

INDEPENDENT ETHICS PANEL

29 NOVEMBER 2016

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

PRESENT: A Lockley (Chair)
A Macaskill, Member
M Ismail, Member
M Lewis, Member
L Christon, Member
S Hemsley, SYP
S Mellors, SYP
S Walne, SYP
R Barber, SYP
D Barraclough, SYP
A Fletcher, SYP
E Redfearn, OPCC
S Parkin, OPCC
F Topliss, OPCC
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APOLOGIES: None

1 WELCOME AND APOLOGIES

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

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 MINUTES OF MEETING HELD ON 20 SEPTEMBER 2016

The minutes were accepted as an accurate record.

4 MATTERS ARISING

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

Reference 25 – The person responsible for setting up a secure portal for members of the Panel is currently absent from work. In the interim the OPCC is looking at another method of enhancing the security of emails for all Members. An update will be provided at the next meeting.

Reference 48 – Agreed to discharge.

Reference 49 – A proposed protocol for the Panel to follow in the event of an approach by a whistleblower was distributed at the meeting. It was agreed that Members would provide comments back within 7 days.

Reference 57 – E Redfearn explained that as part of the Joint Corporate Governance Framework review, the report template will be revised and rolled out shortly for all report authors to use. The report template does allow for any Equality & Diversity implications.

Reference 58 – Work is ongoing, S Mellors to liaise with S Parkin.

Reference 59 – On today's Agenda.

Reference 60 – R Barber to liaise with J Hardy.

Reference 62 – On today's Agenda.

Reference 64 – Agreed to discharge.

Reference 68 – Agreed to discharge.

Reference 69 – A breakdown of police complaints statistics, presented by the IPCC, was distributed at the meeting and D/Supt Barraclough provided some context to the figures, which at first glance appeared to indicate that the Force is not performing well in some respects. D Barraclough confirmed that he is addressing data accuracy issues with the IPCC; once he receives an updated version he will circulate this to Members. The IPCC data will be published on its website by 2 December 2016.

D Barraclough explained that work is ongoing to produce a more informative narrative for reports to the Panel. He is liaising with the Lead Analyst at the Metropolitan Police for guidance. A report will be presented at the next meeting.

Reference 73 – Complete, agreed to discharge.

5 WORK PROGRAMME

Members discussed the work programme and requested that a Report on complaints handling should be provided by Professional Standards Department (PSD) every 6 months, to discharge the Panel's responsibility for assurance to the Police and Crime Commissioner (PCC).

6 CHAIR'S REPORT

The Chair informed the Panel that the Independent Ethics Panel established by the former Mayor of London has been disbanded by the current Mayor. The former chair of that Panel had told the Chair that he understood that alternative arrangements were to be made. It was agreed to keep a watching brief.

A discussion about the presence of South Yorkshire Police (SYP) officers during tree felling at Rustlings Road, Sheffield, took place. A/DCC Barber briefed the

Panel on the Force's perspective. The Panel agreed to invite the Advisory Panel on Protests to prepare a document (ultimately intended for public information) about police powers in connection with protests and political controversies, for future discussion by the Ethics Panel.

It was agreed:

A discussion document to be prepared regarding the ethical issues arising from the policing of protests and politically controversial issues.

7 IEP EXCEPTION REPORTING

Exception reporting was discussed throughout the meeting.

8 REVIEW OF TERMS OF REFERENCE

E Redfearn informed the Panel that a Review of the Joint Corporate Governance Framework is being undertaken and this incorporates this Panel's Terms of Reference. An update will be provided at the next meeting with any suggestions for change to the Panel's remit.

It was agreed:

E Redfearn to provide an update at the next meeting regarding any proposed changes to the Panel's Terms of Reference.

9 COMMISSIONED WORK

The Chair informed Members that under this heading, the Panel will consider at each meeting tasks commissioned by the Police and Crime Commissioner directly or the Public Accountability Board. On this agenda, there were two such matters.

9a Hate Crime Update

A report providing a narrative around hate crime at both local and national level, and hate crime and hate incidents reported to SYP, broken down by Local Policing Unit (LPU) was submitted to the Panel.

R Barber provided an update and informed Members that the report does highlight a number of areas of concern. The Force is continuing work on improving crime recording and on the differentiation between hate crime and hate incidents. A major piece of work is to be undertaken with partners and communities about the difference between hate crime and hate incidents. It is about ensuring that people living in the communities who are subject to hate crime have the confidence to report incidents.

L Christon specified that it would be of interest to correlate the data with the demographics of South Yorkshire.

M Ismail highlighted that feedback received from the communities is very positive.

A discussion followed regarding anticipated challenges, the pooling of intelligence and whether the public knows how to report hate crime. Supt S Hemsley informed Members that each police district has a hate crime co-ordinator; as part of their role, they will pick up repeat victims and repeat incidents will be flagged up through the crime recording system.

F Topliss to prepare a statement for publication regarding 'how to report hate crime'. M Ismail stated that Tell Mama is a useful website which F Topliss may find useful.

It was agreed:

S Poolman to attend the next meeting and present an Action Plan and Strategy for tackling Hate Crime.

To add Hate Crime to the work programme for an update at every meeting.

