

INDEPENDENT ETHICS PANEL

12 SEPTEMBER 2017

PRESENT: A Lockley (Chair)
A Macaskill (Member)
L Christon (Member)
M Ismail (Member)
M Lewis (Member)
Dr A Billings (PCC)
CC S Watson (SYP)
S Parkin (OPCC)
D Barraclough (SYP)
A Fletcher (SYP)
C Calder (SYP)
J Bland (SYP)
T Bullivant (SYP)
S Mair-Richards (OPCC)
S Parkin (OPCC)
[REDACTED] (OPCC)
F Topliss (OPCC)

OBSERVER: A Coombe, Lord Lieutenant

APOLOGIES: S Hemsley, S Mellors and E Redfearn

1 WELCOME AND APOLOGIES

The Chair welcomed everyone to the meeting and introductions were made.

HM Lord Lieutenant Andrew Coombe was welcomed to the meeting as an observer.

2 DECLARATION OF INTERESTS

There were no declarations of interest.

3 MINUTES OF MEETING HELD ON 20 JUNE 2017

The minutes were accepted as an accurate record.

4 MATTERS ARISING

The panel gave consideration to the matters arising from the previous meeting and the following specific actions:-

- Reference 25** IT are currently trialling Egress and will inform Sally Parkin of the outcome.
- Reference 96** Spit Guards are to be launched in the New Year. Media coverage was received following the last PAB. **F Topliss to circulate to Members.**
- Reference 98** Report writing guidance to be shared with Members. A separate workshop to be held for Members during November.
- Reference 100** Research & Data Collection; a detailed report has been received from A Leverton, SYP. Following a short discussion it was agreed that a formal report should be prepared and presented at PAB.

The Chair informed the Panel that in a recent meeting met with the Chair of SYP's new internal ethics panel, Julian Wright, Mr Wright had referred to a case involving Sussex Police, which had led to an IPCC investigation, and a substantial damages payout.

S-Mair Richards drew attention to British Transport Police's use of Spit Guards. She wondered if the public would distinguish between SYP and the British Transport Police. CC Watson agreed that the issue may be worth considering, and stated that SYP have robust processes in place to monitor the use of force.

5 WORK PROGRAMME

The Chair proposed that a review of the Use of Force should be put on the work programme for February or April 2018. The work programme was agreed.

6 PCC COMMISSIONED ACTIVITY: PROJECT ON FORCE CULTURE

The Police and Crime Commissioner (PCC) presented his preliminary observations on Force Culture to the Panel. The PCC has asked IEP Members to consider the internal culture of SYP and support the leadership of the Force in creating a positive culture that delivers the priorities of the Police and Crime Plan.

The PCC thanked Members for the work undertaken and their continued support.

The PCC gave an overview of culture within an organisation along with some preliminary observations, including the hallmarks of an organisation that has a positive culture.

The shift SYP is seeking to make could be characterised as one from a command and control environment to one of an organisation that engages with public, partners and its own workforce in a more mutual and respectful way.

There are two questions for Members to consider and examine:

- What are the hallmarks of an organisation that has a positive culture?
- How far is SYP moving towards this?

The PCC explained that he would expect Panel Members to work in collaboration with the Force, and possibly introduce a Task and Finish Group to work on the project.

CC Watson agreed that the PCC raises an important issue, informed by the feedback from recent inspections. He explained that operational practices, the current operating model and legacy issues may have led to a lack of trust and confidence in some sections of the community, but the HMIC Legitimacy inspection had not found that general legitimacy is in question.

CC Watson invited attention to three key areas in the Force Culture project:-

- Defensiveness
- Organisational fairness
- Weakness in strategic planning

In the absence of a clear plan, performance management becomes a practice of what individual leaders think, lacks coherence and can create stress in the organisation.

CC Watson gave an overview of the ongoing work to embed a positive culture and rebuild trust and confidence within the Force.

A discussion followed regarding clear roles and responsibilities, support from the office of the police and crime commissioner, role and legal structure, the importance of language used, promoting culture change, project title and the Durham Survey.

A Macaskill stated that the phrase 'culture change' may be seen as confrontational and suggested that it be avoided. M Ismail raised concern around creating another monitoring system.

A Macaskill suggested that the Durham Survey would provide useful baseline data on internal change. The Force had responded; gaps could be identified and followed up. The next Survey would show how far there has been progress.

J Bland updated the Panel on the Change Programme and provided an overview of the approach to change. The change team is continuing to engage and evaluate what works well, working closely with departments and individuals, to ensure they have a say and influence change in a safe and confidential environment. The relationships with partner agencies and the community are equally as important to rebuild trust and confidence.

The Chair summarised from the discussion three areas which needed attention in taking the project further:

- 1 Careful use of language around the project;
- 2 A collaborative exercise with the Force, avoiding creating another monitoring system
- 3 Durham Staff Survey to be utilised

It was agreed:

To take forward the Culture project, a Task and Finish Group should be formed by IEP with Force representatives, for work lasting between 4 to 6 months, with project management support from the OPCC.

Durham Staff Survey to be provided to IEP Members.

