



Agenda

COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE

12 May 2009

Bridgebury House, Woburn Road, Kempston, Bedford MK43 9AX

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To: **Members of the Complaints and Professional Standards Committee**

(Mr P Conniff, Mr L Denny, Mrs P Fletcher, Mrs L Hockey, Mrs K Johnson and Mr R Saleem)

A meeting of the **COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE** of the **Bedfordshire Police Authority** will be held at Bridgebury House, Woburn Road, Kempston, at **2.00 pm** on **Tuesday 12 May 2009**. Files will be available for Members' scrutiny from **Noon**.

JANET WARDELL
Member Services Support Manager

AGENDA

(*indicates that a supporting document accompanies this Agenda)

1. Apologies

2. To confirm the minutes of the meeting held on 20 January 2009

By Chairman - Minutes*

3. Matters Arising

4. Declarations of Interest

To receive any personal or prejudicial interests from Members

5. Complaints and Professional standards Committee – Strategic Risks

Report of the Chief Executive/Treasurer (To follow)

(Note Appendix A to this report involves the disclosure of exempt information as defined in paragraph 7 of Part I of Schedule 12A to the Local Government Act 1972. This document will not be sent to the press or made available to the public.)

6. Anti – Corruption Portfolio

Report* of the Chief Constable

7. IPCC Restructure

Oral Report by the Chief Constable

8. Professional Standards Cases and Issues

Report* of the Chief Constable

9. Independent Custody Visitor Scheme

Minutes* of the meeting of the Independent Custody Visitor's Panel held on 27^t January 2009 and oral report on matters raised at the meeting held on 28th April 2009

To consider the exclusion of the press and public from the meeting on the grounds that the item to be discussed is confidential and involves the disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972. Papers are not being sent to the press or made available to the public.

10. Summaries of Professional Standards Cases

The Chief Constable's report is available for collection by Members from the Member Services Support Manager

COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE

20 January 2009

PRESENT

Mrs P Fletcher (In the Chair)

Mrs S Gillard Mr L Denny Mr P Hollick Mrs L Hockey and Mrs K Johnson

An apology for absence was received from Mr R Saleem

09/qz/1 **MINUTES**

The minutes of the meeting held on 26 November 2008 were confirmed subject to an amendment to Minute No 08/qz/29 first sentence of sub paragraph headed Neglect of Duty being amended to read:

The Assistant Chief Constable (Protective Services) advised that a bespoke analysis was to be undertaken to get a better understanding of the reasons for the increases in allegations of incivility issues.

09/qz/2 **MATTERS ARISING**

08/qz/29 Professional Standards Case and issues

Neglect of Duty

The Head of Professional Standards advised that the bespoke analysis to get a better understanding of the reasons for the increases in allegations of incivility issues had now been undertaken. The analysis had identified that the profile of subjects of complaints were white, male with 6 to 10 years of service based in the County Division and in a particular section. Lack of supervision had been the major contribution to the increase in incivility complaints. The Divisional Commander and first line supervisors had been informed of the outcome and appropriate training would be delivered. The Head of Professional Standards considered that this approach to identifying trends had proved useful and would be used again.

Social Network sites

Members noted that the regional policy on the misuse of social network sites. would be introduced from 1st April 2009.

09/qz/3 **DECLARATIONS OF INTEREST**

There were no declarations of personal or prejudicial interests from Members.

09/qz/4 **PROGRESS ON COLLABORATION OF PROFESSIONAL STANDARDS**

The Assistant Chief Constable (Protective Services) circulated a brief update on the progress being made by the Bedfordshire and Hertfordshire Forces in the collaboration of Professional Standards.

He opened his address to Members by congratulating Superintendent Martin Darlow on his appointment as Head of the Joint Professional Standards Department. Superintendent Darlow was now leading on the implementation Plan for collaboration of the two Departments. To maintain the day to day running of Bedfordshire's Professional Standards Department (PSD) Inspector Dave Green had been appointed as acting Head until the commencement of new arrangements on 1st April 2009.

Members noted that work was currently being undertaken on the Section 23 Agreement required by legislation to allow for the collaboration to take place and it was expected that the Bedfordshire Police Authority at its meeting on 13th February and the Hertfordshire Police Authority at its meeting on 20th would formally approve the Agreement.

Other key areas being progressed were the harmonisation of policies and processes, ICT, equipment and accommodation. . With regard to accommodation staff would be located at either Biggleswade or Letchworth, the majority of Staff being based in Biggleswade.

The Assistant Chief Constable emphasised that the collaboration had provided the opportunity for both forces to bring together working practices into a single resilient operating structure.

In terms of the Committee's scrutiny role under the new arrangements the Committee agreed that it would need to consider the format and content of the monitoring reports. The Chief Executive advised that that this would be developed into the Committee work plan for the forthcoming year and would discuss this further with the Chair.

The Chief Executive/Treasurer agreed to ensure that the Chair of the Committee was kept informed of the progress of the collaboration and reports would be submitted to the Committee as and when necessary.

09/qz/5 **IPCC –CURRENT ISSUES**

David Petch the IPCC Commissioner for the South East Region and his

Assistant Nicola Heley attended the meeting to update Members on current IPCC issues.

Mr Petch mentioned that as reported to Members at their meeting in May of last year the IPCC were to be restructured as from 1st April 2009. He confirmed that he would be retiring from his position on 31st March and a new IPCC Commissioner for the region had recently been appointed.

He was pleased to say that there were no areas of concern that he wished to raise with Members. He was also pleased to report that Bedfordshire's performance was above the national average in the areas of timeliness, completion of cases., comprehension of legislation and guidance, and the number of cases dealt with by local resolution . No cases were currently being independently investigated or managed by the IPCC which was an unusual position to be in for any Force.

Comparative data with Forces in Bedfordshire's Group of Most similar Forces for 2007/08 was circulated, which despite, not being the most up to date still indicated a good performance by Bedfordshire. Mr Petch particularly highlighted good performance in respect of complaint cases recorded, proportion of allegations recorded in each category, number of allegations completed by means of investigation and number substantiated.

Members thanked Mr Petch and Ms Heley for attending the meeting

09/qz/6 **POLICING PLEDGE**

The report of the Chief Constable was considered which informed Members of the implications of the Policing Pledge for the Professional Standards Department.

Members were reminded the Policing Pledge was part of the Government's new programme of reform. Made up of ten core commitments the Policing Pledge aimed to ensure that the public understood the minimum service standards that the police Service aimed to provide. Two of these commitments had the potential to increase the level of complaints about conduct and dissatisfaction with the service. Members were advised that whilst the Professional Standards had robust procedures in place there were gaps around meeting the 24 hour response commitment to the dissatisfaction of service complaints and solutions were actively being explored. In line with the principles of the Taylor review most complaints were expected to be dealt with by Local Resolution.

There was a general discussion on the implications of the Policing Pledge for the Authority and the Force particularly around the commitment to deliver a more personalised service and the public's expectations of this. There was also disappointment that the pledge had not been well publicised or clearly stated what the Force would be striving to achieve. It was acknowledged that the Complaints and Professional Standards and the Community Engagement

Committee's both had a role in ensuring that the commitments in the pledge were met and the Chair of the Committee would discuss how each role was to be addressed with the appropriate Members and Officers.

In relation to the receipt of complaints the Head of Professional Standards agreed to incorporate details of breaches of the pledge in future monitoring reports.

RESOLVED

1. That the processes in place for dealing with complaints be noted and that data on the complaints received about breaches of the pledge be incorporated into future monitoring reports.
2. That the roles of the Complaints and Professional Standards and the Community Engagement Committee in ensuring that the commitments in the pledge are met be determined.

09/qz/7

PROFESSIONAL STANDARDS CASES AND ISSUES

The Committee considered the Chief Constable's report on the current position with regard to Professional Standards issues for the reporting period 1 April to 30 December 2008 and provided comparative data from the years 2006/07 and 2007/08.

Data had been categorised into the following areas:

- Professional Standards Department – Workload
- Analysis of Complaint cases
- Analysis of Complaint allegations
- Analysis of Social factors relating to complainant characteristics
- Analysis of Social factors relating to subjects characteristics
- Complaint allegations finalised
- Investigation Times
- IPCC Appeals
- Conduct Matters
- Criminal Prosecutions
- Direction and Control
- Benchmarking

Highlights from the report are detailed below:

(a) Workload Management

In relation to the number of allegations received current data indicated that in

comparison to the previous 2 years the overall workload had increased by 84% compared to 2007/08 and 60% on the year before. This increase continued to be a result of the Department's pro activity.

(b) Analysis of Complaint Cases

The number of complaints cases and allegations received during the reporting period had significantly decreased.

Measuring complaint cases against per 1000 population had seen a decrease of 20%, allegations continued to remain stable.

Since 1st April 2008 232 complaint cases and 279 had been closed during the reporting period 148 had been closed.

(c) Analysis of Complaint Allegations

The number of complaint allegations recorded in the reporting period had seen an 8% decrease compared to last year and a 6% increase on the year before.

The top two allegations recorded continued to be other neglect or failure of duty and incivility. Neglect of duty had however decreased by 16% on the previous year.

Categories with the biggest increases this year compared to last continued to be breach of Code B PACE (entry into a property and searches) Irregularity in evidence/perjury and other.

Categories with the biggest decreases when compared to the previous year were other assault, oppressive conduct or harassment and irregularity in procedure

The Department continued to undertake work on identifying the causal factors for these increases. Particularly highlighted was the work undertaken in respect of neglect or failure of duty whereby the main issue identified was not keeping people informed. The Service Improvement Group was managing improvements in this area and one of the initiatives being explored was the development of a database that would enable the public to view the progression of their case.

A breakdown of the total allegations per staff type indicated a significant decrease compared to last year.

Complaint allegations per all personnel at Luton Division had decreased during the period under review whilst the County Division continued to increase. Data was provided for the first time on the new Directorates which indicated that allegations per staff were highest in Protective Services particularly in the Uniformed Protective Service unit.

Breaking this data down into the categories of Police Officers and Police Staff indicated that complaints for both categories were highest in the County Division.

For Police Officers complaints were highest in the Protective Services Directorate and for Police Staff complaints were highest in Citizen Focus. The number of complaint allegations per force headcount had however remained stable.

For Special Constables the complaint allegations per Special Constables in the force had increased slightly since last year.

The number of complaints received in relation to Police Community Support Officers continued to decrease in comparison to the previous year.

(d) Analysis of Social factors relating to complainants and subjects characteristics

The age of complainants continued to fluctuate over the last three years, although during the reporting period there had been an increase in complaints from the 60 plus age group.

Complaints from the ethnic community were continuing to increase which gave a clear indication that there was a growing confidence in the complaints system.

The main allegation mad by complainants was neglect of duty but it was difficult to identify patterns particularly around previous conviction data and unemployment and steps were now being made to secure data recording in these areas.

Data on the gender, age, ethnicity and length of service of staff that had a recorded complaint against him or her indicated that in comparison to the previous two years police officers as subjects of a complaint had decreased. The majority of subjects were aged between 20 and 39 and the majority were white. With regard to the length of service complaints against those in the probationary period were at an all time lowest. Of concern was the increase seen in complaints against those with 6 to 10 years service and the results of the bespoke analysis be undertaken were reported earlier in the meeting.

(e) Complaint Allegations Finalised and Investigation Times

Under the period of review the number of complaint allegations finalised in comparison to last year had decreased by 21 % and increased by 17% against 2005/06.

Locally resolved allegations had increased year on year but in comparison to the 2007/08 had decreased by 15%. Despite this the percentage of local resolutions was above the MSF average and IPCC national average.

The number of substantiated allegations continued to rise but was still below the MSF average and the IPCC national average.

At this stage of the year Ethnicity Data on the result of 395 finalised allegations involving 277 indicated that the majority related to the white community. Of the ethnic minority complainants' 7% of the finalised allegations were substantiated and 47 % were locally resolved .For those of a white background 3% of complaints were substantiated and 60% locally resolved.

This reporting period had seen a slight decrease both in the overall number of cases closed and those closed within the same period as they were recorded. The number of cases finalised within the 120-day target continued to improve significantly when compared with the past three years and stood at 108% for the current reporting period.

The reporting period had also shown a significant increase in the number of cases that had proceeded to a full investigation and again there was a significant improvement upon the previous 2 years in meeting the 120-day target.

For local resolutions there had been a slight decrease in the number of cases locally resolved and a slight increase in those completed within the 120 working day target.

In accordance with IPCC statutory guidance the timescale for local resolutions was an average of 28 days and the number of cases meeting the target was steadily increasing.

The number of appeals to the IPCC continued to show an upward trend. The number of appeals upheld was below the 28% IPCC 2007/08 national average. The number of appeals made for a non recording of complaints when recorded as a direction and control matter was increasing and would be monitored.

(f) Conduct Matters

The number of conduct matters recorded continued to show an increase which was in part due to the increase in the use of the confidential reporting process in place. No one allegation had been consistently the highest over the past three years.

The Categories with the biggest increases so far this year compared to last year were 'General Conduct' and confidentiality.

The number of misconduct matters finalised had decreased when compared to the previous year. Of the matters finalised two conduct hearings had been completed. Members were advised that the low conversion rate from misconduct case to hearing was due to the approach that had been adopted which gave the ability for an Officer to be removed from service.

(g) Benchmarking

In comparison to the regional data Bedfordshire was better than the regional

average in number of allegations, percentage of cases completed in the 120 day timescale and allegations per staff and the best performer for recorded complaints, local resolutions., cases finalised within the target time and percentage of substantiated complaints.

(h) Direction and Control

The number of Direction and Control cases had increased during the reporting, and 'General Policing Standards' remained the top allegation.

The IPCC stated a 28 working day timescale for Direction and Control matters to be dealt with. The percentage of finalising in that time was increasing and currently stood at 66%.

The main issues arising from the report were as follows

(a) Increase in Breach Code B PACE Allegations

In response to the continued increase in Breach Code B PACE allegations it was agreed that this would be the subject of the dip sampling process at the next meeting of the Committee. The dip sampling would also include cases of breaches of codes A, C, D and E of PACE which would cover issues around Stop and Search and Custody.

(b) Strategic Analysis

Incivility and neglect of duty continued to be the top two allegations recorded and it was considered that this was an appropriate area for a strategic analysis to be undertaken over the next 12 months. Given that these issues were around citizen focus it was agreed that the best approach to seeing service improvement in this area was to require the attendance of the Head of Citizen Focus at each meeting to discuss the emerging concerns and take them forward for discussion and appropriate action by the Force Service Improvement Group.

(c) Visit to the Accommodation for the Joint Professional Standards Department.

Arrangements would be made for members to visit the accommodation for the new Joint Professional Standards Department at Biggleswade and Letchworth.

RESOLVED

That the report be noted and the actions identified above be progressed.

09/qz/8

REVIEW OF INTERNAL CONTROLS AND RISK MANAGEMENT AND COMMITTEE EFFECTIVENESS

The report of the Chief Executive/Treasurer was submitted which advised that as part requirement to produce an Annual Governance Statement the Force and the Authority were required to undertake an annual review of its overall internal framework and governance procedures.

