



**MINUTES OF THE JOINT INDEPENDENT AUDIT and ETHICS COMMITTEE
(POLICE AND CRIME COMMISSIONER FOR WEST YORKSHIRE
AND WEST YORKSHIRE POLICE)
HELD ON 4 JANUARY 2019**

ETHICS SESSION

MEMBERS PRESENT

Trevor Lake (Chair)
Julie Talbot
Julie Winham

OFFICERS PRESENT

Richard Crinnion, Supt, PSD, WYP
Oz Khan, C/Supt, PSD, WYP
Jayne Maiden, Sgt, WYP
Darren Norgate, Insp, WYP – for items 1 – 8 inclusive
Julie Reid, Governance Manager, OPCC
Neil Rickwood, Head of Audit & Risk, Shared Services
Kate Sims, People Director, WYP – for items 1 – 7 inclusive
Jayne Sykes, Interim Chief Executive, OPCC (by Skype)
Mark Topham, Head of Strategic Workforce Planning, WYP – for items 1 – 7 inclusive
Ian Williams, C/Insp, WYP – for items 1 – 8 inclusive

1. WELCOME & APOLOGIES

Trevor Lake welcomed all to the meeting. Apologies were received from Temporary D/Chief Constable Russ Foster.

2. DECLARATION OF INTEREST

Trevor Lake declared that, from 1st January 2019, he would be Chair of the Barnsley NHS Foundation Trust.

No other interests were declared.

3. RECORD OF ATTENDANCE

Details of member and officer attendance at previous meetings of the Committee were circulated for information and were noted.

4. MINUTES

The minutes of the meeting held on 12 October 2018 were agreed as an accurate record.

5. MATTERS ARISING

Item 21.1 – Out of Court Disposals Report

Members received a report from the Out of Court Disposals Scrutiny Group and were informed by Jayne Sykes that the Group's recommendations and feedback are well received. The restorative justice contract which is in place strengthens any offers of restorative justice.

Members' attention was drawn to the inadequacy of out of court disposals for low-level shop theft which the PCC's perpetrator programme is expected to support.

Trevor Lake queried the composition of the Scrutiny Group and was advised that this included colleagues from the Courts Service, Youth and Bench Chairs, CPS, CRCs, Youth Offending Teams and the 5 local authorities as well as OPCC staff.

Item 21.2 – Independent Custody Visiting

Members received the annual Independent Custody Visiting Report and were advised by Jayne Sykes that custody visitors have reported good levels of service delivery in the temporary custody suites which are currently in place.

Trevor Lake commented on a very good report but noted the lack of ICVs under the age of 40 despite targeted recruitment requesting an update on how this is being addressed.

ACTION: Jayne Sykes to report to Committee on the actions to be taken to increase the representation among Independent Custody Visitors, in particular in relation to developing a more representative age profile by encouraging younger ICV's.

Item 21.3a – HMICFRS PEEL Inspection

Members received the PEEL inspection report (2017). Julie Talbot noted the Internal Audit review of Business Interests had reported limited assurance, which conflicted with the PEEL report.

ACTION: Neil Rickwood to provide members with the Internal Audit report on Business Interests.

Neil Rickwood also offered to provide members with a thematic report on data management/data quality issues arising from Internal Audit reviews.

ACTION: Neil Rickwood to provide members with a thematic report on data management/data quality issues at the April 2019 meeting.

Item 21.4 – Ethical Issues relating to ANPR

Members noted this report.

6. CHAIR'S UPDATE

Trevor Lake introduced two new members to the Committee, Julie Talbot and Julie Winham, and noted that the recruitment process had been successful in recruiting two new members to the audit and ethics committee and that there remained a need to recruit a further member, ideally with a stronger ethics experience to deliver the full complement of experience for the committee

7. RECRUITMENT AND POSITIVE ACTION

Members received a report on recruitment and positive action and were informed by Mark Topham that a dedicated team had been established to implement this strategy, which focussed on BAME recruitment and development of existing BAME employees.

Members were advised that more targeted advertising is now in place using social media to develop a 'talent pool' which is further supported by focus groups at the universities of Bradford and Leeds which highlight what a policing career can offer. Work is also done with other organisations and community groups.

Trevor Lake noted the successes of the Equality and Diversity Unit within the force as far back as 2005 and the tremendous amount of work carried out by the force in trying to increase representative diversification in the workforce at that time.

Trevor Lake was advised that currently no one department within the Force owns equality and diversity although a recent decision has seen the establishment of a small team within the People Directorate to work with Districts to support external engagement.

Julie Winham queried how the recruitment process will be evaluated and was informed that the People Directorate will review the process, using external expertise as required as well as learning from what other Forces and the Armed Forces do.

