



NORFOLK POLICE AUTHORITY

Ensuring an Efficient and Effective Police Service

C.G Harding, MBE, LL.B. Solicitor
Chief Executive to the Police Authority

PROFESSIONAL STANDARDS AND HUMAN RESOURCES (HR) COMMITTEE

Wednesday, 10 February 2010 at 10.00 a.m.

**The NPA Meeting Room, Building 8
Norfolk Police Authority, Falconers Chase,
Wymondham, Norfolk, NR18 0WW**

Note for members of the public: If you have any specific requirements to enable you to attend the meeting (e.g. induction loop or access arrangements), or if you require the agenda and corresponding papers in an alternative format, please contact Nicola Wotton, Chief Executive's Office, prior to the meeting (contact details overleaf)

A G E N D A

Suggested timings	Duration approx (mins)			
10.00		1.	To note any apologies for absence Please ensure that these are submitted to Nicola Wotton, Chief Executive's Office, Norfolk Police Authority	
		2.	Declarations of Personal and/or Prejudicial Interests To remind Members of the need to record any personal or prejudicial interests in items of the agenda. In the case of a prejudicial interest, Members must withdraw from the room during that item of business.	
10.05	5	3.	To confirm the minutes of the meeting held on 17 November 2009	PAGE 5

		4.	To note whether any items have been proposed as matters of urgent business	
			ITEMS FOR DECISION (non-exempt):	
10.10	5	5.	Review of Committee Terms of Reference (Paper PSHR10/01)	PAGE 13
10.15	15	6.	Police Officer Injury on Duty and Ill Health Retirement Review (Paper PSHR10/02)	PAGE 15
10.30	10	7.	Setting Local Employment Targets for Under Represented Groups (Paper PSHR10/03)	PAGE 23
			ITEMS FOR CONSIDERATION (non-exempt):	
10.40	20	8.	Learning and Development Update (Paper PSHR10/04)	PAGE 27
11.00	20	9.	Human Resources Update (Paper PSHR10/05)	PAGE 31
11.20	10	10.	Business Interests Update (Paper PSHR10/06)	PAGE 53
11.30	20	11.	Overview of the Complaints and Discipline Statistics (Paper PSHR10/07)	PAGE 59
		12.	Any other Items of Business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B (4) (b) of the Local Government Act 1972.	
		13.	<u>Exclusion of the Press and Public</u> To pass a resolution that, under Section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Act, and the public interest not to disclose the information outweighs the public interest in disclosing it.	
		14.	EXEMPT ITEMS FOR DECISION:	
			There are none.	
			EXEMPT ITEMS FOR CONSIDERATION:	
11.50	20	15.	Direction and Control Complaint Investigation	ORAL
12.10	15	16.	Consideration of individual Complaints and Discipline matters for the period 1 October to 31 December 2009 (Paper PSHR10/08)	PAGE 79

12.25	15	17.	Overview of Civil Claims and Employment Tribunal statistics for the period 1 October to 31 December 2009 (Paper PSHR10/09)	PAGE 85
12.40 pm approx		18.	To note that the date of the next meeting is Tuesday, 18 May 2010.	

For dates of forthcoming Police Authority meetings, please see our website:

www.norfolk-pa.gov.uk

Committee Membership: Mrs F Anthony, Mr A Gabbair, Mrs V Jenkins, Mrs L Jones, Mr D Reeve, Mr J Perry-Warnes, Mr T Tomkinson, Mr K Turner

Note:

- i) Members are requested to use the spaces available in the staff car park outside Building 8, OCC;
- ii) There will be an informal session for Committee Members only, after the meeting and a buffet lunch will be provided.

Enquiries to:

Nicola Wotton, Chief Executive's Office
Norfolk Police Authority
Operations and Communications Centre (OCC)
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Wymondham
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PROFESSIONAL STANDARDS AND HUMAN RESOURCES COMMITTEE
MINUTES OF THE MEETING HELD AT JUBILEE HOUSE, WYMONDHAM, NORFOLK
ON TUESDAY, 17 NOVEMBER 2009

Present:

Mr R Chapman (Substitute)
Mr P Hardy (Substitute)
Mrs L Jones
Mr J Perry-Warnes
Mr D Reeve
Mr T Tomkinson
Mr K Turner (Chairman)

In Attendance:

Supt B Cartwright	Head of Professional Standards Department, Norfolk Constabulary
Ms R Cerfontyne	IPCC Commissioner for the Central and East England Region
Mrs M Graveling	Head of HR Service Delivery, Norfolk Constabulary
ACC C Hall	Assistant Chief Constable (People), Norfolk Constabulary
Mrs J Hayes	Deputy Chief Executive, Norfolk Police Authority
DCC I Learmonth	Deputy Chief Constable, Norfolk Constabulary
T/Ch/Supt J Shiner	Director of HR, Norfolk Constabulary
Miss N Thatcher	Deputy Head of Legal Services, Norfolk Constabulary
Mrs K Walker	Deputy Head of Professional Standards Department, Norfolk Constabulary
Miss N Wotton	Committee Administrator, Norfolk Police Authority

1. Apologies for Absence

Apologies were received from Mrs F Anthony and Mrs V Jenkins. It was noted that Mr R Chapman and Mr P Hardy were attending the meeting as substitutes on this occasion.

Members were apprised that Mrs U Austin, Head of HR Workforce Efficiency, had recently left the Constabulary and the Chairman recorded his thanks on behalf of the Committee and wished her well for the future.

It was reported that Mrs J Simmons, Head of Learning and Development, was currently on sick leave. Members sent her their best wishes for a speedy recovery.

2. Declarations of interest

There were none.

3. To confirm the minutes of the meeting held on 19 August 2009

The minutes of the meeting held on 19 August 2009 were agreed to be a correct record and were signed by the Chairman.

With regard to the review of Ill Health Retirement and Injury on Duty Awards, it was noted that the report had been deferred to the February 2010 meeting, due to the recent appointment of a new Occupational Health Manager, to allow them time to settle in to their new post.

4. **Matters of Urgent Business**

There were none.

5. **Learning and Development Update**

T/Ch/Supt Shiner updated Members that Mrs Ann Strutt was acting Head of Learning and Development whilst Joc Simmons was on sick leave.

Members were pleased to note that satisfaction rates regarding delivery of the training plan remained consistently high at between 96 – 97% during the period July to September 2009. It was reported that abstraction rates had reduced compared to previous quarters. In respect of the number of non-attendees on courses it was reported that there had been a reduced number of cancellations and that a new system had been put in place to challenge non-attendance. Members noted the number of courses which had been cancelled during the period and the reasons given for the cancellations.

The Committee noted the amended Internal Training Plan and Members were reminded that the Plan was a living document and was therefore subject to review and change over time. In response to a query from a Member, it was noted that plans were in place to ensure sufficient Officer availability and that they were appropriately trained for back filling during the London Olympics in 2012.

There followed a short discussion on how Performance Development Reviews (PDRs) were used to identify training needs and inform the training plan. It was noted that some training courses had not received any bids for places and it was reported that places would be filled if there was an operational need. In response to a query, Members were apprised that some training courses for Problem Solving (including use of the SARA Model) were compulsory and would link in with other training currently offered by the Constabulary.

RESOLVED:

- i) To note the contents of the report;
- ii) To approve the amended Internal Training Plan for 2009/10.

6. **Independent Police Complaints Commission (IPCC) Update from Rachel Cerfontyne, Commissioner for the Central and East England Region**

Ms Cerfontyne updated the Committee on the IPCC's increasing workload, planning for the coming year and the need to focus on efficiencies. It was reported that overall England and Wales had experienced an 8% increase in complaints, with the 3 main categories consistent with those in Norfolk. 41% of complaints were resolved locally; 90% were unsubstantiated and 29% of appeals were upheld.

With regard to appeals concerning the non recording of a complaint, it was noted that 46% were upheld. Members noted that caution was required when interpreting the figures, as the small numbers involved led to high percentages being identified.

Members noted that the Deputy Chief Constable and Head of the Professional Standards Department had met recently to discuss issues with the IPCC; and whilst the comparisons with other regional forces were useful, not all used the same

methodology. The need for the standardisation of recording practices was discussed, which would allow for more meaningful comparisons with other forces over time. In addition, some discrepancies were highlighted between the IPCC and local data and it was agreed this would be further reviewed outside of the meeting to ensure further consistency.

Members noted that the IPCC undertook 100 independent investigations per year and that there had been a significant increase in the number of referrals received in 2009/10 so far.

It was reported that the IPCC had recently reissued the Statutory Guidance on Complaints for consultation, and that feedback had been received and was in the process of being incorporated into the guidance. It was noted that work was continuing to finalise the guidance in order to submit the document to the Home Office for approval by the 30 November 2009.

Ms Cerfontyne commended the Constabulary for including 'Lessons Learned' within its reports; and the need for sharing information and best practice throughout the Constabulary was noted. The Committee was also asked to consider possible themes for consideration in future; and how best to utilise the time available for IPCC input generally.

RESOLVED:

- i) To note the contents of the update;
- ii) That the Committee would consider possible themes for discussion for the next IPCC update and would keep the IPCC Commissioner, Rachel Cerfontyne, informed.

7. **Human Resources Update**

The Committee was updated that Police Officer strength was currently at 1665, against an establishment of 1660, which provided a variance of 0.31%. It was noted that the planned intakes for September, October and March had therefore been cancelled as a result.

Following a query from a Member, it was reported that Police Officer strength would reduce to 1644 by the end of the financial year, which was 1% below Officer establishment, to comply with the 2010/11 Financial Plan. The Committee was reminded that due to the current financial climate and ongoing recession, fewer Officers were leaving the Constabulary, therefore the figures and predictions quoted should be treated with caution.

The Chairman reminded Members of the significant staffing changes within the Constabulary over the past year. It was noted that as of 31 March 2008, Police Officer strength was at 1568 and by the 30 September 2009, it had increased to 1666. There followed some discussion in this respect and the Committee requested additional information on police officer and staff recruitment, to enable comparisons and in particular the identification of trends over time.

In respect of the Staff establishment, the Committee noted that the Constabulary was running with 132 vacancies, against an establishment of 1272 posts. It was noted that the vacancies were being maintained to provide redeployment

opportunities and it was reported that 20 staff were currently at risk, due to the force modernisation programme.

The Committee was informed that during 2008/09 57 PCSOs had trained to become Police Officers. With regard to this migration, it was noted that the Strategy had recently been updated to ensure that PCSOs only had to be in post for 18 months rather than 2 years, which would reduce the numbers leaving the Constabulary to join other forces. It was noted that PCSO strength was currently at 274 against an establishment of 281; and a further intake of PCSOs was scheduled for March 2010.

Members were apprised of the newly created pre-commencement access course being provided by City College, which was accredited by the Learning and Skills Council (LSC) and the NPIA. It was noted that successful completion of the 4 month course would allow the 16 candidates to go straight to the interview and assessment centre stage of the recruitment process. It was reported that the applicants ethnicity reflected those of the City College in general, which could have a positive impact upon VME recruitment in the future.

The Committee were pleased to note that Police Officer sickness was at currently 29 hours against a target of 35 hours, which was a significant improvement on previous years. Members were reassured that sickness due to Swine Flu was monitored on a daily basis and appropriate action taken with regard to any identified hot spots. It was reported that a working group had been set up to look into possible reasons for PCSO sickness levels increasing. Members were pleased to be updated that long term sickness over 28 days for both Officers and Staff had been reduced significantly this year.

Members noted the small number of grievances which had been lodged and it was reported that they were reviewed by the Senior Management Team on a fortnightly basis, however due to the small numbers it was stated that comprehensive data could not be provided.

The Committee was apprised of progress with regard to the Diversity Action Plan. It was noted that the target of 6.1% for VME and non VME recruitment had not been met this year despite significant work from the HR Department. In response to a query from a Member, it was noted that the Police Authority had set the target of 6.1% VME and non VME recruitment, which was reflective of the current demographics within Norfolk. There followed some discussion in general regarding the difficulties surrounding VME recruitment and the actions taken by the Constabulary in this respect.

RESOLVED:

- i) To note the contents of the report;
- ii) To request additional information on police officer and staff recruitment, to enable comparisons and the identification of trends over time.

8. **An Overview of the Management of Obligations under the Freedom of Information Act 2002 and the Data Protection Act 1998**

The Committee was reminded that the Data Protection and FOI Manager discharged the Chief Constable's legal obligations under both items of legislation.

Members noted that the Constabulary was able to charge a fee of £10 for Subject Access requests, £75 (plus disbursements) for disclosures for the purpose of civil proceedings and £75 for detailed information for the insurance industry, in order to recover some of the costs incurred in providing the information.

Members noted that the Data Protection Unit advised the Constabulary of processes and policies to ensure that the use of personal data as part of Constabulary activities was compliant with the Data Protection Act. The detailed breakdown of compliance activities was noted, which included the provision and development of training to staff and the monitoring and auditing of information.

Members were apprised of the significant increase in the number of Freedom of Information requests made in recent years and in particular media requests. It was noted that there were weekly meetings between Professional Standards and the Corporate and Public Affairs Department to discuss requests as they arise. It was reported that the Constabulary was working to publish more information in order to reduce the number of information requests being received.

The complexity of the Freedom Of Information and Data Protection Acts were discussed, and it was noted that it was a highly specialised area of work, and Members noted the need to ensure that staff were kept apprised of any developments in legislation. In addition, Members were reassured that controls were in place to ensure adequate cover in event of staff sickness or absence.

With regard to the Constabulary's Publication Scheme, it was noted that the scheme would shortly be reviewed by the Information Commissioner to ensure compliance with new and current legislation.

The Committee were reminded that the Authority also received FOI requests direct and benefitted from support and assistance from the Constabulary, as necessary, in this respect. It was reported that information had to be provided at all times, unless an exemption could be applied. The Committee took the opportunity to thank the Professional Standards Department for their ongoing help and support in this area.

RESOLVED:

To note the contents of the report.

9. **Overview of Complaints and Discipline Statistics**

In presenting the statistics relating to 1 April to 30 September 2009, Supt Cartwright reported that there had been an increase of 15.7% in the number of complaints recorded, compared to the previous year. It was noted that cases continued to be completed within the 90 day Force target and the 120 day national target, with all cases completed in an average of 40 days. Members were apprised that the increase in complaints had been reflected regionally with neighbouring forces reporting similar trends. It was noted that Norfolk Constabulary had the lowest number of complaints per thousand officers of all regional forces with 101, and that Bedfordshire and Essex were the highest with 122 per thousand officers.

The Committee was apprised that Neglect of Duty, Other Assault and Incivility, continued to be the three main categories of complaint and each of those areas had increased compared with the previous year by 59% (49), 17% (6) and 54% (26)

respectively. It was noted that complaints of Discriminatory Behaviour had decreased by 10%.

It was reported that those Officers who had attracted a higher than average number of complaints had been targeted with additional training. DCC Learmonth stated that he had attended several of these Master Classes. It was noted that 'Lessons Learned' were also a useful part of the training, which had been well received by the attendees. Members noted the ongoing work to change the culture within the Constabulary and the need to provide a quality service to all.

DCC Learmonth provided some context surrounding the number of complaints received for the Committee. It was noted that from the 1 January to 30 June 2009 there had been 23889 crimes reported, compared to 26,237 in the same period the previous year. Members were apprised that a total of 353 complaints had been received, 126 of which had been investigated and only 5 had been substantiated, which was a very low percentage. It was reported that the number of Stop and Searches had increased during the year, however the number of complaints in this respect had reduced; and it was stated that further work was being undertaken.

Members noted that 47.5% of complaints had been Locally Resolved. The Committee noted that the changes in Regulations in December 2008 had shown a national decline in Local Resolution rates, following the introduction of proportionate investigations. It was noted that further training would be provided to continue to address the Local Resolution process with first and front line management; and this would also be enhanced by the new Sergeants and Inspectors core training which included Departmental input on Local Resolution processes.