As part of this annual review each of the Authority's Committee's would review its performance. Some areas for consideration were highlighted in the report. The Chief Executive/Treasurer orally reported that Members should also consider its performance around the monitoring of the implementation of the Taylor Review. The Committee was satisfied with its performance in each area.

In addition to this each Committee was required to review the major risks attributed to it. An extract from the Risk Register detailing those risks associated with the Committee's objectives were appended to the report. Having reflected on the current risks Members were of the view that should the Committee fail to deal with the most serious of cases in an effective manner this could lead to a loss in public confidence in the force and its complaints system. Also considered to be a risk was the Committee's failure to deliver the commitments set out in the policing pledge in respect of complaints.

The Committee was also reminded that at the Meeting of the Authority on 24 October 2008 it had been agreed that each Committee review its terms of reference and its specific role with regard to value for money to ensure they remained fit for purpose. A copy of the current Terms of Reference was appended to the report for consideration. Members considered that the Committee had a role in monitoring the effectiveness of the Joint Professional Standards Department and this should be reflected in the Terms of Reference. Also to be reflected in the Terms of Reference was monitoring of the public's confidence in the complaints process arising from the Government new confidence measure .

RESOLVED

1. That subject to the to the inclusion of the risks identified above the Committee is assured that are all the major risks attributed to it are appropriate .
2. That the Committee confirms it has undertaken a self-assessment of its own performance and that there are no areas that require improvement.
3. That the changes to the Terms of Reference identified above be submitted to the Authority's AGM for approval.

09/qz/9 **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED

That the press and public be excluded from the meeting during the discussion of the following item on the grounds that it is confidential and may involve the disclosure of exempt information as defined in paragraph 1 of part 1 of Schedule 12A to the Local Government Act 1972.

09/qz/10 **SUMMARIES OF COMPLAINTS AND DISCIPLINE CASES (In Private)**

A report of the Chief Constable was submitted which summarised those cases of complaints and civil claims which had been completed during the period 1 April–31 December 2008.

Members also received a report from the Chief Constable providing details about Those Police Officers that had received a criminal prosecution, those on were on restricted duties or suspended. The report also included the current position with regard to civil claims.

The Chair confirmed that under the pilot dip sampling process to review complaints that were a risk area for the Authority Members had dip-sampled those complaints relating to incivility, impoliteness and intolerance . There were no major issues arising from the dip sampling process.

RESOLVED

That the report be noted.



Bedfordshire Police Authority

COMMITTEE AND MEETING DATE	Complaints & Professional Standards Committee Tuesday 12th May 2009
AGENDA ITEM No:	No. 6
TITLE:	Briefing Paper - The Anti Corruption Portfolio
DATE OF REPORT:	Monday 27th April 2009
REPORT OF:	Assistant Chief Constable Fletcher - Protective Services Directorate
AUTHOR:	DCI Dean Patient – Head of Anti Corruption, Bedfordshire & Hertfordshire Professional Standards Dept.
ACTION REQUIRED:	None – For information of Authority Members
APPENDICES:	N/A

EXECUTIVE SUMMARY

On the 1st April 2009 the Bedfordshire & Hertfordshire Professional Standards Department (BHPSD) came into being, providing the first such collaborative unit of its type in the Country.

The purpose of this paper is to provide Authority Members with an overview of the Counter (or Anti) Corruption Portfolio within the new department, its purpose, structure and objectives as defined within the context of BHPSD business plan 2009-10 and wider local, regional and national issues facing the Police service in relation to corruption matters.

The agreed vision of the BHPSD as agreed by Chief Officers is as follows:

‘To maintain and improve public confidence and quality of service and enhance the integrity of the Bedfordshire Police and Hertfordshire Constabulary’.

The vision goes further to provide a number of key statements, those specifically dealing with corruption issues include: *'To prevent and detect unethical behaviour, dishonesty and corruption'* and *'to ensure the highest level of security.'*

It is these statements that provide the basis for work in this arena that can be summarised as ***'protecting the assets, integrity and reputation of both forces through proportionate proactive vigilance and the development of intelligence'***.

The National Policing Improvement Agency (NPIA) together with the HMIC has issued practice advice and guidance as to the structure and remit for PSDs across all Home Office Forces. The new BHPSD follows this advice by seeking to bring together a number of functions in order to provide an anti corruption portfolio, these include:

- A Dedicated Intelligence Unit with proactive capabilities.
- IT Security
- Information Security
- Vetting
- Operational Security
- Access Control

In bringing together these areas the BHPSD will be better equipped to proactively protect both the service and public from a minority who would seek to undermine confidence within our communities. However, it is important to recognise that in pursuing this minority there may be occasions when these issues are progressed in the public arena i.e., criminal proceedings. In such circumstances there is a clear need to set out in advance a consistent position that such behaviour will not be tolerated and that in pursuing those responsible will itself serve to promote the highest levels of integrity and the trust of our communities.

Whilst the existence of the BHPSD and much of its day to day activities are in the public domain, much of the work carried out within the anti corruption arena deals with restricted and / or confidential information and working practices which cannot, for operational security reasons be explored in detail in a public forum. As such this paper seeks to provide a general overview with Members being able to seek any additional information though the author in a closed part of the meeting or in private.

RECOMMENDATIONS:

Recommendation 1

That members note the contents of the paper in order to familiarise themselves with the work of the Anti-Corruption Unit within the newly collaborated BHPSD.

Originators: DCI Dean Patient – Deputy Head BHPSD
Date: 27th April 2009
Telephone No: 01234 842551
E-mail: dean.patient@bedfordshire.pnn.police.uk

BACKGROUND PAPERS:

Bedfordshire and Hertfordshire Professional Standards Department - Policing Plan 2009-10.

ADDITIONAL PAPERS:

ACPO - GUIDANCE FOR THE INVESTIGATION OF CORRUPTION WITHIN THE POLICE SERVICE (Restricted)

1 INTRODUCTION

1.1 Corrupt actions by a small minority of police officers and support staff may pose significant risks to the operational activities and the reputation of individual Police Forces and the Service as a whole. If public confidence is to be maintained and enhanced, it is essential that enquiries into corruption are robust, thorough and professional.

1.2 The establishment of a number of cohesive functions within the BHPSD provides a powerful tool to assist in the investigation of corruption which, for the purposes of this paper can be defined as: ***“the abuse of one’s role or position held in the Service for personal gain or gain for others”***.

1.3 Corruption poses a risk to every police service across England and Wales and is not a threat that is confined to large metropolitan forces. Officers ranging from probationer constables to Superintendents are known to have colluded with organised criminals and corrupt civilian staff have been found in roles across the spectrum of support functions.

1.4 The corrupt activities of police officers fall into a number of categories. For example, ‘noble cause corruption’ involves the manufacture of evidence against suspects where a legitimate case against them cannot be constructed. Staff involved in this type of activity may believe that they are acting for the good of the public, but there will usually be direct benefits to them in terms of reputation and work opportunities.

1.5 Another common form of corruption is the commission of offences by officers using the criminal contacts they have made in the course of their duties. This at the extreme end of the spectrum could involve the theft of drugs and cash from suspects, the instigation and planning of offences such as robbery and participation in the importation of drugs.

1.6 A third pattern of corruption and one which is more commonly seen is the criminal misuse of intelligence or information. Most known examples of recent police collusion with serious and organised criminals have involved such unauthorised use or disclosure of information. Generally, it appears that this kind of activity is perpetrated not by networks of corrupt police personnel but by individual officers or members of support staff. A significant factor in this arena is the forming or maintaining of ‘inappropriate’ or criminal associations by officers and staff. Such associations can be formed whilst working within the service but equally can be long standing associations formed through social interactions or indeed family networks. It is this arena that robust vetting and policies dealing with associations are of vital importance.

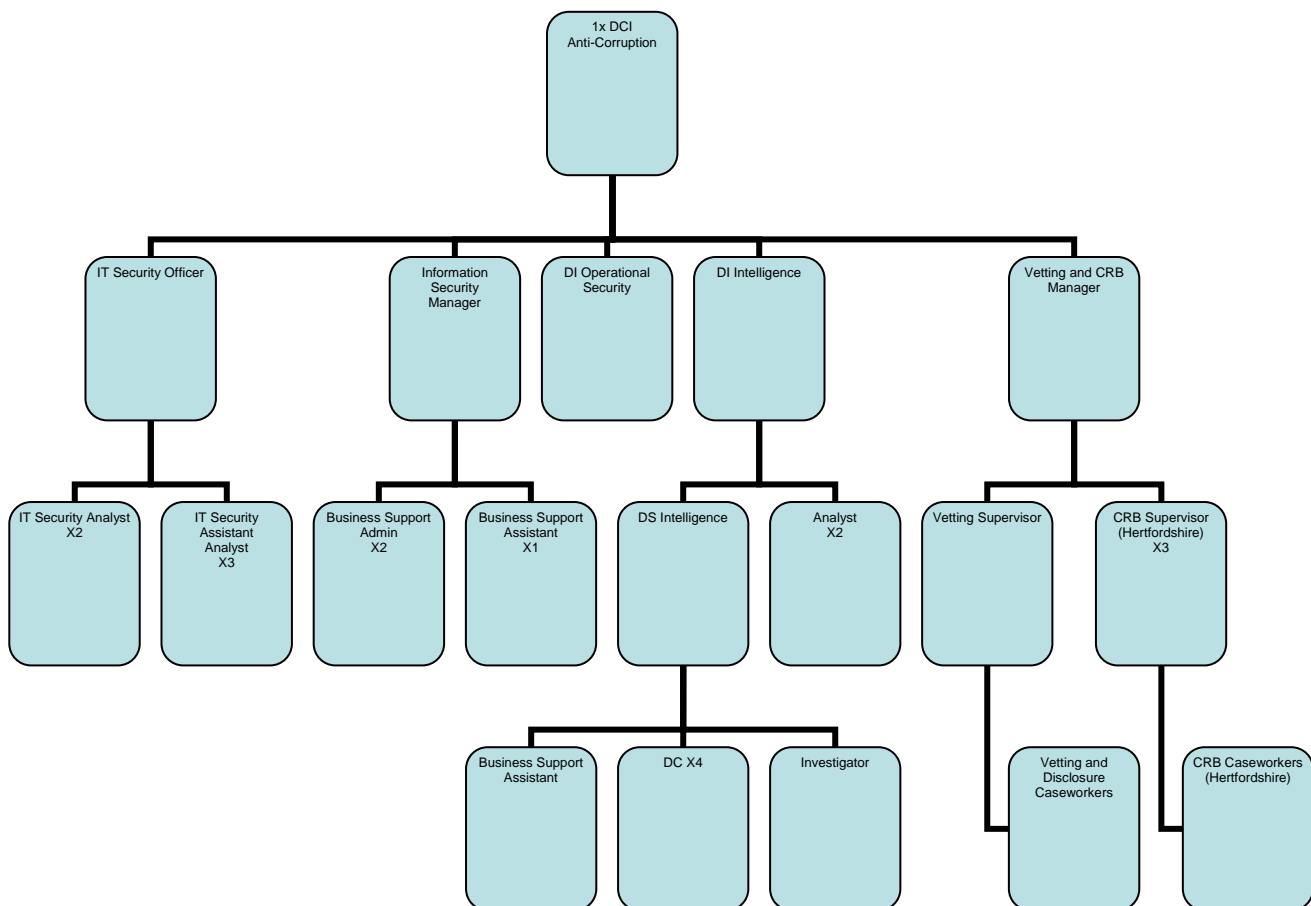
1.7 In addition the media have on occasion been the source of ‘corruption’ when confidential, sensitive, or secret information is sought by journalists in return for financial inducements or payment through gifts and hospitality. Much legal debate continues as to the culpability of journalists as ‘corruptors’ and the lengths to which the Police Service should pursue them. Whilst this debate will no doubt continue what remains clear is that Officers and staff who breach our trust in this way will be pursued and where appropriate prosecuted.

1.8 Research further suggests that staff members who indulge in the recreational use of prescribed drugs, acquire large debts or have an unsettled private life which will be more vulnerable to being corrupted or will be more likely to commit corrupt acts spontaneously. These lifestyle factors are clearly as likely to affect support staff as their uniformed or detective colleagues and this is recognised by the criminal fraternity who will target civilian personnel as much as police officers.

1.9 Given the above both Bedfordshire Police and the Hertfordshire Constabulary have processes in place for substance misuse testing overseen by the BHPSD. Drug testing programs provide a key tool in deterring and detecting such misuse. In addition key posts within both forces are subject to enhanced financial background vetting, referred to as Management Vetting or 'MV' which seeks to provide a risk assessment of an officers corruptibility.

2 OUR STRUCTURE

2.1 In order to deal with the issues highlighted above, the anti-corruption portfolio has been structured around key roles within the BHPSD as outlined below.



2.2 The five key functions are as follows:

- **IT Security** – Led by the IT Security Officer (ITSO) this team deal with all security aspects of our IT infrastructure to ensure that it is safe from external threats such as viruses or hacking and also provides the internal ‘policing’ of all policies and where appropriate take action to prevent officers and staff from presenting a threat to either themselves or the organisation. Key here is the need to balance potential risk with operational need and benefits that advances in IT bring, for example, mobile data.
- **Information Security** – Led by the Information Security Officer and working closely with the ITSO, dealing with aspects of organisational security across a wide range of information assets to ensure compliance with national guidance and legislation such as the Government Protective Marking Scheme (GPMS) and the Community Security Policy (CSP).
- **Operational Security (OPSY)** - The post holder a Detective Inspector, provides the link between intelligence assets and tasking at Level 2 (NIM) across both forces and wider Policing agencies to ensure the sharing of intelligence and to prevent operational conflicts, or ‘blue on blue’ situations as they are known, occurring. In addition the OPSY oversees a program of ‘mystery shopping’ designed to test operational security, this is new to Bedfordshire.
- **Intelligence Unit** – Led by a Detective Inspector this unit sits at the heart of the portfolio and provides not only a secure and dedicated environment for intelligence handling but the ability where required, to mount proactive operations to develop this intelligence into evidential material be it for criminal or conduct proceedings. The unit also provides the departments’ operational capability such as arrests, searches and criminal interviews.
- **Vetting Unit** – Led by the Vetting and Disclosure Manager and sited in Letchworth, provides a one site solution for both forces vetting requirements from recruit and contractor vetting through to the highest levels of vetting required by the service.

2.3 In bringing these functions together the department is better able to carry out its core functions and business objectives in a consistent manner without the need to seek additional or specialist assets on a regular basis.

3 IMPLEMENTATION

3.1 Whilst the new department successfully launched on the 1st April the physical move is very much the beginning of establishing an effective anti corruption unit. Under each of the functions above a number of key objectives has been set within the departmental business plan for 2009-10. Much of the early work is focused on the need to establish common working practices and policies across both Bedfordshire and Hertfordshire whilst maintaining ongoing day to day functions.

3.2 Establishing this commonality across all our key areas of work will not only make the day to day running of the department easier, but given the continued collaboration between the two forces, provide all our staff with a clear understanding of the role they play and their responsibilities with regards the security and integrity of both forces.