Julie Talbot questioned whether the vetting process influences recruitment and was advised that data from West Yorkshire and other Force areas suggest that vetting can present challenges.

Trevor Lake requested an update to Committee in six months.

ACTION: Kate Sims to provide an update on positive action in recruitment to the October 2019 committee meeting.

Jayne Sykes enquired whether half of trainees on courses for the next six months should be from a BAME background but was advised that, in addition to limitations on the availability of staff and officers, this strayed into positive discrimination and was not best practice or advisable.

Trevor Lake noted that the attrition and retention rates should also be reviewed.

8. BODY WORN VIDEO (BWV)

Members received a report on body worn video and were informed by Darren Norgate that this had been in place since May 2016 with each front-line officer having access to the equipment.

All officers must undergo mandatory training before using BWV and recording only takes place when officers are dealing with an incident.

Trevor Lake asked where the training was recorded and was informed that this is done centrally, officers requiring 80% at the end of training test to be deemed successful. Training is a mixture of on-line and classroom assessment.

BWV are pin protected and encrypted. Footage quality is very good and supports prosecutions and complaint handling.

Members were informed that the current contract ends in September and new generation of equipment would allow live streaming which will be sent via a VPN for security.

Trevor Lake queried whether live streaming was available from police vehicles and was informed that this was a separate system to the BWV.

Members were advised that the ability to get footage onto the police system presented a risk and, whilst officer performance in using BWV is routinely monitored it can, at times, be impeded by the technical limitations.

Trevor Lake asked whether there had been engagement with user groups in terms of the new contract and was advised that Professional Standards Department, criminal justice teams and regional teams had all been engaged with.

Jayne Sykes asked whether members could receive performance data associated with BWV and, in particular, the impact on early guilty pleas. Ian Williams advised that CPS data would be required to try to identify this, as most feedback is anecdotal at this point in time but agreed to conduct a survey, including the feedback from victims.

Darren Norgate also agreed to circulate the monthly performance data to members.

ACTION: Darren Norgate to provide members with performance data and survey data relating to the use of, and effectiveness of, body worn video.

9. ETHICAL ISSUES FROM THE GOOD GOVERNANCE GROUP

Members were advised that the Good Governance Group meeting had been postponed to 4 February 2019 and a report would be made to next committee meeting.

10. INTERNAL ETHICS COMMITTEE

Oz Khan advised members that a process is still underway to appoint a chair of the Internal Ethics Committee from an academic institution.

Members noted the Force's links with Huddersfield and Sheffield Hallam Universities. Trevor recommended broadening the search to include associate professors who may be interested in such a role as part of their personal development towards a professorship .

11. REVIEW OF WORKPLAN AND TERMS OF REFERENCE

Members noted the terms of reference and workplan and agreed (at the end of the meeting) to consider the Equality, Diversity and Human Rights and the Computer Usage policies in the April 2019 meeting.

ACTION: Members to review the Equality, Diversity and Human Rights and the Computer Usage policies in the April 2019 Committee.

Jayne Sykes sought members' views on the PCC's options in relation to police complaints arising from the forthcoming Policing and Crime Act.

ACTION: Members to comment at the April 2019 meeting on the options open to the PCC in relation to police complaint handling under the Policing and Crime Act.

12. PUBLIC COMPLAINTS, GRIEVANCES, DISCIPLINARY, FRAUD AND MISCONDUCT MATTERS

Oz Khan presented members with the Professional Standards Department (PSD) reports on strategic risk, threat and harm and trends in police complaints.

Trevor Lake noted an apparent discrepancy in the pie chart compare to the narrative relating to complainant ethnicity.

Oz Khan informed members that Bradford District had seen a significant increase in recorded complaints, which PSD were reviewing. The main conduct threat is 'abuse of authority'.

Julie Winham queried whether the Code of Conduct would be reviewed in light of the complaint data and was advised that PSD review trends in complaints in relation to officers and staff who have been sanctioned at a misconduct meeting or hearing in addition to conducting District 'health checks' on certain areas such as business interests and reviewing internet and mobile phone usage.

Julie Talbot asked whether the levels of business interests declared are in line with other Forces and was advised that they were. West Yorkshire have approximately 2,500 declared business interests. Failure to declare a business interest is now a disciplinary matter following a three-month amnesty in 2015.

Richard Crinnion drew members' attention to the fact that the Business Interests Policy in West Yorkshire also includes voluntary interests which results in a higher level of reporting.

Members were advised that, presently, there is no electronic reminder of the need to review a business interest on an annual basis although it is included in the annual Performance Development Review (PDR) process.

13. ANY OTHER BUSINESS

None.

Date of the next meeting: 12 April 2019, 13:00, Ploughland House.