

## INDEPENDENT ETHICS PANEL

29 SEPTEMBER 2020

PRESENT: A Lockley (Chair)  
Prof A Macaskill (Member)  
Imam M Ismail (Member)  
M Lewis (Member)  
J Wheatley (Member)  
DCC M Roberts (SYP)  
Det Supt D Waring (SYP)  
Ch Insp D Mahmood (SYP)  
CC S Watson (SYP) (for part)  
A Fletcher (SYP)  
Dr A Billings (PCC)  
E Redfearn (OPCC)  
S Parkin (OPCC)  
F Topliss (OPCC)  
K Wright (OPCC)  
S Baldwin (OPCC)  
M Buttery (OPCC) (for part)

APOLOGIES: Insp S Mellors

### 1 WELCOME AND APOLOGIES

The Chair welcomed everyone to the meeting.

The Chair informed the meeting that P Bradley had stood down from the Panel. On behalf of the Panel he thanked P Bradley for the significant contribution he had made and sent him the Panel's best wishes.

The Chief Constable acknowledged that this was the last meeting for some members of the Panel and offered his personal thanks to all those leaving the Panel for everything they had done. He confirmed that he is delighted that the Commissioner is retaining the Panel.

The Chief Constable highlighted the outstanding assessment the Force had received from HMICFRS for legitimacy. He confirmed that one way to ensure legitimacy is to triangulate this with independent people. The Panel has offered different ideas and challenge. This is important and significant.

The Chief Constable acknowledged the Panel's collective and individual endeavours and confirmed that they had genuinely made a difference. He thanked the Panel for its service to SYP and also the wider public.

The Chair stated that it had been a huge privilege to be part of SYP's journey to an 'outstanding' rating for lawfulness and ethics following the PEEL inspection. He acknowledged how the Panel and Force had worked closely together and

commended SYP on its openness and transparency. This had made the role he had played very satisfying.

The Chair thanked the Chief Constable, M Roberts and the other colleagues who had engaged with the Panel.

The Chair also thanked the Chief Constable personally for setting the tone.

M Buttery thanked A Lockley as Chair and those who are leaving. She reminded the Panel that it had been the previous PCC's decision to have an Ethics Panel but this had matured under the current Commissioner.

M Buttery confirmed that she would miss A Lockley and M Ismail and the contributions they have made. A Lockley has been brilliant as Chair, very forward-looking. He had also been a personal support to her particularly in 2016 when he had been a professional sounding board and support at a difficult time. She wished them good luck with their other pursuits.

The Chair thanked M Buttery for also setting the tone for the Office's support to the Panel. He also thanked K Wright and S Baldwin for their policy and research support and S Parkin and J Renwick for their frontline support. Finally, he thanked E Redfearn for starting the Panel off. The Panel would not have done what it had done without her support.

## 2 DECLARATIONS OF INTEREST

There were no declarations of interest.

## 3 MINUTES OF LAST MEETING HELD ON 30 JUNE 2020

The minutes of the last meeting were agreed as an accurate record, subject to the following amendment:

Page 8, Section 7: It was agreed that: The IEP would ~~consider~~ appoint a use of force lead.

## 4 MATTERS ARISING

201	The six monthly review of complaints trends should include complaints dealt with by the IOPC. <b>01/05/2020 – D Mahmood highlighted that the IOPC had confirmed that data for quarter 4 would not now be collected until the end of May. The IOPC has also confirmed that the data collection for quarter 1 2020/21 will not take place. Instead, they will collect data for both quarters 1 and 2 in October 2020.</b>
221	The Panel would consult and engage with the staff associations in relation to the experiences of BME staff <b>29/09/20 – E Redfearn confirmed that P Bradley had been going to pick this up. This work will continue. It is the OPPC's intention to continue with the link member scheme and a member will be appointed once new</b>

