

GWENT POLICE AUTHORITY

PROFESSIONAL STANDARDS COMMITTEE

7th July 2009

Present: Mrs P E Davies (Chair)
Councillors H Andrews, P Clarke, M Evans and W John Williams
Mr D Bayliss and Mr R Derricott

Together With: Mrs C Napier – Deputy Chief Constable (DCC)
Detective Supt A Maher – Head of Professional Standards
Detective Chief Inspector I Roberts
Chief Inspector R Price
Mr P Gregory – Risk Manager
Mrs S Bosson – Chief Executive
Mrs S Curley – Business and Member Services Manager
Mrs M Lambert – Committee and Member Services Officer

The meeting commenced at 10.00 a.m.

APPOINTMENT OF CHAIR

Action

1. We appointed Mrs P Davies as Chair of the Committee for the ensuing 12 months. Mrs Davies thanked Members for their support.

APOLOGIES FOR ABSENCE

2. Apologies for absence were received from Mr T Davies, the IPCC Commissioner for Wales.

DECLARATIONS OF INTEREST

3. There were no declarations of interest.

MINUTES

4. The minutes of the meeting held on 10th March 2009 were received and confirmed.

ACTION SHEET

5. **Page 1 Minute 3 Use of Police Custody as a Place of Safety and Section 136 Detentions**
The DCC asked Chief Inspector Price to pass on the information regarding North Wales's research to the Commissioner for Wales on her behalf. **CC**

We noted that Ty Sirhowy and St Cadoc's Hospitals would operate as designated Places of Safety under the Mental Health Act 2007. Ty Sirhowy would be ready in September and St Cadoc's from October. We agreed that this was very good news and Members asked that their

CC

thanks be passed on to the Chair of the Gwent Section 136 Steering Group for the contribution made towards achieving this result.

Action

It was suggested that Members of the Police Authority attend the opening of the Units. Dates to be forwarded to the Police Authority when available.

CC/CEX

Page 3 Minute 8 Occurrences of Incivility

We were informed that the Senior Manager for Public Confidence was linking this into her work on public confidence.

Page 4 Minute 9 Chief Officers' Declaration of Interest Register

Members noted the register, which would be brought to the Committee every year for inspection.

We were advised that the Police Authority's register of Interests and Hospitality was presented to the Ethical Standards Committee for annual monitoring.

TERMS OF REFERENCE

6. A copy of the Terms of Reference for the Professional Standards Committee were circulated to Members and accepted.

DATES OF FUTURE MEETINGS

7. We received and agreed the following dates:

Professional Standards Committee – 10th November 2009, 9th March 2010

Complaints File Inspections – 14th September 2009, 15th January 2010, 7th May 2010.

The Chair reminded Members of the importance of attending the Complaints File Inspection meetings and asked that these dates be prioritised in Members' diaries.

PRESENTATION ON HMIC INSPECTION AND NPIA PEER REVIEW

8. We received a presentation from Chief Inspector R Price on the Custody Inspections 2009 by HMIC and the NPIA.

HMIC Inspection

Gwent Police may have **unannounced** inspections. We noted the following:

- HMIC would require access within 30 minutes
- Custody Managers would be point of contact or Silver Cadre
- All Custody staff briefed on access and remit of inspections

We were informed that following a two-year project, a Gwent Police

Custody Manual had been produced which was closely based on 'Safer Detention and Handling of Persons in Police Custody'.

Action

NPIA Inspection

We noted the following:

- Reviewing 43 Forces' custody provision in 2009-07-15 Remit – 'Safer Detention and Handling of Persons in Custody 2006'
- Best practice published Autumn
- Gwent visit on 27th August

Members noted that the Custody Peer Review 2007/2008 was a very positive report for Gwent identifying, strengths and areas for development.

