



# **INDEPENDENT ETHICS PANEL**

## **2023 – 2024**

***What It Is, Does and How It Does It***

## Introduction

1. The South Yorkshire Police and Crime Commissioner (PCC) published his Police and Crime Plan 2023-2025 – '*Working Together for a Safer South Yorkshire*'. As well as the three unchanged policing priorities: *Protecting Vulnerable People*; *Tackling Crime and Anti-Social Behaviour*; and *Treating People Fairly*, the PCC has identified four underpinning Fundamental Principles. These are:
  - Putting victims first
  - Improving public trust and confidence in policing
  - Demonstrating value for money
  - Supporting sustainability
2. The work of the Independent Ethics Panel (IEP) focuses on the priority of *Treating People Fairly* and the Fundamental Principle of *improving public trust and confidence in policing*.

## IEP responsibilities

3. The IEP was originally established in 2015 by the PCC. It comprises five members of the public appointed after a public recruitment process. The current members bring to their work extensive professional experience from across the private, public and voluntary sectors.
4. The work of the IEP is supported by the Office of the Police and Crime Commissioner (OPCC) but remains an arms-length 'independent body'.
5. The IEP's role is to contribute to the task of assuring the PCC that ethical standards of South Yorkshire Police's (SYP) policing in South Yorkshire are of the highest order and merit the Trust and Confidence of the communities SYP serves. Running through the work of IEP are the priorities and fundamental principles of the Police and Crime Plan.
6. The IEP's responsibilities are as follows:
  - The PCC delegates to the IEP areas that are part of his statutory responsibilities (e.g., seeking assurance from the IEP relating to his responsibility to '*hold the Chief Constable to account*', specifically in the areas of how the Chief Constable handles complaints from the public (including victims of crime) and compliance with Equality Act duties.
  - The PCC commissions the IEP to undertake work that is explicitly referenced as areas of focus within his Police and Crime Plan.
  - The PCC (and SYP) ask the IEP to be continually horizon-scanning; identifying current and future issues, events, initiatives, approaches, technological and other developments and discussing and advising on the ethical issues that the PCC and Chief Constable should consider. The PCC encourages the IEP to be proactive in identifying topical issues for discussion themselves and where appropriate, with SYP.

## Ways of Working - generally

7. The IEP meets formally five times a year. Where possible these meetings are held in person.

## Work Programme

8. The work programme is organised in such a way that it supports the Panel in discharging its responsibilities.
9. The Panel receives and comments on reports provided by the Chief Constable of SYP and those from its own membership. Any matters of significance are noted and formally reported to the Public Accountability Board.

## Agendas

10. Meeting agendas are organised with the Chair of the IEP and discussed as appropriate with the Deputy Chief Constable. The role of the Chair is to ensure the meetings are run efficiently and effectively and that there is opportunity for:

- receiving and scrutinising reports, mainly in the 'holding the CC to account areas' of complaint handling and equality, diversity and inclusion.
- sharing experiences / findings of Themed Leads, mainly through discussion.
- determining the level of assurance, or otherwise, to be provided to the PCC, along with recommendations for further work / follow-up.
- consideration of any public facing messaging in support of police legitimacy, i.e., policing by consent.
- looking to the future - horizon scanning and future agendas.
- ensuring the work of IEP relates to the published priorities of the PCC.

## Focus

11. During 2023-2024 the IEP will continue to build on its previous work and concentrate activity in the following three areas:

- **Considering and commenting on police legitimacy** in communities through reality testing the public's experiences / interactions with SYP, including the fair and proportionate use of tactics in the policing of protests, stop and search and the use of force. The IEP pays particular attention to the issues of potential or actual disproportionality in the way in which SYP polices South Yorkshire.
- **Looking internally within SYP** to assess the embeddedness of ethical standards in the way its people think, make decisions and behave.
- **Scanning the horizon** to identify potential ethical issues for future policing, including technological developments, the impact of changes to legislation and the use of discretionary powers.

## ***Considering and commenting on police legitimacy in communities through reality testing***

12. The IEP has been instrumental in supporting the development of external scrutiny panels made up of volunteers from the general public.