	<b>members are in place.</b>
222	The Panel would capture what BME staff have to say about their experience of being a BME staff member <b>29/09/20 – as per action 221</b>
223	The actions in the PCC's Discrimination and Disproportionality paper would be progressed by the Panel and OPCC staff <b>29/09/20 – E Redfearn confirmed this would remain a feature for the IEP and will fit within the priorities of both the office and the Panel. Ongoing</b>
224	The IEP would appointing a Use of Force lead <b>29/09/20 - Ongoing</b>
225	P Bradley to work with police colleagues to develop some inclusion measures <b>29/09/20 – as per action 221</b>
226	P Bradley would undertake further work around exit interviews <b>29/09/20 – as per action 221</b>
227	The Panel would offer to act as a Stop and Search Panel on a temporary basis <b>26/08/20 – Complete. Discharged</b>
228	The Chair consult the OPCC on the timescales for the review of the last 5 years <b>29/09/20 – Meeting took place on 27 August. Discharged</b>
229	E Redfearn to input into the review of the last 5 years <b>29/09/20 – E Redfearn attended the meeting on 27 August. Discharged</b>
230	The Chair would progress the review of the last 5 years <b>29/09/20 – Report completed and today's agenda. Discharged</b>

M Lewis requested an update on the engagement work with BME communities referred to in the Hate Crime report. It was agreed that this be added to the action schedule and an update would be provided at the next meeting.

M Lewis enquired if an update could be provided on the lower number of Use of Force reports submitted in Rotherham. It was agreed that this be added to the action schedule and an update would be provided at the next meeting.

A Lockley requested an action be put on the action schedule for the next Use of Force report to include the use of Tasers to ensure this did not get lost.

**It was agreed that:**

- **An update on the engagement work with BME communities become an action on the action schedule and an update be provided at the next meeting**
- **An action be put on the action schedule for an update to be provided at the next meeting on the lower number of Use of Force reports submitted in Rotherham**
- **An action be put on the action schedule for the next Use of Force report to include the use of Tasers**

## 5 CHAIR'S REPORT

The Chair invited E Redfearn to provide an update on the recruitment to the Panel.

E Redfearn confirmed a recruitment agency had been engaged and an advert had been placed a couple of months ago. Nearly 30 applications had been received.

The Commissioner and E Redfearn had shortlisted and A Macaskill had been involved in the interviews. Three candidates were appointable and are progressing through the vetting process. Vetting is currently taking between six to eight weeks. Members should be in place by the next meeting.

The Chair provided an update on the NPCC Covid-19 Ethics Committee, to which he had been appointed. He had hoped to put the minutes of the Committee's first three meetings on this agenda but due to the sensitivity of the content the NPCC was still considering what could be shared. The Chair confirmed that the experience is providing extremely interesting and valuable. Matters are limited to issues around the police's approach to the Covid-19 Regulations.

M Lewis enquired if the Chair would continue to be a member of the Committee once his term of office ended on the Panel and if so, whether the IEP would be able to benefit from the Committee's discussions. The Chair confirmed that he would; the appointment was initially for one year or however long Covid-19 continues. The Chair confirmed that if possible he would provide copies of the minutes, although these may be redacted, but this depended on the NPCC. It was agreed that the Panel would like information to be a two way flow, and the Chair said that he would benefit from having that input.

M Lewis referred to the Policing Covid-19 report the Panel had produced earlier in the year and enquired if this needed to be revisited as Covid-19 evolves. E Redfearn confirmed this was for SYP and the Commissioner to consider. M Roberts highlighted that a thematic inspection is being undertaken by HMICFRS and the Panel's report would feed into this. The Commissioner confirmed that he was happy to leave this at the moment but it would be kept under constant review.

**It was agreed that:**

- **A Lockley would establish if the minutes and updates from the NPCC Covid-19 Ethics Committee could be provided**

**6**     COMPLAINTS UPDATE

Detective Chief Inspector D Mahmood introduced Detective Superintendent Delphine Waring, the new Head of PSD, and the Chair welcomed her to the role.

D Mahmood presented a detailed overview of Complaints and Discipline performance. This did not include performance figures of comparison with Most Similar Forces (MSF) as this is not currently available from the Independent Office for Police Conduct (IOPC).

The presentation included the following key points.

There were 637 complaints recorded between 1 July 2019 and 30 June 2020. This is the highest number of complaints received in a 12 month period in the last five years. Those 637 complaints contained 1389 allegations, which is a decrease on the same period last year, but it should also be noted that a significant rise has taken place between January and June 2020.

As a result of the new Police (Complaints and Misconduct) Regulations, districts are now dealing with 46% fewer complaints than the same period the previous year. 81% of 'expressions of dissatisfaction' were dealt with by the Professional Standards Department (PSD). This should reduce delays in dealing with complaints and manage expectations.

D Mahmood also reminded the Panel that the new Regulations differentiated between Schedule 3 and Non-Schedule 3 complaints.