Strengths

- Robust approach to risk management
- Ongoing policy and procedures
- Force approach to managing adverse incidents
- Progress in Mental Health provision

Areas for Development

- Align resources more effectively to demand
- Facilities for TACT detainees
- Limitations to CCTV provision
- Officer Safety and First Aid training

We noted that an up to date action plan had been submitted to the NPIA under 13 separate headings and 63 further sub headings/descriptions. A project risk register was backed by an implementation support plan and risks have been linked to objectives. We were informed that at this time there are no areas of high risk and that the majority of areas are low risk.

We were informed of the progress in areas for development:

- Revised rota for custody sergeants
- Monmouth identified and prepared as spontaneous TACT facility and debrief
- CCTV Ystrad Mynach being upgraded
- All staff maintaining OST and First Aid training compliance

Areas for self improvement had been identified:

- Review of custody process/staffing
- Evacuation plan revised and up to date
- Consider procedure for heightened security alert state

Members discussed the training requirements for Custody Visitors and Chief Inspector Price offered to conduct one to one training sessions with

Custody Visitors if required. This would be arranged by the Business and Member Services Manager. **Action
CEX**

Discussion took place regarding the recommended number of training days for Custody Sergeants, which Members thought was extremely high (12 days a month). It was agreed that this should be risk assessed and Members would be advised of outcome at the next meeting. **CC**

Members raised issues around the holding of juveniles in detention. It was confirmed that this was always considered high risk and that there would be high levels of observation. Discussion took place regarding the accessibility and source of suitable Advocates and in particular Members queried how quickly an advocate was available to support them. Chief Inspector Price agreed to contact other Agencies to ascertain their protocols and guidelines on the Advocate Scheme. It was suggested that the All Wales DCC could pick this up with the Youth Offending Teams across Wales. The DCC agreed to take this forward and link to the LCJB. **CC**

Discussion took place regarding the two designated custody units, Newport and Ystrad Mynach. We were informed that the non designated custody units could be used in exceptional circumstances for a restricted period of time but the environment would necessitate one to one monitoring. However, it was recognised that additional travel and escort duties were necessary. Chief Inspector Price held geographical information on detainees and this would be passed on to Members outside of the meeting. We were informed that Ystrad Mynach's CCTV was being updated from the Safer Detention funds which would bring it in line with the more efficient system being used at Newport. **CC**

In response to a question from a Member about the sufficiency of the existing Estates provision for custody, the DCC indicated that due to work ongoing under the 2011 project an additional custody suite may not be required. What was needed was experienced Officers to deal with detainees in a more effective and efficient way.

It was confirmed that consideration had been given to emergency procedures with regard to the swine flu. We noted that Chief Inspector Price would shortly be commencing work on emergency plans for Newport and Ystrad Mynach which would cover a possible security alert situation. Chief Inspector Price confirmed that she would be commencing work on these emergency plans shortly.

Following the inspections, Chief Inspector Price would come back to the Committee to update Members on outcome and recommendations.

Members thanked Chief Inspector Price for her informative presentation which showed the excellent work being carried out. A copy of the power point presentation would be circulated to Members. **CC/CEX**

PROFESSIONAL STANDARDS COMMITTEE MONITORING FRAMEWORK

9. We received a report from the Chief Executive which provided Members with a proposed performance monitoring framework applicable to the

revised Terms of Reference for this Committee.

Action

We noted the key performance areas set out in the framework:

- Complaints procedures
- Commendations
- Independent Custody Visiting Scheme
- Animal Welfare Scheme

The Chief Executive informed Members that additional reporting areas may be added and work was progressing with Chief Supt Prince and his team on requirements.

Members discussed the need to make good news stories more accessible to the public and we were informed by the DCC that the Senior Manager for Public Confidence was re-designing The Guardian, which would incorporate this type of information.

Members accepted the report and agreed to use the framework as a basis from which to exercise the delegated powers to monitor and scrutinise the activity of Gwent Police as applicable to the Committee's Terms of Reference.

INDEPENDENT CUSTODY VISITING SCHEME UPDATE AND ANNUAL REPORT

10. We received a report from the Chief Executive which provided an update on the Independent Custody Visiting Scheme together with a draft Annual Report.

