



Complaints, Integrity and Ethics Panel



ANNUAL ASSURANCE REPORT 2018

Introduction and Background

1. The Police and Crime Commissioner for Thames Valley (PCC) is responsible for securing the maintenance of an efficient and effective police force. The Chief Constable of Thames Valley Police (TVP) is responsible for maintaining the Queen's peace and has direction and control over TVP officers and staff.
2. The PCC, on behalf of the public, is responsible for holding the Chief Constable to account for the exercise of his functions, including those of persons under his direction and control, and for the overall performance of the Force. However, in law, the PCC must not fetter the operational independence of the Force or the Chief Constable who leads it.
3. Under the Police Reform Act 2002, the Chief Constable is the 'Appropriate Authority' responsible for dealing with complaints and misconduct matters raised against TVP police officers and staff below the rank of Chief Constable and/or complaints about the quality of service members of the public have received from the Force. In practice, the Chief Constable delegates this statutory responsibility to his Professional Standards Department (PSD). One of the PCC's 'holding to account' duties is to monitor all complaints made against police officers, staff and the quality of service provided by the Force whilst having responsibility, as the 'Appropriate Authority', for handling all complaints made against the Chief Constable. The Chief Constable, therefore, has a duty to ensure adequate and effective systems and procedures are in place for managing and monitoring complaints against the Force, and for ensuring the PCC is kept informed of matters relating to the handling of complaints against TVP in such a way as to enable the PCC to discharge his statutory obligations in relation to complaints.
4. To help discharge their respective responsibilities, in April 2014 the PCC and Chief Constable jointly established the 'Complaints, Integrity and Ethics Panel'. The Panel currently comprises of eight independent members of the public who were appointed following an open recruitment and selection process.
5. The purpose of the Panel, as reflected in its Terms of Reference, is "*...to provide a transparent forum that monitors and encourages constructive challenge over the way complaints against police officers and staff and integrity, ethics and professional standards issues are handled by TVP and overseen by the Chief*

Constable and the PCC...". A copy of the Panel's current Terms of Reference is attached at Appendix A.

Purpose of Report

6. The purpose of this Annual Assurance Report is to provide the PCC and Chief Constable with an assurance, as appropriate, as to the adequacy and effectiveness of the Force's arrangements for handling and dealing with complaints made against the Force. This report brings to the attention of the Chief Constable and the PCC whether the Panel has any collective views, concerns or recommendations, based on its assessment of the type and volume of complaints made against the Force. The report also details how they were dealt with, concerning issues relating to policing integrity, ethics and professional standards.

Panel Findings – Complaints Handling

7. The Panel may receive, upon request, a random selection of closed complaint files based on a theme agreed by members. Files are randomly selected from those held by the PSD. The case files are made available before meetings for the Panel to scrutinise in readiness to feed back comments at the Panel meeting and to address issues arising. Panel members also attend confidential PSD Tasking meetings where live cases are discussed.
8. During the period December 2017 to December 2018, Force-wide complaint themes and cases reviewed at the Panel meetings were as follows:
 - Honesty, integrity and ethics.
 - Discreditable conduct.
 - Black and minority ethnic (BME) representation.
9. The random testing of complaints revealed queries that required further information to be provided by PSD. This served to provide assurance to members as to the appropriateness of the outcome for those complaints and/or to facilitate informed consideration by members as to whether some operational practices giving rise to a complaint may benefit from formal policy review by the Force.
10. Nevertheless, the Panel's scrutiny of complaint cases has revealed no serious procedural failures. We are satisfied that, overall, the procedures themselves (as pertinent to the categories of complaints reviewed) comply with the requirements of the national police complaints system and appear fit for purpose, and the management of complaints handling overall by PSD is considered by members to be of a high standard.

Panel Findings - PSD Complaints & Misconduct Performance Reporting and Monitoring System

11. At each meeting, the Panel received a copy of the PSD performance monitoring report presenting data covering complaints and misconduct matters. The data is divided into two sections, namely 'Complaint Information' and 'Conduct Information'. Complaint Information relates to complaints made by members of the public; Conduct Information relates to matters raised and reported internally. Previously the Panel changed the frequency of data presented to make it more pertinent.

12. Matters of concern and issues raised or noted by members during the year included:

- The time taken (as in the number of days) to resolve complaints compared to other Forces together with the number of complaints rising.
- BME staff under-representation as a proportion of the workforce within TVP along with the number of BME officers being complained about.
- Use of force by officers.
- Justification and proportionality of Stop and Search powers.
- Treatment of detainees in custody with mental health issues. The Panel drafted a letter to Lord Chancellor and Secretary of State for Justice MP David Gauke in regards to these issues.
- Delay in examination of ICT equipment relating to alleged offences.
- Prioritisation of child sexual exploitation (CSE) cases.
- A desire for a greater focus by the Panel on 'discrimination and equality' complaint cases.
- Disclosable relationships with the Force.
- Ethical dilemmas.
- Abuse of authority in relation to officer relationships with victims of crime.

All of these concerns and issues were satisfactorily considered and explained either at the relevant meetings or 'action items' were tabled to address the concerns at future meetings.

13. As a result of the monitoring report data presented, the Panel had previously requested that Local Area Commanders attend meetings to address complaints and misconduct performance management data relating to their Local Police Area (LPA). During 2018 the Panel received a presentation from the LPA Commander for Windsor and Maidenhead, to provide assurance relating to what action was being taken to address previous levels of complaints within that LPA. In addition, ACC Nikki Ross, Supt Kath Lowe, ACC Tim De Meyer have provided presentations and briefings.