J Wheatley noted the more detailed data and the Department's new analytical capability and confirmed that it will be interesting to see the data when it is broken down further and compared with other forces. D Mahmood confirmed that more detailed information is shared with the PSD Champions and once data is received from the IOPC they will be able to look at comparisons. She had spoken with colleagues across the region and nationally and did not think SYP was out of kilter.

A Macaskill welcome the more detailed report and enquired if the PSD Champions were making a difference. D Mahmood confirmed that this role was developing and highlighted the importance of 'lessons learnt'.

The Chair queried the increase in complaints since October. D Mahmood confirmed this was a seasonal trend which the Force is aware of and looking at in more detail.

M Roberts commented that figures were exceptionally low prior to October and this makes the increase seem sharper.

The Chair expressed concern that 16% of complainants were from a BAME background and reminded colleagues that the Commissioner had asked the Panel to look at any disproportionality. D Mahmood replied that this related to very small numbers. These cases are looked at by supervisors and reviewed by S Mellors who also undertakes training for PSD staff.

M Lewis enquired if any cross-referencing was undertaken in relation to the nature of the complaint or allegation with the complainant, i.e. do SYP receive a certain type of complaint from women or people from a BAME background? This is currently only undertaken on an exception basis. However, the new recording of complaints should enable the analyst to do this. D Mahmood confirmed that there was no obvious themes.

A Macaskill enquired if the data were statistically significant and whether any comparisons were available. D Mahmood confirmed this could be looked at in future.

D Mahmood also provided information on the conduct of police officers and staff. 69 conduct matters had been received over the past year. This is consistent with previous years. 2% of male staff were investigated for misconduct compared with 1% of female staff.

3% of BAME staff were investigated for misconduct, compared with 1% of white members of staff. M Ismail enquired if there was a reason for this. D Mahmood confirmed that there were no particular themes being identified.

M Ismail asked if there could be discrimination from other colleagues. D Mahmood confirmed that each case was looked at individually and reviewed by S Mellors to ensure there was no disproportionality.

The Chair noted that the statistics reference 'employees' and enquired whether these figures had been broken down into officers and staff. D Mahmood said that this had been discussed and a breakdown would be available at the next PSD Champions meetings. The Commissioner confirmed this information would be useful.

The Panel thanked D Mahmood for the updates she had provided to the Panel and invited D Waring to say a few words.

D Waring confirmed she had started back in PSD two weeks ago. She had worked in PSD previously as a Detective Chief Inspector before moving to Sheffield district.

D Waring agreed to pick up some of the comments made about the data and whether the figures are statistically significant. She confirmed that any significant spikes were analysed and any themes were discussed at Quarterly Performance Days and the PSD Champions meeting.

**It was agreed that:**

- **'Employees' should be broken down into officers and staff in the next complaints update**

## 7 EQUALITY, DIVERSITY AND INCLUSION

Inspector S Mellors, SYP's Equality, Diversity & Inclusion Lead, had provided an update report.

M Roberts highlighted that amongst police officers, the ratio of BME officers has, for the first time, risen to 5% and that females now make up 34% of all SYP police officers.

Police recruitment continues to accelerate and among new recruits, females make up 34.6%, BME groups are at 8.6% and VME groups are at 7.4%. The recruitment process is broken down into the various stages to enable SYP to obtain as much detail about the process as they can.

An advert for Community Assessors has gone out.

The Chair reflected on the benefits of a greater focus on VME who visibly add to the diversity of the Force and was encouraged to see the rise in registrations for the recruitment process by VME applicants.

M Ismail referred to the current recruitment campaign where an email had been sent to members of local communities asking them for help to encourage people to apply. He highlighted the importance of members of SYP being representative of the population and congratulated SYP on the measures they were taking.

A Macaskill referred to the Panel's previous concerns around the online test and enquired what impact the new test was having on the recent campaign. M Roberts agreed to check on this.

The Chair commented that Judaism did not feature in the list of religions on page 35 and enquired if this was a mistake. M Roberts agreed to check on this.

M Lewis congratulated SYP on a proactive recruitment campaign. He enquired if SYP were losing more staff than they should be, and asked if more detail could be provided on this. M Roberts confirmed that exit interviews are completed would establish if the reason for leaving could be obtained.

The Panel agreed there was grounds for cautious optimism. BAME figures are going in the direction but this trend needs to continue to increase the diversity of SYP.