We were informed that the Business and Member Services Manager and Councillor Williams had been attending the Custody Sergeants' training sessions to provide an update on the Custody Visiting Scheme.

Members noted the following:

There were currently eight visitors on the Scheme. Four visitors had resigned from the Scheme since last reported to the Authority mainly due to changes in domestic circumstances, health or time pressures. Interest in joining the scheme had increased as a result of an article in the Local Policing Summaries which were distributed to households throughout Gwent. At this stage 17 application forms had been requested and 3 returned.

We were advised that prior to interviews a half day introductory session would be arranged to give a fuller understanding of the custody visiting role. Training would then be arranged for all custody visitors. We noted that custody visitors had been invited to a Police Force diversity training course but unfortunately this had been cancelled. Whenever possible suitable in-house training would be offered to custody visitors.

The Business and Member Services Manager and Business Support

Officer attended the ICVA Conference in Birmingham on 24th and 25th June. Key issues discussed included: **Action**

- Human Rights for Police Authorities
- PACE Review and Joint Working
- Collaboration Opportunities
- Joint Inspection of Custody Findings, Outcomes and Implications

We were advised that collaboration opportunities were limited as Police Authorities were using different monitoring forms which made it difficult to measure performance. The Business and Member Services Manager and Chief Inspector Price would meet to discuss a way forward. **CC/CEX**

We noted that the National Conference, later in the year, would be held in Leicester.

Members were informed that the Long Service awards would take place at the next Chief Constable's Commendation Ceremony.

We noted the draft Annual Report and the following was highlighted:

Custody Suite Locations

Monmouth was missing as a non-designated station and it was agreed that the Business and Member Services Manager would add this to the list. **CEX**

Performance Statistics

The statistics were not presently available as problems had been experienced with regard to sharing the current data collection software package. We were advised that the Business Support Officer was now the Assistant Scheme Administrator. The data sheet would be brought to the next meeting. Following a Member's question it was confirmed that the monitoring form completed by custody visitors was basic and the necessary data would be processed and analysed by the computer software presently being used. **CEX**

We noted that there was no specific budget for the Scheme and that expenses came from the general budget.

It was agreed that the completed Annual Report could be circulated to Voluntary Organisations. **CEX**

MINUTES OF THE COMPLAINTS FILE INSPECTION – 12TH MAY 2009

11. We received and confirmed the minutes of the 12th May 2009.

We noted that the requested information on the current position of complaint files had been received from DCI Roberts and this information had been forwarded to Members.

LEARNING THE LESSONS BULLETIN

Action

12. We received the Learning the Lessons Bulletin 7 and Members noted that item 2.4 referred to Gwent Police.

MEMBER REPORT

13. We received and noted a Member report from the Chief Executive which reported on visits and meetings attended:

**Chief Executive, Community Engagement Manager and Mr B Hughes
24th March 2009 Complaints Against Police Authorities – Public
Services Ombudsman for Wales Event, Llandrindod Wells**

**Councillor H Andrews and the Chief Executive 24th April 2009
Training for Police Authorities – The Police Conduct and
Performance Regulation**

**Councillor W J Williams 27th April 2009 – Custody Sergeants
Training**

**Business and Member Services Manager and Business Support
Officer 24th and 25th June 2009 - ICVA Scheme Administrators'
Conference**

COMMENDATIONS

14. We received a report from the Chief Executive that provided details of correspondence sent to the Police Authority which praised the actions of Police Officers and Staff.

Members noted the report and agreed that it was encouraging to receive positive feedback from the public.

PRESENTATION ON MISCONDUCT REGULATIONS AND PROCEDURES

15. We received a paper from the Chief Constable on the Taylor Reforms – Police (Conduct, Performance and Attendance) Regulations 2008 and we noted the following key changes:

- Creating the distinction between misconduct and gross misconduct

We noted that previously this had not existed. An assessment was now made to decide at what level a case would be dealt with.