Panel Findings – policies and practices concerning professional standards, integrity and ethics issues

14. During the year the Panel received presentations, reports and ‘question and answer’ sessions that have provided the opportunity for members to reflect on professional standards, integrity and ethical issues and how well they are reflected in operational policing policies and practices.
15. Presentations received covered the following topics:
 - Use of Force.
 - Equality, diversity and inclusion in the workforce.
 - Support Association for Minority Ethnic staff (SAME).
 - Mental health issues within the Force.
 - Firearms presentation and demonstration.
 - CSE update.
 - Drugs in custody.
16. The Panel have offered independent observations and advice which has been positively received by the Force as ‘constructive challenge’ and acted upon as necessary and appropriate.

Other Panel Business – General

17. The Panel’s Terms of Reference are attached at Appendix A.
18. Following three new members being appointed to the Panel in early 2017, in 2018 Roy Abraham left the Panel, leaving eight Panel members at present.
19. Members requested and adopted a new procedure for personal ‘self-reporting of potential conflicts of interest’.
20. The Panel have received updates on the implications of the Policing and Crime Act 2017 in relation to the Home Office’s future reforms of the police complaints system.
21. Members have taken up the opportunity provided to them by the Force to attend the PSD Leadership Continuous Professional Development (CPD) events held in 2018 as well as a selection of LPA visits by PSD.
22. The Office of the PCC Governance Team provided all panel members with General Data Protection Regulation (GDPR) update which was duly agreed and signed by all members.

Conclusions

23. The Panel's purpose is to monitor and, where necessary, challenge the way complaints against TVP police officers and staff are handled by the Force, and how the adequacy and effectiveness of these arrangements and outcomes are overseen by the Chief Constable and PCC. In addition, the work of the Panel includes the review and challenge of associated integrity, ethics and professional standards issues.
24. Constructive challenges over the past twelve months on a wide range of topics have given the Panel a greater insight to the types of complaints and conduct issues faced by the Force and how they are handled.
25. In receiving this insight, however, the Panel continues to appreciate the various external challenges faced by the Force, and the instrumental role played by the PSD. The role of PSD entails investigating complaints in a consistent, transparent and fair manner and identifying police officers and staff who do not reflect the values, ethics and professional standards expected by Thames Valley Police and the communities it serves. The Panel also recognised the importance of 'best practice' and the way PSD seeks this out and implements it across the Force.
26. Nevertheless, the Panel feel that the positive relationship and degree of trust that has developed with the Chief Constable, the PCC and senior staff has enabled the members to contribute constructively and objectively to the ongoing monitoring of the adequacy and effectiveness of the arrangements for handling complaints and the testing of operational policies and practices, from an external, independent, professional standards, integrity and ethics viewpoint.

Assurance Statement

27. In summary, based on the information and knowledge that the Panel have gathered collectively or know about individually, the Panel can provide an assurance to the PCC and Chief Constable that the complaints handling and management arrangements in place within Thames Valley Police are operating efficiently and effectively.

Complaints, Integrity and Ethics Panel

27 February 2019

Panel members:

Mark Harris (Chairman)
Olga Senior (Deputy Chairman)
John Barlow
Dr Hazel Dawe

Ian Jones
Dr Hannah Maslen
Verity Murrice
Andrew Pinkard

APPENDIX A



COMPLAINTS, INTEGRITY AND ETHICS PANEL

TERMS OF REFERENCE

Purpose

Policing in this country is by consent of the public. Police integrity is critical if the public are to trust the police to use their powers wisely and fairly.

The Complaints, Integrity and Ethics Panel ('the Panel') has been jointly commissioned by the chief constable and the Police and Crime Commissioner (PCC). The purpose of the panel is to provide a transparent forum that encourages constructive challenge over the way complaints against police officers and staff and integrity, ethics and professional standards issues are handled by Thames Valley Police and overseen by the Chief Constable and the PCC.

This will help to ensure that Thames Valley Police has clear ethical standards and achieves the highest levels of integrity and service delivery.

Terms of Reference

1. To regularly review a selection of complaints files so that the Panel can satisfy itself that the Force's working policies and procedures for handling and resolving complaints made against police officers and staff comply with the requirements of the Police Reform Act 2002, complaints regulations and Independent Police Complaints Commission statutory guidance.
2. To use performance data regarding complaints to ensure that the Force has an effective complaints reporting and monitoring system in place and is identifying and learning from any recurring patterns or themes.
3. To review the progress of live complaint cases or misconduct investigations, including appeals that cause or are likely to cause particular community concern.
4. In undertaking terms (1) to (3), to continually monitor the proportionality and consistency of decision making, and raise any concern with respect to the occurrence of, or potential for, apparent bias or discrimination against minority groups as appropriate.

5. To provide a forum to debate issues and operational dilemmas facing the Force concerning professional standards, integrity and ethics (whether brought to the Panel or raised by the Panel), within the context of the principles and standards set out in the Code of Ethics, and to challenge and make recommendations about relevant integrity policies.
6. To report, on an annual basis, the summary findings, conclusions and recommendations of the Panel to the Chief Constable and the PCC.
7. To consider within one month any allegation of misconduct or proposal for dismissal made against the Chief Executive and/or the Chief Finance Officer of the Office of the PCC, and recommend to the PCC whether it should be further investigated or progressed.
8. At all times, to maintain confidentiality with respect to the matters and information to which the Panel have access.

May 2017