In respect of the number of complaints received regarding Direction and Control, the Committee noted that there had been an increase of 17.7% when compared with the same period last year. It was reported that the main category of complaint was Operational Management Decision, followed by Operational Policing Policies and General Policing Standards.

The Committee noted that there had been an increase in the number of appeals recorded this quarter, with 47 recorded compared to 31 in the same period the previous year.

RESOLVED:

- i) To note the contents of the report;
- ii) That the Head of Professional Standards and Fiona Anthony would liaise on a regular basis with a view to providing reassurance to the Committee in respect of the handling of complaints from Children and Young People.

10. **Any other items of business**

There were none.

11. **Exclusion of the Press and Public**

RESOLVED:

That, under Section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that

they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act.

12. **Exempt Items for Decision**

There were none.

13. **Consideration of individual Complaints and Discipline matters for the period 1 July to 30 September 2009**

Members received a comprehensive briefing on specific cases including details regarding internal investigations and suspended police staff/misconduct hearings.

RESOLVED:

- i) To note the contents of the report;
- ii) To request that the total number of employees currently suspended be included in future reports, for clarity.

14. **Overview of the Civil Claims and Employment Tribunal Statistics for the period 1 July to 30 September 2009**

The Deputy Head of Legal Services reported that 29 public liability claims had been received in the quarter, compared to 17 in the same period in 2008 and commented on the reasons for the increase. In relation to the 8 closed files, Members were informed that 2 had been settled and that no cases went to trial. The remaining 6 closed files were not pursued, discontinued or stayed. A brief discussion ensued in relation to the outstanding claims quote nature thereof.

It was noted that there had been 2 employer's liability claims received in the period, and that 2 files had been closed. It was noted that, as at 16 October 2009, 9 employer's liability claims were outstanding.

In relation to employment tribunal claims, it was noted that 1 claim had been received from a police officer during the quarter and that 1 claim had been settled. In addition, Members noted that the number of outstanding employment tribunal claims as at 16 October 2009 was 9.

RESOLVED:

To note the contents of the report.

15. **Date of next meeting**

Wednesday, 10 February 2010 at 10.00 a.m.

(The meeting closed at 12.25 pm.)

CHAIRMAN

NORFOLK POLICE AUTHORITY

PROFESSIONAL STANDARDS AND HR COMMITTEE

10 FEBRUARY 2010

AGENDA ITEM: 5

PSHR10/ 01

REVIEW OF THE COMMITTEE TERMS OF REFERENCE

PROFESSIONAL STANDARDS & HUMAN RESOURCES COMMITTEE

CONSTITUTION

8 named Members of the Police Authority

(Chairman and Vice Chairman of the PA to be ex-officio non-voting (unless named) Members except where the Committee are acting in a quasi judicial capacity)

TERMS OF REFERENCE

PURPOSE

To exercise the Police Authority's powers and duties in respect of Professional Standards and HR matters and to hold the Constabulary to account for the discharge of its responsibilities, thus helping to ensure the maintenance of an efficient and effective police force overall. This will be achieved by instigating procedures designed to monitor and scrutinise existing or planned policies, practices and performance of the Force, both at a corporate and local level, with particular reference to but not exclusively:

Part A – Professional Standards

1. complaints against ACPO rank officers, including consideration of reports from the Senior Officers Conduct and Discipline Sub-Committee
2. complaints handling, mindful of diversity and equality issues; and working with the Force to secure improvements therein.
3. complaints about direction and control of the Force.
4. analysing complaints; and ensuring that they lead to improvements in service.
5. the Independent Police Complaints Commission (IPCC).
6. Regulation 10 of the Police Regulations 1995 (Business Interests).

Part B – Legal

7. Employment Tribunal proceedings; and ensuring that lessons learnt are implemented effectively by the Force.
8. civil claims brought by members of the public; and working with the Force to improve relevant processes.

Part C – Human Resources

9. HR and Learning & Development Plans.
10. analysing Fairness at Work cases; and ensuring that lessons learnt are implemented effectively by the Force.
11. recruitment and retention of police officers and police staff, together with their training and development needs.
12. PDRs and their effectiveness in identifying leadership and training opportunities.
13. compliance with health and safety legislation.
14. attendance management strategy and Occupational Health management.
15. diversity and equality issues, ensuring that the Force has regard to them in all aspects of HR management.
16. the implementation of new employment legislation and changes to the terms and conditions of appointment of police officers and police staff.
17. liaison with staff associations and networks; and employee relations issues.
18. resource management ensuring the deployment of the right people on time to the right place.
19. such other HR matters that may arise from time to time including consultation documents from outside bodies on HR issues.

NORFOLK POLICE AUTHORITY

PROFESSIONAL STANDARDS AND HR COMMITTEE

10 FEBRUARY 2010

AGENDA ITEM: 6

PSHR10/02

POLICE OFFICER INJURY ON DUTY AND ILL HEALTH RETIREMENT REVIEW

Report by Chief Constable

<p>This report is for consideration of options and decision</p>
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1. INTRODUCTION

- 1.1 This report is prepared following discussion at previous PSD and HR Committee meetings on 11th February and 19th August 2009, in which the overall management of Police Officer ill health retirement was discussed and at which members of the Police Authority agreed to extend its discretion to proceed with Ill Health Retirement (IHR) and Injury on Duty (IoD) reviews for existing officers retiring on or after 1st September 2009.
- 1.2 It was also agreed that further research be undertaken around the options for reviewing those officers **currently** in receipt of such awards and a paper be produced for consideration by members.
- 1.3 The drivers for further consideration are two-fold:
- To achieve consistency and fairness of treatment for all police officers currently working for the Constabulary and those who have been ill-health retired and/or in receipt of an injury on duty award
 - The Authority has to comply with the relevant legislation.

2. DEFINITION

- 2.1 Ill Health Retirement pensions (IHR) are awarded to police officers who retire from the Force on the grounds of permanent disablement. The award is calculated in accordance with Police Pensions Regulations.
- 2.2 Injury on Duty awards (IOD) are payable to police officers who are permanently disabled as a result of an injury received in the execution of their duty. An award is calculated in accordance with the Police (Injury Benefit) Regulations 2006 and consists of an injury award and a possible disablement gratuity award. The IOD award is paid on top of the ill health pension.

- 2.3 Both awards are paid for the life of the officer; however, this does not prevent a review being undertaken as detailed below.

3. **THE POWER TO REVIEW**

- 3.1 Both the IHRs and IODs are reviewable in accordance with regulations.

IHR

- 3.2 Under Part K of the Police Pensions Regulations 1987 (as amended), Police Authorities **may** consider, at such intervals as they in their discretion think proper, whether a disability has ceased. This power to review disablement and thus the continuance of the payment of an IHR is discretionary. The aim of the review would be to ensure that the payment of the IHR remains appropriate in the event of there being any changes to the medical prognosis regarding disablement. The review is limited to people who are below the compulsory retirement age or would have served less than 25 years' if still in service.

IOD

- 3.3 In accordance with Regulation 37 of the Police (Injury Benefit) Regulations 2006, the Police Authority **should**, at suitable intervals, consider whether the degree of disablement has altered and, as necessary, review the injury pension. IODs are paid on the basis of loss of earnings and the calculation of the loss changes according to the age of the officer. The purpose of a review of IOD would be to ensure that officers in receipt of the award are paid at the appropriate age related banding.

- 3.4 **The Police Authority has already agreed to undertake reviews of disablement and injury awards approved post 1 September 2009, and this report now seeks to provide options to determine whether disablements and injury awards approved prior to this date should also be reviewed.**

4. **OPTIONS FOR REVIEWING PRE-EXISTING DISABLEMENTS AND INJURY AWARDS**

4.1 **Review of Pre-Existing Ill Health Pensions**

There are 251 ex-officers currently in receipt of an ill health pension.

Part of K of The Police Pensions Regulations 1987 (as amended) states:

K1 (1) As long as a person –

- (a) is in receipt of an ill-health pension;*
- (b) would not, if he had continued to serve as a regular policeman instead of retiring with an ill-health pension, have been entitled to reckon 25 years' pensionable service, and*

- (c) *if he had continued so to serve, could not have been required to retire on account of age,*

*The Police Authority **may**, if they wish to exercise the powers conferred by this Regulation, consider, at such intervals as they in their discretion think proper, whether an ex-officer's disability has ceased.*

The pensionable service limitations on this category of review have been assessed, resulting in an estimated total of 48 cases (out of the possible 251) that could possibly be considered.

4.2 **Reviews of Pre-Existing Injury Awards**

Of the 251 ex-officers who have an ill health pension, 107 are also in receipt of an injury award. Options for the Police Authority members to consider are outlined as follows, along with options for reviewing these awards:

- 4.2.1 **Recalculation of Injury Awards at age 65** – Home Office Guidance indicates that ex-officers aged 65 years and over would no longer be expected to be earning a salary in the employment market and therefore the Authority has, in the absence of a cogent reason otherwise, the discretion to place the ex-officer in the lowest band (band 1) for injury awards. This would mean that an award is still payable, but potentially at a reduced amount for some ex-officers.

A decision to reduce the awards to zero for these ex-officers would result in a saving to the pension fund of £86k. The impact on individuals varies from £7 to £222 per week, with ages ranging from 65 to 76.

There are currently 16 individuals who would be affected by implementing this reduction.

The options are:

- i. Reduce injury awards for all ex-officers currently aged 65+ years to Band 1, and notify all those approaching this age that their injury award will be reduced to Band 1 when they reach the age of 65, OR
- ii. Decline implementing a reduction to Band 1 of injury awards for ex-officers currently aged 65 years and over (the cogent reason being that they have been unable to plan financially for a reduction in payment) but notify all those approaching this age that their injury award will be reduced to Band 1 when they reach the age of 65, OR
- iii. Decline implementing a reduction to Band 1 of injury awards at age 65 for all injury awards approved prior to 1 September 2009.

4.2.2 **Recalculation of Injury Awards using ASHE on reaching what would have been compulsory retirement age for rank on date of leaving**

Home Office Guidance indicates that once an ex-officer reaches the compulsory retirement age for their rank, it is no longer appropriate to use the former officer's police pay scale as the basis for his or her pre-injury earning capacity. The guidance indicates that the mean Annual Survey of Hours and Earnings (ASHE) figure should be used in the absence of a cogent reason for a higher or lower outside earnings level. Recalculations using this figure may result in some awards being reduced to a lower band.

The options are:

- i. To commence a review of all ex-officers receiving injury awards who meet this age qualification, to be completed over the next 12 months using the ASHE figure. There are approximately **47** ex-officers in this category. As part of this review, all affected individuals would be given a minimum 6 months' notice of a possible reduction in band, to allow time for financial planning. At the same time, early notice could be given of the automatic reduction to band 1 at the age of 65 (if this is agreed by the Authority).
- ii. Decline a review of ex-officers' injury awards within this group

4.2.3 **Review of all other Pre-Existing Injury Awards (below age 65 and below compulsory retirement age)**

The options are:

- i. To regularly review all pre-existing injury awards within this category. This will involve the same process as reviews of injury awards received after 1 September 2009 and will therefore require SMP involvement and could result in further appeals.
- ii. Decline a review of all injury awards approved prior to 1 September 2009.

5. **RISK ASSESSMENT**

5.1 The risk associated with the implementation of reviews in either category are highlighted within two main areas, resource and reputation

5.2 **Resource:**

- i. **Appeals** – Previous reviews of injury awards have triggered a series of appeals, especially where injury payments have been reduced. As reviews will result in a reduction in value of injury award payable to some ex-officers, it is realistic to assume a high rate of appeal. Where appeals are taken to formal stage a Selected Medical Practitioner (SMP) will be

required at the cost of approximately £650 per day. If individual remains unsatisfied they have the right of further appeal to a Medical Appeals tribunal, at a cost of approximately £6,000 per case.

ii. **Reviews** - Each review takes approximately 45 minutes of SMP time plus administrative time. SMP time will need to be an allocated and funded separately. There will be a requirement for an additional 14 days SMP time to enable a review of all ex-officers aged 54-63 in bands 2-4 at the approximate cost as above.

iii. **Administration** – The complete review exercise may be managed through the existing Occupational Health Department but will require additional member of administrative staff to co-ordinate the programme of reviews and appeals.

5.3 It is difficult to accurately forecast the overall cost of reviewing pre-existing ill health pensions and injury awards, but it is clear that there would be significant costs incurred by implementing reviews of pre-existing disablements (4.1) and injury awards for ex-officers below 65 and below compulsory retirement age (4.2.3) due to SMP involvement and the potential for further appeals. The costs of implementing reviews for injury awards for those aged 65 and over (4.2.1) and over compulsory retirement age (4.2.2) will result in additional HR and Occupational Health administration resources only.

5.4 **Reputation:**

Implementing all the reviews possible under Home Office guidance will essentially result in the reduction – significant in some cases – in the pension received by ex-officers who retired on ill health and for some there will be additional losses in awards granted due their police career being curtailed by an injury received in the course of duty. Norfolk Constabulary's implementation of such actions may be unsympathetically viewed by the media given that these reductions do not give an immediate or guaranteed saving to the Force and are not compulsory. It could be viewed that cost-cutting should be directed to areas which would guarantee greater and more defined cost benefits. As many Norfolk Constabulary pensioners will still reside in Norfolk, it could be that the direct loss incurred by some of Norfolk's population is greater than the saving that could be achieved on behalf of the force.

6. **POTENTIAL BENEFITS**

There could be a possible reduction in Norfolk Constabulary's contribution to the Police Pension Fund in future years. In addition, undertaking these reviews could demonstrate that Norfolk Constabulary is properly and ethically managing public funds by removing payments to which individuals are no longer entitled.

7. **IMPACT IMPLICATIONS**

7.1 In producing this report I have considered all of the impact implications. Where there are material impacts, I have identified these. Where I have stated 'none', I

certify that there are no material impacts.

- a) **Finance:** Reviews may result in cost savings to the Pension Fund, however, this is not the main driver for Norfolk Police Authority and any decision must be balanced with potential costs to Norfolk Constabulary as outlined in the body of the report.
- b) **Staff:** Increase in administrative staff (1) to develop and co-ordinate review and appeal process.
- c) **Training:** In role, linking with other Police Forces
- d) **Accommodation:** within existing accommodation
- e) **ICT:** within existing equipment allowance
- f) **Vehicles:** None
- g) **Equipment:** None
- h) **Other Resources:** None
- i) **Efficiency Gains:** Streamlining of process
- j) **Link with Norfolk Police Authority / Norfolk Constabulary priorities:** Police Authority exploring an area of potential discretionary action under Police Pensions Regulations 1987 and Police (Injury Benefit) Regulations 2006. Principles – to manage resources efficiently and effectively (Police Authority Corporate Plan 2009/10)
- k) **Risk Management:**
- l) **Diversity / Human Rights Act:** Any process/policy designed for the review programme will be risk assessed in accordance with existing best practice.
- m) **Environment and Sustainability:** N/A

8. **RECOMMENDATIONS REQUIRED**

8.1 It is recommended that the Committee consider the options outlined in this report and agree future action on the following areas:

- Review of ill health pensions approved prior to 1 September 2009
- Review of injury awards approved prior to 1 September 2009:
 - Reduction to Band 1 on age 65
 - Recalculation using ASHE at compulsory retirement age
 - Review of all other injury awards using the new review process

Officer Presenting Report at the Meeting:

Marian Graveling
Head of HR Service Delivery
HR Department, OCC
01953 423783

Contact Officer:

As above

Executive Officer:

ACC Charlie Hall

Are there Background Documents?

Does the report contain Exempt Information? No

NORFOLK POLICE AUTHORITY

PROFESSIONAL STANDARDS AND HR COMMITTEE

10 FEBRUARY 2010

AGENDA ITEM: 7

PSHR10/03

SETTING LOCAL EMPLOYMENT TARGETS FOR UNDER-REPRESENTED GROUPS

Report by Chief Constable

This report identifies proposals for setting local employment targets to increase the representation of under represented groups within Norfolk Constabulary's workforce. It is for consideration and decision.

