



**MINUTES OF THE JOINT INDEPENDENT AUDIT and ETHICS COMMITTEE
(POLICE AND CRIME COMMISSIONER FOR WEST YORKSHIRE
AND WEST YORKSHIRE POLICE)
HELD ON 2 OCTOBER 2020**

ETHICS SESSION

Video Conference

MEMBERS PRESENT

Trevor Lake (Chair)
Julie Talbot
Julie Winham

OFFICERS PRESENT

Simon Bottomley, C/Supt, WYP
Russ Foster, D/CC, WYP
Allison Kemp, OPCC Liaison Officer, WYP
Julie Reid, Governance Manager, OPCC
Neil Rickwood, Head of Audit & Risk, Shared Services

1. WELCOME & APOLOGIES

Trevor Lake welcomed all to the meeting and noted apologies from Jayne Sykes.

2. DECLARATION OF INTEREST

None declared.

3. RECORD OF ATTENDANCE

Details of member and officer attendance at previous meetings of the Committee were circulated for information and were noted. Trevor Lake noted full attendance record for the independent members.

4. MINUTES

The minutes of the meeting held on 24 July 2020 were agreed as a correct record.

5. MATTERS ARISING

Item 20.1 NDAS Update

Russ Foster provided members with a brief update advising that the Force is continuing to develop work with the National Data Analytics Solutions Project in connection with modern slavery but is not adopting the 'most serious violence' tool; one of the work streams in the NDAS project.

Members sought a further update after discussion between the PCC and Chief Constable.

ACTION: Russ Foster to provide a further NDAS Project update in due course.

Item 20.2 Taser Training

Russ Foster presented a report on taser training confirming that, in West Yorkshire, tasers are carried operationally by uniformed officers who perform roles of: Armed Response, District Patrol, Roads Policing and Specialist Support Group. The total number of officers who have been trained for taser use is 654 with 520 officers with current authorisation. The Force aims to increase the number of officers with current authorisation to 625 by March 2022.

Trevor Lake noted that, presently, approximately 18% of officers in these policing teams are trained for taser use. Members were advised that the levels of armed policing are assessed at the Risk Assessment Board which is chaired by ACC Kingsman with the training levels deemed appropriate in order to maintain public confidence and legitimacy.

Members were informed that taser use is recorded on 'use of force' forms and officers are encouraged to always activate body worn video – failure to do so is considered as *practice requiring improvement*.

Item 20.3 Staff Survey Findings

Russ Foster advised members that the outcome of a national equality and diversity survey is expected in October 2020.

ACTION: Russ Foster to report on the findings of the equality and diversity survey in January 2021.

Item 20.4 Exit Interviews

Neil Rickwood informed members of an Internal Audit review of on-boarding processes which had found a lack of record keeping regarding exit interviews. An online form has now been introduced. Disproportionality in exit interview rates had not been found – records were not available for both BAME and other staff and officers.

Simon Bottomley confirmed that all Heads of Departments have now been instructed to ensure that exit interviews take place and are documented.

Item 20.5 Force Policies

Members were updated with progress made in bringing all Force policies up to date and Trevor Lake noted good progress.

Russ Foster advised members that policy update is now recorded as a risk on the risk register and is reinforced in local accountability meetings. 12.6% of policies require updating and an extraordinary JNCC meeting has been arranged.

Julie Winham welcomed the progress and noted that updates will be available via the risk register entry.

Julie Talbot queried how completeness and compliance can be measured and was advised that prioritisation is determined by the threat, harm and risk associated with the area and compliance is considered in the local accountability process.

Item 20.6 Unconscious Bias

Russ Foster informed members that training on unconscious bias is due to be rolled out across the Force, beginning with front line officers and staff with the remaining staff, including volunteers, receiving the training in early 2021. The training will be done remotely, which has been successfully introduced in PSD for equality and diversity training recently. Members requested an invitation to the unconscious bias training.

ACTION: Allison Kemp to arrange for members to be invited to participate in the unconscious bias training.

ACTION: Russ Foster to provide an update on progress in rolling out unconscious bias training.