4 CONCLUSION

4.1 As outlined in the executive summary, given the nature of the work of the Department there may be occasions when in dealing with either the corruptors or the corrupted, we will attract negative publicity. Whilst such publicity clearly has the potential to damage our organisational reputation, it is the author's view that far greater risks lie in failing to proactively seek out those who would betray the trust of the communities we serve.

4.2 Being seen to take a consistently robust stance against corruption will in itself provide not only a deterrent to those who would seek to undermine our work but serve to ensure that our reputation is maintained and that the vast majority of our dedicated and hardworking officers and staff have the confidence to challenge and report dishonest and corrupt practice.

5 RECOMMENDATIONS

Recommendation 1

That members note the content of the paper in order to familiarise themselves with the work of the Anti-Corruption Unit within the newly collaborated BHPSD.
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DCI Dean Patient

Bedfordshire & Hertfordshire Professional Standards Dept – '*One Team Serving Two Counties.*'

Chief Constable's Report
On
Professional Standards Issues



APRIL - MARCH 2009

Bedfordshire Police Authority
12th May 2009
Item 8

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For publication **Bedfordshire Police Authority**
Professional Standards Committee

REPORT AUTHOR: CHIEF CONSTABLE

SUBJECT: Professional Standards

.....
BACKGROUND PAPERS Summary of Complaints and Civil Claims

.....
PURPOSE: To advise members of the current position with regard to Professional Standards issues, including complaints against police, within the Force.

RECOMMENDATION: The Committee is asked to consider this report.

.....
1. INTRODUCTION

Under the provisions of Section 77 of the Police Act 1996, every Police Authority, in carrying out their duty with respect to maintenance of an efficient and effective Police Force, shall keep themselves informed as to the workings of Sections 67 to 76 of the above legislation in relation to the Force.

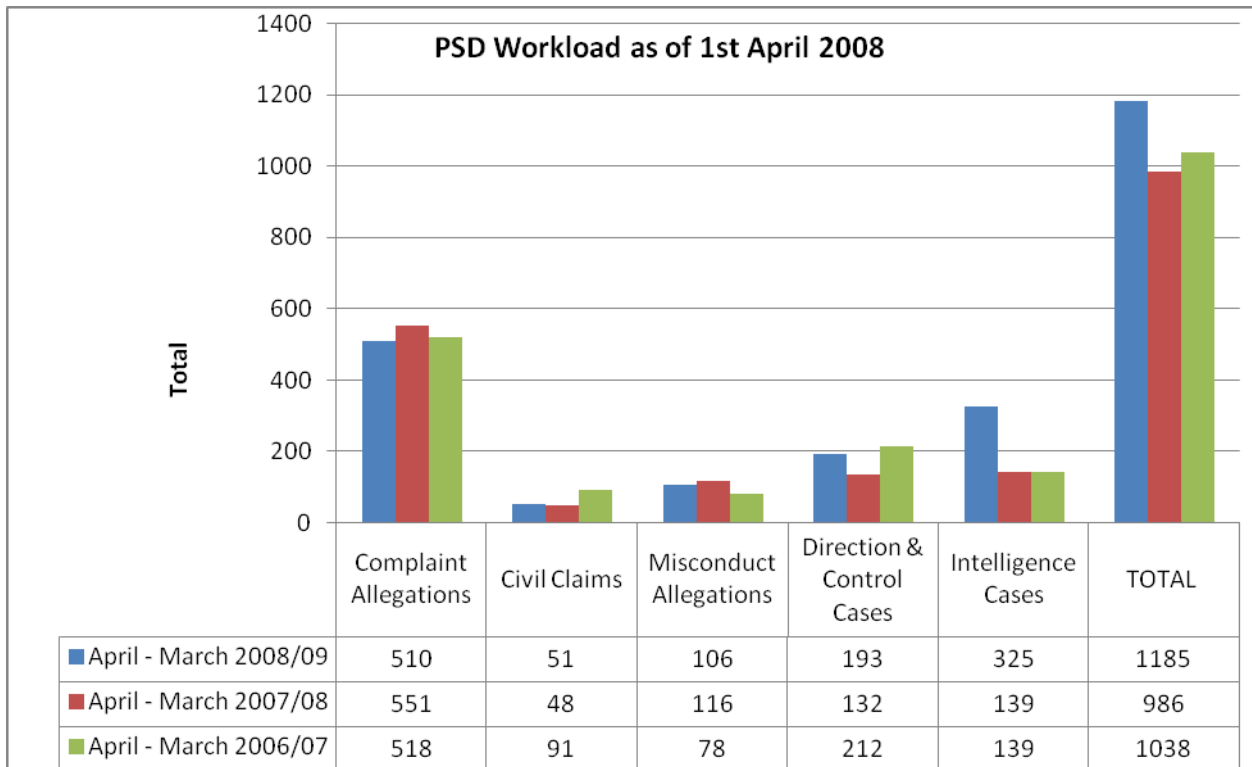
2. THE PURPOSE OF THE REPORT

The purpose of this report is to brief members of the Authority on current professional standards issues within the force.

3. The current report reflects issues for the period of April – March 2008/09 compared to 2007/08 and 2006/07.

**SECTION 1
PSD Workload**

Workload Management



- Above chart relates to single recorded allegations in each category except Direction & Control and Intelligence
- Overall workload has increased by 22% compared to last year and by 16% on the year before
- Intelligence reporting has significantly increased mainly as a result of the confidential email system & reports from PSD 'Taylor' staff
- Since June 2007 PSD has recorded messages of Appreciation; between 1st April and 31st March 2008/09 a total of 210 were recorded compared to 167 between June and March 2007/08.

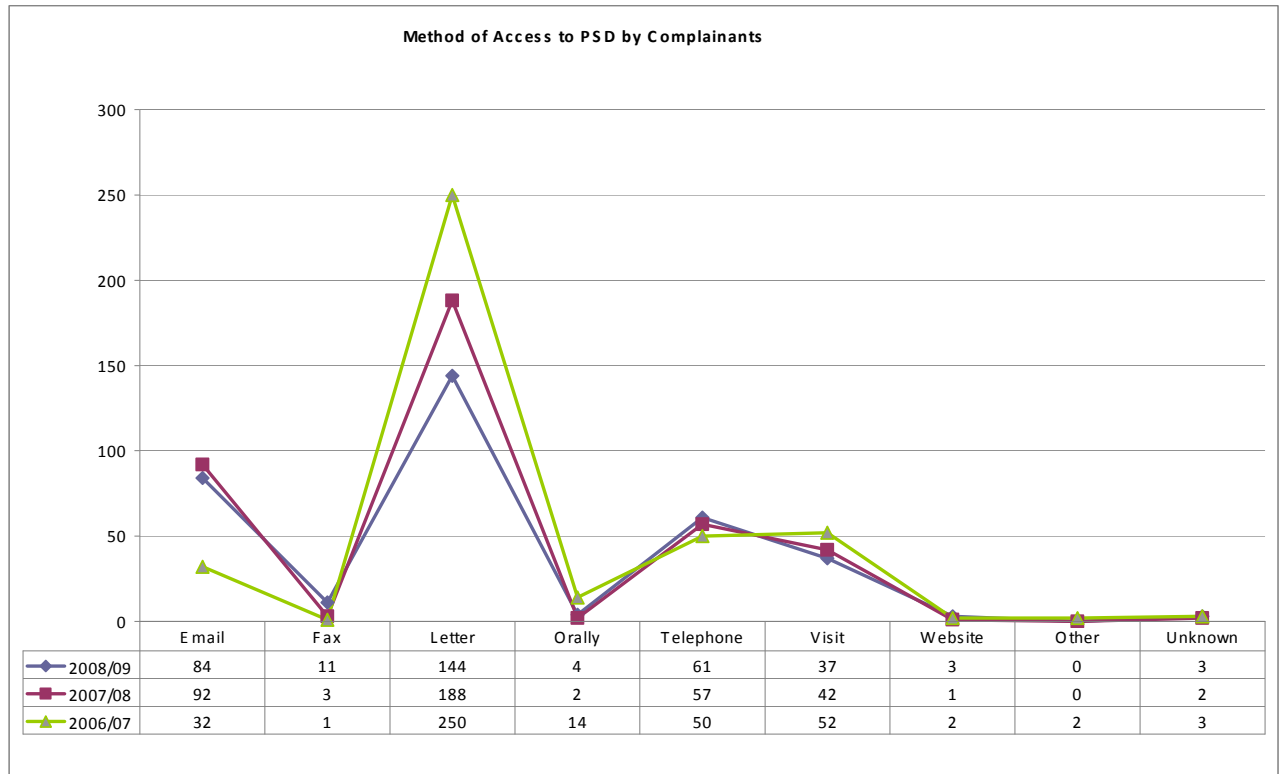
Initiatives & Actions to Improve Performance

Re-launched marketing of the confidential email system, together with wider and more prominent availability

PSD staff on territorial divisions

PSD are reiterating the process of recording letters of appreciation

Complainant Access to PSD



- Reporting by letter has decreased but remains the most common method of making a complaint followed by email
- Telephone reporting has increased as has making a complaint via Fax
- Prior to 2006 the only method of making a complaint was in person and generally at a police station. This in person reporting is now not in the top three methods

Compared to last year:

- Letters decreased by 23%
- Emails decreased 9%
- Telephone increased by 7%

SECTION 2
Analysis of complaint cases

Complaint cases

Percentage change in the tables: ■ Positive ■ Negative

Table 1 – Complaint Cases Received in Force

	2008/09	2007/08	2006/07
Cases Received in Force	318	373	374
% Change	- 15%		- 0.3%
Allegations Received in Force	510	551	518
% Change	- 7%		+ 6%

- The number of cases and allegations received this year have decreased compared to last year

Table 2 –Complaint Cases & Allegations per OIS Incidents

	2008/09	2007/08	2006/07
Total Incidents	186930	191340	186786
Cases Per Incidents	318	373	374
% Change	- 15		- 0.3
Allegations Per Incidents	510	551	518
% Change	-7.4		+6.4

- The number of cases and allegations received has decreased when measured against the number of recorded incidents attended by Bedfordshire Police.

Table 3 –Complaint Cases & Allegations per 1000 Population

	2008/09	2007/08	2006/07
Cases Per 1000 Population	0.56	0.66	0.66
% Change	- 15%		0
Allegations Per 1000 Population	0.90	0.97	0.91
% Change	- 7%		+ 6.6%

Population is based on 2001 Census – 565961

- Measuring complaint cases against per 1000 population has seen a decrease of 15%; allegations have remained stable.

Table 4– Complaint Cases Finalised of those Received in Force during the period

	2008/09	2007/08	2006/07
Cases Finalised	210	240	193
% Change	- 12.5%		+ 24.4%

- Of the 318 complaint cases received this year, 210 have been finalised

- Although 2008/09 is showing a decrease on the number of cases received and finalised in the same period, this year has been more productive as 210 cases represents 66% of the cases compared to 56% last year.

Table 5 – All Complaint Cases Finalised

	2008/09	2007/08	2006/07
Cases Received	318	373	374
Cases Finalised	349	432	309
% Change	- 5.3%		+ 40%

- In summary 318 complaint cases have been received this fiscal year and 349 closed.

Initiatives & Actions to Improve Performance

Investigation plans	These are formulated by the DCI and set out the parameters for investigation carried out by PSD investigators.
Case workers	This allows for the freeing up of the investigators in respect of administrative tasks
Proportionate investigations	In conjunction with the investigation plans this allows for a more time effective but ethical investigation into allegations
Law Inputs	Key PSD messages and lessons learned are delivered to first and second line supervisors at quarterly law input seminars including common complaint themes and trends
Force Wide News	Enables PSD to address emerging trends in a quick and effective manner

SECTION 3
Analysis of allegations

Complaint Allegations Received

The table below provides a breakdown of complaint allegations received during this period compared to the same period over the last two years.

Table 6 – Complaint Allegations Received

Code	Allegation Categories	08/09	07/08	06/07
A	Serious non sexual assault	4	0	0
B	Sexual assault	0	0	0
C	Other assault	30	49	43
D	Oppressive conduct or harassment	48	40	47
E	Unlawful/unnecessary arrest or detention	14	12	25
F	Discriminatory behaviour	15	20	19
G	Irregularity in evidence/perjury	15	5	5
H	Corrupt practice	6	1	4
J	Mishandling of property	6	15	10
K	Breach code A PACE	0	5	6
L	Breach code B PACE	23	14	9
M	Breach code C PACE	19	18	39
N	Breach code D PACE	0	1	3
P	Breach code E PACE	0	1	1
Q	Lack of fairness & impartiality	44	47	23
R	Multiple or unspecified breaches	0	1	0
S	Other neglect or failure in duty	126	159	140
T	Other irregularity in procedure	26	45	17
U	Incivility, impoliteness and intolerance	101	101	86
V	Traffic irregularity	6	5	5
W	Other	14	2	21
X	Improper disclosure of information	12	9	15
Y	Other sexual conduct	1	1	0
TOTAL		510	551	518

- Complaint allegations received has decreased by 41 (7.4%) compared to last year and 8 the year before (1.5%).

- The top two allegations received (highlighted in yellow) have been consistent over the past three years; marketing, training and force initiatives have had a positive impact on complaints of 'other neglect of duty', it has decreased by 21% on 07/08.
- Categories with the biggest increases (highlighted in red) this year compared to last:
 - G – 'Irregularity in evidence/perjury'
 - L - 'Breach Code B'
 - W - 'Other'
- Categories with the biggest decreases (highlighted in green) this year compared to last:
 - C - 'Other assault'
 - J - 'Mishandling of property'
 - T – 'Other irregularity in procedure'

During 2008-09 there has been no complaints made regarding stop and search or stop encounters.

Initiatives & Actions to Improve Performance

Research into 'Other neglect or failure in duty' identified the main issue is *not keeping people informed*, this has been acknowledged as a cause for concern for the Force and is currently being managed by the Service Improvement Group. The force has undertaken some short term initiatives which has contributed to the significant decrease in these allegations reported.

Recommendations from 'Breach Code C PACE' research, custody managers' seminars and custody forums together with a variety of initiatives have contributed to the decrease in complaint allegations. It is anticipated that this work has also impacted on the 'Unlawful / Unnecessary Arrest' allegations.

Research into 'Incivility' identified areas of concern which are being addressed by PSD with BCU commanders and relevant first line supervisors.