At the end of this item, the Chair expressed his personal thanks to M Roberts (who had to leave the meeting) and acknowledged that he had learnt a lot.

M Roberts confirmed that the Panel had added massive value. He acknowledged that at times discussion had been uncomfortable but if it had always been comfortable the Panel would not have been doing its job. He confirmed that both he and SYP had benefited from the Panel.

**It was agreed that:**

- **M Roberts would establish if previous concerns around the online test in the recruitment process was having an impact on the current campaign**
- **M Roberts would establish if the omission of Judaism on page 35 of the agenda pack was a mistake**
- **M Roberts would establish if any information on the reasons people are leaving the organisation could be obtained**

8 IEP FIVE YEAR REVIEW

The Chair confirmed that members of the Panel had seen a draft of the Review in advance of the meeting and enquired if members had any further comments. There were none.

The Chair will present the review to the Public Accountability Board on 13 October 2020.

9 ALLEGATION OF RACIAL PROFILING (PRESENTATION / VIDEO FOOTAGE)

Due to video-conferencing issues, the Panel was unable to view the video footage. M Roberts would pick this and agenda item 10 up with members outside of the meeting.

**It was agreed that:**

- **M Roberts would pick up the allegation of racial profiling and the discharge of AEP round agenda items up with members outside of the meeting**

10 DISCHARGE OF AEP ROUND (BWV FOOTAGE)

See agenda item 9.

11 STOP AND SEARCH UPDATE

M Lewis, the IEP's lead member for Stop and Search, presented a report on a scrutiny exercise which he and A Macaskill had attended on 3 September 2020.

The purpose of the meeting was to view some recent Stops and Searches recorded using Body Worn Video (BWV). M Lewis confirmed that this was the same task (but now using BWV) previously undertaken by the Force's Scrutiny Panel, which was temporarily inactive,

As a follow-up, members of this Panel have agreed to scrutinise Stop and Searches involved members of BAME communities. This will probably be in mid-October.

These are interim arrangements whilst consideration is being given to vetting arrangements for members of the Force's Stop and Search Scrutiny Panel.

A Macaskill confirmed this was a very useful exercise to do. She had attended a Stop and Search Scrutiny Panel before but BWV added a different dimension and provided more context. She thought this was a model worth continuing as a work-around until the vetting arrangements are decided. M Lewis confirmed there was no national guidance on this. Other members of this Panel or other independent people who have been vetted, could also be used, such as Independent Custody Visitors. S Parkin agreed to check on the level of vetting required.

M Lewis also drew attention to an academic research paper on Stop and Search (Ariel & Tankebe of the Cambridge Institute of Criminology) and drew attention to two points for consideration by the Force and the Panel:

- Discussion using the binary categorisation of white / BAME is unhelpful in understanding the full picture and a more sophisticated disaggregation of ethnicities is needed when considering possible disproportionality. This is something raised previously by the Panel;
- the range of disposals available from Stop and Search which fall short of arrest is not something captured in the statistics of 'positive' and 'negative' outcomes.

A Macaskill highlighted that the academic paper contained published data from 2006 to 2011 and this will have changed.

The Commissioner agreed that more disaggregation was required and confirmed that the BLM group whom he had consulted, also agree. He believes that categories should be gender, social class and then ethnicity but this is difficult to do. Officers on the street who have local intelligence may be able to do this.

**It was agreed that:**

- **S Parkin would establish what level of vetting is required to view BWV**

12 ANY OTHER BUSINESS

The Chair thanked A Fletcher for her support with the meetings.



The Chair thanked his colleagues for their support, including L Christon, one of the original members, and said that this had been an enjoyable and constructive task. He thought that the development of the 'lead member' role had helped the Panel come on in leaps and bounds and was confident he was leaving the Panel in safe hands.

The Commissioner added his thanks to those expressed by the Chief Constable and M Buttery.

The Commissioner confirmed that the 5 Year Review Report was a strong narrative and was keen for this to be published, although this may not be ready in time for the Public Accountability Board on 13 October.

The Chair acknowledged the unique role the Panel has played, there being no other group with precisely the same range of responsibilities.

E Redfearn confirmed she would talk to each individual member about the interim arrangements and then formalise this in writing.

13 DATE AND TIME OF NEXT MEETING - 30 NOVEMBER 2020 AT 2PM

CHAIR