1. BACKGROUND

- 1.1 The recent Government policing green paper proposed that local employment targets relating to race and gender should be agreed locally by Police Authorities and forces in consultation with communities. This proposal was confirmed in the Government's review of the green paper consultation, stating that '*...ambitious targets should be set on the most important issues locally. The Police Authority will set the targets, which should be agreed with the force, and the target setting process must involve police officers, police staff and local communities*'.
- 1.2 Previously the Home Office has set targets relating to improving the BME representation within police forces. These national targets have since been removed and replaced with an encouragement on Police Authorities to set local employment targets as described by the green paper. Although there is no statutory requirement upon Police Authorities to set such targets, it is seen as good practice to do so and something that HMIC would encourage.
- 1.3 There are a number of options for potential measures of representation within the workforce. Achieving a representative workforce appears to rely upon a number of factors; these include community confidence, organisational culture, recruitment practices, internal HR policies and procedures, development and progression opportunities, role models and retention rates. Whilst the relationship between these may be complex, each of these, and others, may be subject to various quantitative and qualitative measurement.

2. TARGET SETTING PROCESS

- 2.1 Both the Constabulary and the Police Authority aspires to develop its workforce demographic to reflect the communities served. It is intended that the Police Authority will set one local employment target to work towards this within the 2010/11 Annual Policing Plan. A number of indicators could be used for this, but

it is proposed that only one indicator should be used to set a target within the APP. Other indicators may then be used for internal monitoring purposes in moving towards this.

- 2.2 The Constabulary and Police Authority should seek to consult on options for such employment targets and are therefore engaging the IAG, UNISON, Police Federation, Superintendents Association and Diversity team with this. An update on these activities will be given at the meeting.

3. **CURRENT POSITION**

VME / NON VME Current employees as at end Dec 2009

Police Officers	VME 22 officers 1.294%
	Non VME 49 Officers (White Irish/White Other) – 2.882%
	White/NS 1629 officers 95.824%
	Total VME/Non VME = 4.176%
Police Staff	VME 6 staff 0.479%
	Non VME 21 Staff - 1.676%
	White/NS 1226 97.845%
	Total VME/Non VME = 2.155%
PCSOs	VME 4 officers 1.493%
	Non VME Staff 8 – 2.985%
	White/NS 256 officers 95.522%
	Total VME/Non VME = 4.478%
Specials	VME 5 officers 1.916%
	Non VME Staff 3 – 1.149%
	White/NS 253 officers 96.935%
	Total VME/Non VME = 3.065%
Force Total	VME 37 people - 1.063%
	Non VME Staff 81 – 2.326%
	White/NS 3374 people – 96.611%
	Total VME/Non VME = 3.389%

- 3.1 In 2009/10 the Police Authority set a local recruitment target for the Constabulary of achieving 6.1% of all police officer, police staff and PCSO recruits as being from a VME or non-VME background. Non-VME backgrounds were included to recognise that the demographic of the county is increasingly including people from non-VME backgrounds, for example Eastern Europeans and Portuguese, and that the workforce should seek to reflect this. No retention target was set. The Constabulary is unlikely to meet the target set for 2009/10.
- 3.2 It is known that the level of both Police Officer and Police Staff recruitment during 2010/11 will be substantially reduced as the Constabulary strives to meet financial targets and continues to modernise. The opportunities for recruitment activity to substantially influence the workforce mix will therefore be reduced from previous years. For this reason, a target based solely around recruitment will be difficult to achieve.
- 3.3 Restructuring during 2010/11 is also likely to mean that the size of the workforce

overall will be reducing during the year, meaning a net loss of staff to the Constabulary.

4. **PROPOSALS**

Annual Policing Plan Target

- 4.1 That the Police Authority set a target to increase the percentage of VME/Non-VME staff amongst the Constabulary workforce overall. This will require the Constabulary to focus both upon the recruitment and retention of VME and non-VME staff, thereby ensuring there is focus upon the whole employee lifecycle.
- 4.2 That this target should, in addition to Police Officers, PCSOs and Police Staff, also include Special Constables as these form part of the workforce mix and are a visible representation of the service to our communities.
- 4.3 Further work will be undertaken to inform the Police Authority of options for the level of this target.

Internal Monitoring of Contributing Indicators/Activity

- 4.4 In addition to an externally facing target the Police Authority and Constabulary will wish to monitor closely activity and indicators expected to assist in increasing representation within the workforce. It is proposed that these will be reported quarterly to the Professional Standards and Human Resources Committee.
- 4.5 Activity is expected to include:
 - 1. To produce a recruitment activity plan for the county of Norfolk which will focus on increasing the current percentage of under represented groups in the organisation. Police Authority member Mr Azam Gabbair to assist.
 - 2. Focusing recruitment activities locally and involving SNTs across the county. This will include appointing designated Recruitment Officer/champions for each area within SNTs, preferably from staff who have already demonstrated their ability to give advice on recruitment matters. The area Superintendent to be held accountable for their own local recruitment activities.
 - 3. Develop an appropriate communication strategy to promote recruitment activities, awareness and confidence.
 - 4. Monitor the effectiveness of the recruitment activities and report findings on a quarterly basis.
 - 5. Increase the current number of recruitment open evenings and Access courses.
 - 6. To monitor recruitment, retention and promotion data, particularly in respect of under represented groups.
 - 7. To continually review and amend internal HR policies for their impact upon

under-represented groups and their retention within the organisation.

8. To utilise exit interview data to inform organisational adjustments to improve retention of under represented groups
9. To develop organisational culture to encourage a representative workforce

5. **IMPACT IMPLICATIONS**

5.1 In producing this report I have considered all of the impact implications. Where there are material impacts, I have identified these. Where I have stated 'none', I certify that there are no material impacts.

- a) **Finance:** *None – costs maintained within Departmental budget.*
- b) **Staff:** *Designated recruitment officers/champions within SNTs will be drawn from existing staff.*
- c) **Training:** *Designated staff may require initial support/guidance to give advice on recruitment matters.*
- d) **Accommodation:** *None*
- e) **ICT:** *None*
- f) **Vehicles:** *None*
- g) **Equipment:** *None*
- h) **Other Resources:** *None*
- i) **Efficiency Gains:** *None*
- j) **Link with Norfolk Police Authority / Norfolk Constabulary priorities:** *Achieving a representative workforce which potentially impacts upon community confidence.*
- k) **Risk Management:** *Impact on community confidence.*
- l) **Diversity / Human Rights Act:** *Overall theme of report.*
- m) **Environment and Sustainability:** *None*

6. **RECOMMENDATION**

6.1 It is recommended that Members note the contents of this report; and agree the proposals in principle, subject to a further detailed report, including the options for the level of target, being presented to the next meeting of the Committee.

Executive Officer/Officer Presenting Report at the Meeting:

ACC Charlie Hall, Force Executive
01953 423780 Hallcen@norfolk.pnn.police.uk

Contact Officer:

Chief Superintendent Jo Shiner, Director of Human Resources
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Are there Background Documents? No

Does the report contain Exempt Information? No

NORFOLK POLICE AUTHORITY

PROFESSIONAL STANDARDS AND HR COMMITTEE

10 FEBRUARY 2010

AGENDA ITEM: 8

PSHR10/04

LEARNING AND DEVELOPMENT UPDATE

Report by the Chief Constable

This report is for information only.

1. INTRODUCTION

- 1.1 The key performance indicator for the Learning & Development function is to deliver the training plan to meet the needs of the organisation to high levels of reported satisfaction (a minimum of 90% satisfaction) whilst maintaining HMI audited standards. The following metrics are provided to allow Police Authority members to monitor achievement against that target and are supplemented by other relevant statistical data.

2 CURRENT POSITION

2.1 Reported Satisfaction and HMI Standards

Satisfaction Rates

	Jan–Mar 09	Apr-June 09	July – Sept 09	Oct – Dec 09
Training event rated as good or very good	93%	94%	97%	93%
Delegates who agree that course fully met their training needs	93%	92%	97%	91%
Delegates who agree moderate or significant increases in skill levels	95%	85%	97%	96%

Delegates who agree moderate or significant increases in knowledge	97%	87%	96%	96%
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2.2 Latest HMI Rating

The Learning & Development function was last assessed in Summer 2006 and was rated as 'Good and Improving' by HMI. The next HMIC assessment will be as part of the Workforce Inspection Programme being developed for September 2010 onwards.

2.3 Initial Training

Numbers of new uniformed staff recruited and trained since April 2009:

	As at end March 09	As at end June 09	As at end September 09	As at end December 09
Student Officers	180	204	234	246
Transferees	26	31	36	36
PCSOs	79	89	98	98

2.4 Number of Days Abstraction

	Jan-Mar 09	Apr-June 09	July - Sept 09	Oct - Dec 09
Police Officers	3657	4241*	3192	5029**
Police Staff	292	529	291	312

*Police officer abstraction increased during April to June 2009 due to commencement of SNT transition course, ICIDP course and leadership programme.

**Increase in Police Officer abstractions Oct to Dec 2009 owing to PSU & CBRN training & ICIDP course.

Please note that abstraction figures exclude student officers and PCSOs who are in their initial training period, as they are not at that point considered to be on the deployable strength of the Force. As soon as student officers and PCSOs are posted, they are included in the abstraction figures.

2.5 Number of Cancellations/Non-attendees on Events

	Jan – Mar 09	Apr – June 09	July – Sept 09	Oct – Dec 09
Police Officers	67 (7.5%)	106 (9.9%)	69 (8.6%)	107 (8.8%)
Police Staff	33 (14.5%)	23 (7.7%)	14 (6.9%)	39 (19.6%)
Special Constables	2 (3.9%)	0	0	3 (6.0%)
PCSOs	25 (20.7%)	19 (20.6%)	1 (1%)	8 (7.3%)

A system has been put in place to challenge these non-attendances given the costs they incur.

2.6 Variation From Agreed Training Plan

- First Aid Appointed Persons course 15th December cancelled, owing to trainer sickness.
- IPLDP Intakes 16/09, 07/09, 08/09, 10/09 & 12/09 – scheduled to take place between 1st October & 31st December were cancelled due to police officer strength having been reached.
- Intelligence Foundation 14th to 16th December postponed to 20th to 22nd January 2010, owing to a lack of preparation time for the trainer.
- Safer Detention Update course for Detention Officers 2nd to 3rd November cancelled as there was a shortage of delegates owing to resourcing pressures.
- Terrorism Act Training for Custody Sergeants 24th November cancelled as lack of delegates owing to resourcing pressures.

3. WAY AHEAD

- 3.1 To reduce the internal training plan, leading to a decrease in abstraction rates for all staff especially front line officers.

4. **IMPACT IMPLICATIONS**

4.1 In producing the report, the following impact implications have been considered:

- a) **Finance:** Other than the Leadership programme, it is expected that these courses will be delivered within the existing budget allocation for 2009/10.
- b) **Staff:** Reviewing staffing, based on reduced intakes.
- c) **Training:** continuous professional development opportunities are being sought for all staff during the year.
- d) **Accommodation:** use of external venues is reducing.
- e) **ICT:** No additional ICT equipment required.
- f) **Vehicles:** None required.
- g) **Equipment:** None required.
- h) **Other resources:** None.
- i) **Efficiency gains:** Continued collaborative work with Suffolk, and also with Norwich City College, as well as use of premises at RAF Coltishall for PSU and CBRN Training, are providing substantial efficiency gains.
- j) **Link with Norfolk Police Authority/Norfolk Constabulary priorities:** All activity sits within the HR Plan and Learning & Development plan 2009/10.
- k) **Risk Management:** Loss of RAF Coltishall training venue – risk currently on register and with facilities for solutions.
- l) **Diversity:** None.
- m) **Environment and Sustainability:** None

5. **RECOMMENDATION/ACTION REQUIRED**

It is recommended that Members note the contents of this report.

Officer Presenting Report at the Meeting:

Rank / Name	Chief Supt Jo Shiner
Department/Location	Human Resources Dept
Telephone Number	01953 424041
Email address	shinerje@norfolk.pnn.police.uk

Contact Officer:

Name of Author	Anne Strutt
Appointment	A/Head of Learning & Development
Department/Location	Human Resources Department
Telephone Number	01953 423822
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Executive Officer:

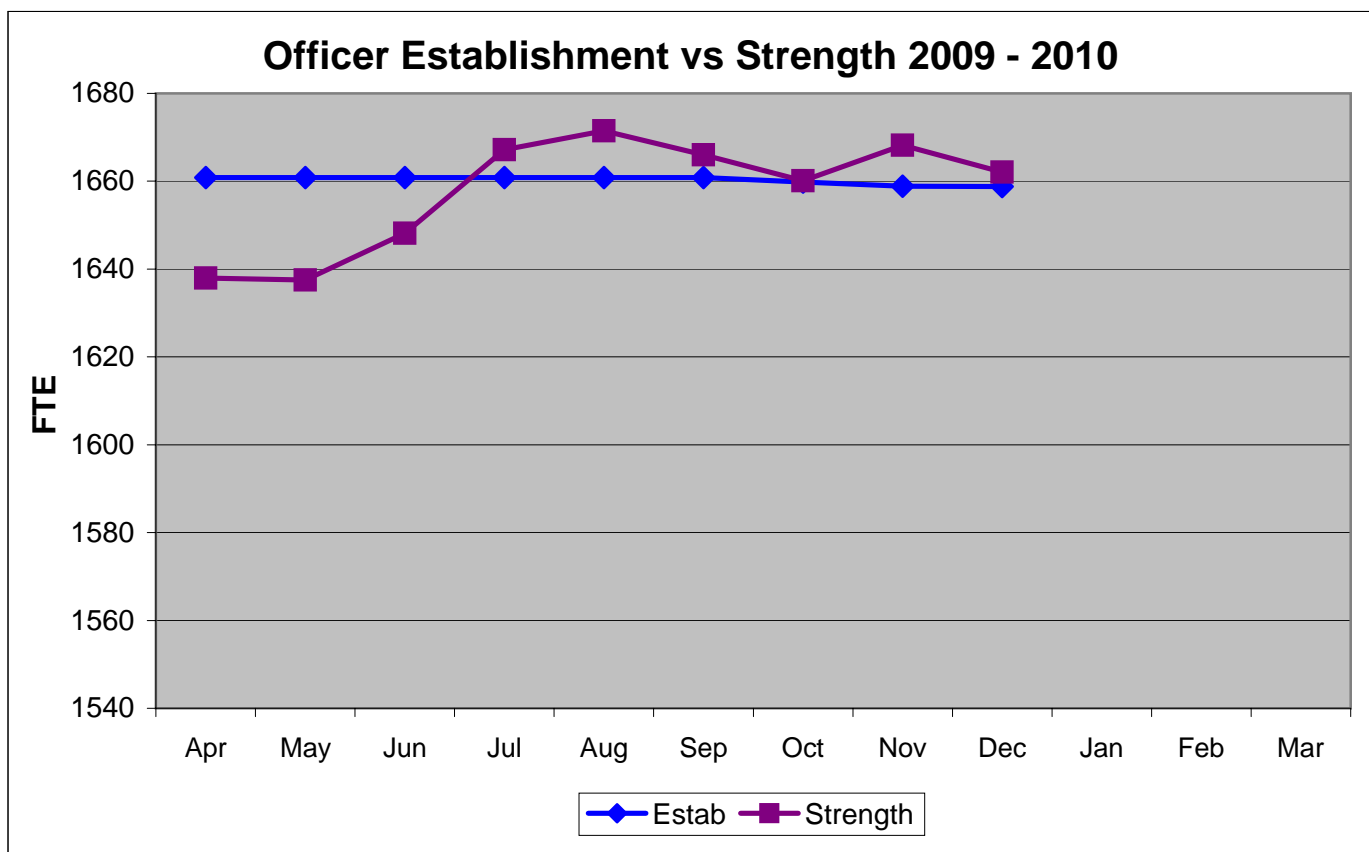
Charlie Hall
Assistant Chief Constable (People)