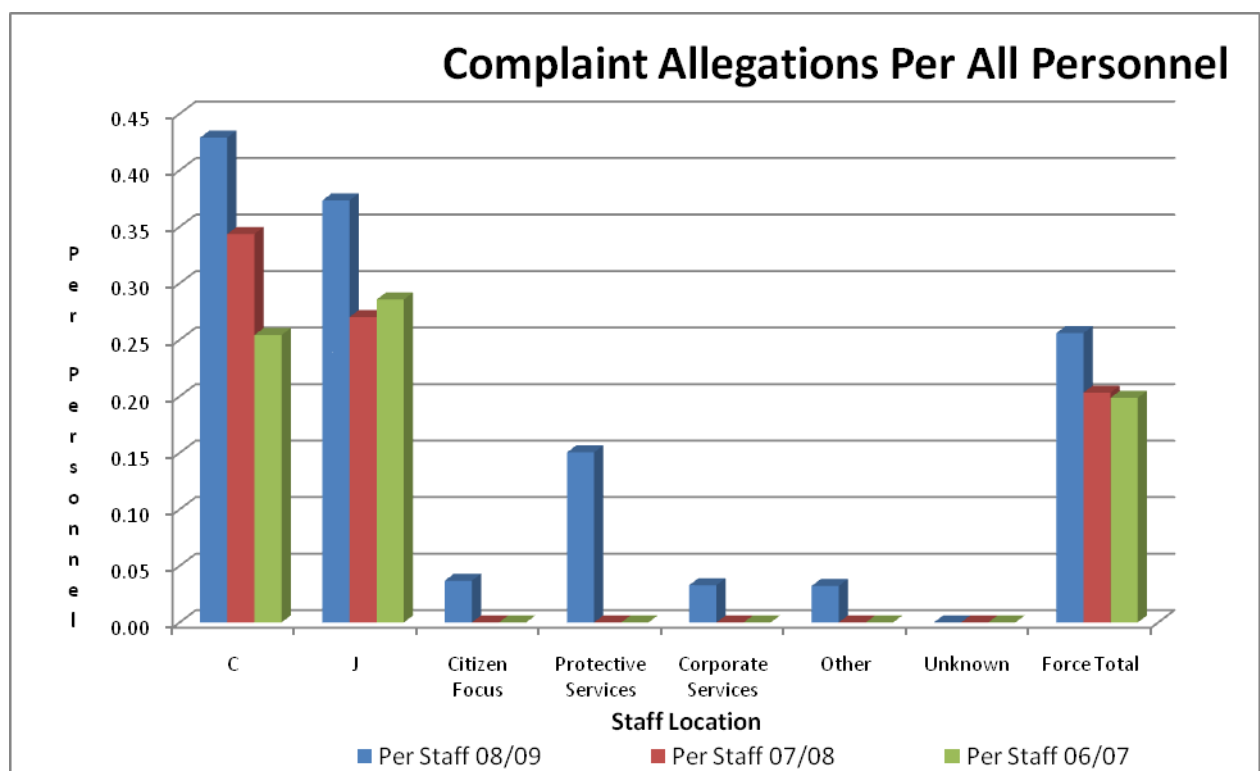
'Breach Code B PACE' research and analysis identified that the increase was not specific to one division but they did relate to staff within the role of response / uniform unit.

Complaint Allegations per Staff – Staff Location

The tables below show the 2008/09 recorded data by staff location; this is the number of complaint allegations **not** staff or cases. The total allegations in table 7 will not be equal to the total in table 6 as one allegation can be counted more than once if it involves staff from various staff locations.

Table 7 Complaint Allegations per Force Headcount – All Personnel

Staff Location	Allegations 08/09	Headcount	Per Staff 08/09	Per Staff 07/08	Per Staff 06/07
C (Luton)	235	548	0.43	0.34	0.25
J (County)	274	734	0.37	0.27	0.29
Citizen Focus	9	244	0.04		
Protective Services	88	585	0.15		
Corporate Services	9	273	0.03		
Other	1	31	0.03		
Unknown	2	0	0		



Force Total	618	2415	0.26	0.20	0.20
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In 2007 the Force had a change of structure which saw the creation of Citizen Focus, Protective Services Directorate and Corporate Services. Due to the change in structure the only comparisons that can be made in the following tables is between the two territorial divisions and the force total.

- Complaint allegations per staff at force and divisional level have seen an increase.

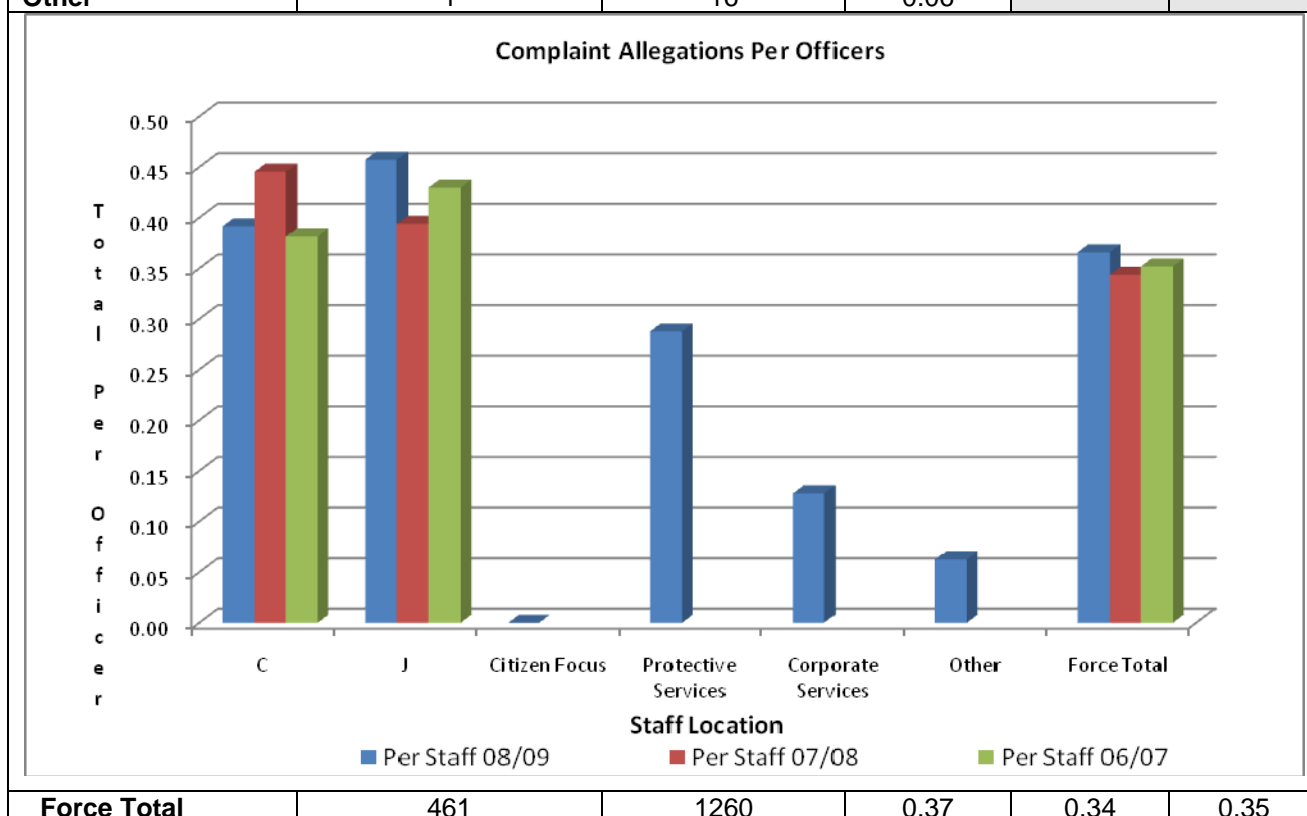
Table 8 Breakdown of Complaint Allegations per Protective Services Directorate Units – All Personnel

Staff Location	Allegations 08/09
Uniformed Protective Services	
Firearms Support Unit (FSU)	31
Roads Policing	28
Dogs	6
Vehicle Recovery	1
Public Protection Unit (PPU)	
On Line Investigation Team	2
Child Abuse Investigation Team	4
Special Branch (ports)	3
Sex Offenders Management Team	2
Adult Protection Team	1
Domestic Abuse Units	2
Intelligence & Serious & Organised Crime	
Economic Crime Unit (ECU)	4
Major Investigation Team (MIT)	3
Professional Standards Department (PSD)	6

The following four tables provide a breakdown of total allegations by staff type; an allegation can be counted within and / or across the tables due to staff type and location. The overall total of the tables below will not equate to table 7 as the 46 unknown staff are yet to be or have not been identified.

Table 9 Complaint Allegations per Force Headcount – Officers

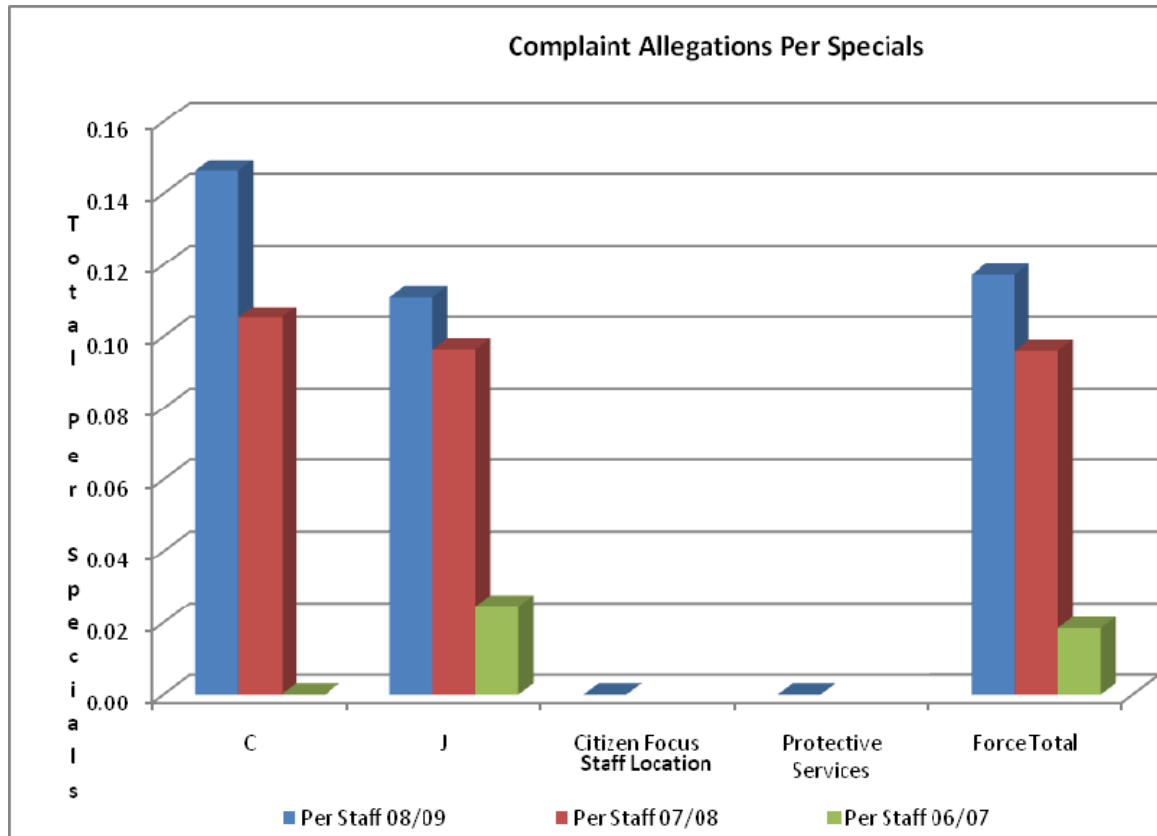
Staff Location	Allegations 08/09	Headcount	Per Staff 08/09	Per Staff 07/08	Per Staff 06/07
C (Luton)	144	368	0.39	0.45	0.38
J (County)	209	457	0.46	0.39	0.43
Citizen Focus	0	21	0		
Protective Services	101	351	0.29		
Corporate Services	6	47	0.13		
Other	1	16	0.06		



- Complaint allegations per force headcount of officers have increased this year compared to the previous two.
- Complaint allegations per staff at Luton have decreased whilst County has seen an increase.

Table 10 Complaint Allegations per Force Headcount – Specials

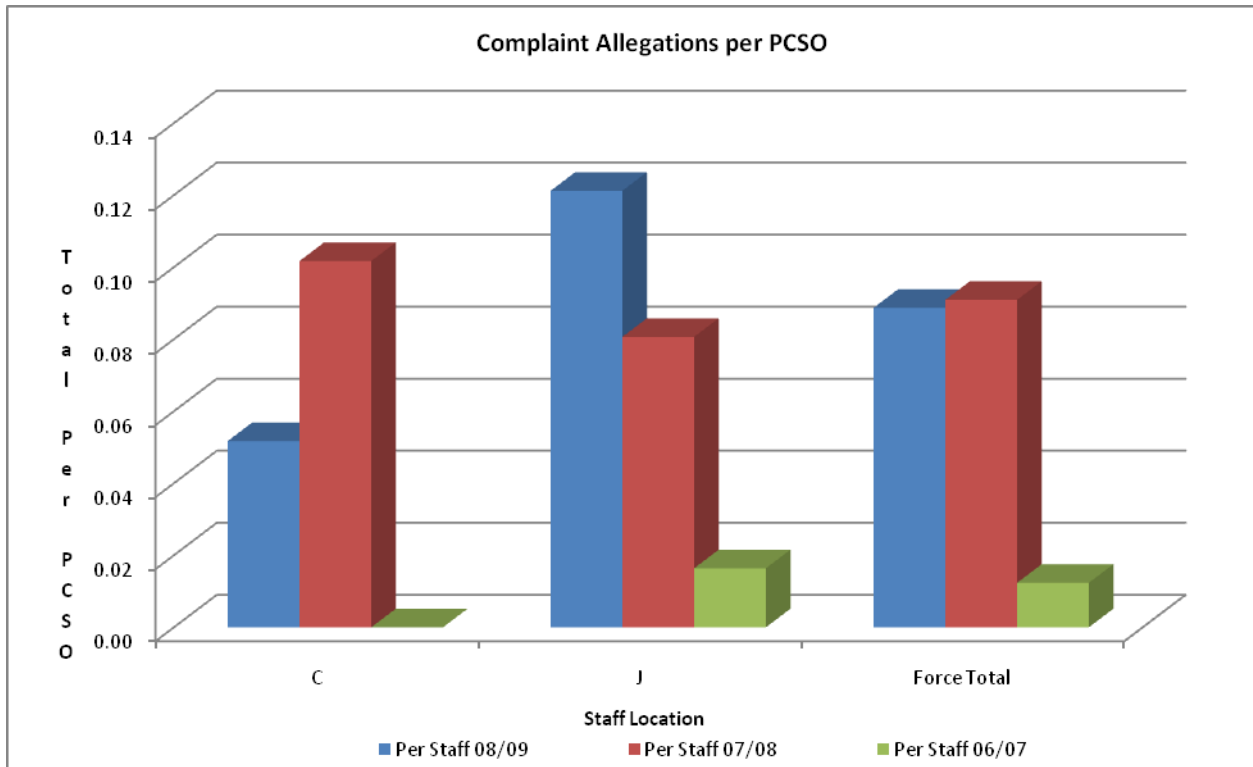
Staff Location	Allegations 08/09	Headcount	Per Staff 08/09	Per Staff 07/08	Per Staff 06/07
C (Luton)	6	41	0.15	0.11	0
J (County)	11	99	0.11	0.10	0.02
Citizen Focus	0	2	0		
Protective Services	0	3	0		