13. Working cooperatively with the OPCC and SYP the IEP has been involved in establishing several external scrutiny panels. At present these panels cover:

- Stop and Search
- Use of Force
- Use of Force (Taser)

The possible extension of external scrutiny panels is under consideration.

14. The panels meet regularly. Membership is drawn from the general public who have volunteered for the role. Body-Worn Video (BWV) examples of the use of these powers are chosen at random and viewed. Panel members record their comments on-line, before coming to a view of the lawfulness, proportionality of action taken, compliance with regulations of police action. The Panel's views are discussed with lead officers, who offer a professional perspective. It has taken time to reach the current point where genuine dialogue takes place and where SYP actively welcome and encourage challenge from panels as critical friends.

15. The IEP also tracks and comments upon the sensitive issue of disproportionality, particularly in relation to ethnicity.

16. In parallel to the external scrutiny panels, SYP has established internal scrutiny panels drawn from officers and staff. The internal panels mirror the work of the external panels, undertaking the same process using BWV material chosen at random.

17. Where appropriate, both positive and critical feedback to individual officers and supervisors is supplied.

18. The role of the IEP member is to assess by attendance at both internal and external panels, the robustness of the process, SYP's commitment to it, the extent to which the Values and Behaviour Framework of SYP is embedded in the daily actions of its personnel. This work enables IEP to offer the Police and Crime Commissioner (PCC) assurance about the use of these powers and the operation of SYP.

19. This area of focus will be discharged mainly through the work of Member Themed Leads. Appendix A provides Member Themed Lead role profiles for the areas of work in supporting police legitimacy:

- Stop and Search
- Use of Force
- Policing Protests and other Public Order events

20. It is anticipated that the time commitment for each Member will be up to ten days each year. This time will include, but not be limited to: attending relevant meetings, within the OPCC/SYP or externally; reality checking; and report reading/ writing.

***Looking internally at the extent to which ethical standards are embedded in how SYP's people think, make decisions and behave***

21.SYP launched on 5 May 2022 its Cultural Change Programme. This focusses on:

- Organisational values (Fairness, Integrity and Trust) underpinned by a set of behaviours
- Consistent leadership behaviours (*at all levels of leadership*<sup>1</sup>)
- Creation of a 'Team SYP ethos' by dismantling 'silo' mentalities and practices
- Focus on quantity and quality
- Improve wellbeing and make sure all staff and officers feel valued, appreciated and supported

22.The PCC welcomed this approach. In doing so he asked for clarity as to the drivers behind this approach; how it fits within the wider organisational development of SYP; and how SYP intends to test the effectiveness of this Culture Change Programme.

23.Since its inception IEP has been invited to observe the evolving culture of SYP, initially described as 'taking the ethical temperature. This work continues and has particular importance at a time of significant change and turnover of officers and staff. IEP members comment upon how and the extent to which the values of SYP and the behaviours it requires are consistently communicated and embedded.

24.A separate Culture Framework of activity has been formalised. This sets out the work of the Panel over the next year, including reporting arrangements.

***'Holding the CC to Account' responsibilities***

25.The 'holding to account' areas of focus for the IEP are:

- Assuring the PCC (and CC) that complaint and misconduct procedures are effective and complaints are effectively handled.
- Assuring the PCC (and CC) that equality and diversity duties imposed on the CC are properly exercised.

26.The complaints and conduct responsibilities will continue to be discharged through the existing Member Themed Lead approach. This role has been extended to cover all aspects of work within the Professional Standards Department of SYP. A role profile is provided at Appendix B.

27.Equality and diversity duties of a CC are wide and intertwined throughout policing. The PCC helpfully sets out the focus for the IEP in this regard within in his Police and Crime Plan:

*"I want to see better representation of women and those from ethnic minority groups at all ranks and in all roles. The national uplift of police officer numbers has presented a critical opportunity to get this right. This is why I have asked the Independent Ethics Panel to look at how SYP recruits, trains, promotes and retains officers and staff."*

---

<sup>1</sup> Clarification to be sought as to whether the intention is this covers all levels of leadership

28. Equality, diversity and inclusion for the “citizen in uniform” to be a reality in an increasingly diverse society is a matter of obvious interest for IEP. It seeks to gauge how SYP goes about ensuring it reflects and looks like the citizens it polices.
29. Two members of IEP focus on EDI and explore recruitment, retention, promotion and personnel and leadership development strategies. It pays close attention to ethnicity and gender. They comment on the extent to which the Chief Constable’s commitment to Fairness, Integrity and Trust (FIT) is reflected and promoted in day-to-day practice.