F Topliss to prepare a media statement on how to report Hate Crime.

9b Review of Use of Taser in Force

A report was submitted to the Panel to provide an overview of Taser deployments within South Yorkshire, compared to the most similar group of other forces (MSG).

The HMIC PEEL inspection of SYP had reported that decisions about the use of Taser are generally fair and appropriate and officers mainly understand the National Decision Making Model. Members discussed the use of Taser in general, and made reference to a fatal incident in London and to Taser usage in relation to juveniles. D Barraclough informed Members that all Taser discharges are reviewed by PSD and if necessary forwarded onto the IPCC.

Members wanted to investigate further the use of force by SYP, whether the use of Taser is proportionate within South Yorkshire, and the views of local communities.

L Christon observed that the use of Taser is linked to Body Worn Videos (BWV), which is to be implemented for use by firearms officers. R Barber stated that the officers equipped with Tasers would be the next tranche of officers provided with BWVs.

R Barber confirmed a report will be prepared relating to the overall use of force within the Force for the next meeting.

It was agreed:

A report on the use of force by the Force to be prepared for the next meeting. This to include a section in relation to procedures for handling mentally ill individuals who present a threat, and any significant disparities in the use of force between the areas of South Yorkshire.

F Topliss to liaise with R Odell to identify any opportunities for positive engagement with the community on this subject.

10 YOUNG PEOPLE IN CUSTODY

A report was submitted to the Panel to provide an update on Children and Young People in Custody.

Ch Insp S Walne summarized key points and informed Members that compliance with the Concordat on Children in Custody remains the relevant standard. All remands are reviewed retrospectively by the custody suite inspectors to ensure that there has been compliance with the concordat.

The vast majority of children and young people who remain in police custody overnight, rather than being transferred to local authority care, are for breach of bail or warrants. Because of the low numbers, the lack of familiarity is a concern; the emergency team may not have dealt with this issue before (or not for a long time) and this can lead to inconsistency in documentation and response.

A discussion followed concerning privately owned and local authority accommodation, secure centres, residential homes, vulnerability, costs and the responsibilities of the local safeguarding boards and local criminal justice boards.

SYP do not re-charge local authorities in instances where they fail to provide secure accommodation and neither do other Forces benchmarked. The Chair enquired if there was any difference in the respective levels of co-operation in relation to secure accommodation by the four South Yorkshire authorities. R Barber stated that a letter is sent where appropriate to the relevant local authority informing it where it has failed in its statutory duty, but there are no particular areas of concern.

The Chair thanked S Walne for an informative update.

11 STOP AND SEARCH

Item deferred to the next meeting and for Jayne Forrest to attend.

It was agreed:

J Forrest to be invited to next meeting.

12 VALUES

S Hemsley gave a verbal update on the national Code of Ethics and informed the Panel that the Force is in the process of looking to move from the FIRST Principles to a revised set of Values. Activity is on hold to avoid confusion if there is to be a shift to Values.

The Force is at a point where colleagues are aware of the Code of Ethics and the FIRST principles. The next stage is to seek volunteers from within the organisation to participate in an Internal Ethics Committee, with an Independent Chair. The Panel supported this development as an opportunity further to strengthen the commitment of officers and staff to ethical principles.

R Barber explained that work on the Strategic Delivery Plan is almost finished and will incorporate the revised Values. There will then be further work over the short to medium term to identify what fits with the culture in South Yorkshire and the aim is to keep the Panel updated with progress. It was agreed that M Ismail and M Macaskill would be available to support the Force on the further work.

13 DIVERSITY WORKSTREAM

The Panel supports the PCC in his statutory responsibility of holding the Force to account on equality and diversity matters. S Mellors provided the Panel with a draft document released by the College of Policing: 'Valuing difference and inclusion'. He suggested that this might offer a good framework for the Panel's work in this field.

The document identifies four key areas:-

- Changing Demographics
- Equality Duty and Equality Legislation
- Leadership and the Leadership Review
- The Business Case

A Macaskill drew the Panel's attention to the omission from the document of material relating to gender balance. S Mellors also pointed out that the fastest growing group is those of mixed ethnicity.

The Chair suggested that the Panel uses the four key areas above as the Framework for a structured approach for advice to the PCC about equality and diversity within the Force. This should include comment on the gender balance. The aim should be to provide an annual analysis into the Public Accountability Board (PAB) for the PCC.

It was agreed:

E Redfearn to work with S Mellors to produce a Framework.

14 IEP COMMUNICATIONS STRATEGY

F Topliss invited discussion around an IEP Communications Plan and informed the Panel that a representative from the OPCC Communications team, where possible, would attend each meeting with the intention of capturing positive communication items for both internal and external audiences.

Members discussed possible means of communication, including the use of social media, an improved website presence and a chair's blog and it was agreed that the

Chair and F Topliss will meet and produce a Communications Plan to be brought to the next meeting.

It was agreed:

The Chair and F Topliss to meet and progress a Communications Plan and present a draft at the next meeting.

15 ANY OTHER BUSINESS

There was no other business.

16 DATE AND TIME OF NEXT MEETING

14 February 2017, at 10am, Office of the Police and Crime Commissioner,
Carbrook Hall Road, Sheffield, S9 2EH.

CHAIR