Force Total	17	145	0.12	0.10	0.02
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Table 11 Complaint Allegations per Force Headcount – PCSO

Staff Location	Allegations 08/09	Headcount	Per Staff 08/09	Per Staff 07/08	Per Staff 06/07
C (Luton)	3	58	0.05	0.10	0
J (County)	8	66	0.12	0.08	0.02

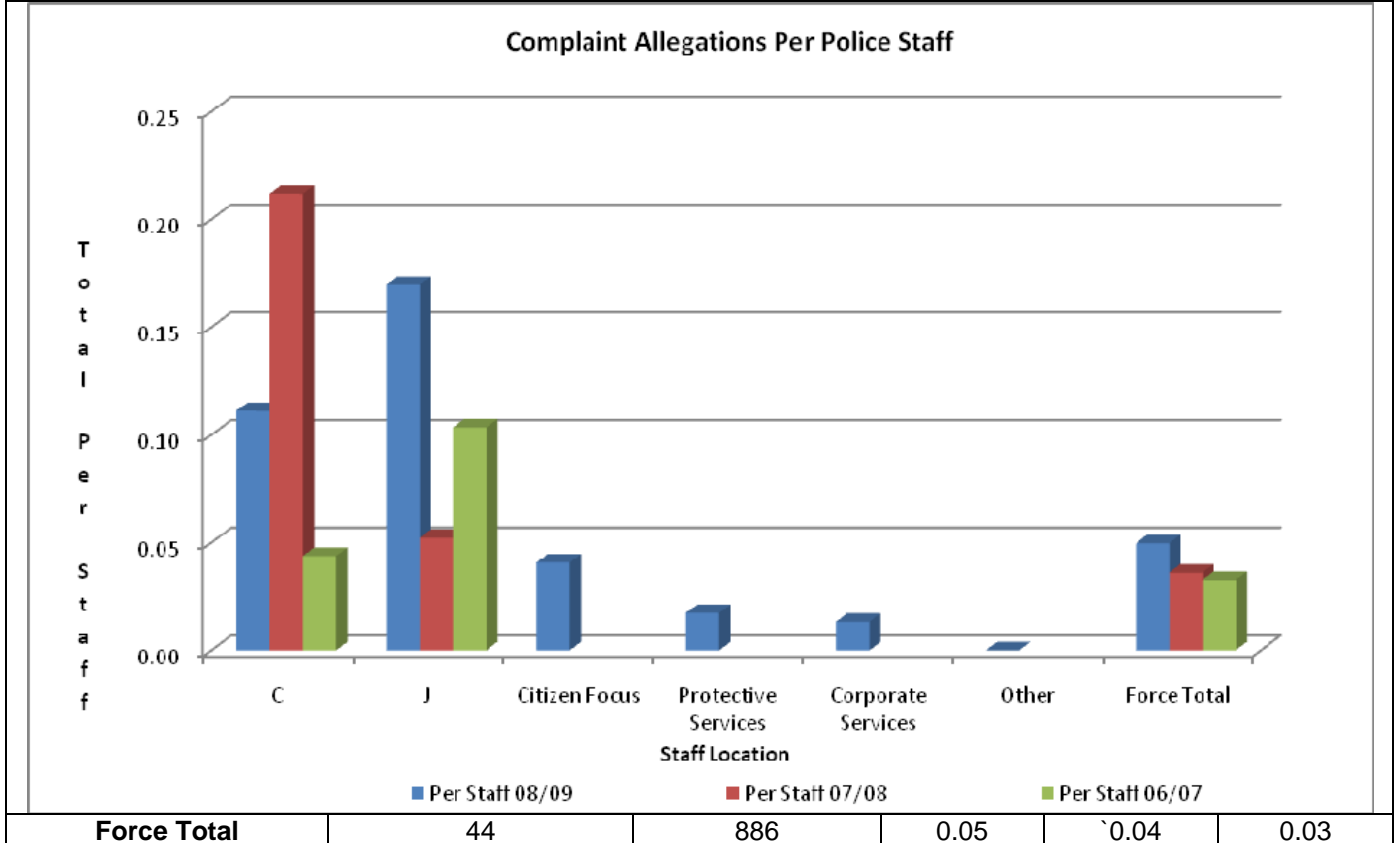


Force Total	11	124	0.09	0.09	0.01
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- Total complaint allegations per PCSO's has remained stable compared to last year.
- Analytical work carried out across the Eastern Region showed that Bedfordshire have the lowest number and ratio of complaints per PCSO; the initial training course, management, limited use of powers and deployment practices are believed to be the main reasons.

Table 12 Complaint Allegations per Force Headcount – Police Staff

Staff Location	Allegations 08/09	Headcount	Per Staff 08/09	Per Staff 07/08	Per Staff 06/07
C (Luton)	9	81	0.12	0.21	0.04
J (County)	19	112	0.19	0.05	0.10
Citizen Focus	9	221	0.04		
Protective Services	4	231	0.02		
Corporate Services	3	226	0.01		
Other	0	15	0		



- Complaint allegations per force headcount of police staff has increased this year compared to the previous two. Luton has decreased whilst County has seen an increase.

The fluctuation within the data tables above can be explained by the following facts:

- The implementation of the IPCC brought new changes which saw an increase in complaints due to PSD recording against all staff (not just police officers), an increase in complainant types, increased complaint reporting methods and tighter recording practices
- 2006 saw the introduction of PCSO's with specific powers.

Initiatives & Actions to Improve Performance

The differences in recorded allegations between County and Luton are being monitored

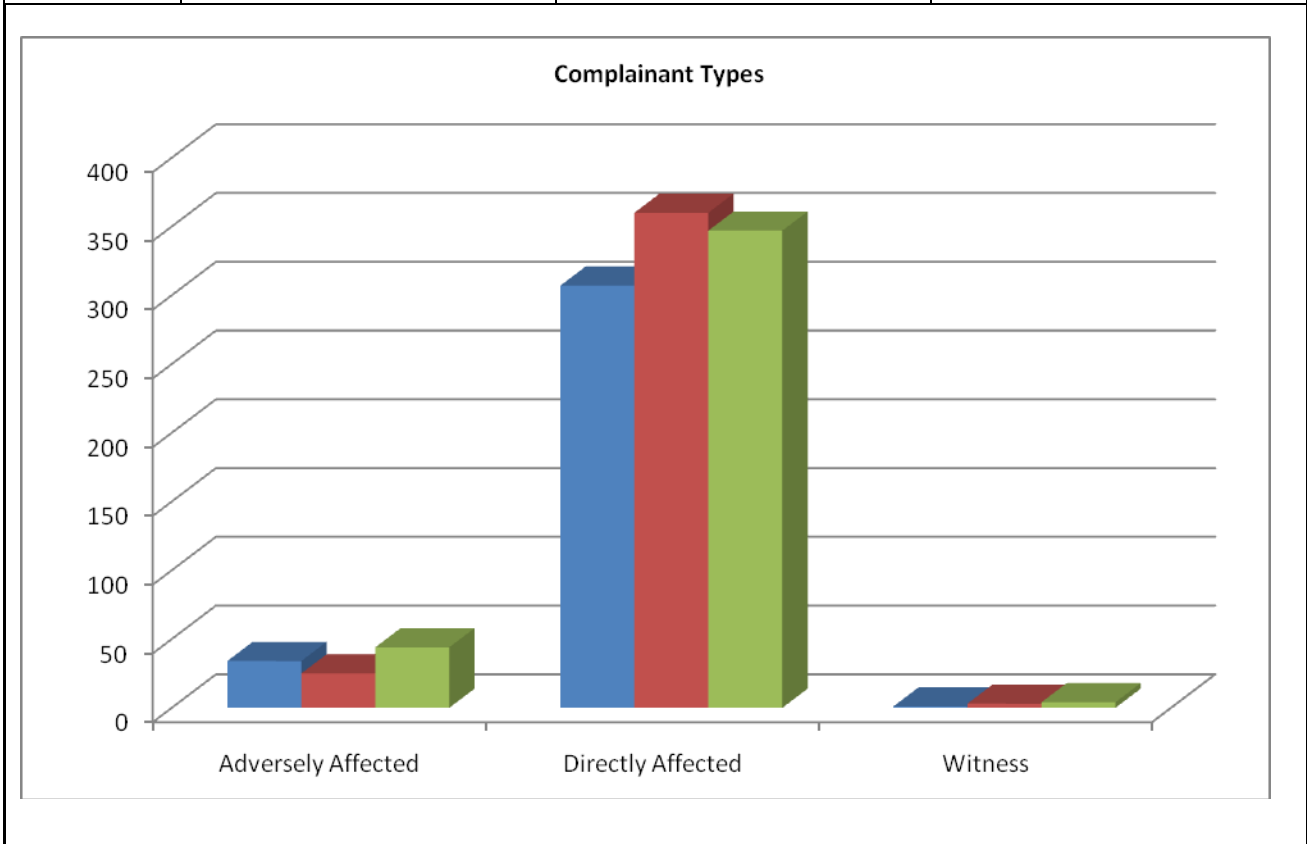
SECTION 4
Analysis of social factors relating to complainants characteristics

Percentage change in the tables: ■ Positive ■ Negative

The table below gives a breakdown of complainant types

Table 13 Complainant Types

	Adversely Affected	Directly Affected	Witness
2008/09	34	307	1
2007/08	25	360	3
2006/07	44	347	4



- The total number of complainants has decreased compared to the previous two years
- The majority of complainants are those directly affected; they also show the largest decrease
- Adversely affected complainants has slightly increased and include parents of minors or the partner of the directly affected individual

Initiatives & Actions to Improve Access to PSD

Website	A complaint form can be completed and submitted directly into PSD
Signposts	Identified representatives act as contact points for complainants from minority groups, this option as a means of contact is negligible further work is being attempted to stimulate local involvement
Divisions	Complaint literature available in enquiry offices and community buildings in languages appropriate to the community.

Table 14 Gender of complainants

	2008/09	2007/08	2006/07
Males	226	242	249
% Change	- 6.6		- 2.8
Females	114	143	144
% Change	- 20.2		- 0.7
Unknown	2	3	2

- The gender of complainants is not reflective of the population
- 2001 Bedfordshire Census shows the gender split is 50/50 although 66% of complainants are males, this has been consistent over the last three years
- The biggest decrease is female complainants

Table 15 Age of complainants

	2008/09	2007/08	2006/07
0-19	19	19	19
% Change	0		0
20-29	60	61	63
% Change	- 1.6		- 3.1
30-39	79	117	93
% Change	- 32.5		+ 25.8
40-49	90	85	93
% Change	+ 5.9		- 8.6
50-59	40	36	44
% Change	+ 11.1		- 18.2
60+	29	23	21
% Change	+ 26.0		+ 9.5
Unknown	25	47	62
% Change	- 46.8		- 24.2

- The age of complainants has fluctuated over the last three years, although those aged 60 plus are increasing.

Table 16 Ethnicity of complainants

	2008/09	2007/08	2006/07
White	227	267	284
% Change	- 14.9		- 6.0
Black	34	36	45
% Change	- 5.5		- 20
Asian	44	52	41
% Change	- 15.4		+ 26.8
Other	11	4	3
% Change	+ 175		+ 33.3
Unknown	26	29	22
% Change	- 10.3		+ 31.8

- 2001 Bedfordshire Census shows the population breakdown of ethnic groups as:
 - 86% White – 66% of complainants are from the White community
 - 8% Asian - 13% of complainants are from the Asian community
 - 3% Black – 10% of complainants are from the Black community

Initiatives & Actions to Improve Access & Confidence in the Complaints System

A complaint form can be found in various languages on the website

The complaint form can be completed and submitted into PSD electronically

Community representatives act as contact points

Complaint packs and literature are available in variety of languages

Independent Advisory Group members meet with PSD on a regular basis

Complainant details such as ethnicity, age and gender are collated where available at the time of the complainant being made and later at case conclusion via a complainant survey.

The main allegation made by complainants with or without a previous conviction is 'Other Neglect of Duty'; these are consistent compared to last year. It is difficult at this stage to identify any patterns owing to the high number of unknowns as up until recently there was no requirement to record previous conviction data.

Initiatives & Actions to Improve Data Recording for Previous Convictions

The convictions field within the complaints and discipline database has now been made mandatory to improve recording and enhance the ability to identify and analyse trends.

The largest employment category is 'unknown' and once again steps are being taken to secure employment status for trend identification and analysis.

Initiatives & Actions to Improve Data Recording for Employment

A quality of service survey which requests personal information is sent to complainants when the case is finalised.

SECTION 5
Analysis of social factors relating to subjects characteristics

Percentage change in the tables: ■ Positive ■ Negative

This section is based on the number of staff¹ who has received a complaint against them during this period; each subject is counted once regardless of total allegations or cases.

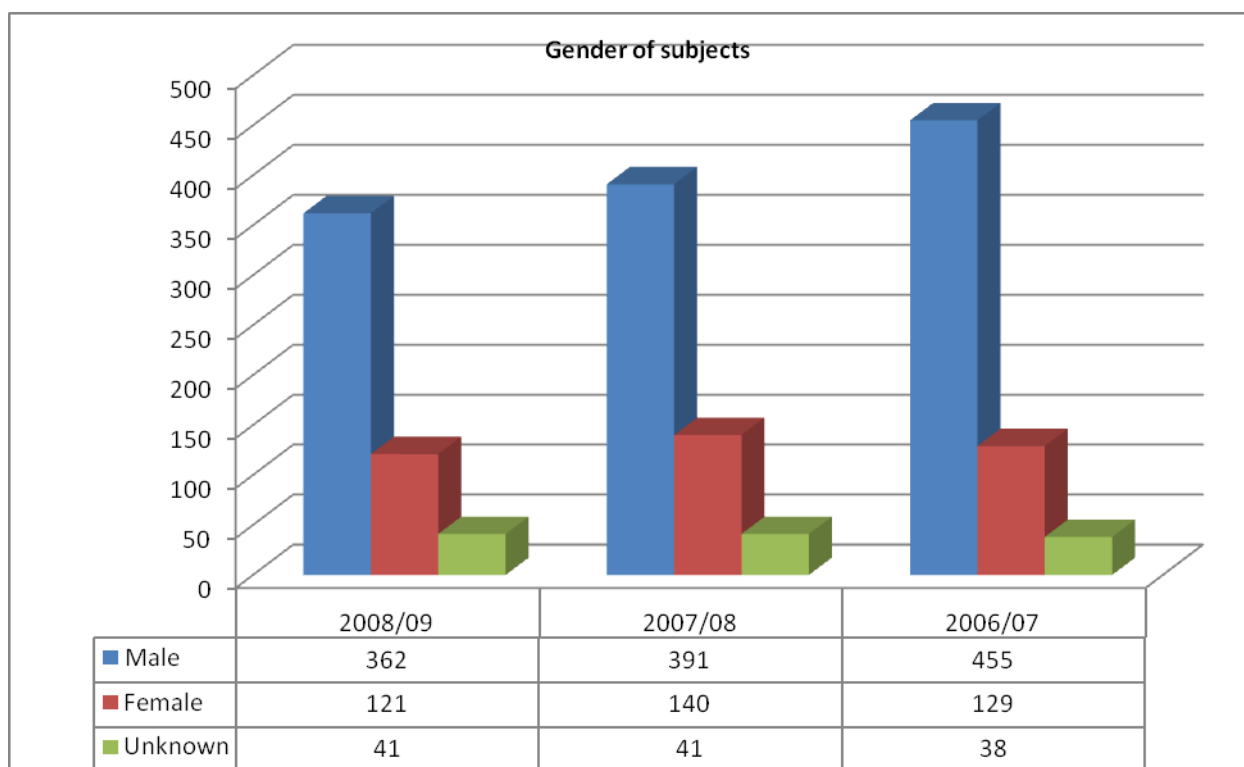


Table below provides a breakdown of gender and staff type

Table 17 Gender & Staff Type of subjects

Gender	Staff Type	2008/09	2007/08	2006/07
Male	Community Support	4	6	0
	Police Staff	18	25	11
	Officers	333	346	433
	Special Constables	5	12	6
	Unknown	2	2	5
Female	Community Support	5	7	1
	Police Staff	18	28	26
	Officers	95	102	102
	Special Constables	3	3	0
Unknown	Community Support	0	0	1
	Police Staff	0	0	1
	Officer	41	41	36
Total		524	572	622

¹ Staff with a complaint is referred to as a subject

- Workforce composition (NMIS) compared to those subject to complaints is:
 - 52% police officers – 89.5% subjects
 - 37% police staff – 7% subjects
 - 6% specials – 1.5% subjects
 - 5% PCSO – 2% subjects
- The number of subjects has decreased by 8% (48) compared to last year.

