

## INDEPENDENT ETHICS PANEL

22 MARCH 2016

Office of the Police and Crime Commissioner,  
Carbrook Hall Road, Carbrook, S9 2EG

PRESENT: A Lockley (Chair)  
L Christon, Member  
M Lewis, Member  
D Copley, SYP  
D Barraclough, SYP  
S Mellors, SYP  
S Hemsley, SYP  
S Parkin, OPCC  
E Redfearn, OPCC  
J Renwick, OPCC  
A Fletcher, SYP

GUESTS: J Hardy, SYP  
J Smith, OPCC

APOLOGIES: M Ismail and A Macaskill

### 1 WELCOME

The Chair welcomed everyone to the March meeting of the Independent Ethics Panel.

### 2 DECLARATIONS OF INTEREST

There were no declarations of interest.

### 3 MINUTES OF LAST MEETING HELD ON 12 JANUARY 2016

The minutes were accepted as an accurate record subject to the following amendments:-

- Page 5 section 10 replace 'Panda' with 'Police'
- Page 5 section 11 replace 'Glover' with 'Clover'

### 4 MATTERS ARISING / ACTION SCHEDULE

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

**Reference 25** – The Force is looking at the possibility of installing a portal on the SYP/OPCC website.

**Reference 31** - Visit planned for today – Discharge.

**Reference 34** – A Refresh of the People Strategy is to be completed.

**Reference 39** – Ongoing, T Goodhill to be invited to an appropriate meeting of the Panel.

**Reference 40** – Ongoing, date to be agreed for members to receive a demonstration on new SYP website.

**Reference 41** – Ongoing, no future Amelix School Tours scheduled to date.

**Reference 45** - Ongoing, no future Peer to Peer training scheduled to date.

**Reference 46** – Northamptonshire Ethics Panel Lead Inspector Inam Khan and Deirdre Newham, Ethics Committee Chair to attend and observe the June meeting.

**Reference 47** – Ongoing, A Lockley to draft Independent Ethics Panel Annual Report.

**Reference 48** – A Lockley to liaise with F Topliss to promote work of the Panel. An opportunity for this would arise in the Panel's Annual Report.

**Reference 49** – Initial draft of the protocol for Whistleblowing referrals to IEP Members to be provided to members once agreed with SYP.

**Reference 50** – Professional Standards lessons learnt document be circulated in due course, further work to be undertaken.

**Reference 51** – Completed.

**Reference 52** – Body Worn Video report on work programme for June meeting.

## 5 WORK PROGRAMME

Members discussed the work programme and the following was agreed:-

- To add Young People in Custody and Appropriate Adults to the September meeting
- Policing Protests to remain on work programme at least until year end
- Hillsborough Inquests outcome to remain on work programme until year end
- Police Officer Recruitment process to be brought to the June meeting

A short discussion followed regarding future subject matter, relevance, terms of reference and the role of the Independent Ethics Panel. DCC Copley requested that the Panel define the areas on which it requests future reports to focus.

**It was agreed:**

- a) **The Chair, OPCC and SYP to work together to define what future reports are required and what the reports should focus on.**

6 DRAFT IEP ANNUAL REPORT

The Chair would work on a draft with the OPCC for presentation at the June meeting.

7 CODE OF ETHICS - SYP PROGRESS UPDATE

Superintendent Shelley Hemsley updated the Panel on the current position regarding the ongoing work to embed the Code of Ethics and FIRST Principles within SYP.

There are now 50 Code of Ethics Champions trained across the force. A total of 782 staff have attended the peer to peer briefings. The briefings are on a rolling programme and analysis of data is to be undertaken to identify specific areas within the work force which have not yet received the briefing. There is potential opportunity to share the peer to peer briefings with partners and early discussions are taking place.

Chief Inspector, Superintendent and equivalent level briefings are to be arranged. An invitation will be extended to IEP Members to observe. Members were reminded of the previous invitation to appear on Posters to promote the internal SYP campaign.

A discussion followed regarding the potential to train further champions.

Superintendent Hemsley confirmed that an Action Plan and Assessment Tool are to be developed and will be presented at the next meeting.

