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PROFESSIONAL STANDARDS COMMITTEE

Thursday 26 January 2012
10.00 am
Meeting Room, Police Authority Offices,
Block 9, Police Headquarters, Stafford

DAMON TAYLOR
Chief Executive
18 January 2012

AGENDA

PART ONE – MATTERS TO BE CONSIDERED IN THE PRESENCE OF THE PRESS & PUBLIC

1. **APOLOGIES**
2. **MINUTES** **3**
To approve the minutes of the meeting held on 3 January 2012
3. **DECLARATIONS OF INTEREST**
4. **COMPLAINTS – STATISTICAL INFORMATION** **5**
YEAR TO DATE PERFORMANCE
Report of the Chief Constable
5. **HMIC INTEGRITY REVIEW 2011** **11**
Report of the Chief Constable and the Chief Executive
6. **REPORTS OF LEAD MEMBERS** **15**
Report of the Chief Executive
7. **URGENT BUSINESS**
In accordance with Standing Order 5.1(xi), to consider any matters that the Chair determines are urgent.

8. **EXCLUSION OF THE PUBLIC INCLUDING THE PRESS**

The Chair to move: "That the public be excluded from the meeting for the following items of business which involves the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) indicated below and the public interest not to disclose the information outweighs the public interest in disclosing it".

PART TWO – MATTERS TO BE CONSIDERED IN THE ABSENCE OF THE PRESS & PUBLIC

9. **DIP-SAMPLING OF COMPLETED INVESTIGATION FILES (Oral Update)**

Members to report on the dip-sampling of completed complaint files for the quarter ending 30 September 2011

10. **IPCC INVOLVEMENT IN INVESTIGATIONS** **17**

Report of the Chief Constable

11. **COMPLAINTS RECEIVED BY THE AUTHORITY 2011/12** **25**

Report of the Chief Constable

12. **SUSPENDED POLICE OFFICERS AND POLICE STAFF** **29**

Report of the Chief Constable

13. **MISCONDUCT MATTERS** **33**

Report of the Chief Constable

14. **POLICE REFORM ACT 2002** **39**

Report of the Chief Executive

Staffordshire Police Authority

MINUTES OF THE PROFESSIONAL STANDARDS COMMITTEE MEETING HELD ON TUESDAY 3 JANUARY 2012 AT POLICE HEADQUARTERS, STAFFORD

Present: Adrian Bowen (Chair)

Rosemary Crawley
Peter Davies
Joy Garner

Gill Heath
Peter Vigurs

Also in attendance:

Damon Taylor – Chief Executive

30. MINUTES

RESOLVED

That the minutes of the meetings held on 5 & 7 December 2011 be confirmed and signed by the Chair.

31. EXCLUSION OF THE PUBLIC

RESOLVED

That the public be excluded from the meeting for the following item of business which involves the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 12A of the Local Government Act 1972 (as amended) and that the public interest in not disclosing that information outweighs the public interest in disclosing it.

32. POLICE REFORM ACT 2002

The Chief Executive updated the Committee on the latest developments in relation to the Police Reform Act 2002 matter, including further correspondence from the IPCC and clarification on the timescales of the investigation. Members agreed that the matter be kept under review and agreed to meet on a monthly basis to ensure its decision remained appropriate.

RESOLVED: That

- (1) the decision of the Committee held on 7 December 2011, be reaffirmed; and
- (2) the matter be further considered at the meeting of the Committee on 26 January 2012

Adrian Bowen
Chair

Staffordshire Police Authority

COMPLAINTS STATISTICAL INFORMATION – YEAR TO DATE PERFORMANCE

Report of the Chief Constable

Purpose of the Report

1. To inform the Committee of last quartile statistical information concerning complaints against the police for the period 1 July to 30 September 2011 and to report on the outcome of the Committee's dip sampling for the quarter ended 30 September 2011.

Background

2. The provision of the statistical data is a standard requirement at each quarterly meeting of the Committee. The Committee undertakes dip-sampling of completed complaint files to provide an additional layer of scrutiny to the process and challenges, where appropriate, elements of individual cases.