Table 18 Age of subjects

	2008/09	2007/08	2006/07
0-19	3	4	1
% Change	- 25		+ 400
20-29	160	172	233
% Change	- 6.9		- 73.8
30-39	178	177	205
% Change	+ 0.5		- 13.6
40-49	114	120	115
% Change	- 5		+ 4.3
50-59	25	50	27
% Change	- 50		+ 85
60+	3	5	0
% Change	- 40		+ 500
Unknown	41	44	41
% Change	- 6.8		+ 7.3

- Age band '30-39' is the age of the majority of subjects and is the only one to have an increase albeit small

Table 19 Ethnicity of subjects

	2008/09	2007/08	2006/07
White	447	484	544
% Change	- 7.6		- 11
Black	1	10	3
% Change	- 90		+ 233
Asian	23	31	23
% Change	- 25.8		+ 34.7
Other	8	2	7
% Change	+ 300		- 71.4
Unknown	45	45	45
% Change	0		0

- Workforce composition (NMIS) compared to those subject to complaints is:
 - 92% White - 85% subjects
 - 4.6% Asian- 4% subjects
 - 1.7% Black – 0.5% Subjects
 - 0.2% Other – 1.5% Subjects
 - 1.5% Unknown – 8.5% Subjects
- The decrease in subjects is evident in all ethnic categories except those in ‘other’;

Table 20 Length of service

	2008/09	2007/08	2006/07
0-2	128	173	237
% Change	- 26		- 27
3-5	172	181	195
% Change	- 5		- 7
6-10	109	72	51
% Change	+ 51		+ 38
11-15	39	48	47
% Change	- 19		+ 2
16-20	35	59	49
% Change	- 41		+ 20
21-25	22	20	26
% Change	+ 10		- 23
26+	19	19	17
% Change	0		+ 12
Unknown	0	0	0
% Change	0		0

- 0-2 years service is the probationary period for new recruits, complaints are more likely during this time of learning although this year they are at an all time low.
- The largest proportion is within the 3-5 years service range, the first few years after their probation and this would also represent the service band of the majority of front line patrol officers.
- The 6 – 10 year service group has continually increased over the last three years

Initiatives & Actions to Improve Performance

Members of PSD gives presentations to recruits (police officers, police staff and volunteers)

PSD delivers an input at every law update seminar

In respect of the 6-10 year service band, research and consultation is being conducted on to address.

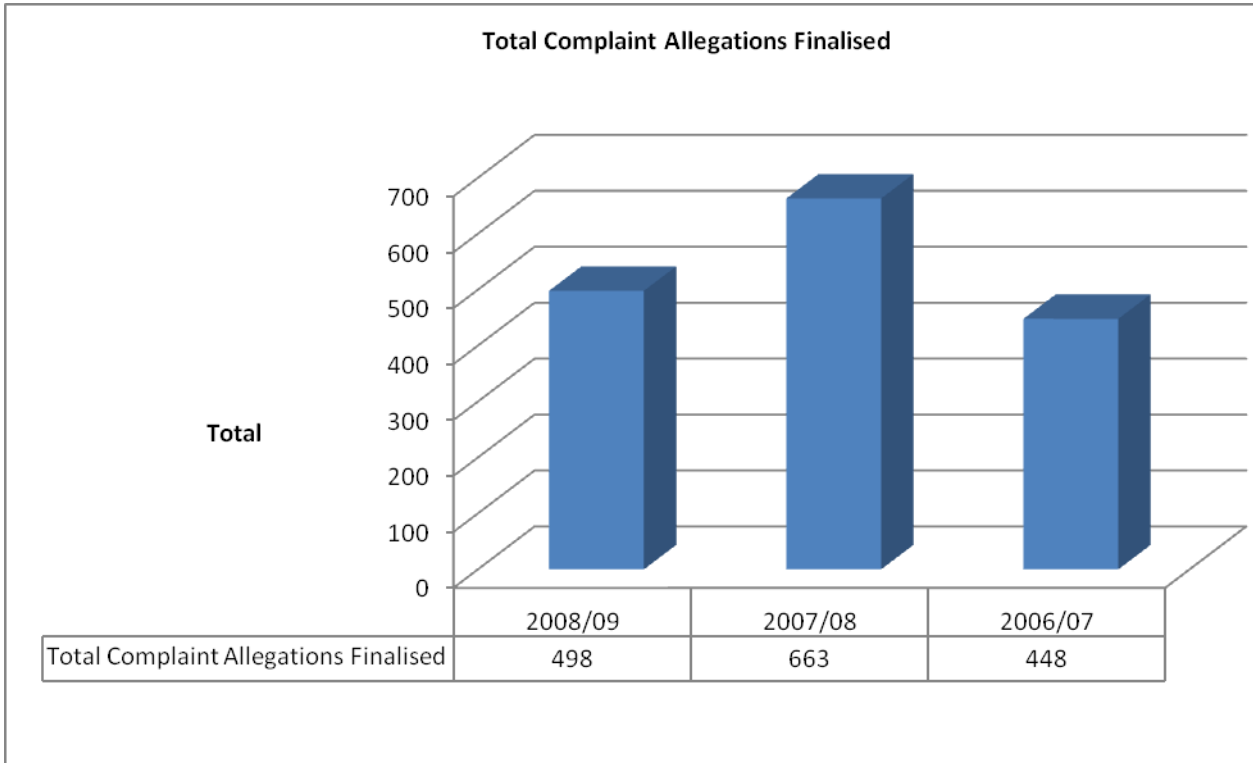
Patrol sections now receive regular PSD inputs

Police Authority attend student training to discuss role, complaints and expectations

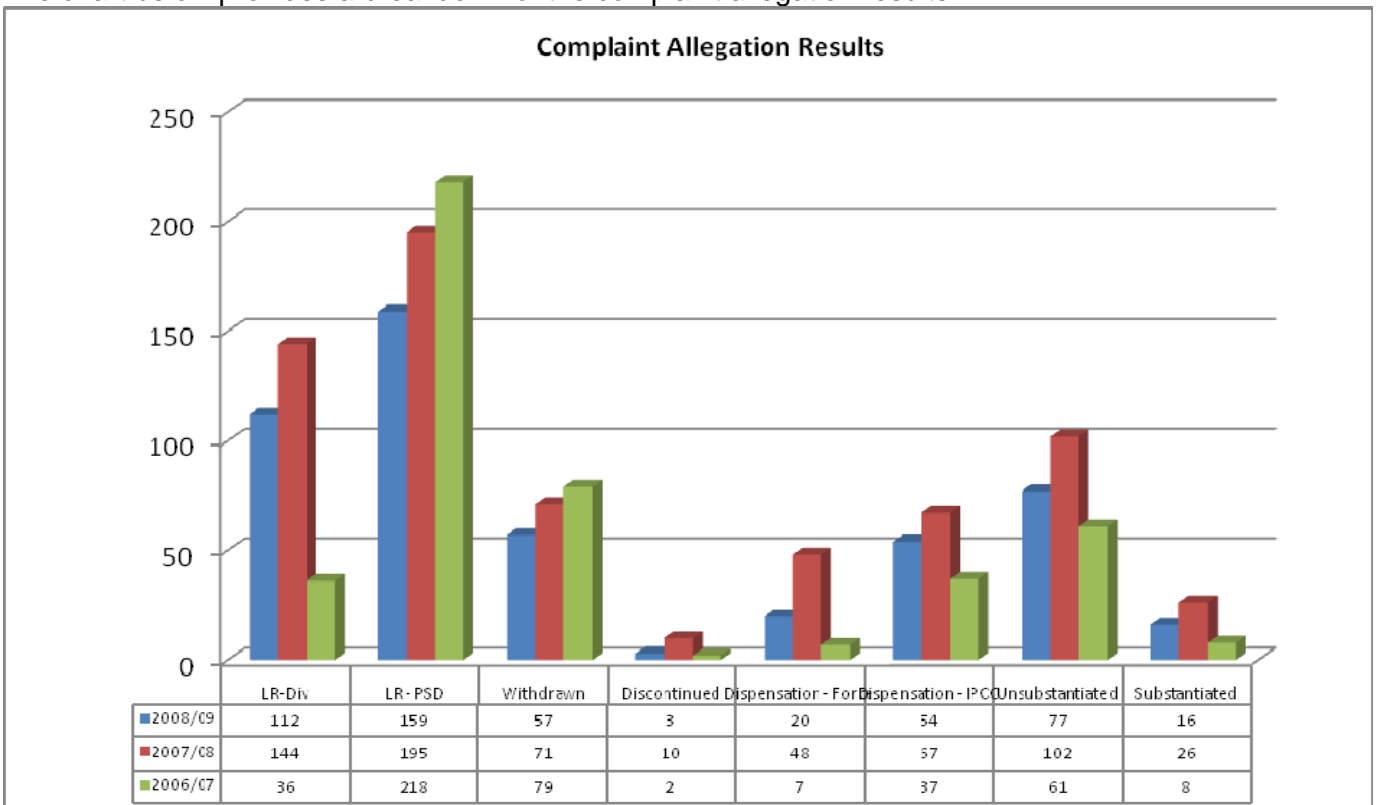
Complaint and discipline records are thoroughly checked for suitability of new tutors

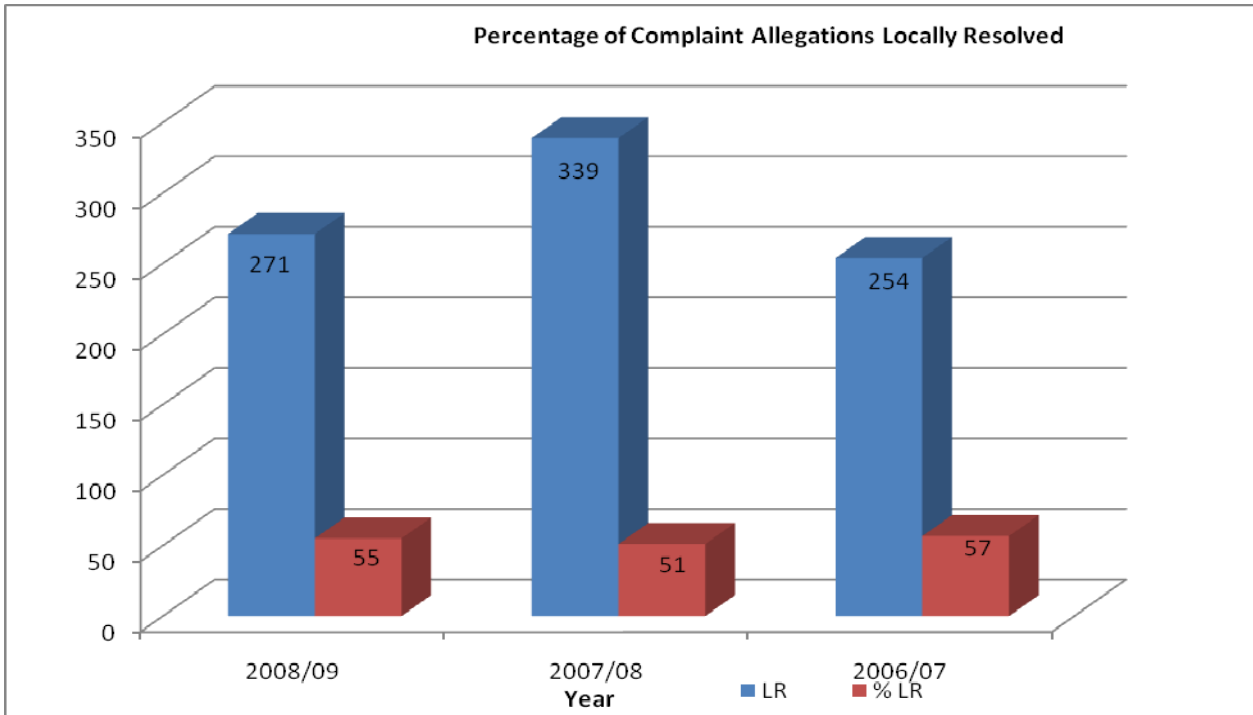
SECTION 6
Complaint Allegations Finalised

Compared to last year the number of complaint allegations finalised have decreased by 24.8% and increased by 11% against 2006/07.