6. CHAIR'S UPDATE

Trevor Lake presented an update to Committee noting that he had accepted a contract extension to the end of May 2021.

7. COVID-19 UPDATE

(a) West Yorkshire Police

Russ Foster provided an update to members including Operation Jinman, the Force's COVID-19 response. Members were informed that the Gold Command Group had been established and the Force is linking in nationally to the NPCC COVID-19 response as well as locally through the Local Resilience Forum.

Since the start of the COVID-19 restrictions, 903 offences have been recorded in West Yorkshire with 606 PND outcomes. 43.3% of known offences have been of individuals from a BAME background. Members were advised that COVID-19 restrictions had been applied predominantly in areas with a greater population density of individuals of South Asian heritage which had created a risk of disproportionality.

Members were informed that agile working is continuing, and the Force has seen an increase in the numbers self-isolating.

Members were assured that the Force is coping with demand arising from COVID-19 and had sufficient stocks of PPE.

Julie Talbot asked about COVID-19 fines and was advised that they were returned to Central Government.

Trevor Lake noted the risk of disproportionality in relation to enforcing the COVID-19 restrictions and the increasing impact on mental health.

(b) OPCC

Julie Reid provided members with an OPCC update in relation to COVID-19, noting that the Executive Team had agreed a four-stage plan with staff presently working in stage 2, which is to work agilely wherever possible. Although the OPCC building has been risk assessed for COVID-19 it remains the case that it cannot safely accommodate business as usual.

Members were informed that a staff survey in June 2020 had reported that 65% of staff felt that it was not important to return to the office at that time and 73% wished to increase the amount of time that they worked agilely after the end of the pandemic. Another staff survey is being planned in view of recent reports from staff of feeling socially isolated and in light of the recent announcement by Government that workers should continue to work from home where possible. Members were also informed that OPCC staff have a regular 'check-in' with supervisors and welfare reports are regularly given to the Executive Team.

Finally, members were informed that 88 organisations across West Yorkshire had received just under £1m in COVID-19 related funding via the OPCC including extraordinary grants via the Safer Communities Fund, through the Ministry of Justice, the NHS and the Home Office.

8. REVIEW OF FORCE POLICY – UNIFORM STANDARDS

Simon Bottomley provided members with a report on the Uniform Standards Policy advising that recent areas of work had included ear stretchers and the health and safety implications of these. Members were also informed that the Appropriate Dress Policy for police staff is being reviewed.

Julie Winham asked what the key drivers for change were and was advised that in some cases, for example tattoos, the driver was a national campaign to harmonise approaches across Forces.

Julie Winham asked how, once policy is updated, changes are notified to staff and was informed that this is via the intranet, newsletters and through the PSD training programme.

9. POLICE PURSUITS

Russ Foster provided members with a report on police pursuits advising that West Yorkshire used the WatchGuard system which provided a visual link of live pursuits to the hub commander. Officers are also instructed to use body worn video during pursuits and dashcams are being rolled out to all police vehicles.

Members were informed that, between January and September 2020, there had been two deaths after pursuit, both of which are subject to an IOPC investigation, four injuries in pursuits and two injuries in road traffic collisions after pursuit.

Julie Talbot asked how many pursuits are undertaken and was advised that 916 pursuits had been recorded in the previous year, an increase being reported during COVID-19 restrictions, not including pre-emptive stops. Pre-emptive tactics include the use of stingers, helicopters and TPAC methods (tactical pursuit and containment).

Members were informed that officers must have authorisation to conduct a pursuit (authorisation by the duty officer and after completion of pursuit training) and officer training is continuing during COVID-19.

10. PROPORTIONALITY OF ANPR

Russ Foster presented a report to members advising that the Force had completed the Surveillance Camera Commissioner self-assessment tool and were fully compliant with the principles of the Code of Practice. The self-assessment tool is reviewed annually and a further compliance assessment was submitted to the Office of the Surveillance Camera Commissioner in July 2019. The Force policy on ANPR was reviewed in June 2020 and any new camera installations are subject to a privacy impact review which are also reviewed annually.