### ***Scanning the Horizon***

30. The role of the Chair of the IEP will ensure this responsibility is fulfilled through proactive communication and engagement with for example: IEP members; key officers within the OPCC and SYP; peer IEP Chairs.
31. New technology and AI: The IEP has reported on the ethical dimensions of the expanding use of use new technologies, ranging from Body Worn Video to Drones to Artificial Intelligence. However, this is an area of very rapid change, considerable uncertainty and potential controversy. The PCC and the IEP anticipate this will become an area of increasing focus, paying particular attention to ethical issues associated with the use of Facial Recognition and data acquisition and management.

### **Support from the OPCC and SYP**

32. The PCC’s Chief Executive & Solicitor and the Deputy Chief Constable of SYP take ultimate responsibility for the PCC’s and CC’s assurance arrangements, respectively, and for the support provided to the IEP.
33. The OPCC’s lead officer for all IEP members is the Head of Governance and SYP’s lead officer is the deputy Chief Constable’s staff officer.

**INDEPENDENT ETHICS PANEL**  
**STOP AND SEARCH**  
**LINK MEMBER ROLE PROFILE**

***Purpose***

Take the lead on behalf of the Independent Ethics Panel (IEP) in helping determine the level of assurance to be provided to the Police and Crime Commissioner (PCC) and Chief Constable (CC) in respect of the fair use of Stop & Search powers, including the use of Section 60, by SYP.

***Main areas of focus***

**1. Understanding and legal context**

- a) To develop an understanding of police stop & search powers and the legitimacy of these, taking account of the content of the College of Policing's Authorised Professional Practice on Stop and Search <https://www.app.college.police.uk/app-content/stop-and-search/> and the Best Use of Stop and Search scheme.
- b) To receive and respond to reports of the use of Section 60 stop and searches.  
<https://www.college.police.uk/app/stop-and-search/legal/legal-basis>
- c) To consider the use of the Community Trigger process in respect of stop and search.  
<https://southyorkshire-pcc.gov.uk/support-for-victims/community-trigger/>

**2. Relationships**

- a) To develop effective links with SYP's Stop and Search Lead and those officers providing a supporting role to the lead.
- b) Liaise with the Stop and Search lead where appropriate to assess progress and discuss any issues of concern.
- c) Liaise with the stop and search IEP Support Officer within the Office of the Police and Crime Commissioner (OPCC) as appropriate and discuss progress, any issues of concern and development of work in this area.

**3. Data and body worn video**

- a) To consider the availability, quality, and ethical use of stop and search data and data recording.
- b) To consider the effective use of body worn video in the use of stop and search.

**4. Scrutiny**

- a) To keep under review the work of the **external scrutiny panel** and comment on the effectiveness, frequency and rigour of its work and to observe the panel in action.
- b) To consider the effectiveness, frequency and rigour of the **internal scrutiny panels**.

- c) Understand the arrangements for initial training and continuous good practice learning in SYP around stop and search ethical issues.

## **5. Reality checking**

- a) Review the potential for observing actual stop and searches taking place.
- b) Observe training (for new recruits) and ongoing training on stop and search and comment on any ethical issues either as good practice or for learning/development.
- c) Understand feedback mechanisms and their effectiveness and where appropriate consider inviting a sample of members of the public who have been subject to Stop and Search without further outcome to give feedback on their experience in written or oral form.

### ***General Observations as an IEP Member***

- To contribute to the overall level of assurance around the embeddedness of an ethical culture within South Yorkshire Police.

