

INDEPENDENT ETHICS PANEL

28 NOVEMBER 2017

PRESENT: A Lockley (Chair)
L Christon, Member
M Ismail, Member
M Lewis, Member
M Roberts, SYP
A Fletcher, SYP
S Hemsley, SYP
S Mellors, SYP
S Parkin, OPCC
E Redfearn, OPCC
██████████, OPCC
U Jennings, SYP

APOLOGIES: A Macaskill

1 WELCOME

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 12 SEPTEMBER 2017

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

Page 4, Item 6a, paragraph 2 change 'consciousness' to 'conscientiousness'.

4 MATTERS ARISING

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

Reference 25 Once a decision record has been approved, Egress will be installed and a training session will be arranged for Members.

Reference 96 Completed

Reference 98 Freedom of Information training to be provided for Members.
Research projects to be provided to A Lockley.

Reference 101 On today's agenda.

- Reference 102** On today's agenda.
- Reference 103** On today's agenda.
- Reference 104** L Christon and M Lewis reminded the Panel that anonymity was promised to participants.
- Reference 105** L Christon and M Lewis to liaise with S Hemsley to schedule interviews with Inspectors; to be aligned to the positive culture project work.

M Lewis referred to the Sergeants' Pledge and asked if there had been any progress on the pledge for civilian supervisors. DCC Roberts confirmed he would check and report back.

It was agreed:

DCC Roberts to report back on progress regarding the project for civilian supervisors.

5 WORK PROGRAMME

The Chair informed the Panel that the work programme was provided for information and asked if anyone had any queries.

M Lewis had raised outside the meeting, the Competencies and Values Framework which forms the next stage of the embedding of the Code of Ethics. S Hemsley said that she would liaise with T Wright regarding the Framework, and a report would be brought to a future meeting of the Panel.

E Redfearn mentioned that the Joint Governance Group meeting to be held on Thursday will be looking at all the Assurance Panels' work programmes and will identify any gaps.

It was agreed:

S Hemsley to liaise with T Wright and report back to the Panel on which option the force has decided to implement for the Competencies and Values Framework.

6 CHAIR'S REPORT - INCLUDING LIAISON WITH OTHER ETHICS PANELS

The Chair informed the Panel that he will be meeting with Suzanne Shale, Chair of the London Police Ethics Panel and the Bishop of Manchester, Chair of the Greater Manchester Ethics Panel in the New Year.

He thanked S Parkin for her research on other Ethics Panels, which indicated that other Ethics Panels for other forces were different from LPEP and the GMPEP. DCC Roberts stated that the Cheshire Ethics Panel tended to be more reactive and dealt with operational matters and changes in force policy.

GMPEP is holding a national Police Ethics Conference on 23 March 2018, and members have been invited to attend

It was agreed:

DCC Roberts to provide more information on the Cheshire Ethics Panel.

7 SECTION 60 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994 AUTHORITY - BRIEFING

The Panel received a comprehensive briefing from D/Supt Una Jennings on the enhanced stop and search powers available to police under s60 Criminal Justice and Public Order Act 1994, including the legal basis for the grant of an Authority for their use.

A discussion took place on the recent use of the powers in Sheffield, following a number of stabbings over one weekend. Members of the Panel were satisfied that the deployment of the powers had been legal and proportionate, and were encouraged by the absence of public complaints about the operation. The tactic was supported by partnership working on a number of levels, from liaison with the local council and regular communications with key stakeholders and the public.

The future role of the Panel in s60 applications was discussed. DCC Mark Roberts informed members that he would welcome their input when considering s60 applications in future, both as part of the consultation before the Authority is granted, and retrospectively. It was agreed that where possible a written briefing would be provided to members prior to the application being made, but where urgent consultation is required this would be a telephone call to the Chair of the Panel. A report would be provided subsequently.

8 STOP AND SEARCH GUIDANCE

The Panel was informed about a clear and easy-to-understand methodology now being given to officers on the use of stop and search powers, summarized as 'See, Know, Suspect' (the three elements which must be present for the lawful exercise of powers). A report prepared by Ch Insp Russ Hughes provided assurance to the Panel that officers were being supported in the fair and proportionate use of these powers and in articulating the reasonable grounds required.

DCC Roberts encouraged members to attend a future meeting of the Force's stop and search scrutiny panel.

M Lewis commented that the report would be a useful guidance document for new recruits, and possibly police officers at all levels as it provides clarification.

L Christon informed the Panel that she has attended a scrutiny panel, and was very impressed by the overall scrutiny adopted.

A short discussion followed regarding a previous incident. DCC Roberts suggested the individuals concerned attend a meeting of the scrutiny panel.

It was agreed:

Members to consider attendance at a meeting of the Stop and Search Scrutiny Panel.