Are there Background Documents? No

Does the report contain Exempt Information? No

Human Resources Update for Norfolk Police Authority December 2009

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Officer Establishment vs Strength 09/10

Month	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Estab	1660.8	1660.8	1660.8	1660.8	1660.8	1660.8	1659.8	1658.8	1658.8			
Strength	1637.9	1637.5	1648.2	1667.2	1671.4	1665.98	1660.1	1668.2	1662.1			
Vacant	22.9	23.3	12.7	-6.3	-10.6	-5.2	-0.3	-9.4	-3.3	0.0	0.0	0.0

Vacancy % of Officer Establishment

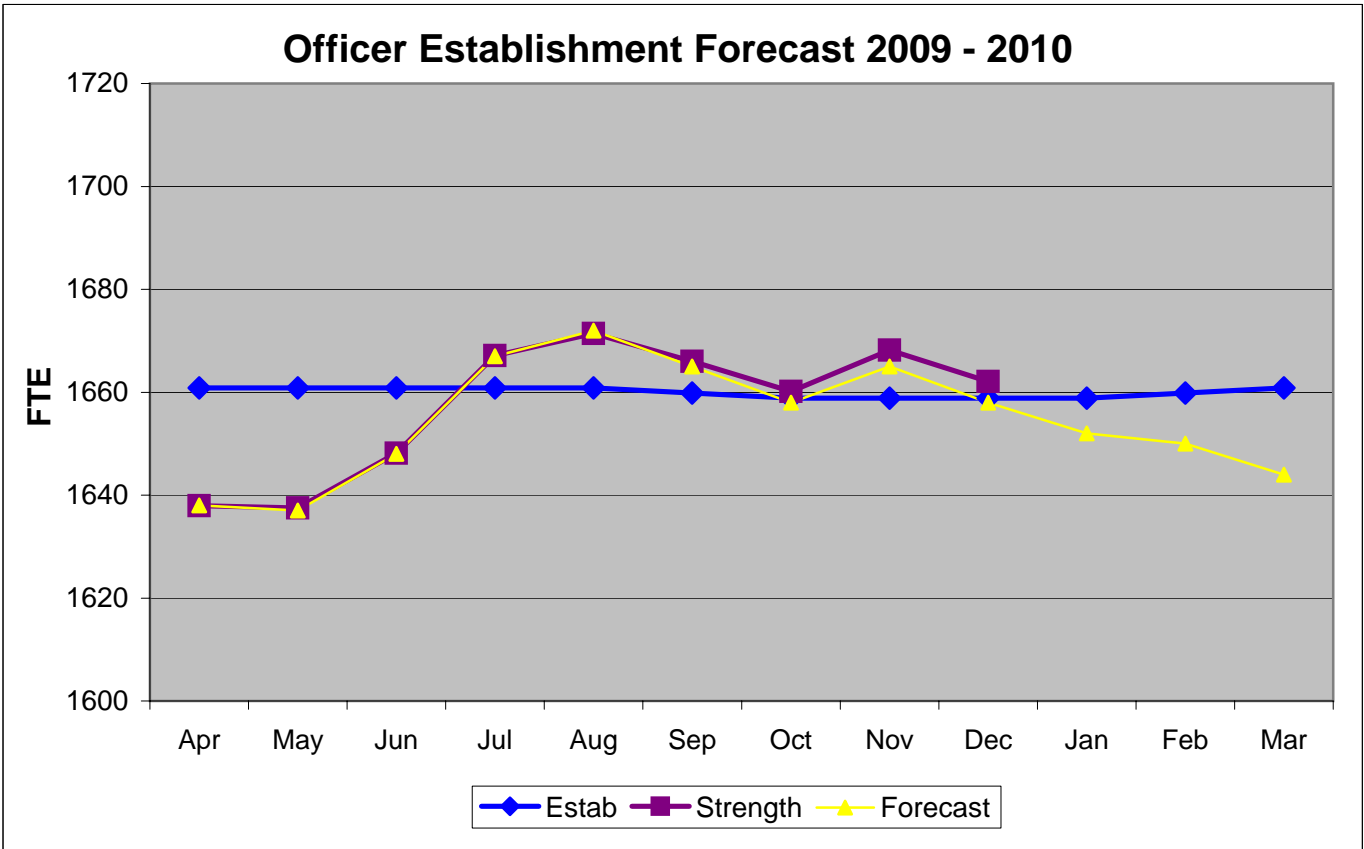
% Vacant	1.38%	1.40%	0.76%	-0.38%	-0.64%	-0.31%	-0.02%	-0.57%	-0.20%			
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Commentary

At the start of April, the new establishment model came into effect which increased the old establishment of 1620.2 to 1660.83. It is currently at 1658.83 due to two officer posts being used to fund civilian posts. We are now at 1662.1 FTE (Strength) having cancelled all further intakes for 09/10 except November new recruits, in which we had 13 officers join - 12 as new recruits and 1 rejoiner - and February for transferees, where we have 5 forecast.

Actions & Expected Outcome

The Establishment Strength has been met and exceeded and with forecast leavers the planned officer strength of 1644 FTE will be achieved by end of the financial year (to achieve 1% financial saving for 2010/11).



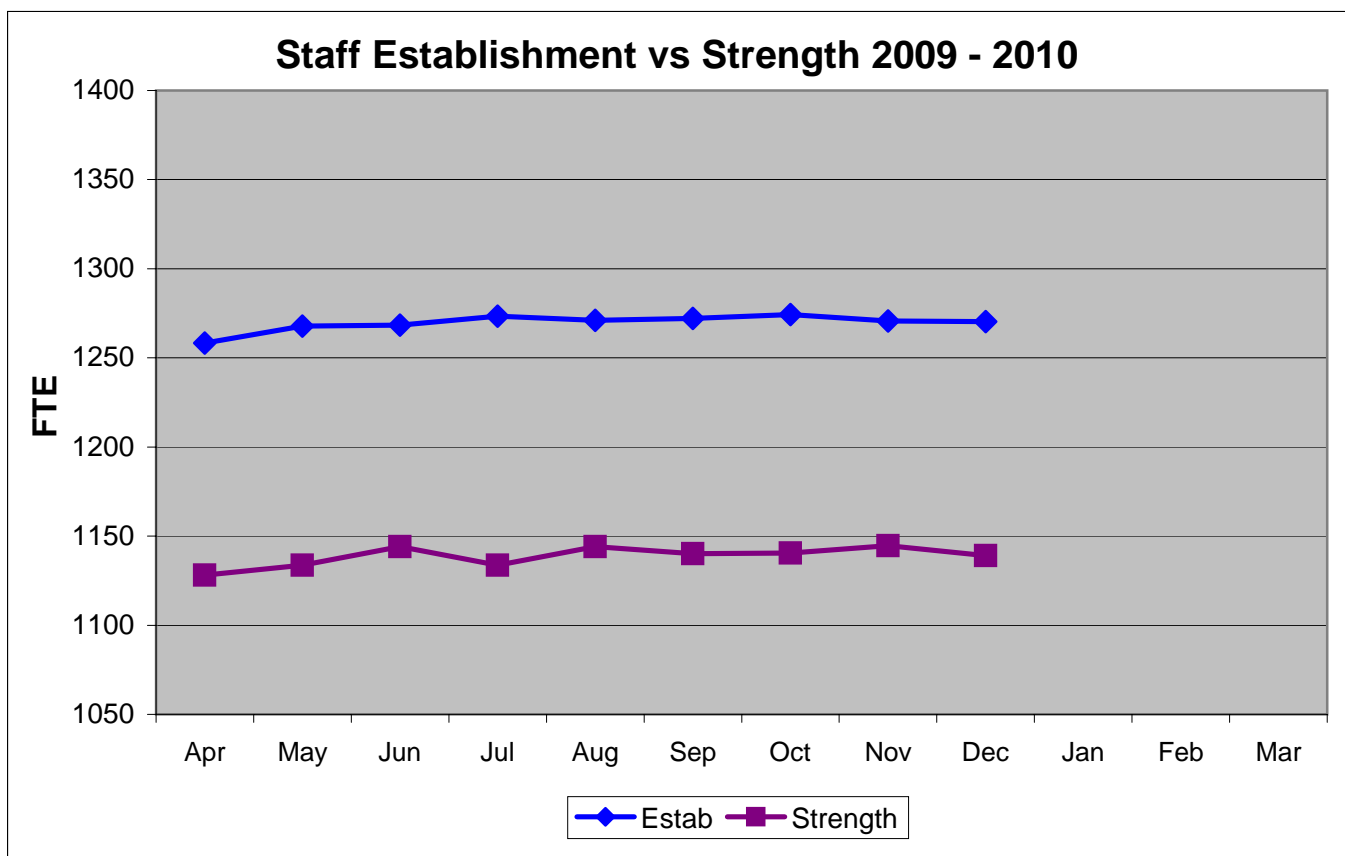
Forecast 2009-2010

Forecast	1638.0	1637.0	1648.0	1667.0	1672.0	1665.0	1658.0	1665.0	1658.0	1652.0	1650.0	1644.0
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Commentary

Substantial Police recruitment intakes have taken place and the establishment of 1660 has been met and now exceeded. Officer strength is being managed towards 1644 for April 2010 to contribute to 2010/2011 budget savings. The final three scheduled intakes planned over 2009/10 have been cancelled to ensure that we do not go over the 1% fluctuation of 1660 and that in conjunction with forecasts for predicted leavers the 1644 FTE is achieved by the end of this financial year.

It is believed that the weakened economy, which has lowered interest rates and reduced re-employment opportunities, is reducing the numbers of officers retiring when eligible.



Staff Establishment Vs Strength 2009 - 2010

Month	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Estab	1258.4	1267.8	1268.4	1273.5	1271.0	1272.1	1274.3	1270.7	1270.3			
Strength	1128.2	1133.6	1144.0	1133.8	1144.1	1140.2	1140.5	1144.7	1139.2			
Variance	130.2	134.2	124.4	139.7	127.0	132.0	133.8	126.1	131.2			

Establishment Breakdown 09/10

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Perm Est	1117.4	1122.8	1119.8	1118.8	1111.2	1112.3	1111.0	1113.0	1112.5			
Temp Est	59.2	62.2	64.9	73.9	79.1	79.1	82.6	77.0	77.0			
Ext Fund	81.8	82.8	83.8	80.8	80.8	80.8	80.8	80.8	80.8			
Total Est	1258.4	1267.8	1268.4	1273.5	1271.0	1272.1	1274.3	1270.7	1270.3			

Vacancy % of Staff Establishment

% Vacant	10.35%	10.58%	9.80%	10.97%	9.99%	10.37%	10.50%	9.92%	10.32%			

Commentary

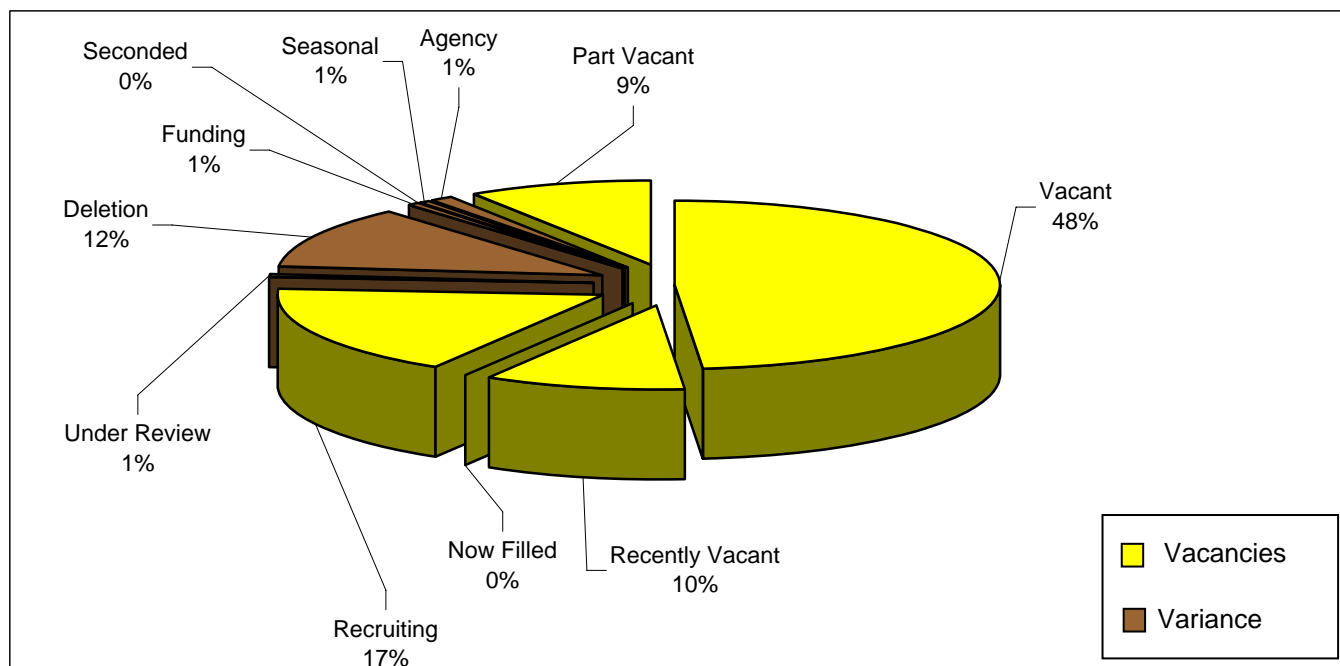
Out of an Establishment of 1270.3 posts, the Constabulary is running with 131.2 vacancies, 10.33% below the establishment.

Where organisationally possible, vacancies have been deliberately kept open whilst the Constabulary is in the midst of modernisation and organisational re-structure, allowing staff who may potentially face redundancy to have increased re-deployment opportunities.

The Change Programme commenced 11th November 2007 and has seen 287 members of Police Staff put at risk, with 38 subsequently being made redundant. Since November 1st, 2008 157 individuals have been redeployed or had their at risk status removed with 2 resigning whilst at risk and 28 having their employment terminated by reason of redundancy. We have commenced 2010 with 10 staff at risk. This is likely to increase over the coming weeks with a variety of business case at preparation stage prior to Collective Consultation.

Month	Nov-08	Jan-09	Mar-09	May-09	Jul-09	Sep-09	Oct-09	Nov-09	Jan-10
Numbers at risk	97	37	35	17	2	15	20	46	10

Staff Variance Analysis DECEMBER 2009 - TO COMPLETE



Vacancies	Description	FTE	%
Vacant	Unfilled post, due to structure changes	87.8	64%
Recently Vacant	Vacated within the last few months	17.8	13%
Now Filled	Vacant as at 30.11.09 but start date agreed	0.0	0%
Recruiting	Recruiting to (position being advertised to be filled)	31.4	23%
Total of Vacancies	Total amount of FTE Vacant	137.0	

Type of Variance	Description	FTE	%
Under Review	Post held vacant while post or department under review, pending decision	1.0	2%
Deletion	Post to be removed from Establishment	21.4	50%
Funding	Vacant posts suspended to fund other posts	1.0	2%
Seconded	Employee seconded but substantive post kept vacant	0.0	0%
Seasonal	Role which is Established, but not always occupied.	1.2	3%
Agency	Vacant post but covered by Agency or other employee	1.9	4%
Part Vacant	Occupied posts that have vacant FTE	16.6	39%
All Variance	Total amount of FTE under established	43.1	
Over Established	FTE strength greater than establishment, counter-balances Vacancy Analysis	48.9	
TOTAL VARIANCE	Balanced with Over Established equals Staff Variance	131.2	

Commentary

Of 131.2 vacancies, 31 FTE (23%) are currently advertised, 17.8 FTE (13%) recently vacated, and 87.8 FTE (64%) (made vacant from re-orgs and post moves etc) remain unfilled.