### ***Ways of working***

- Lead the discussion on stop and search with IEP Panel Members as required
- Review and comment on statistical information related to disproportionality in the use of Stop and Search
- Through reports published by the Government, Inspectorates and other national bodies, consider wider national issues around Stop and Search and potential impact on SYP
- Contribute to policy development locally, regionally and nationally as requested.
- Receive briefings / information from SYP officers and / or members of the OPCC.
- Supported by the OPCC, keep abreast of key developments pertinent to the role as necessary.
- Meet annually with IEP Chair to review how the role is working and consider the need for any amendments to the role profile

**May 2022**



# INDEPENDENT ETHICS PANEL

## USE OF FORCE

### LINK MEMBER ROLE PROFILE

#### ***Purpose***

Take the lead on behalf of the Independent Ethics Panel (IEP) in helping determine the level of assurance to be provided to the Police and Crime Commissioner (PCC) and Chief Constable (CC) in respect of the fair use of Use of Force powers by SYP.

#### ***Main areas of focus***

##### **1. Understanding and legal context**

- a) To develop an understanding of police Use of Force powers and the legitimacy of these, taking account of the content of the College of Policing's Authorised Professional Practice on Use of Force <https://www.college.police.uk/app/public-order/core-principles-and-legislation/police-use-force> including compliance with the ten key principles governing the use of force by the police.
- b) To consider the use of the Community Trigger process in respect of Use of Force: <https://southyorkshire-pcc.gov.uk/support-for-victims/community-trigger/>

##### **2. Relationships**

- a) To develop effective links with SYP's Use of Force Lead and those officers providing a supporting role to the lead.
- b) Liaise with the Use of Force lead where appropriate to assess progress and discuss any issues of concern.
- c) Liaise with the Use of Force IEP Support Officer within the OPCC as appropriate and discuss progress, any issues of concern and development of work in this area.

##### **3. Data and body worn video**

- a) To consider the availability, quality, and ethical use of Use of Force data and data recording.
- b) To consider the effective use of body worn video in the use of Use of Force.

##### **4. Scrutiny**

- a) To keep under review the setting up and running of an **external scrutiny panel** and comment on the effectiveness, frequency and rigour of its work and to observe the panel in action.
- b) To consider the effectiveness, frequency and rigour of any internal scrutiny processes.
- c) Understand the arrangements for continuous good practice learning in SYP around Use of Force ethical issues.

##### **5. Reality checking**

- a) Review the potential for observing actual Use of Force taking place.

- b) Observe training (for new recruits) and ongoing training on Use of Force and comment on any ethical issues either as good practice or for learning/development.

### ***General Observations as an IEP Member***

- To contribute to the overall level of assurance around the embeddedness of an ethical culture within South Yorkshire Police

### ***Ways of working***

- Lead the discussion on Use of Force with IEP Panel Members as required
- Review and comment on statistical information related to disproportionality in the Use of Force
- Through reports published by the Government, Inspectorates and other national bodies, consider wider national issues around Use of Force and potential impact on SYP
- Contribute to policy development locally, regionally and nationally as requested.
- Receive briefings / information from SYP officers and / or members of the OPCC.
- Supported by the OPCC, keep abreast of key developments pertinent to the role as necessary
- Meet annually with IEP Chair to review how the role is working and consider the need for any amendments to the role profile

**May 2022**

**INDEPENDENT ETHICS PANEL**  
**POLICING PROTESTS AND PUBLIC ORDER EVENTS**  
**LINK MEMBER ROLE PROFILE**

***Purpose***

Take the lead on behalf of the Independent Ethics Panel (IEP) in helping determine the level of assurance to be provided to the Police and Crime Commissioner (PCC) and Chief Constable (CC) in respect of the policing of protests and demonstrations by SYP.

This role is carried out through the work of the Independent Advisory Panel for the Policing of Protests (IAPPP).

***Main areas of focus***

**1. Understanding and legal context**

- a) To develop an understanding of the existing policing powers in relation to public order, in particular those surrounding the policing of protests and the legitimacy of these, taking account of the content of the Draft National Police Chief Council Protest Operational Advice Document and the various links within that including the link to the College of Policing's Authorised Professional Practice [NPCC-Protest-Operational-Advice-Document-August-FINAL.pdf \(netpol.org\)](#)
- b) To develop an understanding of [Police, Crime, Sentencing and Courts Bill 2021: protest powers factsheet - GOV.UK \(www.gov.uk\)](#) and the impact this will have in terms of the policing of protests.

