

INDEPENDENT ETHICS PANEL

20 JUNE 2017

PRESENT: A Lockley (Chair)
A Macaskill (Member)
L Christon (Member)
M Ismail (Member)
DCC M Roberts (SYP)
Supt S Hemsley (SYP)
Insp S Mellors (SYP)
S Parkin (OPCC)
E Redfearn (OPCC)
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Supt D Barraclough (SYP)
A Fletcher (SYP)
CI S Walne (SYP)
Ch Supt R Odell (SYP)

APOLOGIES: M Lewis and F Topliss

1 WELCOME AND APOLOGIES

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

2 DECLARATION OF INTERESTS

There were no declarations of interest.

3 MINUTES OF MEETING HELD ON 18 APRIL 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 Members agreed to wait until September, which will align with the new IT Contract.

Reference 49 On Today's Agenda – Discharge.

Reference 68 On Today's Agenda – Discharge.

Reference 80 On Today's Agenda – Discharge.

- Reference 83** Stop and Search update to be added to the Work Programme for February 2018 meeting. L Christon stated that she had attended the Stop and Search Scrutiny Panel which examined about 50 stop and search records. L Christon was very impressed with the process.
- Reference 88** S Hemsley had arranged for M Lewis and L Christon to hold some initial meetings with first-line decision makers and supervisors for feedback. Further meetings are to be scheduled.
- Reference 91** D Barraclough and S Mellors confirmed that an ethnic origin field will be added to the form used for public complaints, but it will remain possible for a complainant not to disclose the information. A Macaskill suggested that the option of 'prefer not to state' could be used.
- Reference 92** PSD Report to be presented at the September meeting.
- Reference 93** Use of Force update report to be presented at the September meeting.

M Ismail provided an update on the recent attack at Finsbury Park Mosque. An Action Group had been set up, comprised of all faiths and local politicians and with the support of the Prime Minister. Online discussions and telephone conferences have also taken place.

He informed the Panel that following the retirement of London Commander Mak Chisty, Commander Stringer has taken over the community cohesion brief.

Within South Yorkshire detailed guidance has been provided to Mosques. R Odell confirmed that South Yorkshire Police have a Control Plan in place, with extra Police Patrols. A meeting had been scheduled for later that afternoon involving mosques and the police. Mosques are reviewing their security procedures and appreciate all the work that is being done.

The message to the community is to remain united, express solidarity and help and support all communities in coming together.

5 WORK PROGRAMME AND TERMS OF REFERENCE

E Redfearn provided an update regarding the Work Programme and Terms of Reference of the Panel. The Police and Crime Commissioner has introduced new 'Holding to Account' arrangements following the recent Governance Review.

Under those arrangements, the terms of reference for the Panel are largely unchanged apart from:-

'The role of the IEP is to help the PCC and Chief Constable build trust and confidence of the public and partners in South Yorkshire Police, by ensuring the

code of ethics is culturally embedded across the organisation and is demonstrated through the way South Yorkshire Police thinks and behaves.'

E Redfearn requested Members of the Panel to approve the amended terms of reference. This was agreed.

D Barraclough requested that the Panel's responsibility in relation to Complaints against SYP and the monitoring of Complaints Statistics is made more explicit within the terms of reference. This was also agreed.

The Chair confirmed that the terms of reference would be updated to take account of these amendments and be presented at the next meeting.

It was agreed:

Amend the Terms of Reference both to include the text in italics above, and to be more explicit regarding reporting of Complaints and Statistics and present at the next meeting.

6 CHAIR'S REPORT

The Chair gave a brief update on the London Independent Policing Ethics Panel. Following the election of a new Mayor of London, Lord Carlile QC had been replaced as Chair of the Panel. Interviews for his replacement had taken place but the outcome was not yet known.

It was agreed:

S Parkin to establish current position of the London Policing Ethics Panel.

7 SPIT GUARDS

The Panel had been asked, prior to the meeting, to provide its views on a proposal for the introduction of Spit Guards by South Yorkshire Police. Members were told that police officers in South Yorkshire, are spat at on average nine times per week, and the Force needed to protect staff. Spit Guards had already been introduced by a number of other forces. Members accepted the need for their introduction in South Yorkshire, and proposed a number of safeguards including a protocol covering possible risks to detainees, minimizing the time a Spit Guard is in use, and the keeping of records. The Panel was assured that all its concerns were being considered, ahead of implementation.

CI Walne attended the meeting and demonstrated the use of a Spit Guard. He confirmed that Legal Services have been consulted in relation to their use. There is also a very comprehensive training package available, and the kit has been approved through medical trials and is medically certified. Spit hoods are for single use and would only be used in Custody Suites and Prisoner Transport Vans and the individual would be supervised at all times.

The Deputy Chief Constable confirmed that Spit Guards were now expected to be introduced in the Force's Custody Suites and Prison Transport Vans in early 2018, after full training in their use has been provided.

Use would be recorded on the Use of Force form, which was revised in December 2016.

The DCC recommended that the introduction of spit hoods should be the subject of a press release in consultation with the Panel.

The Chair thanked S Walne for the informative update. M Roberts confirmed that the proposal to introduce Spit Guards will be worked through thoroughly to ensure it is rolled out successfully.