Complaint Statistics

3. **Appendix 1** shows complaints received to date for the third quarter of 2011/12 giving comparisons for the same period 2010/11. **Appendix 2** reports on the number of complaints recorded for the quarter, together with details of the number of investigations being dealt with by the Force's Professional Standards Committee.

Dip Sampling Feedback

4. Dip sampling was carried out on a number of files during the period since the last meeting on 24 November 2011 and there were no issues of organisational learning. Observations/Comments on four files (1 each) were made by Mr. Bowen, Mrs. Crawley, Mrs. Iqbal and Mrs. Garner. These will be responded to at the meeting.

Recommended: That

- (1) the Committee note the statistics and consider any related questions or observations;
- (2) the outcome of the dip sampling of completed files for the quarter ended 30 September 2011 be noted and the explanations concerning the four files as above be considered; and

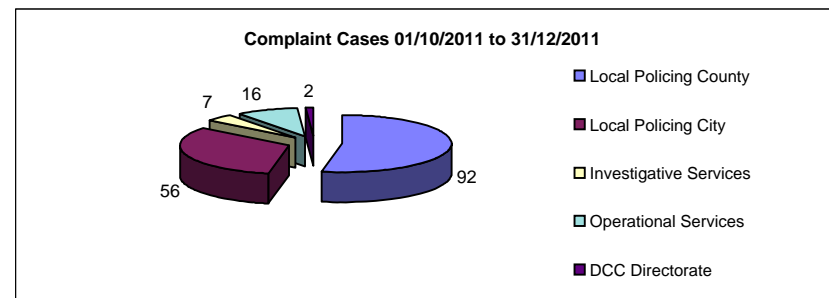
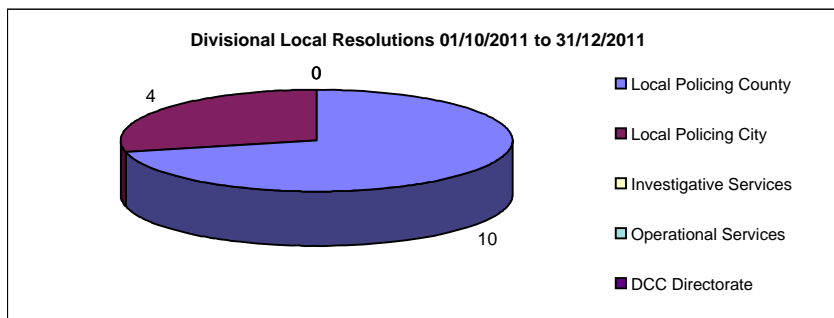
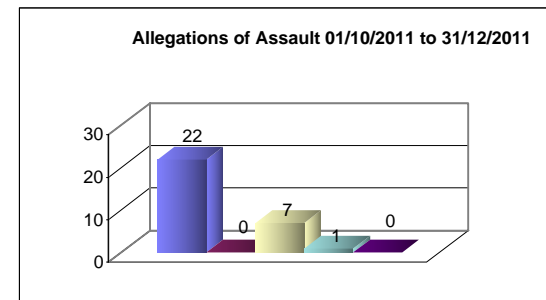
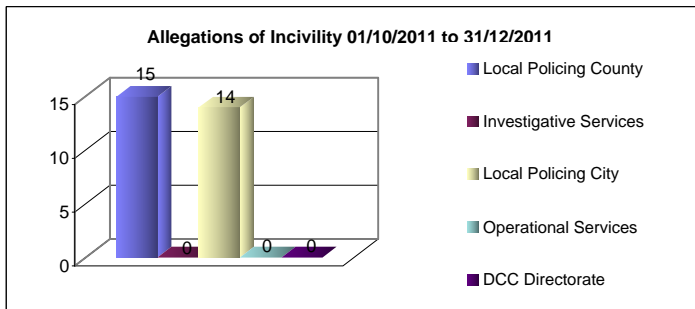
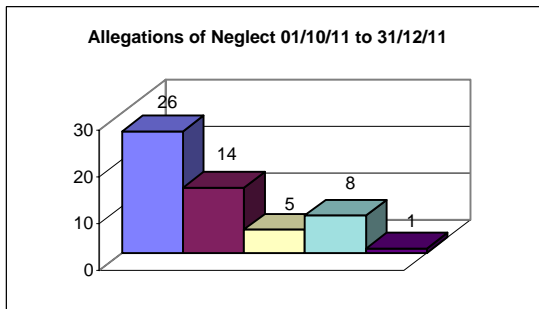
(3) the complaint category to be reviewed in the next round of dip-sampling be determined.