**2. Relationships**

- a) To develop effective links with SYP's lead for Public Order and those officers providing a supporting role to that lead.
- b) Liaise with the lead where appropriate to assess progress and discuss any issues of concern.
- c) Liaise with the Policing Protests IEP Support Officer within the OPCC as appropriate and discuss progress, any issues of concern and development of work in this area.

**3. Data and body worn video**

- a) To consider the availability, quality, and ethical use of data and data recording.
- b) To consider the effective use of body worn video in the policing of protests.

**4. Scrutiny**

- a) Identify and comment on the external scrutiny of this area of policing.
- b) Identify and comment on the internal arrangements for scrutiny.

- c) To provide independent support and challenge to SYP in considering the ethical issues in the planning and learning stages of managing protests and demonstrations.

## **5. Reality checking**

- a) Attend major protests or demonstrations, observing police activity and interaction with demonstrators and contribute to the debrief process.
- b) Observe training (for new recruits) and ongoing training on the policing of protests and comment on any ethical issues either as good practice or for learning/development.
- c) Consider the issues raised by communities and organisations over the policing of protests and demonstrations and advise the PCC accordingly.
- d) Assure the PCC that proper procedures are in place within SYP to respond effectively when people complain about the policing of a protests or demonstration.

## ***General Observations as an IEP Member***

- To contribute to the overall level of assurance around the embeddedness of an ethical culture within South Yorkshire Police

## ***Ways of working***

- Lead the discussion on stop and search with IEP Panel Members as required.
- Through reports published by the Government, Inspectorates and other national bodies, consider wider national issues around the policing of protests and demonstrations and potential impact on SYP.
- Contribute to policy development locally, regionally and nationally as requested.
- Receive briefings / information from SYP officers and / or members of the OPCC.
- Supported by the OPCC, keep abreast of key developments pertinent to the role as necessary.
- Meet annually with IEP Chair to review how the role is working and consider the need for any amendments to the role profile

**May 2022**

## INDEPENDENT ETHICS PANEL

### 'HOLDING THE CC TO ACCOUNT': PROFESSIONAL STANDARDS

#### ***Purpose***

Take the lead on behalf of the Independent Ethics Panel (IEP) in helping determine the level of assurance to be provided to the Police and Crime Commissioner (PCC) and Chief Constable (CC) in respect of the work of SYP's Professional Standards Department (PSD).

#### ***Professional Standards***

The principle of policing by consent relies on the trust and confidence that the public has in the police service and the wider law enforcement community. Professional standards departments (PSDs) can play an important role in the maintenance of that trust and confidence. Trust and confidence can be undermined by a failure to vet and manage misconduct and complaints or investigate counter-corruption activities effectively.

Professional standards consist of the following areas:

- Vetting
- Complaints and misconduct
- Counter corruption
- Governance

#### ***Areas of focus***

##### **1. Understanding and legal context**

- a) To develop an understanding of the legislation and Authorised Professional Practice (see Annex 1) in relation to professional standards for policing.
- b) To develop an understanding of the arrangements in place within SYP and be the initial point of contact for the IEP or others wishing to discuss issues informally or sound out views.

##### **2. Relationships**

- a) To develop effective links with SYP's Head of Professional Standards Department (PSD) and other key officers and staff within PSD.
- b) To liaise with the relevant OPCC officers, as appropriate, and discuss progress or issues of concern and development in this area.

##### **3. Scrutiny**

- a) To consider performance information, identifying exceptions for reporting.
- b) To consider the effectiveness, frequency and rigour of the Internal Ethics Committee and PSD Champions meetings

- c) To understand the arrangements for continuous good practice and lesson learning in SYP from the work of PSD and PCC Complaint Review findings

#### **4. Reality checking**

- a) Carry out ad-hoc dip sampling of vetting refusals, complaints and misconduct cases and comment on any issues either as good practice or learning/development.