Quarter 2 09/10 - Total Variance was 132.0

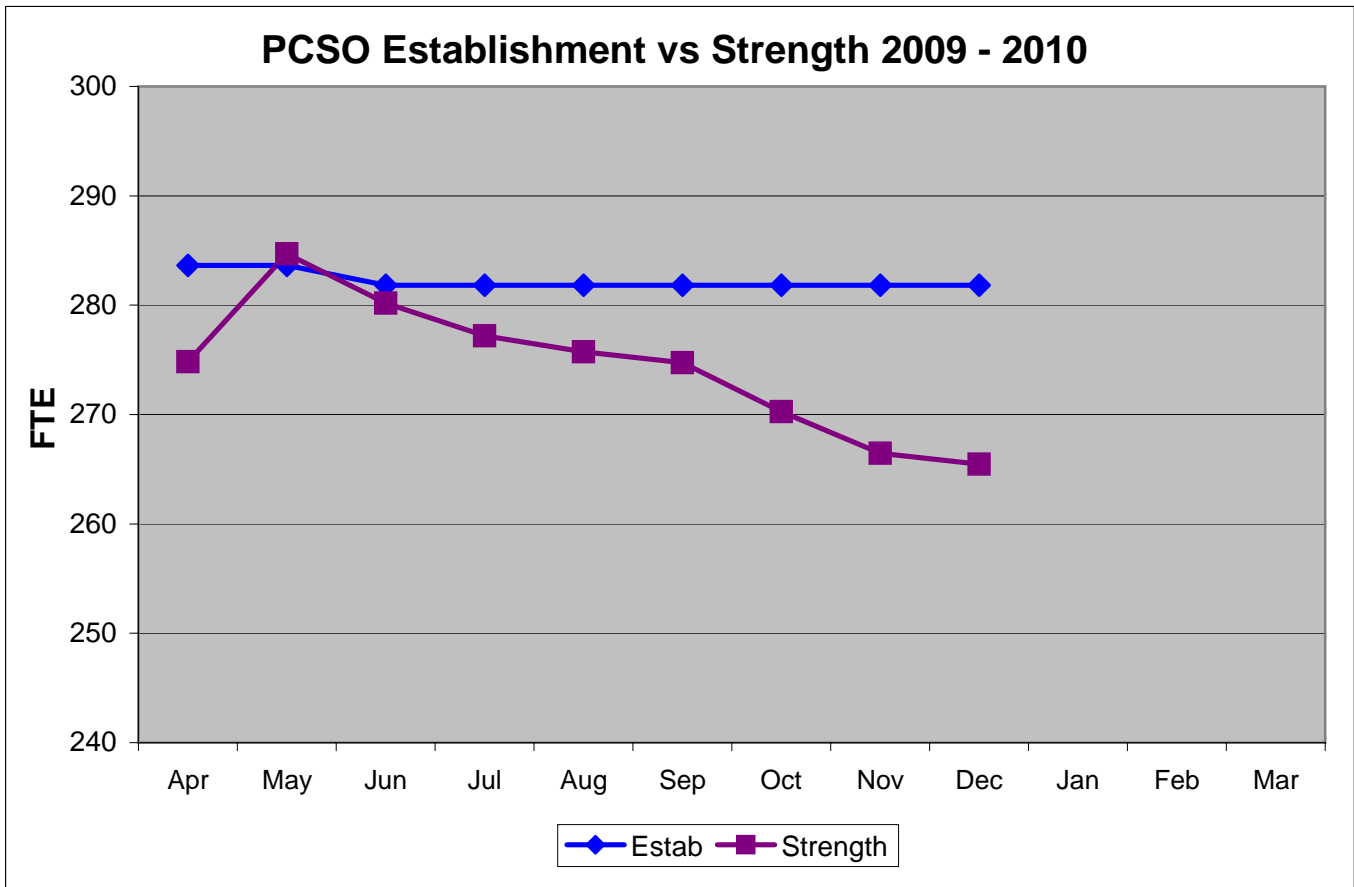
Quarter 1 09/10 - Total Variance was 124.4

Quarter 4 08/09 - Total Variance was 146.3

Quarter 3 08/09 - Total Variance was 149.7

Actions & Expected Outcome

Vacancies continue to be offered to those at risk of redundancy in the first instance as appropriate and the police staff establishment will continue to be cleansed during the modernisation and efficiency programmes. To keep the role history of staff accurate, a number of posts have been recreated with new role titles due to departmental moves. This has increased the vacant posts, ready to be filled by the "Over Established" variance.



PCSO Establishment vs Strength 2009 - 2010

Month	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Estab	283.7	283.7	281.8	281.8	281.8	281.8	281.8	281.8	281.8			
Strength	274.8	284.7	280.2	277.2	275.7	274.7	270.3	266.5	265.5			
Variance	8.8	-1.1	1.6	4.6	6.1	7.1	11.6	15.4	16.4			

* Establishment inclusive of 1.83 Externally Funded FTE

Vacancy % of PCSO Establishment 09/10

% Vacant	3.11%	-0.37%	0.58%	1.64%	2.16%	2.52%	4.11%	5.46%	5.81%			
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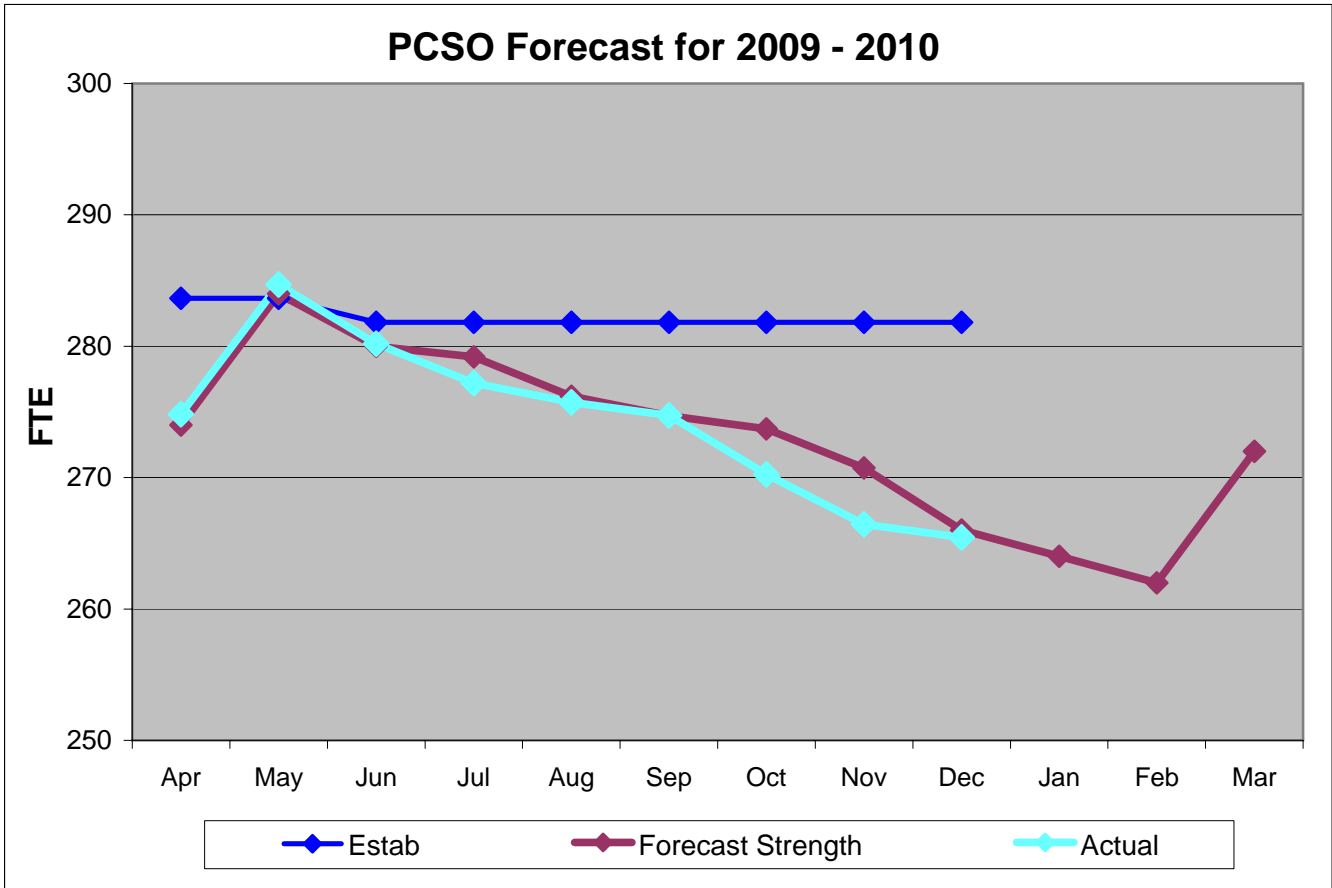
Commentary

In 2008/09 there was a move of 57 PCSOs to become PCs. PCSOs must complete two years service before they are able to be considered to become a PC. In Quarter 2 2009/10 there have been 9 PCSOs converted to PC.

Intakes of new PCSOs have continued to take place to maintain PCSO strength close to establishment levels. An intake of 12 PCSO's is planned for March 2010 and an intake of 10 PCSO's is planned in May 2010.

Actions & Expected Outcome

See page 6



Forecast 2009 - 2010

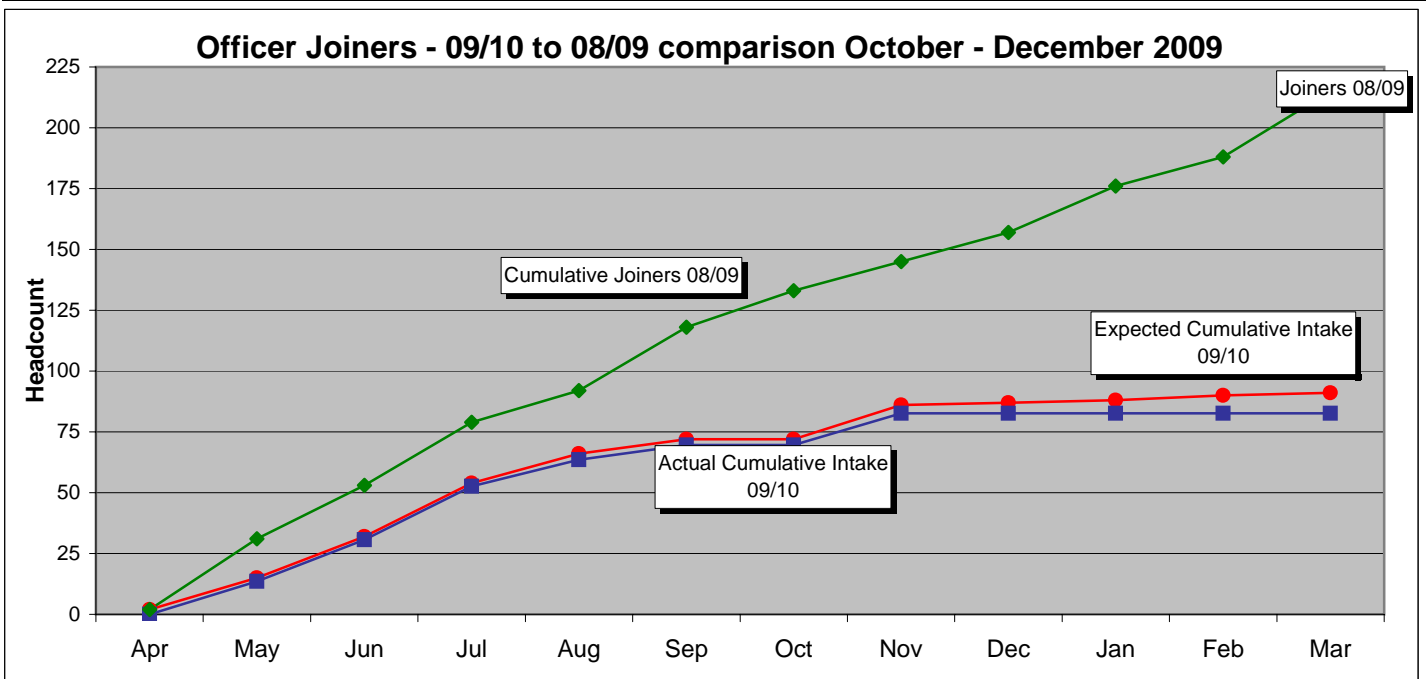
Forecast S	274.0	284.0	280.0	279.2	276.2	274.7	273.7	270.7	266.0	264.0	262.0	272.0
Actual	274.8	284.7	280.2	277.2	275.7	274.7	270.3	266.5	265.5			

Commentary

Owing to the potential migration of PCSOs to become PCs after their first two years tenure, there have been 14 PCSOs who have converted to PC following our November intake, together with a further 4 predicted leavers during the 09/10 financial year.

Actions & Expected Outcome

The first intake of PCSOs was in May 2009, followed by 10 in July, with the next intake of 12 PCSOs scheduled for March.



RECRUITMENT

Recruitment Plan for Officers - Year to Date April 2009 - March 2010

Month	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Planned Recruit Intake		12	12	22	10	0	0	12	0	0	0	0
Planned Transferees			5			6			1		2	
Expected Ret'd Secondments	1				1			2				
Other intakes	1	1			1					1		1
Total Planned Intakes	2	13	17	22	12	6	0	14	1	1	2	1
Expected Cumulative Intake	2	15	32	54	66	72	72	86	87	88	90	91

Actual Intakes - Year to Date April 2009 - March 2010

Month	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Recruit Intake		12	12	21	9			12				
Transferees			5			5						
Returned Secondments		1		1		1						
Other intakes		0.61			2	0.03		1				
Total Intakes	0	13.61	17	22	11	6.03	0	13	0	0	0	0
Actual Cumulative Intake	0	13.61	30.61	52.61	63.61	69.64	69.64	82.64	82.64	82.64	82.6	82.64