MIKE CUNNINGHAM
Chief Constable

Contacts: Deborah Wilne (Staff Officer to the Chief Constable)
Tel: 01785 232383
or Julian Ziemann (Professional Standards Principal Officer)
Tel: 01785 232157

	COMPLAINT CASES		% FORCE TOTALS		ALLEGATIONS		% FORCE TOTAL		NEGLECT		% DIV TOTAL		ASSAULTS		% DIV TOTAL		INCIVILITY		% DIV TOTAL		LR (PSD)		LR (DIVS)	
	2010/2011	2011/2012	2010/2011	2011/2012	2010/2011	2011/2012	2010/2011	2011/2012	2010/2011	2011/2012	2010/2011	2011/2012	2010/2011	2011/2012	2010/2011	2011/2012	2010/2011	2011/2012	2010/2011	2011/2012	2010/2011	2011/2012	2010/2011	2011/2012
			1								2				1			2				2		
Local Policing County		67		71		92		45		26		28		22		24		15		16		5		10
Local Policing City		36		38		56		28		14		25		7		13		14		25		8		4
Investigative Services		7		7		7		3		5		71		0		0		0		0		1		0
Operational Services		9		9		16		8		8		50		1		6		0		0		1		0
DCC Directorate		1		1		2		1		1		0		0		0		0		0		0		0
Resource Directorate		1		1		19		9		10		53		0		0		1		5		0		0
Totals	110	95			156	203				40	64		28	30				32	30		17	15	21	14

NB. Please note that the columns for Complaints and Allegations will not add up to the same figure as shown in the Totals column. This is because when the data is broken down by Department Centurion counts Complaints and Allegations against each officer and if they are from different Departments then it allows one Complaint or Allegation against each Department.



Results Summary 3rd Quarter 2011/12

Year to date there is still a decreasing trend in complaints recorded. For 2011 there have been 288 complaints recorded for the year so far, which is 49 (15%) less than 2010. The trend in allegations appears to be stabilising now and we have recorded 10 less this year compared to 2010.

Other Neglect allegations have increased by 60% (24) compared to the same period last year. This can be accounted for because there have been 10 Other Neglect allegations made against Financial Services in relation to retired officers pensions. East Staffordshire LPT, particularly Burton have 10 Other Neglect allegations, however Burton are currently carrying out high visibility policing due to tensions in the community under Operation Enigma and this is highly likely to increase allegations made.

Other Assault and Incivility allegations are slightly down for the quarter by 3 each. However, Oppressive Conduct has increased from 5 last year to 30 this year. Although this isn't usually on our highest allegation categories the increase in these allegations is partly due to the changes in recording processes. This is also due to the complaint against Financial Services, as mentioned above. There are 8 allegations of Oppressive Conduct against two members of staff, which has also contributed to our increase in this type of allegation.

There have been 25 Conduct cases in this quarter, with 35 allegations against 32 subjects. The highest allegation type is Duties and Responsibilities with 9, 3 of which relate to lost PDA's. The second highest allegation type is Orders and Instructions with 8 and there have been 7 Discreditable Conduct's allegations. Misconduct has increased by 11 compared to the same period last year.