9 CULTURE PROJECT

A joint report of the PCC's Chief Executive and Chief Constable was presented to the Panel. The purpose of the report was to finalise the content of the draft Project Definition Document and to provide a series of supporting papers for the 'Supporting a Positive Culture' commission.

The Chair suggested that the project should be managed in meetings separate from the IEP's regular meetings, with smaller groups undertaking specific tasks. This was agreed.

E Redfearn clarified that the project is a shared project of the Commissioner and the Chief Constable. She proposed some changes to the Project Definition Document, in particular to amend the project goal to read 'supporting a positive culture that underpins the delivery of the priorities of the Police & Crime Plan'.

It was agreed that the project team would finalise dates, and coordinate the delivery of the work. A discussion followed on the scale of the project, timeline, expectations, analytical work, additional resources, cost and support required.

E Redfearn explained that conference calls and emails could be used as necessary; meetings are not the only method by which to converse.

DCC Roberts confirmed that the project team will include, S Hemsley and U Jennings, and E Redfearn agreed to liaise with them outside of the meeting to discuss the project. S Hemsley suggested a member of the internal ethics panel be part of the project team.

It was agreed:

The Supporting a Positive Culture Project to meet separately meeting from the regular meetings of the IEP.

The first meeting of the Project Team to be set up to discuss the implementation of the project, and look at smaller tasking groups.

Project Team membership to include S Hemsley, U Jennings and one member from the internal ethics panel, to be confirmed.

Appendix A, Project Definition Document, agreed as amended.

10 CODE OF ETHICS UPDATE

S Hemsley provided a verbal update in relation to the Internal Ethics Committee and informed the Panel that the help and advice provided by Professor A Macaskill has been invaluable. The training received positive feedback on both days. An Ethics Portal is being set up with links to PSD (Professional Standard Department), CoP (College of Policing) integrity site and the Independent Ethics Panel. Police officers and staff will be able to submit ethical dilemmas.

The first meeting of the Internal Ethics Committee is on the 29 January 2018 at 12.30pm. A confidentiality agreement and terms of reference will be tabled at the meeting for approval.

Members were assured by the update provided on the embedding of the Code of Ethic that progress continues to be made.

11 SYP PROMOTION BOARDS EQUALITY EVALUATION

The Panel received an equality evaluation of the promotion boards for Constables to Sergeants during 2017 from Insp S Mellors. Concern was raised around the low application rate in comparison to the likely total of qualified officers. One possible explanation is that this year's candidate assessment process saw an expanded use of the Policing Professional Framework by inclusion of the Competency and Values Framework; potential candidates might have felt that they needed more time to prepare.

The figures showed what was described as a 'slight' under-representation of female candidates in the pool of applicants, and by contrast with previous selection processes, a disproportionately low number of BAME applicants. This would need to be explored further next year if the number did not increase.

The Panel was assured that promotion boards are being appropriately monitored.

A discussion followed regarding the new framework, values, expectations, risk, exposure, accountability and a change in emphasis from officers.

S Hemsley explained that a Temporary Promotions Board is running at the moment; there are 14 candidates, of whom 2 are female and 1 is BAME.

12 RECRUITMENT UPDATE

Deferred until next meeting.

13 STAFF GRIEVANCES ANNUAL REPORT

A summary of staff grievances recorded from 1 April 2016 to 31 March 2017 was presented to the Panel by Insp S Mellors. Members were pleased to hear that although there were 53 recorded grievances, this was a moderate number compared to previous years. In just over a quarter of grievances, specific diversity characteristics were a factor, (whether arising directly or indirectly). Gender and

disability are the contexts in which formal grievances are more common and this is a continuing trend.

S Mellors informed the Panel that the data gathered shows that the Joint Specialist Operations (JSOU) and Atlas Court have been the two most prolific departments where grievances have occurred. This coincides with the JSOU being a shared service with Humberside Police and with some challenges for Atlas Court around technological updates and demand management. Both areas are being addressed now with organisational solutions.

A discussion followed regarding protected characteristics, harassment, bullying, relationship issues, the need to understand the sense of scale within the organisation and confidence in reporting.

The Panel was assured that staff grievances were being properly monitored.

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 21 December 2017:-

- Section 60 Criminal Justice and Public Order Act 1994 Authority
- Stop & Search
- Supporting a Positive Culture Project
- SYP Promotions Board
- Staff Grievances Annual Report

15 ANY OTHER BUSINESS

F Topliss to liaise with the Chair regarding media and communications.

16 DATE AND TIME OF NEXT MEETING

13 February 2018 at 2pm, Office of the Police and Crime Commissioner, 5 Carbrook Hall Road, Carbrook, Sheffield, S9 2EH.

CHAIR