It was agreed:

F Topliss to liaise with the Force Communications team regarding a press statement/release around the implementation and introduction of Spit Guards. Members of the Panel to be consulted.

8 BODY WORN VIDEO

A Macaskill has previously led the Panel's work on ethical issues related to Body-Worn Video (BWV), in conjunction with Ch Supt Rob Odell.

R Odell attended the meeting and provided an update to the Panel in relation to the proposed use of BWV by South Yorkshire Police. He provided a brief narrative relating to the history, principles and guidance. He confirmed that testing work is on hold at the moment, as the introduction of BWV will be IT dependant on the CONNECT and SMART infrastructure.

M Roberts confirmed that a firm proposal will be put forward, and go in to the business planning cycle, to be factored in to the Capital Programme for next year.

The Chair specified that it would be beneficial to have a detailed report at a future meeting, prior to the implementation.

It was agreed:

Force to provide a detailed report to a future meeting prior to the implementation of BWV.

9 MANAGEMENT OF INFORMATION

M Roberts highlighted issues around the management of information for consideration by the Panel. A discussion followed regarding written communication and emails and it was proposed that guidance on report writing be shared with Panel Members.

M Roberts offered Members the opportunity to meet with Senior Officers as appropriate to discuss face to face or by telephone rather than by email.

The Chair thanked L Christon and M Lewis for their project work.

It was agreed:

Report writing guidance to be shared with Panel Members.

10 CODE OF ETHICS UPDATE

S Hemsley provided a verbal update in relation to progress towards the setting up of an internal ethics panel. The draft terms of reference have been circulated and Julian Wright, Head of Legal Services, has agreed to Chair the meetings. The Chair reported that he had briefly met with Mr Wright, and a longer discussion was planned in the next few weeks about how to maximize the effectiveness of the two Panels.

A core group of staff is involved from Human Resources, Finance and Trade Unions. The next steps will be to revise the Terms of Reference. Professor A Macaskill is supporting with training of the new Panel and how to understand what is an ethical dilemma. It is expected that the new Panel will filter issues through to the IEP and vice versa.

The Information Systems Department (ISD) is preparing a portal that can be used to access and submit information.

The Panel welcomed the progress being made towards establishing an Internal Ethics Panel within the Force, as a forum for promoting high ethical standards.

11 IEP MEMBERS UPDATE ON WORK WITH SERGEANTS

L Christon provided a verbal update in relation to the IEP's work with Sergeants. A number of interviews have been conducted, but as there is a requirement to cover all districts, more need to be seen and further dates are planned.

The Sergeants' Pledge introduced by the Chief Constable, has been extremely well received.

It was agreed:

A full report on work with sergeants to be provided at the next IEP meeting on the 12 September 2017.

12 RESEARCH AND DATA COLLECTION

The Chair and Professor Macaskill presented a briefing note for discussion in relation to whether the Panel's effectiveness might be enhanced if it had access to independent research and data collection in carrying out its functions.

Professor Macaskill declared her interest as an employee of Sheffield Hallam University (SHU).

It emerged that there appeared to be a number of research and data collection projects being undertaken by students from SHU's Law and Criminology departments in conjunction with SYP, including in particular a survey of trust and confidence. A discussion took place around what work was being undertaken, who had commissioned the work, whether there was any duplication and what benefits South Yorkshire Police is getting from this research. The Panel advised that South Yorkshire Police should establish what projects are already being undertaken, before the Panel considers if SHU could assist the Panel with any research.

There are a number of opportunities for the Panel and some may be suitable for student projects and would be cost effective for SYP/OPCC. The question is what areas of activity should be considered and which may be feasible.

It was agreed:

A Fletcher to check and confirm what Research and Data Collection is currently being undertaken and report back to next meeting.

13 WHISTLE-BLOWING POLICY

The Force's 'Reporting Concerns' Policy has been developed to enable anyone to report safely and openly using internal reporting routes. However, it is recognised that there may be times when staff may feel it necessary to consider external reporting options. The Panel, the Office of the Police and Crime Commissioner and the Force recognise that members of the Panel may on occasions be approached by a member of South Yorkshire Police wishing to report a concern. The Panel had requested that a protocol be drafted which sets out the process which members should follow if approached.

S Parkin presented the IEP Members Whistleblowing Protocol and gave a brief update. The Terms of Reference require consideration of an IEP member being appointed to oversee any activity by SYP in addressing the concerns raised.

Following a discussion it was agreed to amend the protocol to reflect that there is no timeframe in the application of the procedure.

The Chair confirmed that following the above amendment the Whistleblowing Protocol be approved.

It was agreed:

Whistleblowing Protocol to be updated to reflect there is no timeframe in the application of the procedure.

14 IEP EXCEPTION REPORTING 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 19 July 2017:-

- Spit Guards
- BWV

- Internal Ethics Panel
- Research and Data Collection
- Whistleblowing

15 DATE AND TIME OF NEXT MEETING

The next meeting of the Independent Ethics Panel will be held on 12 September 2017 at 10am, at the Office of the Police and Crime Commissioner, Carbrook Hall Road, Sheffield, S9 2EH.

CHAIR