6a IEP Members update report on work with Sergeants

M Lewis and L Christon reported to the meeting on their interviews with Sergeants in each of the four Districts. The purpose of the exercise has been to explore how the sergeants view the practical application of the Code of Ethics (2014).

Overall, they were very impressed with sergeants' level of consciousness and motivation. A number of themes had emerged which linked into the discussion about the culture project.

D Barraclough stated that the report is a really good piece of work and confirmed that he is starting to see a positive change, but there is a need to come out of a defensive mentality. However, legacy issues continue to have an impact.

F Topliss asked if the paper had been circulated to those Sergeants involved in the consultation work. Apparently, however, their names were not known. She suggested that an article be written for the intranet on the work and outcomes. It was agreed that this would be done in conjunction with Corporate Communications.

It was agreed:

L Christon and M Lewis to share their findings with the Sergeants who had taken part in the work, if this was possible.

F Topliss to draft an article for the intranet and liaise with Corporate Communications.

'Taking the Ethical Temperature' work to be embedded with the PCC-commissioned project on Force Culture.

6b Code of Ethics

A report had been submitted by Supt S Hemsley to update the Panel on ongoing work being undertaken within the Force in respect of the Code of Ethics.

In her absence, CC Watson informed the Panel that following on from his Sergeants' Pledge, it is his intention to introduce a similar project for civilian supervisors.

A discussion followed regarding PDR objectives, performance management, support from middle managers and the dress code.

7 CHAIR'S REPORT

The Chair informed the meeting that the IEP Second Annual Report (April 2016 – March 2017) had been agreed by Members and sent to the PCC and CC. The report will be presented at PAB in September.

He also confirmed that a new Chair, Suzanne Shale, had been appointed for the Metropolitan Police Independent Ethics Panel. The possibility of a chairs' meeting is being considered, to include the Bishop of Manchester who is the Chair of the Greater Manchester Ethics Panel.

8 COMPLAINTS: PERFORMANCE

DSupt D Barraclough gave a presentation on SYP Professional Standards, Complaints and Discipline. The presentation had been broken down to take account of the feedback received from the Panel last time and with simplified data.

Complaints Cases recorded in the year to 30th June 2017, were 568 which over a five year period is the second lowest. It is reassuring that SYP is attracting fewer complaints.

The presentation included an update of the following key points:

- Complaints Cases
- Conduct Allegations
- Employee Overview – Gender
- Employee Overview – Ethnicity
- Comparisons to most similar forces
- Key Headlines
- Lessons Learnt

A discussion followed regarding BAME statistics, key headlines and lessons learnt.

The Chair expressed an interest to attending the PSD Champions meeting, and thanked D Barraclough for an informative and encouraging presentation.

It was agreed:

D Barraclough to circulate the Organisational Justice Model, and the slides for his presentation.

9 USE OF FORCE

A report on the Use of Force by SYP was presented to the Panel. The purpose of this report was to focus on the use of force against vulnerable people and BME groups and to include any learning points that may have arisen.

C Calder added an oral update and explained that the Code of Ethics is the centre of the National Decision-making Model and is embedded within SYP.

The Home Office has requested that each Force provide and publish quarterly Use of Force data. The first tranche of data is based on use of force information gathered between 1 January 2017 to 30 June 2017; this will allow a comparison with other forces and the monitoring of trends.

The Chair highlighted that at 37%, the total of subjects who were mentally ill, mentally disabled or had learning difficulties, seems very high.

C Calder explained that the data are recorded according to Police Officer perception as to whether there is vulnerability. Furthermore, there may be more than one type of use of force used on one person.

10 HATE CRIME

A Hate Crime Update report on the national and local context for 2016/17 was presented to the Panel. The report also covered the progress made to deliver the Hate Crime Strategy 2016-19.

CC Watson informed the Panel that the report provides an update in terms of volume, type, Force response and outcomes. The report drew attention to the 58% increase nationally in reported hate crime, in the period June to September 2016, compared with the previous year, From March 2017, however, weekly figures show a relationship between rises in hate crime and the various terrorist atrocities during the current year.

There are some elements of hate crime on the increase while some elements remain static. There appears to be a rise in crimes related to religion and particularly towards those who hold the Islamic faith. This may be verbal abuse, or damage to property and there have been some unpleasant letters sent to Mosques. The Force has a very robust procedure for identifying repeat victims and repeat locations.

M Ismail informed the Panel that a couple of Mosques in Sheffield have received a similar letter of a threatening nature. SYP has taken it very seriously and responded immediately. In terms of confidence building, the PCC and the Chief Constable have visited local mosques.

The Panel noted a general rise in victim satisfaction rates across the county. Concern was however expressed about a significant increase in the proportion of victims who did not support police action.

11 I EP EXCEPTION REPORT TO PAB

The Chair confirmed the following items for the next Exception Report to be presented at the Public Accountability Board to be held on the 26 September 2017:-

- Hate Crime
- Use of Force
- Force Cultural Project

- Complaints

12 DATE AND TIME OF NEXT MEETING

The next meeting of the Independent Ethics Panel will be held on 28 November 2017 at 10am, at the Office of the Police and Crime Commissioner, Carbrook Hall Road, Sheffield, S9 2EH.

CHAIR