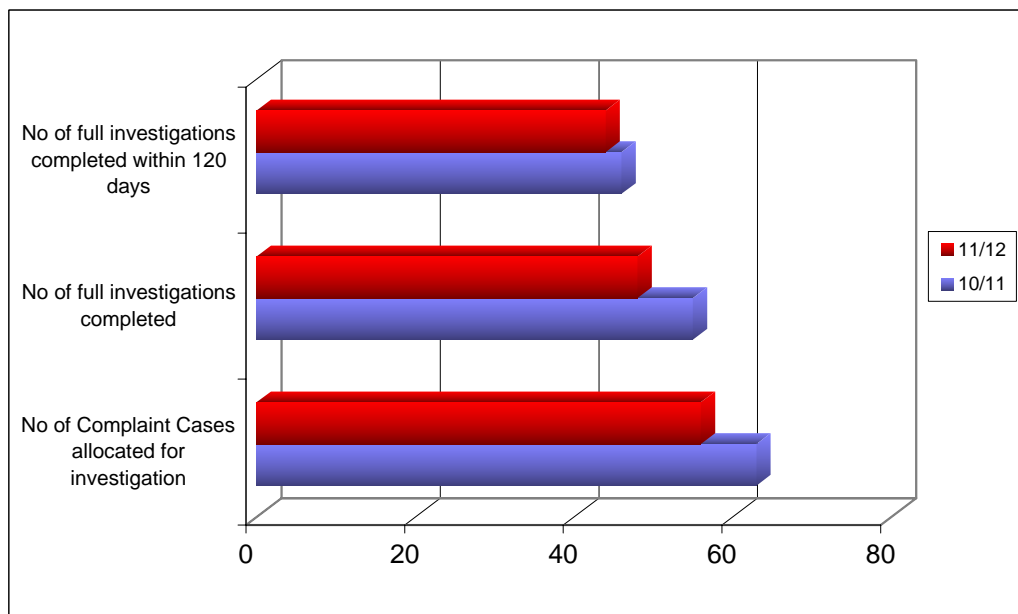
PROFESSIONAL STANDARDS DEPARTMENT

**INVESTIGATIONS
FOR THE QUARTER
1 October 2011 TO 31 December 2011**

Figures for Period: 1 October to 31 December	10/11	11/12
Complaints Recorded	110	95
Complaints per 1000 officers/staff	25.8	23.66
Appeals	11	24

Professional Standards Investigations

Figures for Period: 1 July to 30 Sept	10/11	11/12
No of Complaint Cases allocated for investigation	63	56
No of full investigations completed	55	48
No of full investigations completed within 120 days	46	44
Percentage	83%	92%
No of Conduct Cases allocated for investigation	11	25



Staffordshire Police Authority

Professional Standards Committee – 26 January 2012

HMIC INTEGRITY REVIEW

Report of the Chief Constable

Purpose of Report

1. To present an update of the HMIC Integrity Review 2011.

Background

2. Her Majesty's Inspectorate of Constabulary (HMIC) has now published its report 'Without Fear or Favour – a review of police relationships' which focuses on what police forces and those who govern them are doing to safeguard the requirement for the 'impartiality and honesty' of policing in England and Wales. HMIC did not find any evidence to support a contention of endemic corruption in Police Service relationships. However, the report states that more robust systems are needed if the police service is to avoid undermining public trust, and, ultimately, police legitimacy.

3. The overall findings of the review are summarised by HMIC as follows:

- ◆ There was no evidence to support any contention of endemic corruption in Police Service relationships, either in relation to the media or more generally, with the majority of police officers and staff striving to act with integrity. Instances of deliberate malpractice in relation to these matters appear to be infrequent.
- ◆ The review found instances of enforcement action against individuals at all levels, where sufficient evidence had arisen.
- ◆ Visible consistent leadership is a key contributor to promoting integrity and raising awareness of and focus on these issues.
- ◆ Few authority and force leaders have these relationship issues on their radar and were broadly unaware of the risks to their organisations reputation.
- ◆ There is a hugely inconsistent approach across the Service and a lack of clarity about where the boundaries lie in a number of these areas, particularly around:
 - relationships between the police, the media and others,
 - acceptable hospitality and gratuities, and
 - which second jobs are compatible with police employment.
- ◆ There was clear evidence of major contracts and procurement being professionally and consistently managed. The checks and balances, however, are less evident on spends of around £5,000 and under.
- ◆ Support in terms of training and education is inconsistent and fails to identify appropriate values and standards.

- ◆ There are good examples of anonymous reporting systems in place with a positive reactive commitment from Professional Standards Departments.
- ◆ Governance and oversight is generally weak, and limited proactive checks and balances take place.
- ◆ Many forces and authorities appear complacent, with an “it would not happen here” mentality in evidence, especially in non-metropolitan forces.
- ◆ To reduce public perceptions of corruption, police will need both to be fair, and be seen to be fair.
- ◆ Police need to be conscious that their reputation in the eyes of the public may be damaged by the perception that there is a conflict of interest, even where this proves not to be the case.