Members were also informed that the use of ANPR is subject to scrutiny from the Independent Advisory Group (IAG) and the Youth Advisory Group.

Julie Talbot queried the outcome of IAG scrutiny and was advised that no adverse feedback had been received.

Julie Talbot asked where cameras were placed and was informed that cameras may be on public or private premises. Specific vehicles may be tagged with crime, firearms or insurance markers to allow tracking across districts.

Trevor Lake queried any disproportionality and was advised that disproportionality is not evident at Ward level.

Members were informed that Highways England and Councils also fund cameras.

11. ETHICAL ISSUES ARISING FROM THE GOOD GOVERNANCE GROUP

Julie Reid provide an update on ethical issues arising from the Good Governance Group of 21 September. This included an update on the Force's challenge of a High Court ruling on anonymity for officers and staff at a forthcoming inquest, advice given to officers

regarding the use of neck restraint and recent referrals to the IOPC, the levels of unused leave for officers and staff and, finally, the increasing requirement on Forces to enforce COVID-19 regulations.

12. INTERNAL ETHICS COMMITTEE

Members were informed by Simon Bottomley that the recent Internal Ethics Committee had been postponed because of a lack of submission of cases. The next meeting is scheduled in October 2020 and work is underway to establish an action plan and an intranet site.

Trevor Lake requested the notes of meetings held in July 2020 and October 2020.

ACTION: Simon Bottomley to provide the notes of the Internal Ethics Committee of July 2020 and October 2020.

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

Simon Bottomley provided members with an update on complaints and conduct matters advising that approximately 400 complaints are being received per month, the increase being largely COVID-19 related and the Department has recently been inspected by the IOPC and reviewed by the Internal Audit Team.

Presently, 40% of complaints are handled outside of Schedule 3 of the Police Reform Act, 2002 (on average within 3 days) and 60% are handled within Schedule 3, on average within 13 days – a significant improvement.

Members were notified that, in addition to the data logged and recorded by PSD, complaints received across the Force will be monitored and reported on, the majority being made to the Contact Centre and dealt with locally. Work has been done with the Contact Centre to ensure that the data is appropriately logged.

Members were informed that 10 officers are currently suspended from duty and 19 are on restricted duties.

Julie Winham queried whether PSD resourcing was sufficient given the increase in complaints received and was advised that a daily review meeting is held in the Department to allocate resources accordingly.

Trevor Lake noted that ‘abuse of authority’ was the main strategic threat and asked what was being done to mitigate this. Simon Bottomley assured members that the Force has a very clear policy position; three cases are underway, mainly involving PCSOs. Bournemouth University is carrying out a review to identify any offending profiles or agents such as supervision, debriefing, sanctions and deterrents.

Neil Rickwood informed members that an Internal Audit Review had concluded that the Force were doing all that could be expected. Simon Bottomley confirmed that cases are always subject to independent investigation by the IOPC.

Trevor Lake stated that members were assured that a full review of cases is undertaken.

14. ANY OTHER BUSINESS

(a) Use of Force – Neck Restraint

Russ Foster discussed the referral of cases to the IOPC which had involved the use of neck restraints. Members were informed that guidance to officers had been issued by ACC Williams and was supplemented by a revised training video, prepared by the public order team, which includes the use of handcuffs and body worn video and which stresses the risks associated with the use of neck restraints and the investigation of such use of force. The training is mandatory and is a priority; all officers must confirm that they have watched and understood the training video. Members also noted an increase in police officer assaults, involving spitting in particular.

Members were assured that robust guidance had been issued to officers

(b) Ethics Review

Members were informed that the Ethics Committee review had been suspended by the PCC so that OPCC resources could be directed to supporting the potential transition to the West Yorkshire Combined Authority and so that the incoming Mayor can determine and agree ethics oversight arrangements with the Chief Constable and with members.

Julie Talbot requested feedback, outside of the Committee, on any matters identified by the work that had been done on the review.

Date of the next meeting: 8 January 2021, by video conference