**It was agreed:**

- a) Members to be invited to observe further peer to peer training.**
- b) Members to consider the request to appear on Posters for SYP's internal Ethics Campaign.**
- c) Action Plan/Assessment Tool to be presented at the June meeting.**

8 PROTESTS REVIEW AND ITS IMPLEMENTATION

A Lockley updated the Panel regarding a review into the engagement of South Yorkshire Police (SYP) with Rotherham communities in relation to the 5 September 2015 protests. The review had been commissioned by the Police and Crime Commissioner.

A Lockley and M Ismail had conducted the review and their report *Policing Protests in Rotherham: Towards a New Approach*, with the covering media statement, was presented at the meeting. A Lockley stated that overall the media coverage had been positive. E Redfearn explained that following the report's recommendations and further exploratory work by the OPCC, the PCC has agreed interim

arrangements for an Advisory Panel on Policing Protests. The aims and terms of reference were presented at the meeting.

The interim Panel will have a maximum membership of seven and consist of members from the Independent Ethics Panel and the PCC's Independent Advisory Panel for Minority Groups with the relevant skills/experience mix. The membership is still to be confirmed. A Lockley had agreed to Chair the new Panel on an interim basis.

An EDL march is planned to take place on Saturday 26 March. Although the new Panel has yet to start work, SYP has arranged for the Chair, M Lewis and L Christon to observe events with the Gold Command group on the day. M Lewis will also attend the pre-march briefing on March 24.

A discussion followed regarding public order law and the interim aims and terms of reference. DCC Copley stated that greater clarity is required on the role and responsibilities of the new Panel. Members noted that a period of learning would be needed before the Panel becomes active, and there were issues to resolve about the Panel's role before and after an event, and about the safety and role of observers.

**It was agreed:**

- a) A meeting to be arranged of the Advisory Panel on Policing Protests following confirmation of full membership and for this to produce documentation and provide clarity going forward on the aims of the Panel. A clear plan as to how Members familiarise themselves with the issues around protests to be agreed.**

9 PERFORMANCE AGAINST THE POLICE AND CRIME PLAN

A discussion paper was submitted by J Smith, on Performance Against the Police and Crime Plan., The objective of the paper was to inform Panel members how they could help give the PCC assurance around the delivery of identified outcomes contained within the newly refreshed Police and Crime Plan.

J Smith informed the Panel the refreshed Plan is due to be published shortly and will be available on the OPCC website ([www.southyorkshire-pcc.gov.uk](http://www.southyorkshire-pcc.gov.uk)). The three main priorities for the plan remain the same: Protecting Vulnerable People, Tackling Crime and Anti-Social Behaviour and Enabling Fair Treatment. The Governance and Assurance Board ('GAB') had suggested that the Panel might particularly focus on the third objective.

A detailed discussion followed around the reporting and governance arrangements. DCC Copley expressed concern that the Panel's work might duplicate the pattern of reporting to GAB, but others commented that the Enabling Fair Treatment pillar is clearly within the Panel's remit The Chair confirmed that he would wish to avoid duplication of effort or role, but in his view, the Panel does have a particular remit

for the Enabling Fair Treatment pillar. He would discuss how best to move forward with both DCC Copley and the OPCC.

It was also pointed out that HM Inspectorate of Constabulary (HMIC) also monitor the performance of the Force annually through its PEEL Inspection programme.

10 MECHANISMS FOR DISCHARGING THE PCC'S EQUALITY AND DIVERSITY RESPONSIBILITIES

A discussion paper was presented by S Parkin and Inspector S Mellors on the Mechanisms for discharging the PCC's Equality and Diversity responsibilities. The objective of the paper was to inform discussion on how these responsibilities may be discharged.

S Parkin also drew attention to the Police Reform and Social Responsibility Act (2011) which requires the PCC to hold the Chief Constable to account for the exercise of duties relating to equality and diversity that are imposed on the Chief Constable by any enactment. All public authorities (including the OPCC) have to meet the Public Sector Equality Duty, which is covered by the Equality Act 2010.