4. The review makes six principal recommendations:

- ◆ Forces and authorities should institute robust systems to ensure risk arising from relationships, information disclosure, gratuities, hospitality, contracting and secondary employment are identified, monitored and managed.
- ◆ There should be clear boundaries and thresholds in relation to these matters. Such limits should be consistent and Service wide.
- ◆ Training courses should include appropriate input in relation to integrity and anti-corruption. In particular, given the importance of leadership to securing high standards of integrity (a theme which runs through this review), the Strategic Command Course (in January 2012) and the High Potential Development Scheme should encompass these issues.
- ◆ Chief officer teams should review their corporate governance and oversight arrangements to ensure that those arrangements are fulfilling their function in helping promote the values of their force in the delivery of its objectives, and that they are, through their actions and behaviours, promoting the values of the organisation and making sure good corporate governance is seen as a core part of everyday business.
- ◆ HMIC expects the Service to have detailed proposals in the above areas ready for consultation with all relevant parties by April 2012.
- ◆ An assessment relating to these matters should be conducted by HMIC by October 2012 to inform incoming Police and Crime Commissioners and Police and Crime Panels.

5. The review also makes twenty one other recommendations within the report which underpin the principle recommendations above. Within the report HMIC acknowledges that securing agreement across the forces and authorities of England and Wales on Service-wide standards may take some time and has therefore provided an integrity self-assessment questionnaire for forces and authorities to use in the interim period to carry out a ‘health check’ of their organisation.

The self-assessment covers the following key areas identified by HMIC:-

- ◆ Relationships with the media and other parties.
- ◆ Information disclosure.
- ◆ Gratuities and hospitality.
- ◆ Procurement and contractual relationships.
- ◆ Secondary business interests and conflict of interest.
- ◆ Professional standards and proactivity
- ◆ Governance and oversight.

6. The Force, in response to the HMIC review, is to establish a working group to undertake a self-assessment of the Force and make recommendations for policy, procedure, process or structural changes as considered necessary to ensure full compliance with the HMIC recommendations. The working group will report to the Professional Standards Board.

7. The Authority will also need to consider how it responds to the issues relevant to it highlighted in the review.

Recommended:

That the report be noted.

MIKE CUNNINGHAM
Chief Constable

Contacts:

DCI Carl Brookes, Professional Standards (01785 232091)

Julian Ziemann, Professional Standards Principle Officer (01785 232157)

Superintendent Phil Bladen, Head of Professional Standards (01785 232093)

Staffordshire Police Authority

Professional Standards Committee – 26 January 2012

REPORTS OF LEAD MEMBERS

Report of the Chief Executive

Purpose of Report

1. To report any issues arising from members undertaking lead roles on behalf of the Committee.

Information Assurance Board – 6 December 2011

2. To note the following report from Rosemary Crawley, lead member for information assurance:

Key Issues Discussed

- There has been a delay in the accreditation of the Identity Access Management Scheme. It was expected that it would be completed in March 2012;
- Communities First restructuring had resulted in the need to also restructure the arrangements for information sharing. This function had been relocated to the Integrated Offender Management Unit at Stafford;
- a procedure for passing information to Victim Support, including the possibility for a victim to decline having their details being passed on, was being produced. More work was required for the process to be fully understood, validated and concluded;
- the most recent crime audit report was presented, based on August 2011 reports. The overall results were good. Many of the issues of concern arose in the control room and a number of initiatives were being put in place to improve staff performance in the identified areas; and
- a central team was now in place for the management of Freedom of Information requests.

Key Implications for the Committee and/or the Authority

The development of the Information Assurance Maturity Model had implications for collaborative working and for key partnerships. Guidance documents were being produced to include a limited review of the impact on the top ten delivery partners.

Any risks or financial implications to be addressed

It was agreed to dispose of premises search records after one year even though the requirement was for them to be kept for six years. This decision was justified because there was no history of them ever being requested after one year.