Actual Intake VME Recruitment - Year to Date April 2009 - June 2009

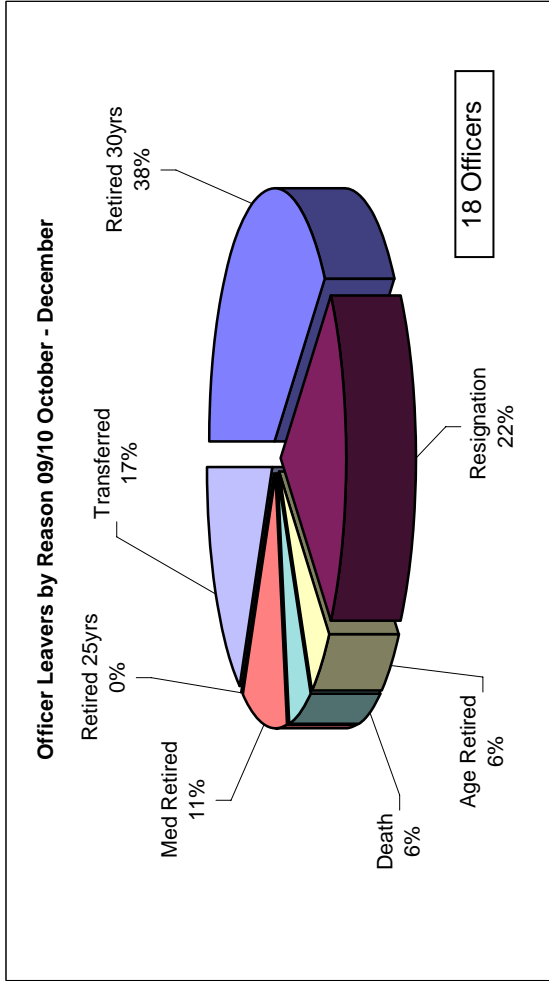
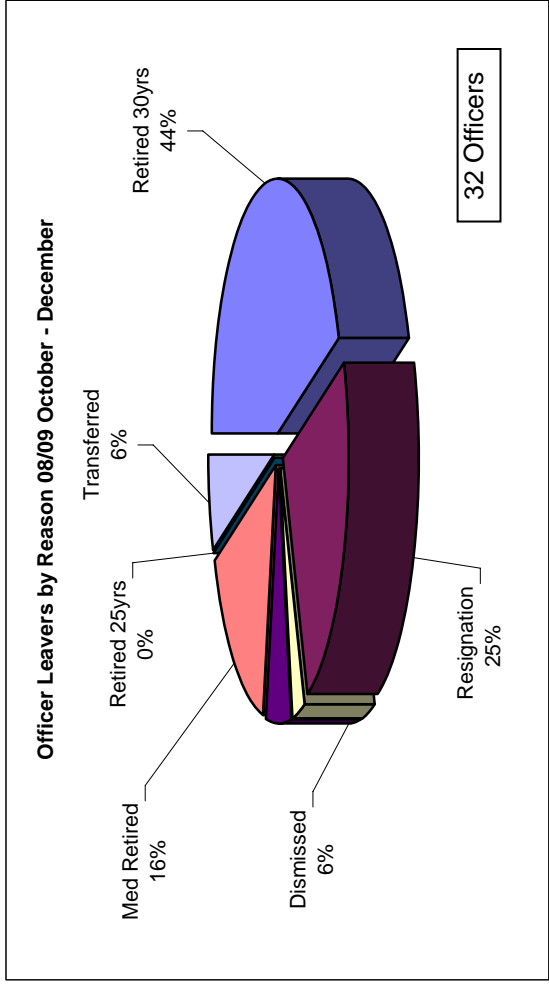
Month	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Recruits												
Transferees												
Other VME Intakes						1	1					
VME Leavers	-2						-1					
Current VME Total	21	21	21	21	21	22	22	22	22	22	22	22
VME % of Force	1.3%	1.3%	1.2%	1.2%	1.2%	1.3%	1.3%	1.3%	1.3%	1.3%	1.3%	1.3%
VME Recruitment %		0.0%	0.0%	0.0%	0.0%	1.4%	2.9%	2.4%	2.4%	2.4%	2.4%	2.4%
Total Headcount	1672	1671	1683	1702	1707	1702	1702	1702	1702	1702	1702	1702

Commentary

Current Intakes map against recruitment plan. Due to a decrease in officer leavers, planned intakes have been cancelled to prevent too many officers being employed.

1.3% of Police Officers are VME, with an additional 2.12% stating White - Other as their ethnicity. Across the Force, including Staff, Specials, PCSOs and Officers this shows as 1.52% mixed and 1.99% White - Other.

There is an access course to commence in April 2010, with an open evening on Feb 17th, 2010 focussing on minority groups with advertising going to SNT Sgts/MELO's, Constabulary website and Jobcentres.



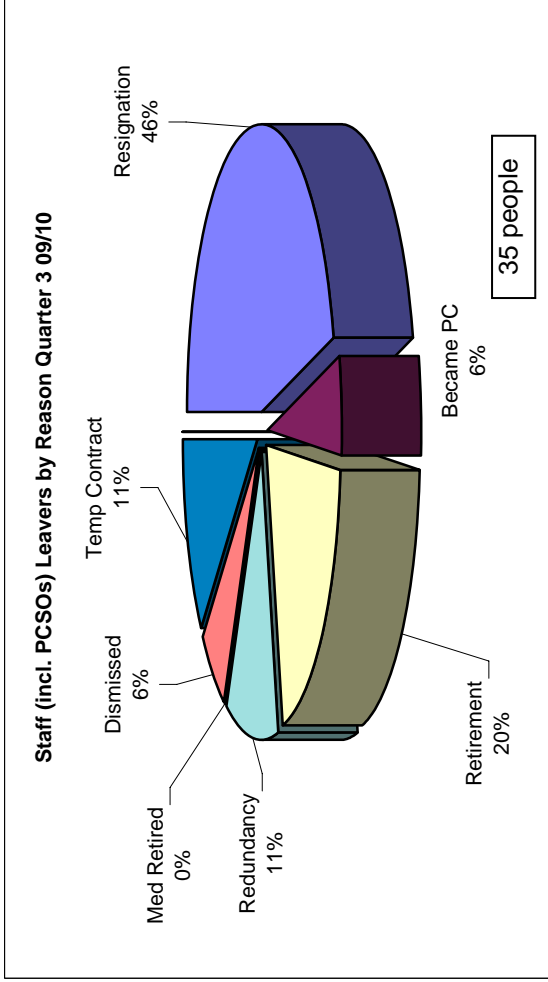
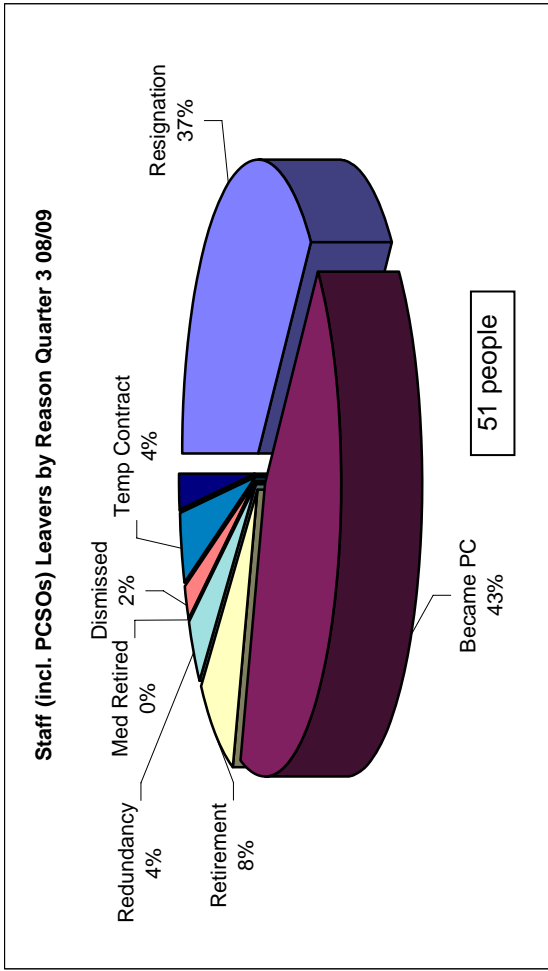
Officers Leaving the Force by Rank - October to December 09/10 to 08/09 Comparison

Year	Retired 30yrs		Retired 25yrs		Med Retired		Age Retired		Resignation		Dismissed		Transferred		Death		Totals	
	09/10	08/09	09/10	08/09	09/10	08/09	09/10	08/09	09/10	08/09	09/10	08/09	09/10	08/09	09/10	08/09	09/10	08/09
ACPO																	1	0
Chief Supt		1															0	1
Supt																	0	0
Ch Insp	3																3	0
Inspector		1															0	1
Sergeant	4				1				1								2	4
Constable	4	8			1	5	1	1	3	8	2	2	2	1			12	26
Total	7	14	0	0	2	5	1	1	4	8	0	2	3	1	0	18	32	

Commentary

Comparing Retirements (30yrs, 25yrs, Medical or Age Retirements) in Quarter 3 08/09 there were a total of 20. For Quarter 3 09/10 the total is 10. This is a decrease of 50% year to year. Resignations also decreased by 50% year on year which 8 officers resigning in Quarter 3 08/09 reducing to 4 in Quarter 3 09/10 due to possible factors like the economic climate and the more robust recruitment of student officers.

To date, 69 Officers have left the Constabulary in 2009/10 or which 46 retired, 13 resigned, and 1 was dismissed, and 1 died compared to last years figures of 73 leavers where 43 retired, 23 resigned, 4 transferred, 2 were dismissed and 1 died.



Staff (incl. PCSOs) Leaving the Force by Rank - October to December 09/10 to 08/09 Comparison

	Resignation		Became PC		Retirement		Redundancy		Medical		Dismissal		Temp		Transferred		Death		Totals	
	09/10	08/09	09/10	08/09	09/10	08/09	09/10	08/09	09/10	08/09	09/10	08/09	09/10	08/09	09/10	08/09	09/10	08/09	09/10	08/09
PCSO's	5	5	2	18														1	7	24
CDU		1		1										1					1	3
Prot Serv	6	2		1			1	1					1						10	4
CCR & P	4	4		2			1	1			1	1							5	8
CJS	1										1								3	0
HQ	4	7					2	1					3	1					9	12
Total	16	19	2	22	4	4	4	2	0	0	2	1	4	2	0	0	1	35	51	

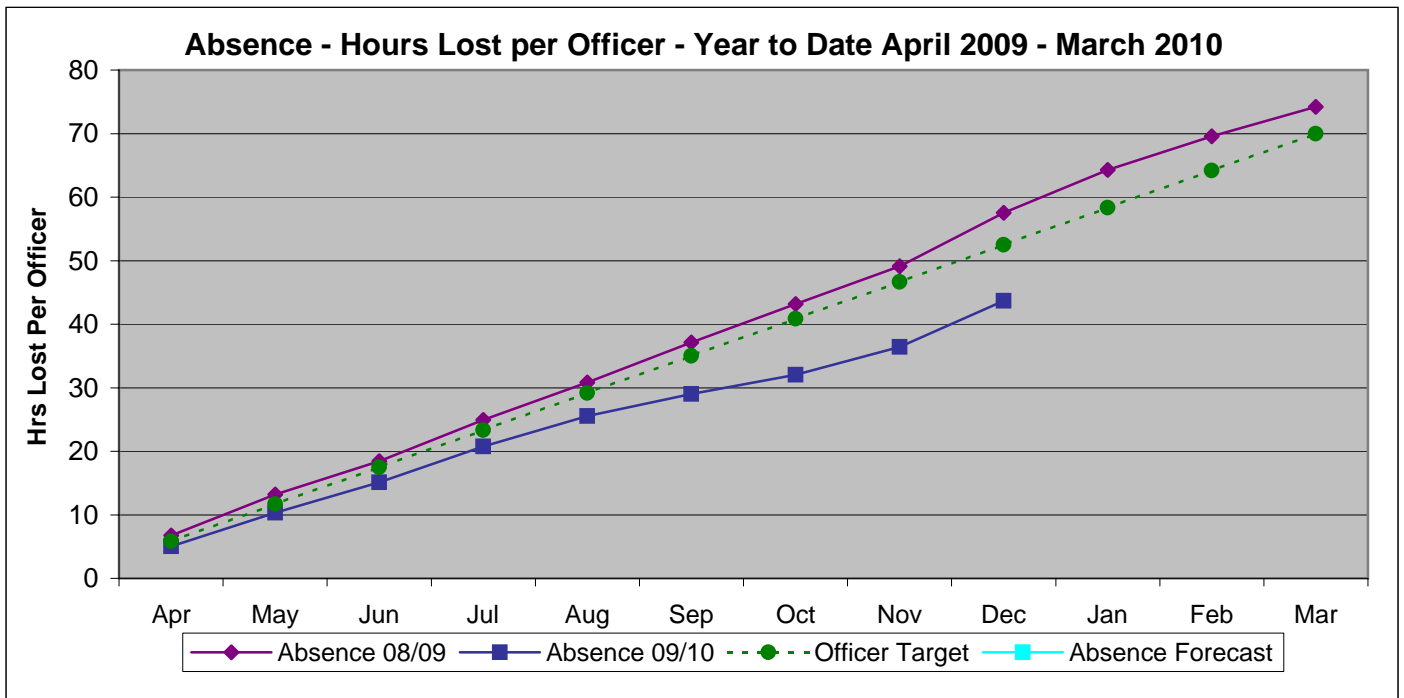
Commentary

Leavers for 09/10 are lower when compared to leavers at the same point in the financial year in 08/09 (35 to 51 respectively).

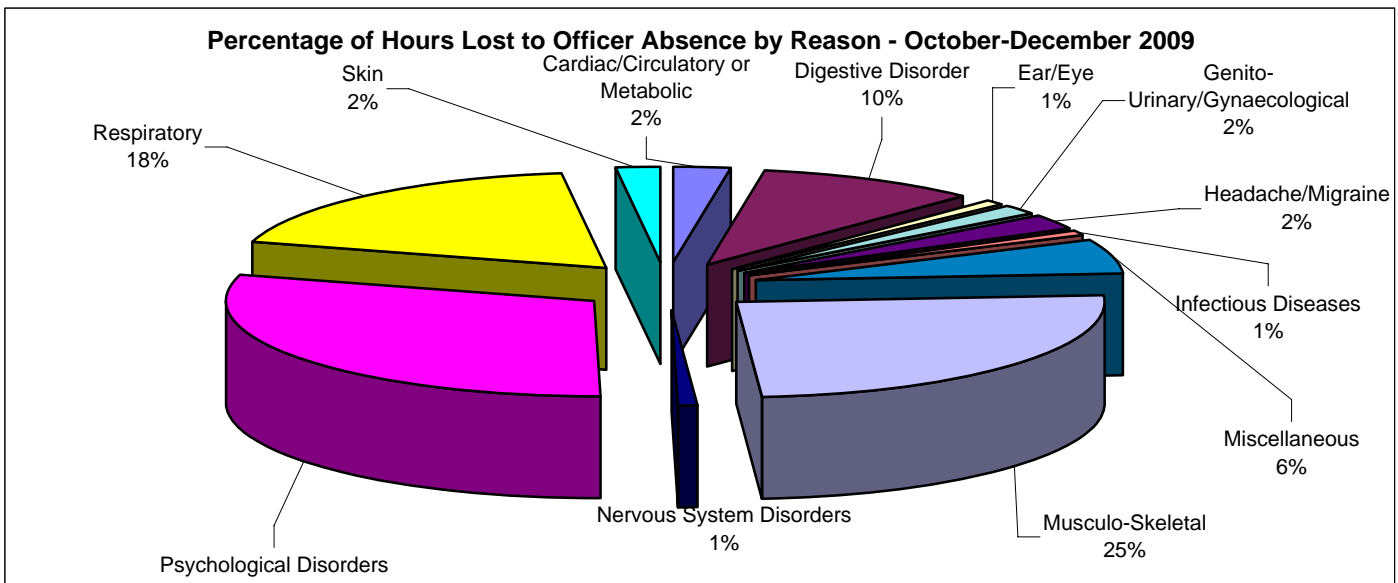
The largest reason for leavers in Quarter 3 08/09 were resignations where people became PCs, when 22 people swapped roles. Due to the reduction now in intakes, this number has dropped dramatically to only 2. In Quarter 3 09/10 the largest reason for leavers is resignations with 16 leavers compared to 19 due to resignation in Quarter 3 08/09.

Efficiency savings and continued change associated with the modernisation programmes have impacted on attrition rates.