A discussion followed regarding embedding equality and diversity and Equality and Diversity training. S Mellors stated that equality and diversity is included in all training and is equally about enabling fair treatment. Some aspects are easy to identify and some are not easy to identify. M Lewis stated that custody visitors specifically ask detainees how they have been treated when they visit.

DCC Copley commented that the challenge is what the Panel would like including within the reports, specifically for items already on the work programme. An explicit requirement could be imposed on those writing reports, to address any equality and diversity issues; of relevance to the IEP. A Lockley felt that would be extremely useful. E Redfearn confirmed that this can be progressed to ensure report templates include a section on equality and diversity.

**It was agreed:**

**a) Panel to revisit once a year.**

**b) OPCC to reissue report writing guidelines and report template to include a section on Equality and Diversity implications.**

11 HATE CRIME STATISTICS

To be presented at the next meeting.

12 PEOPLE IN CUSTODY WITH MENTAL DISABILITIES AND HEALTH ISSUES

A report of the Chief Constable was presented to the Panel regarding Mental Health and People in Custody with Mental Health Disabilities/Health Issues.

The report covered the following key areas:

- International & National Framework
- College of Policing Mental Health Project
- Local Multi-Agency Developments
- Wave 2 Liaison & Diversion Project, including its implementation across SYP custody estate
- Home Secretary Commission on Appropriate Adults
- Other South Yorkshire Police Developments.

T/Chief Inspector J Hardy updated the Panel on the landscape of Mental Health and summarised the National Framework. All police responses to mentally vulnerable, ill and disabled people in society are governed by both international and domestic legal frameworks. There are two key pieces of legislation - the Mental Health Act 1983 and the Mental Capacity Act 2005, subject to the overriding equality duties.

The College of Policing is leading on a key piece of work that examines the way that police officers and staff respond to individuals with mental health conditions and learning difficulties. The project will draw upon lessons learned over recent years, to ensure fair treatment and parity of esteem with physical health.

In November 2014 the Chief Constable launched the South Yorkshire wide 'Crisis Care Concordat' declaration, investing in resources to develop the mental health work streams placing the protection of vulnerable people at the heart of service delivery.

A discussion followed regarding section 135 and 136 of the Mental Health Act, the roles of police and partners, training provision, procedural changes, restraint issues, liaison and diversion service and appropriate pathways.

T/Chief Inspector J Hardy commented on the street triage service, whereby a mental health professional is deployed as a secondary resource, which assists in the assessment of someone's mental health needs in the community, diverting vulnerable individuals away from police custody. This is recognised as successful but expensive and an alternative option of telephone triage is being considered. Work is ongoing to identify whether telephone triage could take its place to generate savings yet achieve the same outcome.

The Chair thanked T/Insp Hardy for her comprehensive and stimulating presentation.

**It was agreed:**

- a) The sections of the report which covered Children and Young Persons Mental Health issues and the role and availability of Appropriate Adults, to be considered at the September meeting of the Panel.**
- b) L Christon to attend any training events which J Hardy deems appropriate from the training plan that will follow when the minimum standards from the College of Policing come out in June 2016.**

13 CONTACT MANAGEMENT REVIEW

This was postponed until the next meeting. DCC Copley offered to arrange a report which was focussed on the Panel's remit and this was gratefully accepted.

14 DREW REVIEW UPDATE

S Parkin informed the Panel that the Office had received the Draft of Professor Drew's Report. Following proof reading/checking, the Drew Review report will be published on Wednesday 23 March, as the "Independent Review of South Yorkshire Police's Handling of Child Sexual Exploitation". It will be available on the OPCC website ([www.southyorkshire-pcc.gov.uk](http://www.southyorkshire-pcc.gov.uk)).

Professor Drew and the Commissioner will attend a press conference on Wednesday 23 March at 10am to give members of the press an overview of the report and be available for media interviews.

15 IEP EXCEPTION REPORTING INTO GAB

The Chair would prepare a report for GAB in conjunction with the OPCC.

16 ANY OTHER BUSINESS

There was no other business.

17 DATE AND TIME OF NEXT MEETING

21 June 2016, at 9.30am, Office of the Police and Crime Commissioner,  
5 Carbrook Hall Road, Carbrook, Sheffield, S9 2EH.

CHAIR