Professional Standards Lead Roles

3. Members to report, as appropriate, on their lead roles as detailed below:

Professional Standards Committee	
Professional Standards Board	Chair and Vice-Chair of Committee
Data Quality Issues	Chair and Vice-Chair of Committee
Information Assurance (see 2. above)	Rosemary Crawley

Recommended:

That the report on members' lead roles be noted.

DAMON TAYLOR
Chief Executive

Staffordshire Police Authority

Professional Standards Committee – 26 January 2012

**INDEPENDENT POLICE COMPLAINTS COMMISSION (IPCC)
INVOLVEMENT IN INVESTIGATIONS**

Report of the Chief Constable

The appendices to this report are not intended for publication as they contain details regarding investigations and personal information. The Author of this report considers that the public interest in maintaining the exemption outweighs the public interest in disclosing the information

Purpose of the Report

1. To inform the Committee of investigations in which are the subject of independent IPCC investigation and IPCC management. There are no investigations subject to IPCC supervision.

Background

2. The provision of this information is a standard requirement at each quarterly meeting of the Committee.

Recommended:

That the Committee note the contents of the reports.

**MIKE CUNNINGHAM
Chief Constable**

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or Julian Ziemann (Professional Standards Principal Officer)
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Staffordshire Police Authority

Professional Standards Committee – 26 January 2012

COMPLAINTS RECEIVED BY THE AUTHORITY 2011/12

Report of the Chief Executive

The appendix to this report is not for publication as it contains information which is likely to reveal the identity of an individual (Paragraph 2). The Author of this report considers that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Purpose of the Report

1. To update the Committee on complaints received by the Authority during the period 1 April – 18 January 2012.

Background

2. The Authority receives a number of complaints from the public. Many of the complaints relate to officers below ACPO rank and so are therefore referred to the Professional Standards Department for appropriate action. Updates are then provided on progress of those issues in the attached matrix.
3. Where complaints refer to an officer of Assistant Chief Constable or above, the complaint is managed by the Police Authority itself, with advice, as appropriate being provided by the Professional Standards Department. Updates on these complaints are also provided on the **attached** matrix.

Recommended:

That the Committee note the update on complaints received by the Authority for the period 1 April – 18 January 2012.

**DAMON TAYLOR
CHIEF EXECUTIVE**

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Staffordshire Police Authority

Professional Standards Committee – 26 January 2012

SUSPENDED POLICE OFFICERS AND POLICE STAFF

Report of the Chief Constable

The appendix to this report is not for publication as it contains information relating to an individual(s) The Author of this report considers that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Purpose of the Report

1. To inform the Committee of police officers and police staff currently suspended from duty/work.

Recommended:

That the Committee note the contents of the report.

MIKE CUNNINGHAM
Chief Constable

Contact: Deborah Wilne (Staff Officer to the Chief Constable)
Tel: 01785 232383
or Julian Ziemann (Professional Standards Principal Officer)
Tel: 01785 232157

Staffordshire Police Authority

Professional Standards Committee – 26 January 2012

MISCONDUCT MATTERS

Report of the Chief Constable

The appendices to this report are not intended for publication as they contain details regarding investigations and personal information. The Author of this report considers that the public interest in maintaining the exemption outweighs the public interest in disclosing the information

Purpose of the Report

1. To inform the Committee of Misconduct Hearings and Misconduct Meetings held within the previous quarter.

Recommended:

That the Committee note the contents of the reports.

MIKE CUNNINGHAM
Chief Constable

Contact: Deborah Wilne (Staff Officer to the Chief Constable)
Tel: 01785 232383
or Julian Ziemann (Professional Standards Principal Officer)
Tel: 01785 232157

Staffordshire Police Authority

Professional Standards Committee - 26 January 2012

POLICE REFORM ACT 2002

Report of the Chief Executive

The appendix to this report is not for publication as it contains information relating to an individual (Paragraph 1). The Author of this report considers that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Purpose of the report

1. To undertake a review of the decision taken by the Committee on 3 January 2012 in relation to the Police Reform Act 2002.

Recommended:

That the Committee review its decision taken on 3 January 2012.

DAMON TAYLOR
CHIEF EXECUTIVE