



**MINUTES OF THE JOINT INDEPENDENT AUDIT and ETHICS COMMITTEE
(POLICE AND CRIME COMMISSIONER FOR WEST YORKSHIRE
AND WEST YORKSHIRE POLICE)
HELD ON 20 JULY 2018**

ETHICS SESSION

MEMBERS PRESENT

Richard Baldwin
Harry Bower
Trevor Lake (Chair)
Ann Liston

OFFICERS PRESENT

Simon Bottomley, PSD, WYP
Katherine Johnson, Treasurer, OPCC
Pamela Quinn, OPCC Staff Liaison Officer, WYP
Julie Reid, Governance Manager, OPCC
Neil Rickwood, Head of Audit & Risk, Shared Services
Julie Sykes, Head of PSD, WYP

1. WELCOME & APOLOGIES

The Chair welcomed all to the meeting. Apologies were received from John Robins and 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.

4. MINUTES

The minutes of the meeting held on 13 April 2018 were agreed as an accurate record.

5. MATTERS ARISING

13/04/2018 Item 10 - Discretionary Leave

Neil Rickwood advised members that the Force response to the recommendations made in the recent Internal Audit review of discretionary leave decision making was due for completion at the end of May 2018 and was subject to further review by the Internal Audit team.

13/04/2018 Item 8 – Commissioning Decisions

Katherine Johnson introduced the Head of Commissioning's report and advised members that the Executive Team would consider it in August 2018.

Richard Baldwin queried the scheduling of meetings of the commissioning group and was advised that a further meeting had taken place in the week beginning 16 July. The commissioning group scrutinises commissioning activity and is chaired by the Treasurer.

Trevor Lake queried the delegated authority of the commissioning group and was advised that the group could authorise expenditure of £5,000 or less, authorisation of higher expenditure requires authorisation by the Treasurer. Commissioning bids are referred to the Head of Commissioning in the first instance so that bidders can be signposted to the most appropriate funds.

13/04/2018 Item 6 – Positive Interventions - Custody

Julie Sykes reported to members on positive interventions (near misses) in custody. Ann Liston requested further information about the actual number of incidents.

ACTION: John Robins to report to the October 2018 committee on the actual numbers of positive interventions in custody.

Richard Baldwin queried the resourcing of debriefing after a positive intervention and was advised that, presently, debriefing is located within the Corporate Support and the Learning and Development Departments and is presently subject to review.

13/04/2018 Item 6 – Positive Interventions - Traffic Policing

Julie Sykes reported to members on positive interventions (near misses) in traffic policing. Ann Liston requested clarification of what is included in the category 'another kind of accident' (p172).

ACTION: John Robins to report to the October 2018 committee to provide further information of other kinds of HSR accidents which have been identified in the report.

13/04/2018 Item 14 – Committee Terms of Reference

Members accepted the revised terms of reference.

13/04/2018 Item 15 – Online Child Abuse Activist Groups

Julie Sykes presented a report on online child abuse activist groups. Members discussed the type of information which is provided and the difficulties in accessing the information in a timely manner given that it may be held on a number of different devices and in a

variety of formats. Members also discussed the impact and potential consequences of this activity on the individuals who have been tracked.

6. CHAIR'S UPDATE

None

7. ETHICAL ISSUES FROM THE GOOD GOVERNANCE GROUP

Katherine Johnson provided members with an update on ethical issues discussed in the last Good Governance Group advising that four applications had been made to the Joint International Policing Hub for international visits: two relating to an input to the senior command course in India, one relating to an investigation in Pakistan and one relating to a request from Hong Kong Police which, is still being considered.

8. INTERNAL ETHICS COMMITTEE FINDINGS

Julie Sykes reported to members on the last Internal Ethics Committee in the Force which considered dependents' leave arising from extreme weather conditions.

Members were informed that the committee will continue to be chaired by an independent member and will also have a deputy chair, from another blue light service if possible.

9. REVIEW OF POLICIES ON ETHICS AND INTEGRITY

Julie Sykes reported to members on policies on ethics and integrity. Members discussed the report and noted that it was not evidence based, including assumptions about, but not demonstrating, the impact of the Code of Ethics. Trevor Lake commented that the report related to ongoing work around policy and lacked robustness. Ann Liston noted that the report lacked evidence of the effectiveness of the approaches described.

Simon Bottomley referred to the national decision making model and advised members that all policies now refer to the principles of fairness and ethics and include a requirement to follow the national decision making model.