On a year to date position, leavers are lower in 2009/2010 with 127 compared to the same period in 08/09 of 157. The highest reason for both periods is Resignation, counting



Hrs Lost Per Officer	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Monthly Absence	5.03	5.30	4.79	5.43	4.73	3.43	5.13	4.95	5.12			
Year To Date Absence	5.03	10.33	15.12	20.74	25.53	29.01	32.03	36.43	43.67			
% Long Term Sick (>28 days)	45%	56%	60%	57%	57%	57%	58%	51%	52%			
Target Absence	5.83	11.67	17.50	23.33	29.17	35.00	40.83	46.67	52.50	58.33	64.17	70.00
08/09 Comparison	6.73	13.18	18.43	24.96	30.83	37.12	43.17	49.14	57.54			



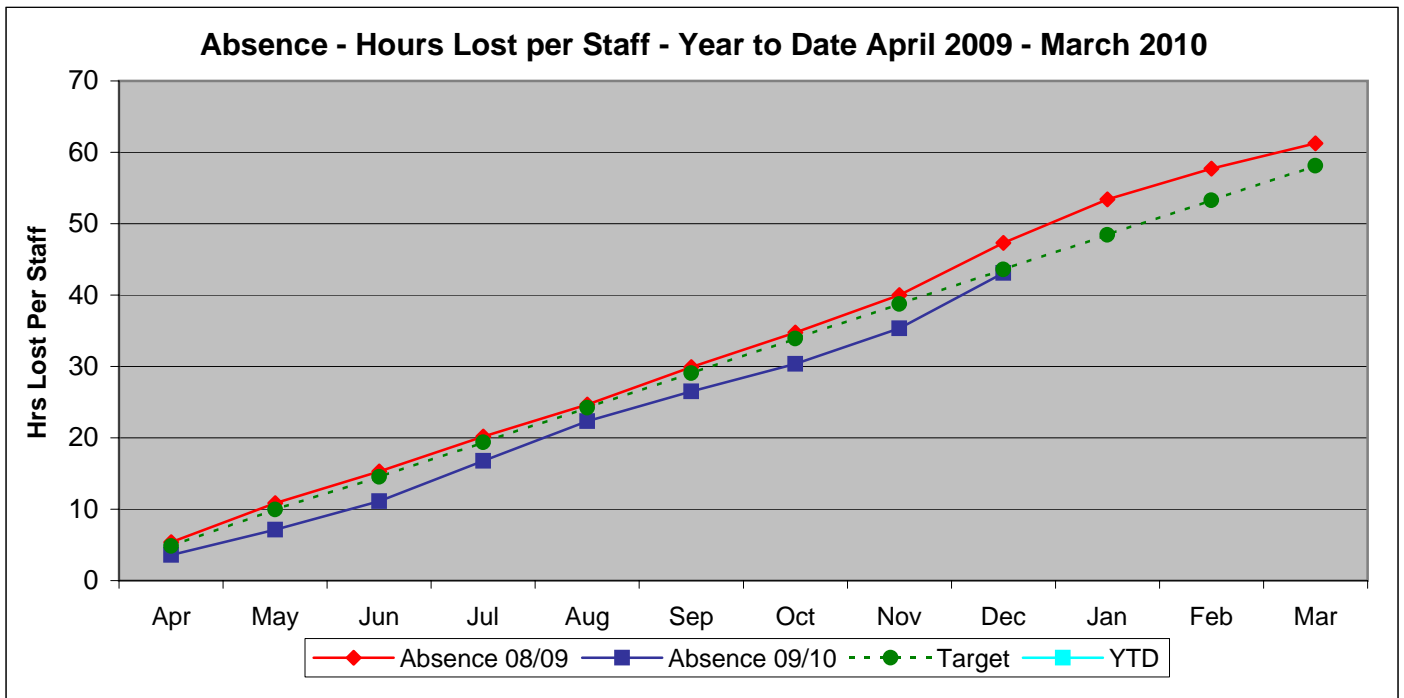
Commentary

The Quarter 3 hours lost per Officer due to sickness absence (43.67 hrs) is below the target (52.5 hrs), by 8.83 hours per Officer. This is significantly better than the 08/09 Quarter 3 figure of 57.54.

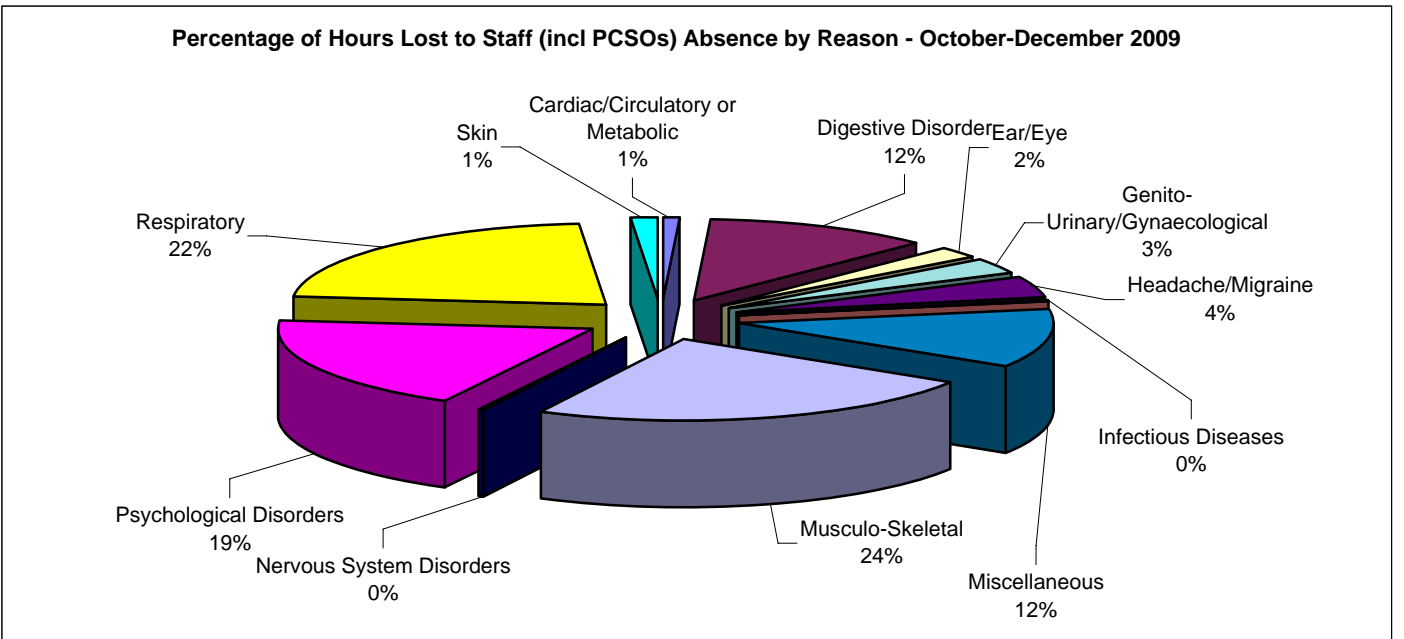
The major causes of these absences is "Psychological Disorders" (30%), and "Muscular Skeletal" (25%). Together they make over half of the causes of absence. Due to the recent pandemic, "Respiratory" illnesses has increased to 18%.

The new absence policy is being used and absence is continuing to reduce in 09/10. Positive initiatives influencing reduction of absence figures include:

- The Performance Improvement Unit continues to advise and support HR activities in terms of frequent or long term absences of officers, also implementing the new Taylor regulations where appropriate.
- There is a daily absence report to Superintendents and Departmental Heads outlining sickness figures by dept/district
- Daily information operates red/amber/green principle against daily targets
- HR advisors training front line supervisors as and where needed
- Inclusion of absence management in standards training
- Rigorous accountability mechanisms



Hrs Lost Per Staff	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Monthly Absence	3.60	3.51	4.03	5.45	4.98	4.83	3.99	5.10	6.25			
Year To Date Absence	3.60	7.11	11.14	16.77	22.31	26.48	30.37	35.35	43.08			
% Long Term Sick (>28 days)	25%	32%	39%	41%	47%	46%	44%	43%	44%			
Target Absence	4.84	9.69	14.53	19.37	24.22	29.06	33.90	38.75	43.59	48.43	53.28	58.12
08/09 Comparison	5.39	10.86	15.30	20.19	24.65	29.90	34.77	40.02	47.32			



Commentary

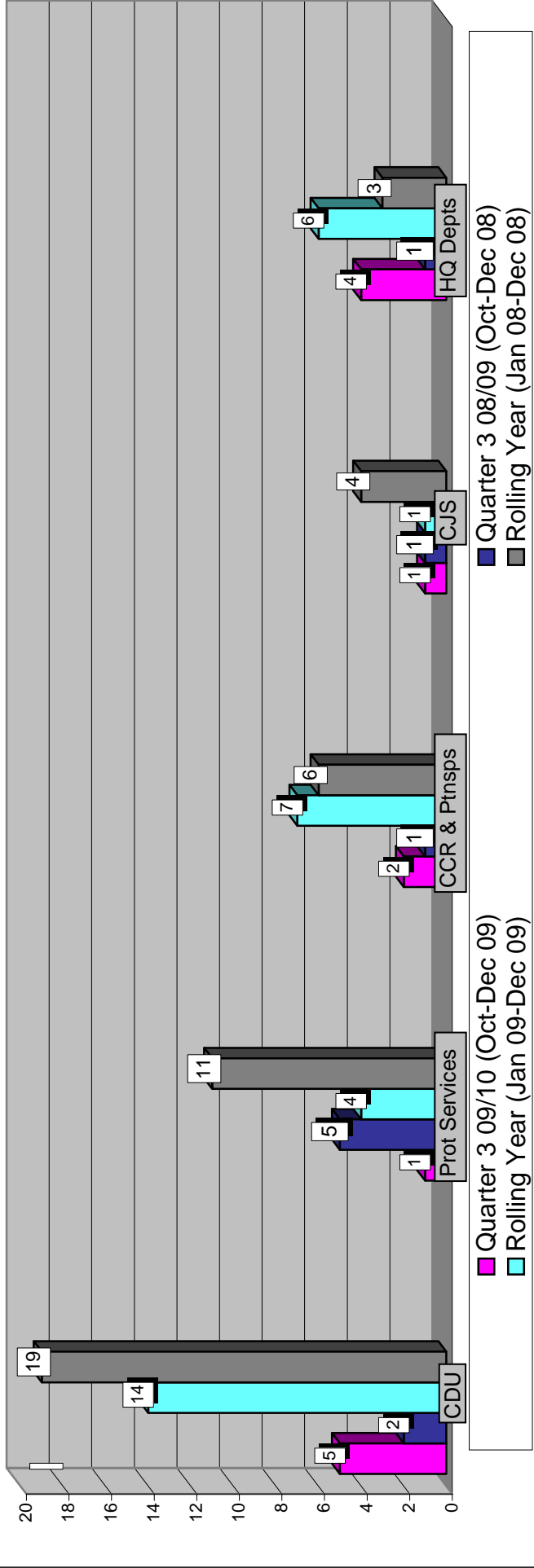
The Quarter 3 09/10 hours lost per staff member (including PCSOs) due to sickness absence is 43.08 hrs, 0.51 hours per staff member below the target figure of 43.59 hours. This is 4.24 hours better than Quarter 3 08/09 and would have been much greater if the outbreak of Swine Flu had not occurred.

Similar to Police Officers, the largest proportion of absences are due to Musculo-Skeletal (24%) and Psychological Disorders (19%) but don't contribute as highly to the overall figure. Again, with the swine flu pandemic, respiratory illnesses have increased significantly and account for 22% of all staff absence.

The new absence policy is being used which saw a year end 08/09 reduction of staff member absence of 3.8% from the previous year. Absence reduction has continued throughout 09/10.

In addition, a number of targeted activities have positively influenced absence as described on page 10.

Fairness At Work by Department - Quarter Comparison

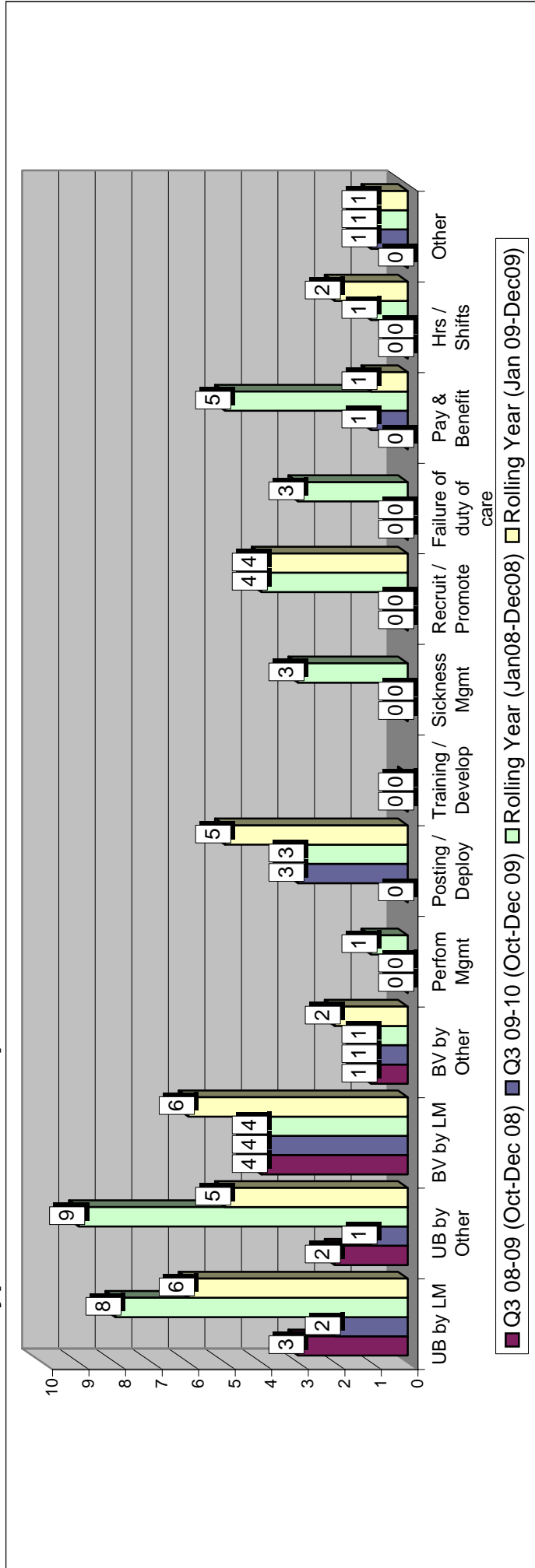


LOCATION of Fairness At Work	CDU	Protective Services	CCR & Partnerships	CJS	HQ Depts	Total
Quarter 3 09/10 (Oct-Dec 09)	5	1	2	1	4	13
<i>Q1 09-10%</i>	38%	8%	15%	8%	31%	
Quarter 3 08/09 (Oct-Dec 08)	2	5	1	1	1	10
<i>Q1 08-09%</i>	20%	50%	10%	10%	10%	
Rolling Year (Jan 09-Dec 09)	14	4	7	1	6	32
<i>Rolling Yr %</i>	43.75%	12.50%	21.88%	3.13%	18.75%	
Expected Qtr Avg based on Rolling Yr	3.50	1.00	1.75	0.25	1.50	8.00
Rolling Year (Jan 08-Dec 08)	19	11	6	4	3	43
<i>Rolling Yr %</i>	44.19%	25.58%	13.95%	9.30%	6.98%	
Expected Qtr Avg based on Rolling Yr	4.75	2.75	1.50	1.00	0.75	10.75

Commentary

The rolling year allows us to see a reasonably even split of fairness at work issues being raised across the Force, however, an increase in fairness at work issues within CCR & Community Safety has been seen over the year. Numbers of fairness at work issues remain relatively small and therefore it is difficult to ascertain any true patterns or trends. These are scrutinised monthly by a fairness at work panel chaired by the ACC (People). Also an increase in HQ departments in the last quarter.

