Regarding the reporting of complaint within the annual report members commented that they should be thematically grouped or summarised with analysis and that the report needed to state the committee's confidence in the complaints process.

The Committee agreed that ethical dilemmas be presented in the Annual report by attaching as appendices.

It was RESOLVED that a draft report be provided to the Committee by the end of the calendar year.

15/16 Evaluation of Op Edison one year on and Lessons Learnt

The Committee received a report of the Chief Constable providing information about the 12 month review of Project (Op) Edison. A copy of the report marked 'B' is filed with the minutes.

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The Committee commented that they were impressed with the analysis showing the difference between volume and harm and decisions based on joined up working and how that might actually operate. More information was requested with regards to the financial position linked to management decisions.

Action: Further Op Edison report to be presented to next meeting covering ethical issues (how resources are being deployed, communities being served appropriately, financial issues) for the Committee to gain a better understanding of the financial and management aspects of Op Edison.

It was RESOLVED to note the contents of the report.

16/16 Leicestershire Police Cyber Beat

The Committee received a report of the Deputy Chief Constable, providing information in relation to Cyber Beat, a new initiative to be piloted later this year, by which the techniques of neighbourhood policing would be exercised using freely available social media platforms. A copy of the report marked 'C' is filed with these minutes.

The Committee asked how the force would keep pace with different types of social media which is costly to keep up with. Supt Mulqueen informed that the Force had chosen to use existing available social media.

The Committee felt that paragraph four which read ... "*the intended effects will be inter alia building positive relationships based upon trust with vulnerable young people; an increased sense of user security and safety against problems often associated with controlling communities, including radicalisation and honour based violence*", read as too much of a generalisation and suggested this paragraph be removed but that reference to radicalisation and honour based violence should be included.

The Committee commented that this was a creative way of using IT and felt it was an efficient and effective way of engaging with the public.

Action: Provide update on Cyber Beat once pilot has been running for six months.

It was RESOLVED to note the contents of the report.

17/16 Dip Sampling of Complaint Files

The Committee received a report of the Chief Constable, on the findings from members dip sampling of complaint files. A copy of the report marked 'D' is filed with the minutes.

The Committee commented that they now recognised the full scope of dip sampling and requested that Regional IPCC liaison officers for Leicestershire be invited to one of the dip sampling sessions.

Action: Invite Regional IPCC liaison officer to a future dip sampling session so the Committee can feed back what is being achieved during a sampling sessions.

It was RESOLVED to note the contents of the report and the discussion on the dip sampling of complaint files.

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18/16 Ethics Issues (Two Ethical Dilemmas for discussion and decision)

The Committee received a report of the Chief Constable, which included two ethical scenarios for the Committee to consider. A copy of the report marked 'E' is filed with these minutes.

Scenario 1

Police Officer A was subject of a Gross Misconduct investigation into his conduct (particularly in this case around the exchange of communications using social media). The investigation was protracted and complex and involved allegations that the officer had breached the Standards of Professional Behaviour in respect of Authority, Respect and Courtesy, Discreditable Conduct and Failing to Challenge Improper Conduct. The officer was not suspended from duty but placed upon restricted duties and subsequently reported sick citing stress and anxiety as the primary cause of their absence. Medical certification of the sickness was provided to the Force.

The sickness absence of the officer extended to five months, during which time they made an application for a business interest which was approved. The declared wish was to become a director in a business with his wife which operated from shop premises within a neighbouring Force area and which provided hair cutting / barber services to members of the public. The officer intended to provide such services by hair cutting within the establishment. Neither parties draw a wage from this business but the business belongs to them.

In support of their application, the officer declared that the business interest activity would not conflict with their operational policing duties (once back at work) and would be therapeutic, relieve their stress and anxiety and therefore ultimately assist in their return to work. This has been supported by the force medical officer and the business interest remains in place.

The officer returned to work in January 2016 again on restricted/recuperative duties working 6 hours per day. As he returned within the 6 months he did not trigger the half pay consideration as stated in regulations and remained on full pay throughout. The officer's health is such that he has still been unable to return to full hours.

- 1. Under these circumstances, should the Force consider the application favourably?*
- 2. What precedent would authorisation of this particular request set for the Force?*
- 3. What level of performance shortfall or sickness absence (or combination of both) do the Ethics Committee determine to be a bar to business interests being accepted (or a cause to revoke existing business interests)?*

The Committee felt that in these circumstances approval should not be given for the business interest. However as approval had been given on appeal this should be time-limited. The Committee expressed concern as a decision of approval in this case could be setting a precedent for future requests.

Scenario 2

Police Officer A was a specialist road policing officer whose role included the accurate and evidence based assessment of road traffic collisions and supporting provision of evidence to judicial proceedings. The officer had been supported by the Force to receive training in the discipline of accident investigation. The training was University accredited and involved the officer completing a number of modular assignments, with the expectation that each would be passed prior to receipt of a final, nationally recognised qualification. Successful completion of this qualification enabled the officer to continue and advance within the role

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and also added weight to the quality of expert evidence that they could offer during relevant judicial proceedings. The course was fully funded by the Police Service.

During submission of a particular assignment to the University for marking, it became apparent that much of the analytical content had been copied from an assignment submitted by another officer a year earlier.

The officer was interviewed over the matter and accepted that certain aspects of the assignment had not been their own work. Furthermore the officer accepted that they had made superficial changes to the research taken from the earlier officer's work, so it did not readily appear to be plagiarised once inserted in their own assignment. In mitigation they stated that they were under considerable personal pressures at home, and apologised on this occasion for plagiarism.

- 1. What is the view of the Ethics Committee in respect of whether this amounts to Misconduct or Gross Misconduct?*
- 2. On the circumstances presented, what is the appropriate sanction/discipline outcome?*

The Committee felt that this was a serious matter and which could be classed as fraud and that therefore this should be classed as gross misconduct. The Committee noted that one of the principles of being a police officer is to be a law abiding citizen and to ultimately have integrity. They took into consideration that the officer did not come forward to report this themselves and was only highlighted when they were put under some duress. One member of the committee felt that because the cost of the course could be reimbursed by the officer then gross misconduct may be an overreaction.

19/16 Exclusion of the Public and Press

It was RESOLVED that under Schedule 30 and Schedule 31 of the Freedom of Information Act 2000 the public, including the press, be excluded from the meeting during consideration of the following item on the grounds specified on the agenda.

20/16 Ethics Issues (One Ethical Dilemma for discussion and decision)

The Committee received a report of the Chief Constable, presented by the Deputy Chief Constable which included one ethical scenario for the Committee to consider. A copy of the report marked 'F' is filed with these minutes.

The ethical dilemma concerned an incident on the motorway and the police handling of the situation.

The Committee unanimously agreed that the Force dealt with the situation proportionately and commended the Force for the protection of life.

Chair

2:00 p.m. – 3:45 p.m.