#### **5. Link Member assurance activity**

Link members are part of the PCC's and CC's assurance arrangements, developing knowledge and gathering information to determine whether or not what we think we know is reality.

#### ***General observations as an IEP member***

- To contribute to the overall level of assurance around the embeddedness of an ethical culture within South Yorkshire Police.

#### **6. Ways of working**

- Lead the discussion on police complaints with IEP Panel Members as required.
- Through reports published by the Government, Inspectorates and other national bodies, consider wider national issues around police complaints and potential impact on SYP.
- Contribute to policy development locally, regionally and nationally as requested.
- Receive briefings / information from SYP officers and / or members of the OPCC.
- Supported by the OPCC, keep abreast of key developments pertinent to the role as necessary.
- Meet annually with IEP Chair to review how the role is working and consider the need for any amendments to the role profile.

**July 2023**

## Annex 1

### Authorised Professional Practice – Professional Standards

#### Vetting

The Authorised Professional Practice (APP) for Vetting is available in full at the link below.

[APP on Vetting \(college.police.uk\)](https://college.police.uk)

The purpose of the APP is to:

- Set out the key principles of vetting in the police service.
- Set out how those principles are to be implemented in the police service.
- Support the consistent application of vetting standards across the police service.
- Uphold police integrity.
- Support the delivery of the highest professional standards in serving the public, through the nine policing principles set out in the Code of Ethics.
- Support the standards expected of those serving – or working in or with – policing, as set out in the Standards of Professional Behaviour for Police Officers and Special Constables, and the Police Staff Council Standards of Professional Behaviour for Police Staff

Vetting should not be used in isolation and should form part of a wider protective security regime. APP Vetting should be read in conjunction with the Vetting Code of Practice and the National Decision Model (NDM).

#### Complaints and Misconduct

The Police Reform Act 2002 (as amended) and the Police (Complaints and Misconduct) Regulations 2020 provide the legislative framework for the handling of complaints, conduct and death and serious injury matters. The Independent Office for Complaints Conduct (IOPC) issues statutory guidance on the handling of complaints and oversees the police complaints system in England and Wales.

A complaint is an expression of dissatisfaction by a member of the public about the way he or she has been treated by a person serving with the police or the service received. Most complaints are handled by the relevant police force. Each force has a professional standards department that makes sure that complaints are dealt with appropriately.

The Police and Crime Commissioner (PCC) is the 'appropriate authority' for dealing with complaints and misconduct matters against the Chief Constable and the Chief Constable is the 'appropriate authority' for all police officers and staff under his or her direction and control.

This means that the PCC can consider the following:

- Complaints about the conduct of the Chief Constable.
- Complaints about the conduct of members of staff that work for the PCC.

The PCC will not be able to consider:

- A matter which is subject to any legal dispute or legal proceedings .
- Abusive, unreasonable or repeated complaints (as defined by the IOPC).

The PCC is responsible for holding to account the Chief Constable for how policing is delivered. This includes ensuring the Chief Constable has appropriate processes in place for dealing with complaints, conduct matters and death or serious injury matters.

Statutory guidance on the police complaints system can be found on the IOPC website at the following link:  
<https://www.policeconduct.gov.uk/complaints-reviews-and-appeals/statutory-guidance>

Guidance on outcomes in police misconduct proceedings is available at the link below:  
<https://assets.college.police.uk/s3fs-public/2022-08/Guidance-on-outcomes-in-police-misconduct-proceedings.pdf>

## **Counter Corruption**

The overwhelming majority of police staff are committed and professional but there is a small number whose corrupt actions have a negative effect on public confidence.

The authorised professional practice (APP) on counter corruption (see <https://www.college.police.uk/app/professional-standards/counter-corruption>) seeks to assist practitioners to address the threat of corrupt activity by police officers, staff, partners and volunteers to the security of information and operational activity within law enforcement agencies. It is divided into the following sections:

- Communication and engagement
- Intelligence (the local counter-corruption unit will provide further information on how to access this module)
- Prevention (the local counter-corruption unit will provide further information on how to access this module)
- Enforcement (the local counter-corruption unit will provide further information on how to access this module)