



## Professional & Ethical Standards Panel



### ANNUAL ASSURANCE REPORT 2020

#### 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. 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. In practice, the Chief Constable delegates this statutory responsibility to his Professional Standards Department (PSD).
4. One of the PCC's 'holding to account' duties is to monitor the adequacy and effectiveness of the Force's handling of all complaints made against police officers, staff and the quality of service provided by the Force. To enable the PCC to discharge his statutory 'holding to account' obligations in relation to complaints made against the Force, the Chief Constable has a duty to ensure the PCC is kept informed of matters relating to the handling of complaints against TVP and any material issues arising from them.
5. To help discharge their respective responsibilities, in April 2014 the PCC and Chief Constable jointly established the 'Complaints, Integrity and Ethics Panel' (CIEP). In 2019, the Panel updated its terms of reference and changed its name from CIEP to the Professional and Ethical Standards Panel (PESP). As of December 2020, the Panel comprised of 6 independent members of the public who were originally appointed following an open recruitment and selection process. However, 3 new members have been appointed to the panel following a recruitment exercise in

November/December 2020, bringing the total to 9 Panel Members as of February 2021.

As well as helping to ensure the Chief Constable is discharging his respective complaints duties and responsibilities appropriately, other functions of the Panel include monitoring the proportionality and consistency of decision making by the Force as well as constructively challenging the way that the Chief Constable and the PCC handle professional and ethical standards issues. Full details of the remit of the Panel can be found in the Terms of Reference, which are attached

### **Purpose of Report**

6. The purpose of this Annual Assurance Report is to provide the PCC and Chief Constable with an independent 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 any complaints concerning issues relating to policing integrity, ethics and professional standards were dealt with by the Force.

### **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 2019 to December 2020, Force-wide themes and cases reviewed at the Panel meetings were as follows:
  - Persistent Complainants
  - Children in custody
  - County Lines: drugs and gangs and the harm caused through drugs and exploitation
  - Digital strip search.

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

9. 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'. Previously the Panel changed the frequency of data presented to make it more pertinent.

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

- TVP identification and handling methods of vulnerable people/people with mental health issues, including use of force.  
*Reassurance was provided to the Panel about how vulnerable members of the public are being dealt with by TVP. However, due to the high volume of vulnerable people which TVP have to deal with, the Panel made a recommendation that the annual 2 day training package be reviewed.*
- Persistent complainants and the resultant pressure on PSD, together with the impact on the OPCC in relation to resulting reviews.  
*The Panel's scrutiny of this complaint revealed no serious procedural failures. The Panel were satisfied that the procedures put in place to deal with persistent complainants were in accordance with the requirements of the national police complaints system and appeared fit for purpose.*
- Costs involved with persistent complainants.
- Police presence at public protests and policing plans involved.  
*Justification was sought in relation to the requirement to have mounted police in particular relating to the 'Rhodes must fall' protest which was a peaceful demonstration. Rationale was provided in terms of the benefits of having mounted police present in that it provides an overview of the protestors and generally the public like the mounted police and it provides an opportunity to 'bond' with the public. In addition, should the protest go awry, the presence of horses can help to bring a crowd together and can save on the presence of many other additional resources.*
- Body worn video footage (BWV) retention in regards to complaint investigations.  
*Questions were raised about the fact that BWV was destroyed after 12 months and now the 12 month bar on making a complaint under the new Regulations no longer applied, should this 12 month time limit be extended? Assurance was provided that a request would be made that the footage could be kept for longer.*
- Complaints received against Contact Management.  
*Assurances provided from Professional Standards Department about the implementation of the new 'complaints resolution team' to generally help with dealing with low-level complaints informally, quickly and effectively.*
- BAME figures within TVP

- Complaints against BAME officers  
*PSD agreed to provide a comparable report back to the Panel on a periodic basis so that this can be monitored.*
- Inappropriate relationships between officers and members of the public  
*Processes and procedures were discussed.*
- Working with schools and the NHS in regards to County Lines.  
*The welfare and protection of vulnerable individuals was considered in terms of being 'targeted' to supply drugs and the effect of Covid 19 on making it more difficult for those targeted to get support which they might need. Assurance was provided in terms of a system called 'safe call' where someone can 'reach out' for assistance.*
- Seizure of devices and the sharing of information found.  
*Discussion between balancing rights under Article 6 and Article 8. Noting that there was a systemic problem with rape cases.*
- Increase in complaints about stop and search  
*Assurance was provided in terms of how this was recorded as there had been a change in the category.*

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

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

11. 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.

12. Presentations received covered the following topics:

- Use of force on those with Mental Health Issues
- Officer Suspension following a Complaint
- Knowing the Line
- Coronavirus Update from TVP: Policies, Training and Implementation
- Policing Demonstrations/Public Order
- PSD Prevention Strategy: Abuse of Position
- Complaints Reform Status
- Use of Positive Action to Encourage Greater Diversity across the Workforce
- Disproportionality of Complaints against BAME officers
- Persistent Complainants
- Children in Custody

- County Lines
- Digital Strip Search

### **Other Panel Business – General**

13. The Panel decided in February 2020 to begin advertisement for filling Panel vacancies after the PCC elections that were scheduled to be held in May 2020. In the event, the elections were postponed due to Covid 19. Due to the pandemic, recruitment was delayed during the initial lockdown period but it was resumed and dealt with by means of 'virtual interview' in the autumn of 2020.
14. During the meeting held on 26 August 2020, the Panel were unable to review complaints due to the meeting being held by MS Teams. This was due to the personal details contained within the files. This issue was rectified prior to the following meeting held on 21 October 2020.
15. A Criminal Justice Secure email (CJSM) address was confirmed as appropriate to be set up and used for sensitive material.
16. Former Panel member Andy Pinkard's last panel meeting was in February 2020. He was wished well by the members for his contribution to the Panel over many years.

### **Conclusions**

17. 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 ethics and professional standards issues.
18. 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 addressed and responded to.
19. 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 ensuring complaints are handled and investigated 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.

20. The Panel continues to 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 Force performance in two main ways; the ongoing monitoring of the adequacy and effectiveness of the arrangements for handling complaints, together with the testing of operational policies and practices, from an external, independent, professional standards, integrity and ethics viewpoint.

### **Assurance Statement**

21. 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.

### **Professional & Ethical Standards Panel**

March 2021

#### **Panel members:**

Mark Harris (Chairman)

Olga Senior (Deputy Chairman)

John Barlow

Dr Hazel Dawe

Ian Jones

Verity Murrice

## **PROFESSIONAL & ETHICAL STANDARDS 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 Professional & Ethical Standards 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 professional and ethical 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 current legislation, regulation and 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, which 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 review areas relating to professional and ethical standards and to make appropriate recommendations.
6. To consider specific matters referred to the Panel by either the Chief Constable, the PCC or Panel Members and to make recommendations.
7. To report, on an annual basis, the summary findings, conclusions and recommendations of the panel to the Chief Constable and the PCC.
8. 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.
9. At all times, to maintain confidentiality with respect to the matters and information to which the panel have access.

August 2019