Ann Liston queried whether the staff survey provided evidence to support the statements made in the report. Richard Baldwin noted the apparent contradiction between restrictive policies and the flexibility of the national decision making model and queried whether sufficient cultural change had been achieved to support the introduction of the national decision making model.

Trevor Lake requested a further report to review the impact of the policies on ethics and integrity following the introduction and embedding of the Code of Ethics.

ACTION: John Robins to report to the October 2018 committee on the evidence of the impact of policies on ethics and integrity following the introduction of the Code of Ethics.

10. REVIEW OF VETTING POLICIES

Julie Sykes introduced a report on vetting and advised members that a programme of retrospective vetting has been completed in Kirklees, Bradford and Calderdale Districts and is ongoing in Leeds. Restrospective vetting for individuals in Wakefield District and Headquarters is also planned. Members were informed that all new appointments are vetted to the national standards in the Vetting Code of Practice (2017). Harry Bower queried whether the vetting process was now more rigorous and was advised that it was.

11. BUSINESS INTERESTS AND SECONDARY EMPLOYMENT

Julie Sykes introduced the report on business interests and secondary employment. Members accepted the report which, they agreed, provided good evidence to show that the policy was effective.

12. REGISTERS OF GIFTS AND HOSPITALITY

Julie Sykes introduced a report on the Force register of gifts and hospitality. Members requested further descriptive detail of the requests.

ACTION: Julie Sykes to provide members with further detail of the descriptions of gifts and hospitality (outside of the meeting).

Members also noted that the requirement to refer to the OPCC items which are novel or contentious or over a specific value also added an extra layer of scrutiny.

Members were advised that the register is not routinely published on the website but the register of gifts and hospitality for the PCC is published.

13. ETHICAL DECISION MAKING AROUND TRAINING

Members considered two reports on ethical decision making relating to training and to officer safety training in particular.

Trevor Lake offered his thanks to Insp Cawkwell for an excellent report.

Richard Baldwin raised the ethical issues associated with the impact on colleagues and members of the community when officer training is not up to date.

Julie Sykes confirmed that training availability is taken into account when conduct matters are being assessed.

Members discussed essential training for operational policing and were informed that the HR CARM system captures skill sets and can be used to track essential training.

Trevor Lake noted that the report submitted did not reflect previous scrutiny by the Audit Committee in April 2018 and requested a further report on how the Force is dealing with ethical issues arising from officers being 'out of ticket'. Members discussed, in particular, the risk assessment which is done before deploying 'out of ticket' officers and, particularly, the role and capacity of the decision maker who is required to make this assessment.

ACTION: John Robins to report to the October 2018 committee on how the Force has dealt with the ethical issues and management of risk arising from officers being 'out of ticket'.

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

Simon Bottomley outlined the strategic threat assessment update from Professional Standards Department and invited members to view the '60 second' training clips on the intranet. Members were informed that work is ongoing to deal with the risk of sexual misconduct, including external engagement with statutory and non-statutory organisations.

Members discussed issues arising from software monitoring of data on officers' work-phone and hand-held devices in terms of the potential to capture third party material.

Members were notified that, in West Yorkshire, a decision has been taken that police staff should be treated in the same way as police officers in terms of the Barred and Advisory List and the disciplinary policy is being amended to accommodate this.

Trevor Lake thanked Simon for an excellent report and commented favourably on the recent introduction of training and welfare officers.

15. LESSONS LEARNED FROM THE FORMER CHIEF CONSTABLE CONDUCT INVESTIGATIONS

Members noted the report on the lessons learned from the former Chief Constable conduct matter and agreed to raise any issues with the Governance Manager so that a further, private, meeting can take place with the Interim Chief Executive.

ACTION: Members to raise any issues with the lessons learned from the former Chief Constable conduct investigations with the Governance Manager.

ACTION: Julie Reid to arrange a further, private meeting for members to discuss the lessons learned from the former Chief Constable conduct investigations.

16. ANY OTHER BUSINESS

Ann Liston referred to a national news report of the use of children as covert human intelligence sources (CHIS) and sought further discussion.

ACTION: John Robins to provide a verbal report about the use of covert human intelligence sources to members at the October 2018 committee.

Trevor Lake thanked Julie Sykes, on behalf of members, for her work with the Committee and wished her well in her new position as District Commander, Kirklees.

Date of the next meeting: 12 October 2018, 10:00, Ploughland House.