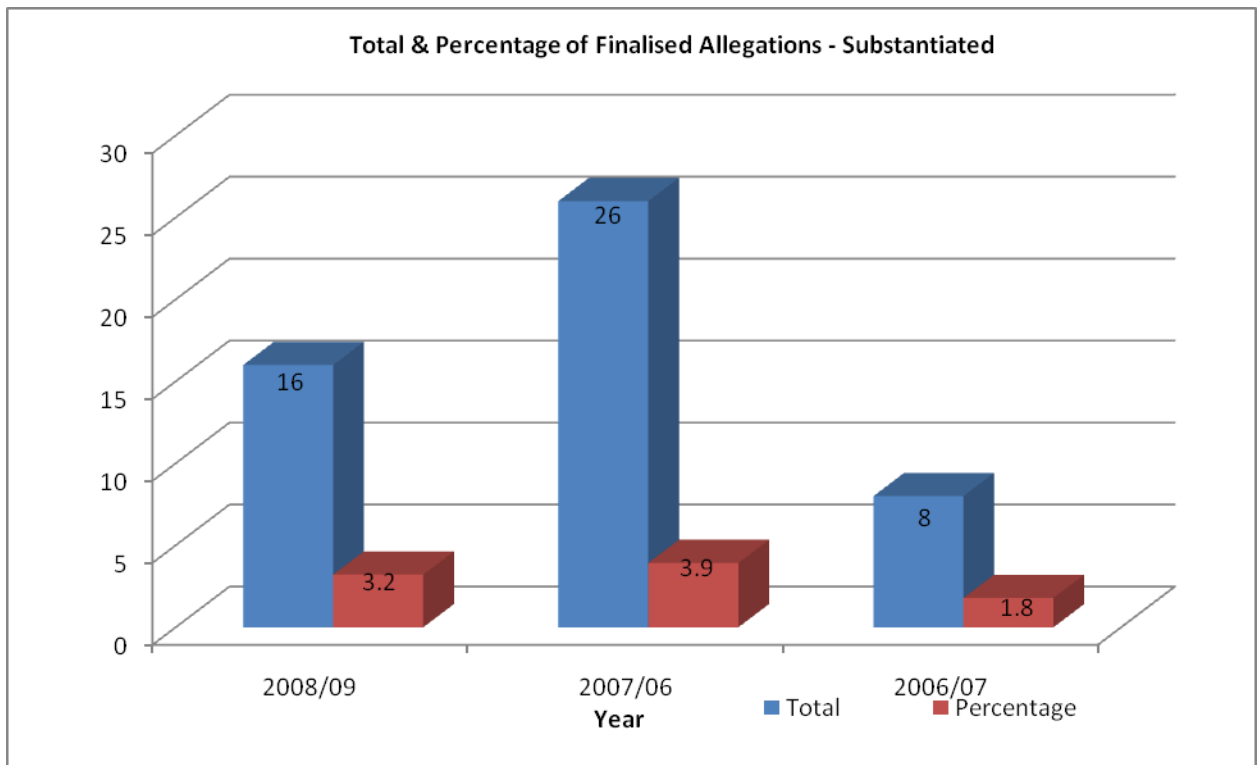


The chart below provides a breakdown of the complaint allegation results





- The actual number of complaint allegations locally resolved has decreased compared to last year by 20% yet increased by 6.7% on the previous year.
- Despite the number decrease the local resolution percentage of all complaint cases is a healthy 55%; this is above the MSF 41% average and the 43% IPCC 2007/08 national average²



² IPCC national average is taken from end of year statistical report 2007/08

- The actual number of complaint allegations substantiated has decreased this year compared to last year by 38%.
- The total and percentage of substantiated allegations is currently below the MSF 6% average and the 11% IPCC 2007/08 national average³

Allegations Result & Complainants Ethnicity

Of the 498 finalised allegations⁴ this year involving 352 complainants, of these allegations:

- 145 (29%) related to the minority ethnic community
- 337 (68.%) related to the white community
- 20 are unknown

Of the 145 ethnic minority complainant allegations finalised

- 8 (5.5%) were substantiated compared to 9 (2.7%) of 337 for white complainants⁵
- 68 (47%) were locally resolved compared to 197 (58%) of 337 for white complainants
- The substantiated allegations from ethnic minority complainants are from one case by two complainants, whereas those with the white complainants are separate complainants and cases.

Allegations Result & Subjects Ethnicity

The 498 allegations finalised⁶ involved 528 subjects, of these allegations:

- 52 (10%) were ethnic minority staff
- 408 (82%) were white staff
- 54 were unknown – in all these instances the member of staff was never identified

Of the 52 ethnic minority subject allegations finalised

- 3 (6%) were substantiated compared to 15 (4%) against white subjects
- 37 (71%) were locally resolved compared to 244 (60%) for subjects of a white background

³ IPCC national average is taken from end of year statistical report 2007/08

⁴ Breakdown below will not equal 498 as a complaint can be linked to different complainants

⁵ This total does not match the overall total of 16 as one allegation involves a complainant from each community

⁶ Breakdown will not equal 498 as a complaint can be linked to different subjects

SECTION 7
Investigation Times

Percentage change in the tables: ■ Positive ■ Negative

The number of complaint cases finalised have slightly decreased when compared to last year, both in the overall number of cases closed and those closed within the same period as recorded.

Table 21 Cases Closed

	2008/09	2007/08	2006/07
All Cases Finalised	349	432	309
% Change	- 19		+ 40
Cases Finalised of those received in same period	210	240	193
% Change	- 12.5		+ 24

Table 22 Cases Closed within 120 days against cases recorded

	2008/09	2007/08	2006/07
Cases Received	318	373	374
All Cases Finalised within 120 days	297	312	260
Percentage of cases	92	84	70

Table 22 is a measure of cases finalised within 120 working days against the number of cases received into force and not against the total number of cases finalised.

Full Investigations

There has been a decrease in the number of full investigation cases finalised this year compared to last year, but the number of cases completed within 120 working days is significantly increasing.

Table 23 Full Investigation Cases Closed & 120 Day Timescale

	2008/09	2007/08	2006/07
Total Full Investigations	54	67	37
% Change	- 19		+ 81
Total Full Investigations completed in 120 working days	43	26	19
% Change	+ 65		+ 37

Local Resolutions

Table 24 is a measure of cases and not allegations therefore if a case had two allegations and one was substantiated and one locally resolved the timescale measure will be that of the higher level outcome, hence substantiated.

Table 24 Local Resolution Cases & 120 Day Timescale

	2008/09	2007/08	2006/07
Total Local Resolution Cases	204	233	176
% Change	- 12		+ 32
Total completed in 120 working days	197	205	164
% Change	- 4		+ 25

- There has been a decrease in the number of cases locally resolved and those completed within the 120 working day target, that said only 7 took longer than 120 days compared to 28 last year.
- Whilst the finalising of local resolutions within 120 working days has slightly decreased, meeting the timescale target for full investigations has significantly increased.

In accordance with the IPCC statutory guidance the timescale for local resolutions is an average of 28 days; the number of cases meeting the target has been stable during the last three years the average timescale has significantly decreased.

Table 25 Local Resolution Cases & 28 Day Average Timescale

	2008/09	2007/08	2006/07
Total Local Resolution Cases	204	233	176
Total completed in average of 28 working days	17	19	15
% Change	- 10.5		+ 12
Average Working Days – all local resolution cases	42	61	53

Initiatives & Actions to Improve Performance

Taylor Implementation (01/12/08)

Local resolution training for:

- * Customer Service Managers
- * Territorial Policing Managers

This involves reminding divisions that timescales are critical also the requirement for succinct recording so as to reduce any likelihood of appeal. PSD and divisions work together in keeping managers updated in how to complete a local resolution.

**SECTION 8
IPCC Appeals**

Table 26 Appeals – Category and outcomes

		Out-standing	Not Upheld	Upheld	Total
Complaint	LR Process				
	2008/09	0	12	1	13
	2007/08	0	5	3	8
	2006/07	0	9	0	9
	Outcome of Police Investigation				
	2008/09	3	10	2	15
	2007/08	0	19	1	20
	2006/07	0	10	0	10
Direction & Control	Non Recording of a Complaint				
	2008/09	1	7	4	12
	2007/08	0	4	2	6
	2006/07	0	7	3	10
Inbox	Non Recording of a Complaint				
	2008/09	0	3	1	4
	2007/08	0	2	3	5
	2006/07	2	3	3	8

Initiatives & Actions to Improve Performance

The majority and content of appeals made for non recording of a complaint when recorded as a direction and control matter is currently being monitored by PSD.

Table 27 Percentage of appeals against cases finalised.

	2008/09	2007/08	2006/07
All Cases Finalised	349	432	309
Total Appeals	43	39	37
% Appeals of all Finalised Cases	12	9	12
% Upheld	19	23	16

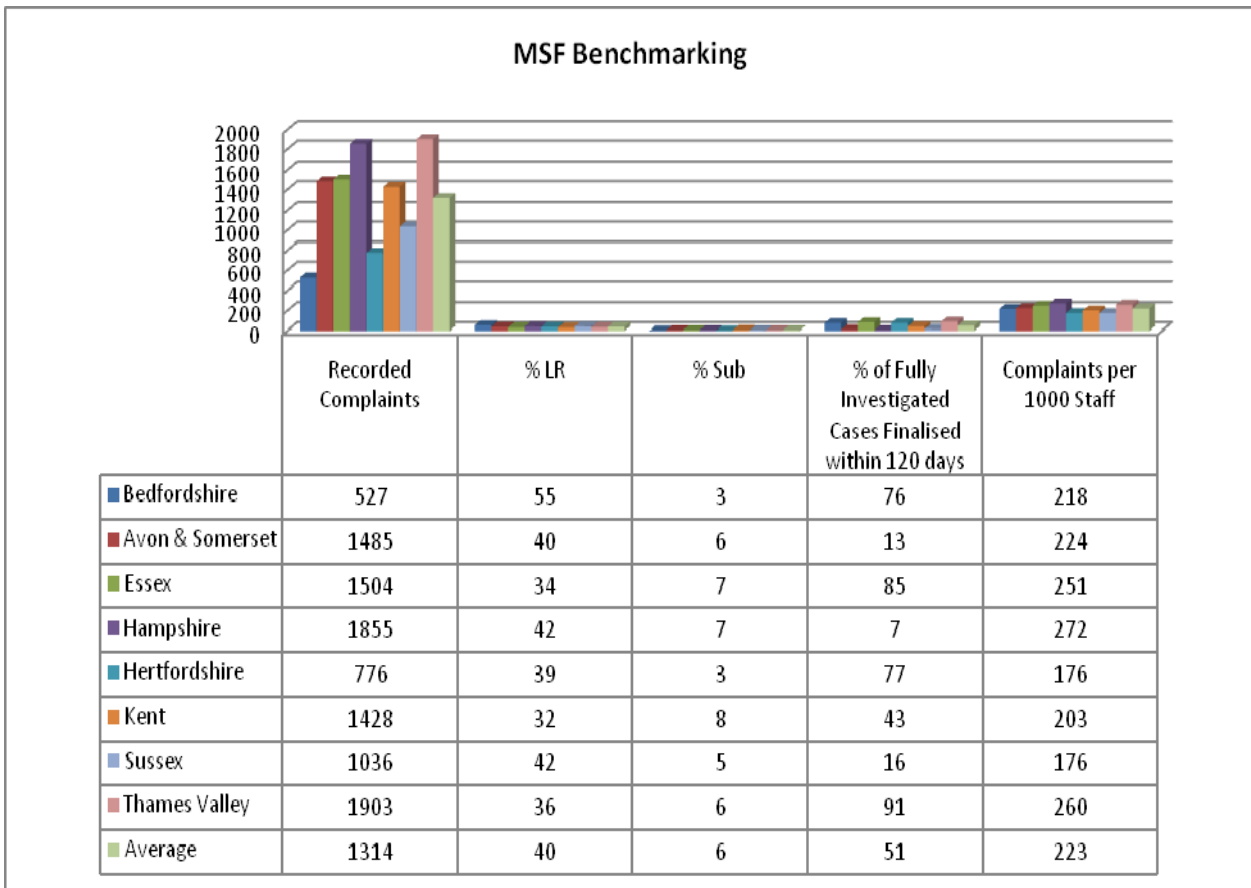
The number of appeals lodged with the IPCC by complainants has slightly increased over the last three years; percentage of these upheld has decreased this year compared to last by 20%. The percentage upheld is well below the IPCC 2007/08 national average⁷ of 28%.

⁷ IPCC national average is taken from end of year statistical report 2007/08

SECTION 9
Most Similar Family (MSF)

Most Similar Family (MSF)

MSF benchmarking data is compared against five other forces that are similar in demographics



In comparison Bedfordshire is better than the MSF average in all areas:

- Recorded complaints
- Percentage local resolutions
- Percentage of substantiated complaints
- Percentage of cases finalised within 120 days
- Allegations per 1000 staff

Bedfordshire is best performing in the areas of:

- Recorded complaints
- Percentage of local resolutions
- Percentage of substantiated complaints

SECTION 10
Conduct Matters

Recorded

The number of conduct matters recorded has consistently increased; this is partly due to the increase in confidential reporting via the confidential e-mail system.

Table 28 Matters recorded:

Conduct Code	Categories	2008/09	2007/08	2006/07
01	Honesty & Integrity	16	20	13
02	Authority, Respect & Courtesy	8	13	7
03	Equality & Diversity	3	0	7
04	Use of Force	8	3	1
05	Orders & Instructions	9	6	0
06	Duties & Responsibilities	14	27	7
07	Confidentiality	9	8	6
08	Fitness for Duty	0	0	0
09	Discreditable Conduct	4	0	0
10	Challenging & Reporting Improper Conduct	0	0	0
H	Criminal Offences	3	4	10
I	Property	4	1	3
J	Sobriety	0	1	0
L	General Conduct	28	33	24
TOTAL		106	116	78

- General Conduct has been consistently highest over the past three years
- Majority of categories have decreased this year compared to last
- The conduct codes above have been changed to reflect the new professional standards of behaviour as of 1st December 2008. Six of the 08/09 recorded allegations are under the new Taylor regulations.

Of the 28 general conduct:

- Eight Staff were off duty (three of these are alcohol related)
- Eight allegations are where staff have inappropriately used the force email or internet systems.

The table below provides a breakdown of staff types who have misconducts recorded against them; they will not equate to table 28 that counts allegations whereas table 29 counts staff

Table 29 Staff Type of subjects

Staff Type	2008/09	2007/08	2006/07
Community Support	5	6	1
Police Staff	19	14	29
Officers	55	62	99
Special Constables	7	4	4
Total	86	86	133

6 of the above Officers are under new Taylor

The total number of police staff as subjects has increased this year compared to last.

Initiatives and Actions to Improve Performance

Conducts recorded against police staff are currently being monitored

Head of PSD provides presentations at the

- * Law Input Seminars
- * All staff induction training
- * Student Training
- * Special Constable Training
- * Departmental training sessions

Professional Standards investigative work and methods of reporting are marketed at every opportunity

Taylor Implementation

'Martin Darlow advice column' that answers questions asked confidentially or recurring themes.

Finalised

The number of misconduct matters finalised has increased compared to last year

Table 30 Matters Finalised

Conduct Code	Categories	2008/09	2007/08	2006/07
01	Honesty & Integrity	18	16	19
02	Authority, Respect & Courtesy	9	14	2
03	Equality & Diversity	1	7	1
04	Use of Force	6	2	4
05	Orders & Instructions	7	3	0
06	Duties & Responsibilities	21	26	12
07	Confidentiality	12	5	6
08	Fitness for Duty	0	0	0
09	Discreditable Conduct	1	0	0
10	Challenging & Reporting Improper Conduct	0	0	0
H	Criminal Offences	5	5	12
I	Property	2	2	2
J	Sobriety	1	0	0
L	General Conduct	38	30	12
TOTAL		120	110	70

Of the matters finalised there were three conduct hearings completed

Table 31 Total Conduct Hearings Completed

	2008/09	2007/08	2006/07
Hearings Completed	3	4	4

The total of sanctions in the below table will not equal the number of matters finalised as it is the most severe sanction that is shown against a member of staff in any one case, which can be multiple.