- Creating the ability to refer cases for management action or under Unsatisfactory Performance Procedures
- Creating initial and ongoing system of assessment to ensure that cases are dealt with at the right level and that action remains proportionate

- Creating a two-tier system (misconduct meetings and hearings)
- Police Authority representation on Gross Misconduct Panels

Action

The Police Authority will use the Independent Misconduct Panel Members to sit on the misconduct panel. It was agreed that another Member should be trained but we noted that there was a shared arrangement with the other Welsh Forces. It was estimated that there could potentially be 4 to 5 hearings per year.

- Removal of the Chief Constable's Review
- Special Case Hearings

We were informed by the DCC that this allowed the Chief Constable to make a dismissal at the hearing and we noted that this had already been used. The Police Authority would only become involved if there was an appeal from this process.

- PAT rules amended.

SUMMARY OF COMPLAINTS

16. We received a paper from the Chief Constable which gave a summary of Complaints for Quarter 4 2008/2009 Financial Year and the following was highlighted:

- During the Quarter 4 period of 2008/09 (January to March 2009 inclusive), 62 complaint cases were recorded by the Force. This represents a decrease of 24 complaint cases (-28%) compared with the equivalent Quarter in 2007/08.
- Year to Date figures for the period 2008/09 (April to March 2009 inclusive) are 264 complaint cases compared with 320 cases recorded for 2007/08, a decrease of 28%.

It was confirmed that the Most Similar Forces (MSF) mentioned in the report was the latest recognised group of Forces relating to Gwent.

We noted the considerable drop in reported cases of neglect and incivility and it was agreed that next quarter data would be compared against the new Force structure rather than the old BCU format.

Members accepted the report and were pleased to note the decreases indicated.

BUSINESS INTERESTS AND SECONDARY EMPLOYMENT ANNUAL REPORT

17. We received a report from the Chief Constable which provided statistical information abstracted from the Force's Register of Business Interests. It outlined information on the number of applications received and approved

in respect of all staff for the year 2008/09 as well as information for previous years.

Action

It was highlighted that the processes for the recording and approval of Business Interest had been enhanced since the service improvement report to the Police Authority in September 2005. The number of applications in 2008/09 had fallen by 30% compared to 2007/08. The 28 day compliance rate had fallen from 96% to 72%. Steps were being taken to re-introduce tighter controls of decision making, which should lead to an improvement in the 28 day compliance rate in 2009/10.

Members noted the report and it was agreed that the policy needed to be updated. Legal advice was being taken and the amended policy would be brought back to the Committee when available for Members consideration.

CC

CIVIL CLAIMS

18. We received a bi-annual report from the Chief Constable which outlined details of civil claims received from the public relating to the period 1st April 2004 to 31st March 2009. We noted that an additional 51 claims had been received since 17th October 2008.

Members thanked the Risk Manager for his bi-annual report, the details of which were noted.

EXCLUSION OF PRESS AND PUBLIC

19. We resolved to exclude the press and public from the meeting during consideration of the following items of business in accordance with the provisions of the Local Government Act 1972 on the grounds that they may involve the likely disclosure of exempt information as defined in Part 4 of Schedule 12(A), paragraphs 12, 14 and 18 of the said Act

IPCC INVESTIGATIONS

20. We received from the Chief Constable a matrix listing the IPCC investigations which showed 2 independent, 3 managed and 4 supervised cases.

Also circulated to Members was a paper on the Management of Registered Sex Offender. We noted the findings and recommendations and were informed that the recommendations had been acknowledged and addressed. Terms of reference had been agreed and implemented in order to manage sex offenders more effectively and efficiently.

RISKS IDENTIFIED

21. There were no new risks identified

We were informed that as from the 1st August 2009, Det Chief Inspector Roberts would be working as a Det Chief Inspector in the Volume Crime department and that Det Chief Inspector Paul Griffiths would be moving to the Professional Standards

Department. Members thanked Det Chief Inspector Roberts for his contribution to the Committee and Members wished him well in his new post.

The meeting concluded at 12.40 p.m.