Table 32 Sanctions

Most Severe Sanction	2008/09	2007/08	2006/07
Dismissal	1	1	1
Required to resign	1	0	3
Fine	0	1	2
Reprimand	1	14	1
Written warning	30	77	10
Advice	11	40	8
Management Action	3	0	0

The high number of Reprimands and Written Warnings in 2007 relate to Operation Coupon

Table 33 Resigned before hearing

Resigned before charges	2008/09	2007/08	2006/07
Resigned before hearing	4	8	5

**SECTION 11
Criminal Prosecutions**

There has been two criminal prosecutions recorded this period

Table 34 Criminal prosecutions recorded

	2008/09	2007/08	2006/07
Criminal Prosecutions	2	3	1

**SECTION 12
Direction & Control**

Recorded

Table 35 Recorded Categories

Type	2008/09	2007/08	2006/07
General Policing Standards	143	79	124
Operational Management Decisions	10	25	42
Organisational Decisions	16	16	19
Strategy and Policy on Operational Policing	24	12	27
Total	193	132	212

The number of Direction and Control cases have increased this period but fluctuated over the last three years, what is consistent is that 'General Policing Standards' is the top allegation.

Table 36 Recorded Letters of Appreciation

Type	2008/09	2007/08	2006/07
Letters Of Appreciation (LOA)	210	167	NA

No comparisons can be made regarding letters of appreciation as PSD did not start to record until June 2007.

Finalised

Table 37 Categories

Type	2008/09	2007/08	2006/07
General Policing Standards	137	75	124
Operational Management Decisions	14	25	40
Organisational Decisions	18	17	17
Strategy and Policy on Operational Policing	21	13	29
Total	190	130	210

As the numbers fluctuate in recording they have in finalising.

The IPCC state a 28 working day timescale for Direction and Control matters to be dealt with; the percentage of finalised in that time has increased.

Timescales

Table 38 Timescales

Type	2008/09	2007/08	2006/07
Total finalised (excl LOA)	190	130	210
Total Less than 28 days	123	72	121
% Less than 28 days	65	55	58

SECTION 13
Conclusion

The Force continues to meet the requirements of the provisions of the Police Act 1996 with regard to the handling of Complaints and Misconduct and the Police Authority remained properly informed of the workings of Sections 67 to 76 of that Legislation.

SECTION 14
Recommendation

That the report be accepted and noted by members of the Police Authority.

INDEPENDENT CUSTODY VISITORS' PANEL

27th January 2009

Minutes of Meeting

Mrs P Fletcher (Chair)

Mr George Dykes, Mr. Vic Eltringham, Ms Sandra Fairs, Mr Paul Fensom, Mrs Sylvia Gillard, Mrs Linda Hockey, Mr Philip Jerred, Mr. Lee Knapp, Mr Humayun Kobir, Ms June Laws, Mr Abdul Malik, Mr David Miller, Mr Graham Mitchell, Mr Hugh Pratt, Mr Michael Rudd, Mr Ranjit Singh, Mr Stephen Tiktin, Mr Barry Wheeldon, Mrs Lenanne Whitehead.

Ms Janet Wardell, T/Superintendent Ian Middleton and Superintendent Martin Darlow

Apologies for absence were received from ICV's Mrs Susan Edghill, Mr Paul Cunningham, Mrs Honey Farmer, Mr Nick Hill, Mr Richard Sutton, Ms Jacqueline Dowsing and Authority Members Mr Shahzad Choudhry, Mrs Kathy Johnson and Mr Raja Saleem

1. MINUTES

The minutes of the Independent Custody Visitors' Panel held on 21st October 2008 were confirmed.

2. COMMUNICATIONS

The Chair advised the Panel that Superintendent Wilson had moved to a new position in the Force. Chief Inspector Ian Middleton had taken over his role as Head of the Criminal Justice Department in a temporary capacity. The Chair formally recorded her appreciation for Superintendent Wilson's involvement in the operation of the Custody Visiting scheme.

3. MATTERS ARISING

The main matters arising were as follows:

Annual Report

The Chair advised that the Annual Report which was due to be published in January was now unlikely and it was hoped that the Secretariat for the Authority might be in a position to produce the report by the end of April.

The Term 'Lay Visitor '

T/ Superintendent Middleton agreed to progress the update of files labelled 'lay visitor' to Independent Custody Visitor in the custody suites.

Performance monitoring framework for Independent Custody Visiting Scheme

The Chair advised that some work had been undertaken to produce a performance framework but needed to be progressed further before submission to the Panel.

Recruitment of Custody Officers

Mrs Hockey and T/Superintendent Middleton were to meet within the next week or so to discuss the recruitment problems in Custody.

Operation Safeguard

T/ Superintendent Middleton advised that Operation Safeguard had been suspended until the foreseeable future.

4 REPORT OF BEDFORDSHIRE POLICE CUSTODY SUITES

T/Superintendent Middleton circulated at the meeting his report on the management of the Custody suites. The following issues were highlighted

Resource Levels:

Since the last meeting there had been an increase in numbers of Detention Officers following several recruitment drives to bolster their establishment. Two new detention officers had recently started at Luton and one new officer at Bedford. This increase in interest in the posts had come as a result of the Force Recruitment Department adopting a new approach to recruitment of Detention Officers and had advertised in specialist publications associated with security work.

Staff Changes:

There had been no significant changes to staff posts at Luton and the Panel noted the changes at Dunstable and Bedford Custody suites.

Estates:

Luton had suffered damage to a further cell with paint covering being peeled from the wall of the cell. This has been reported to Estates, but will result in

the cell being taken out of commission in order to ensure further damage is not sustained.

The Estates Helpdesk by which faults could be reported on line had helped reduce the waiting time for cell block repairs, with the significant exception being any repairs to toilets and wash hand basins. This was because these items were bespoke and need to be ordered when damaged. Dunstable have had a cell out of operation for a considerable length of time awaiting a new toilet cistern and Bedford have been awaiting a part for a wash hand basin since before Christmas.

On this point the Chair expressed her disappointment that Estates had not undertaken to keep spare toilets as had been previously requested and Superintendent Middleton would raise this point with them.

The Home Office Custody design team have been invited into the Force to look at the custody facilities. They had recommended some minor changes to the building at Bedford and Dunstable and the Estates Department were currently working with contractors to establish how these changes could be brought about with minimum disruption to the operation of Custody.

Breath Test Machine:

The Lion Intoxilyser machine at Luton had been out of commission for some time due to a technical fault. Significant effort has been put in to resolving this problem, but as yet it remains unsolved.

Drug Testing:

Drug Testing on arrest under the Government's D.I.P. scheme would be rolled out across the Force from April 9th 2009. This was likely to require some minor modifications to the custody facilities at Bedford and Dunstable. ICV members would be advised of any required cell block closures in advance.

Smoking

In a recent visit it would appear that a Custody Visitor went round the cells telling all detainees they would be allowed to smoke.

On behalf of the Custody Managers, Ian Middleton reminded the Panel that smoking was only allowed at the discretion of the Custody staff and that this was not always possible given the pressures on staff time to perform various functions. The purchase of nicotine lozenges for Custody was actively being explored. The Chair required further clarity around the smoking policy and wished to see a no smoking policy introduced. An update on the progress being made with the purchase of lozenges would be made at the next meeting.

5 CUSTODY VISITING UPDATE FROM THE CHAIR

ICVA Regional Representation

The Independent Custody Visiting Association (ICVA) had received unanimous support to change its constitution in respect of regional representation on its Executive Committee. Regional Areas had now been redefined by the Association of Police Authorities and the Eastern Area was to now include the six police authorities of the Eastern Region. (Cambridgeshire, Norfolk, Suffolk, Herts, Essex and Bedfordshire). Previously Bedfordshire was part of the South East Region which included the Hertfordshire/Essex and Thames Valley Police Authorities.

The Eastern Region Collaboration JSC meeting had agreed that regional meetings would comprise representatives from ICVs, Members and Scheme Administrators Committee.

The Eastern Region Joint Statutory Committee had agreed that each Authority in the Eastern Region was entitled to have representation from and ICV, a Lead Member and Scheme Administrator.

The Eastern Region Joint Statutory Committee would appoint on an annual basis the region's representative on the ICVA Executive Committee and that person would be the chair of the Eastern Region Committee for Custody visiting. . Mr D wood of Suffolk PA had been appointed to the position for the forthcoming year.

To help Panel Members understand the new process the Scheme Administrator agreed to circulate some background information. Any ICV interested in being considered as a representative from the Authority was asked to contact the Scheme Administrator by 13th February.

Recruitment and Training

The Chair explained that the Authority's secretariat had been unable to start the process of recruitment in January as originally planned. It was hoped that the recruitment campaign would now be undertaken in April. In the meantime the Chair encouraged existing visitors to undertake additional visits to enable the targets to be met.

6. COMPLAINTS PROCEDURE

The Chair welcomed Superintendent Darlow Head of the joint Bedfordshire and Hertfordshire Professional Standards Department to present a report on a proposed procedure to deal with alleged inappropriate conduct by, towards or in the presence of an Independent Custody Visitor

The Panel supported the implementation of the process.

The Chair advised that the Complaints and Professional Standards

Committee would need to formally approve the new process but given that its next meeting was not until May , and as Chair of that Committee she intended to introduce the new process with immediate effect

The new process would be communicated to all Custody Staff and Custody Visitors.

RECOMMENDED

That the Authority adopt the implementation of the resolution procedure for dealing with process for dealing inappropriate conduct by, towards or in the presence of an Independent Custody Visitor as detailed in the report now submitted.

7. ATTENDANCE AT RECENT CUSTODY EVENTS

(a) National ICVA Conference – 1 November 2008

The Chair advised that the main issues discussed at the National Conference related to the restructure of the ICVA Executive Committee and self introduction.

(b) Bedfordshire Police Custody Forum – 5th November

Sandra Fairs gave a brief presentation on the matters that had been discussed at the Annual Custody Forum on 5th November. The Forum was an annual training and networking event for Custody Staff. ICV's had been invited to attend the Forum to learn about the issues facing Custody Staff. A number of ICV's had attended the event and all had considered the event to be very informative. ICV's were to be included as attendees for this annual event. The possibility of incorporating a presentation about the ICV scheme on the programme for the 2009 event was to be considered by Inspector Ed Devlin, the Coordinator for the event.

Honey Farmer had also prepared a report on the issues raised at the Forum and this was circulated to those present at the meeting.

8 CUSTODY VISITING – NEW PROCEDURES

The Scheme Administrator had submitted a report on 3 new procedures for the Panel to consider

(a) Self Introduction

Research had revealed that a number of authorities had implemented a self introduction scheme which had increased the number of detainees consenting a visit significantly. It was also a process recommended by ICVA.

A card displaying the introduction for ICV's to use as guidance had been prepared and was issued to those present at the meeting.

A brief role play exercise was undertaken on the procedure to follow for ICVs' to introduce themselves to detainees.

T/Superintendent Middleton advised that all Custody Suites would be notified of the change to self introduction and it was agreed that to allow sufficient time for this to be communicated the start date should be 1st March.

The ICV Handbook and Bedfordshire Police Policy and Procedures would be revised to include the new introduction procedure. The procedure would be reviewed quarterly at ICV Panel meetings.

(b) Revision of Custody Forms 548 (Independent Custody Visitor Record) and 549 (Independent Custody Visit Consent Form)

The panel noted that a small working party consisting of Independent Custody Visitors, the Chair of the Panel, Chief Inspector (Criminal Justice) and the Scheme Administrator met in early December to discuss changes to procedures in custody regarding custody visits and revisions to Forms 548 and 549.

The main revisions to Form 548 had been the inclusion of Monitoring data on detainees, gender, age (juvenile or adult), ethnicity and detainee category. This information would be captured from the Independent Custody Visit Consent Form (549) and would have been provided by the Custody Officer who filled in this form.

Other changes included a seen/not seen option and a reason would be required for all detainees that are not seen in the remarks column.

All Custody officers would be recorded by their collar number only. This was in line with protocols for Critical Incident and Persons Detained under Terrorism Legislation.

Form 549 Independent Custody Visit – Consent Form had been revised to reflect the changes to self introduction and amendments to Form 548. Revised versions of these forms were appended to the report. For consideration.

During the discussion some members of the panel expressed the following concerns about the proposed revisions:

- Duplication of recording the monitoring data completed on the consent form
- Would ICV 's feel comfortable in seeking information on ethnicity if required to do so

- If looking to establish emerging trends the Form 548 forms should include a column identifying an individual's gender.

On the second bullet point T/Superintendent Middleton advised that this information would be provided by the Custody Officer.

The panel wished to give further consideration to the amendments to the forms at the next meeting. The Scheme Administrator would circulate the forms to all ICV's for further comment and amendment.

(c) Matters for Consideration by the Duty Inspector

As agreed at the last meeting an information sheet had been prepared for ICV's which set a process for escalating issues of concern to the Duty Inspector. The Information sheet also provided details of the types of issues would need to be brought to the attention of the duty inspector.

9 DATE OF NEXT MEETING

The next meeting would be held on Tuesday 28 April 2009 at Bridgebury House

6.00pm	Buffet
6.30pm	Meeting begins

Appendix

RESOLUTION PROCEDURE

1. Proposed Procedure - Report by Independent Custody Visitor

- 1.1 In the event that an Independent Custody Visitor, as part of his/her custody role, witnesses or encounters inappropriate conduct by a Bedfordshire Police employee he/she will make a note as soon as practicable of the date, time, location and identity of the perpetrator of the alleged inappropriate conduct, any other persons present and the details of the occurrence.
- 1.2 The Independent Custody Visitor will then bring the incident to the attention of the Custody Inspector (officer responsible for reviews of detention) or other officer of at least the rank of Chief Inspector as soon as practicable and in any event before they leave the Police Station. The officer receiving this report will inform the Head of Criminal Justice as soon as practicable.
- 1.3 The Independent Custody Visitor will provide the details of the incident to the Chair of the Independent Custody Visitor scheme who will consider the report and if appropriate pass to the Head of Professional Standards for investigation and resolution in accordance with statutory guidance governing police complaints and misconduct procedures.
- 1.4 The Head of Professional Standards will deal with any allegation in accordance with statutory guidance in collaboration with the Head of Criminal Justice including consideration for mediation.

2. Proposed Procedure – Report by Bedfordshire Police Employee

- 1.1 In the event that a Bedfordshire Police employee witnesses or encounters inappropriate conduct by an Independent Custody Visitor whilst that person is engaged in her/his custody role the employee will make a note as soon as practicable of the date, time, location and name of the Independent Custody Visitor, other persons present and the details of the occurrence.
- 2.2 The Bedfordshire Police employee will then bring the incident to the attention of the Custody Inspector (officer responsible for reviews of detention) or other officer of at least the rank of Chief Inspector as soon as practicable and before the Independent Custody Visitor leaves the Police Station. The officer receiving this report will inform the Head of Criminal Justice as soon as practicable.
- 2.3 The Bedfordshire Police employee will provide the details of the incident to the Head of Criminal Justice who will consider the report and if appropriate pass to the Chair of the Independent Custody Visitor scheme for investigation and resolution.