Fairness At Work Type - Quarter Comparison



* UB = Unreasonable Behaviour, LM = Line Manager, BV = Bullying / Victimisation

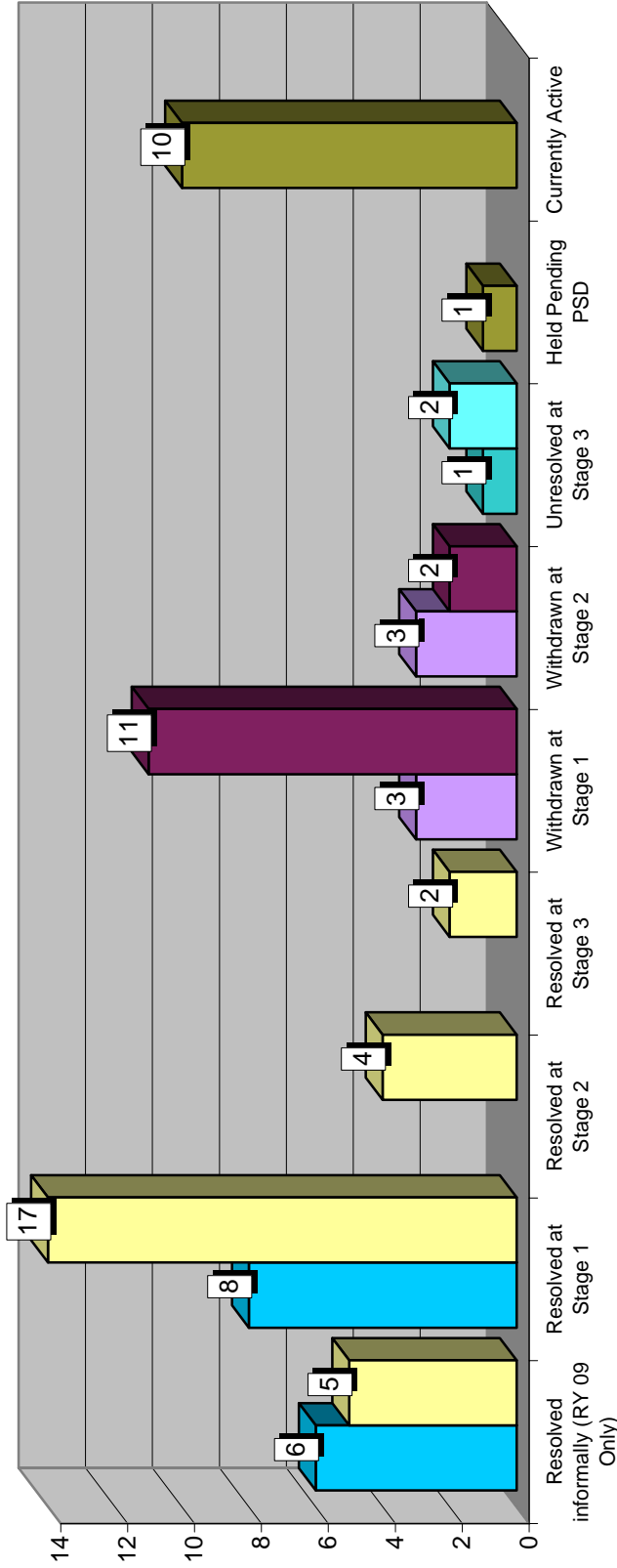
	UB by LM	UB by LM Other	UB by BV by LM	UB by BV by LM Other	UB by BV by Other	UB by BV by Other LM	Perform Mgmt	Perform Mgmt Other	Posting / Develop	Posting / Develop Mgmt	Sickness Mgmt	Sickness Mgmt Other	Failure of duty of care	Failure of duty of care Mgmt	Recruit / Promote	Recruit / Promote Mgmt	Pay & Benefit	Pay & Benefit Mgmt	Hrs / Shifts	Hrs / Shifts Mgmt	Other
Q3 09-10 (Oct-Dec 09)	2	1	4	1	1	1			3									1			1
Q3 08-09 (Oct-Dec 08)	3	2	4	1	1	1															
Rolling Year (Jan 09-Dec 09)	6	5	6	2	2	2			5						4		1		2	1	1
Exp'd Qtr Avg based on RY	1.50	1.25	1.50	0.50	0.50	0.50			1.25						1.00		0.25		0.50	0.25	0.25
Rolling Year (Jan 08-Dec 08)	8	9	4	1	1	1			3		3		3		4		5		1	1	1
Exp'd Qtr Avg based on RY	2.00	2.25	1.00	0.25	0.25	0.25			0.75		0.75		0.75		1.00		1.25		0.25	0.25	0.25

Commentary

Quarter 3 09/10 has seen a continued reduction in fairness at work issues reducing from 43 in 08/09 to 32 - a 25.5% decrease. As figures remain so small, comprehensive data cannot be produced.

Fairness At Work Resolution

Fairness At Work Resolution in Rolling Year (October - December 2009)



Grievance Resolved in Rolling Year (Jan 09-Dec 09)		65.63%		34.38%	
% of resolved fairness at work issues raised in RY					
Resolved informally (RY 09 Only)	6	8	3	1	10
Resolved at Stage 1	17	4	2	2	
Resolved at Stage 2	4		11	2	
Resolved at Stage 3	2		2	2	
Withdrawn at Stage 1	3		3	1	
Withdrawn at Stage 2	3		2	1	
Unresolved at Stage 3	1		1	1	
Held Pending PSD	2				
Currently Active	10				
		100.00%		0.00%	
% of resolved fairness at work issues raised in RY					

Commentary

As with previous reports, the vast majority of fairness at work issues are resolved at Stage 1 of the process. These figures demonstrate that informal resolution is being used more frequently.

Fairness At Work Lessons Learnt Action Register

Key Issues - December 2009

FAIRNESS AT WORK RISK MANAGEMENT GROUP

BRIEF SUMMARY	OWNER	ACTION REQUIRED
Line Managers require detailed advice when acting as disciplinary panel chair or members	R Newman	1 and 2 Advice sheet required for panel members and chair mirroring guidance in FPD
Police Officer Postings policy requires updating and clarification in terms of process, guidance as to the use of competencies and housekeeping/audit trail	A Gorman	New Deployment FPD which addresses the following: <ul style="list-style-type: none"> Adherence to one process for ALL postings; Competencies to be recorded, full and clear Minutes of meetings to include reasons for selection of officers to create audit trail and avoid allegations of bias/discrimination
Police Officer Promotions policy requires updating and clarification in terms of communication process, applicant evidence and marking criteria	A Gorman	New Promotions FPD which addresses the following: <ul style="list-style-type: none"> Overt, clear and transparent promotions process with clear criteria for consideration of Applicants to evidence ability to operate at higher rank/grade Once criteria for promotion have been selected there should be no exceptions. All criteria required for promotion to be documented Marking criteria to be recorded and applied to all candidates in same way Departure from policy/process to be clear from audit trail and justifiable Good record-keeping against agreed criteria
Failure to identify officers and staff who are disabled; means that they may not be considered in accordance with the DDA	S Harris	HR (with advice from Legal) to create a flow chart to assist with determining disability
Not all staff/officers appear to have received diversity training	C Sinclair	Review of officers and staff to ensure that all have received diversity training
Probationary period for police staff does not include those at Director level	R Newman	Review of probationary report process
Clarification required as to cross over between HR and PSD	M Graveling	Protocol and flowchart developed clarifying responsibilities of PSD and HR

ACTION		OWNER	METHOD	Measures for Performance		UPDATE	TARGET DATE	STATUS
1: Undertake specified analysis of all strands of diversity to highlight disproportionate negative trends								
1a) Undertake gap analysis to highlight any apparent areas of disproportionality relating to employment matters, e.g. relative promotion rates amongst male and female officers	MG	<ul style="list-style-type: none"> Conduct analysis of management information by gender and ethnicity in relation to <ul style="list-style-type: none"> internal recruitment promotion rates senior rank/grade population by gender and other employment matters where issues of disproportionality are suspected 	<ul style="list-style-type: none"> 1 report provided to PS & HR Committee on a quarterly basis 	<ul style="list-style-type: none"> Update Aug 09: Report on rank/grade population by gender and ethnicity provided for PA meeting. Update Oct 09: Report on gender and promotion provided for PA meeting. PA to advise on further areas of analysis. 	31.03.10	GREEN		
1b) Analyse proportions of VME and female officers in specialist officers' roles with a view to considering an attachment scheme	MG	<ul style="list-style-type: none"> Undertake analysis of management Engage with staff associations/networks If any issues of disproportionality are 	Implementation of attachment scheme where appropriate	<ul style="list-style-type: none"> RN to undertake analysis in this area. Update Oct 09: Work is ongoing 	31.03.10			
2: Recruit the right people with the right skills at the right time, proactively targeting all representative groups, taking into consideration additional adjustments if reasonable								
2a) Increase awareness of employment opportunities within the police by working with communities, e.g. establishing work placements for the disabled	MG	Work with disability employment agencies to set up work placements for the disabled	Norfolk Constabulary offers work placements for disabled individuals via recognised agencies	<ul style="list-style-type: none"> Update Aug 09: Initial meeting has taken place with Remploy. Work now taken up by Deb Ammiss. Update Oct 09: HR department to offer 2 12 week preparation for work placements via Remploy, who are currently identifying interested candidates. Update Dec 09: Work placements commenced 	31.12.09			
2b) Audit Reed employment agency with respect to diversity compliance	MG	Liaise with Reed in relation to their diversity policy and reports provided	Reed's diversity policy has been checked to ensure it meets legal requirements and Norfolk	<ul style="list-style-type: none"> Norfolk Constabulary have recently signed up with Reed again for a further year. All diversity processes in place and satisfactory. Action completed. 	31.12.09	GREEN		
2c) Target young people by offering internships through City College for their Public Services course	JS	Internship programme to be developed and set up, with appropriate selection process for interns	Norfolk Constabulary has ongoing internship programme in place for Public Services course students	<ul style="list-style-type: none"> Update June 09: Process in place and will be implemented for the new students starting in autumn 2009. The college inform us that there has been considerable interest in the scheme. Aug 09: All on schedule, no further update available until registration Update Oct 09: L&D in liaison with City College to progress. Also exploring bursary options for the pilot Pre-Commencement Qualification which is in development phase at the moment 	31.03.10			
2d) Recruit to the Constabulary's workforce (police officers, staff and Specials as a single total) a minimum of: <ul style="list-style-type: none"> 6.1% VME and non-VME 40% female officers using positive action initiatives as appropriate	UA	<ul style="list-style-type: none"> Instigate positive action initiatives in relation to VME and non-VME recruits for all vacancies, and for female student officers. 	<ul style="list-style-type: none"> Recruitment targets achieved Police Authority is satisfied that Force is effectively communicating opportunities and lawful 	<ul style="list-style-type: none"> 05.06.09: SH will continue running Access courses during 2009/10. Current Access Course in progress due to be completed July 2009 SH working with MELO's, & Diversity Team to produce a recruitment activity diary for 2009/10 targeting relevant community events throughout Norfolk – ongoing work. Update Aug 09: 2 Access courses to commence in September 2009 and will run until January 2010. Recruitment team to attend recruitment fairs being held in Norwich and Gt Yarmouth in October 2009. The dates of events coincide with recruitment lines for Police Officers being open. Update Oct 09: New Recruitment Positive Action Plan drafted and agreed by ACC(P). 	31.03.10			

Appendix A - DIVERSITY - GENDER & ETHNIC ORIGIN BY RANK & GRADE

Police Officers	Gender	White (W1)		White (W2) (W9)		Mixed (M9) (M3) (M1)		Asian or Asian British (A1)		Black or Black British (B2)		Chinese or Other (O9)		Not Stated		Total Rank by Gender		
		HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC
ACPO Ranks	Male	4	4.00														4	4.00
	Female																	
Chief Superintendent	Male	5	5.00														5	5.00
	Female	2	2.00														2	2.00
Superintendent	Male	11	11.00	1	1.00												12	12.00
	Female	3	3.00														3	3.00
Chief Inspector	Male	17	17.00														17	17.00
	Female	1	1.00														1	1.00
Inspector	Male	74	74.00	3	3.00												77	77.00
	Female	21	19.40														21	19.40
Sergeant	Male	222	222.00	13	13.00	1	1.00										237	237.00
	Female	46	43.61														46	43.61
Constable	Male	844	842.85	26	26.00	12	12.00	1	1.00	1	1.00			4	4.00		888	886.85
	Female	372	342.42	6	5.40	4	3.82	1	0.60			1	1.00	1	1.00		385	354.24
Total Male		1,177	1175.85	43	43.00	13	13.00	2	2.00	1	1.00	-		4	4.00		1,240	1,238.85
Total Female		445	411.43	6	5.40	4	3.82	1	0.60			1	1.00	1	1.00		458	423.25
Overall Total		1,622	1587.28	49	48.40	17	16.82	3	2.60	1	1.00	1	1.00	5	5.00		1,698	1,662.10
Population as % of overall population	Male	69.32%	70.75%	2.53%	2.59%	0.77%	0.78%	0.12%	0.12%	0.06%	0.06%			0.24%	0.24%		70.49%	71.95%
	Female	26.21%	24.75%	0.36%	0.32%	0.24%	0.23%	0.06%	0.04%			0.06%	0.06%	0.06%	0.06%		26.62%	25.14%

Police Staff	Gender	White		White (W2) (W9)		Mixed (M9) (M3)(M1)(M2)		Asian or Asian British (A1)		Black or Black British		Chinese or Other (O1)(O9)		Not Stated		Total		
		HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE	
Senior Support	Male	10	10.00														10	10.00
	Female	2	1.61											1	1.00		3	2.61
M Grade	Male	52	51.47			1	1.00			1	1.00						54	53.47
	Female	40	38.78														40	38.78
SO Grade	Male	126	119.61														126	119.61
	Female	103	95.05	1	1.00									1	1.00		105	97.05
Scales 1-6	Male	305	285.54	8	8.00			1	1.00					3	3.00		317	297.54
	Female	586	508.87	12	10.76			1	0.46			1	1.00				600	521.09
Total Male		493	466.62	2	2.00	6	6.00	1	1.00	1	1.00	1	1.00				3	3.00
Total Female		731	644.32	2	1.65	11	10.11			1	0.46			1	1.00		2	2.00
Overall Total		1224	1110.94	4	3.65	17	16.11	1	1.00	2	1.46	1	1.00	1	1.00		5	5.00
Population as % of overall population	Male	39.28%	40.93%	0.16%	0.18%	0.48%	0.53%	0.08%	0.09%	0.08%	0.09%	0.08%	0.09%				0.24%	0.26%
	Female	58.25%	56.51%	0.16%	0.14%	0.88%	0.89%			0.08%	0.04%			0.08%	0.09%		0.16%	0.18%

Appendix B - DIVERSITY - GENDER & ETHNIC ORIGIN by RANK & GRADE cont.

PCSO	Gender	White		White (W2) (W9)		Mixed (M9) (M3)(M1)(M2)		Asian or Asian British (A1)		Black or Black British		Chinese or Other (O1)(O9)		Not Stated		Total	
		HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE		
Scale 4	Male	132	131.642	2	2.000	1	1.000					1	1.000			136	135.64
	Female	125	121.155	6	5.652	1	1.000					2	2.000			134	129.81
Overall Total		257	252.80	8	7.65	2	2.00					3	3.00			270	257.80
Population as % of overall population	Male	48.89%	44.87%	0.74%	0.74%	0.37%	0.37%					0.37%	0.37%			50.37%	50.24%
	Female	46.30%	44.87%	2.22%	2.09%	0.37%	0.37%					0.74%	0.74%			49.63%	48.08%

Special Constabulary	Gender	White		White (W2) (W9)		Mixed Heritage		Asian or Asian British		Black or Black British		Chinese or Other		Not Stated		Total	
		HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE	HC	FTE		
Specials Commandant	Male	1														1	
	Female																
Special Chief Inspector	Male	6														6	
	Female	3														3	
Special Inspector	Male	5														5	
	Female	3														3	
Special Sergeant	Male	27						1		1						29	
	Female	5														5	
Special Constable	Male	132		2				1				1				136	
	Female	72		1		1										74	
Total Male		171		2				2		1		1				177	
Total Female		83		1		1										85	
Overall Total		254		3		1		2		1		1				262	
Population as % of overall population	Male	65.27%	31.68%	0.76%	0.38%			0.76%		0.38%		0.38%				66.79%	
	Female	31.68%		0.38%		0.38%										32.06%	

NORFOLK POLICE AUTHORITY

PROFESSIONAL STANDARDS AND HR COMMITTEE

10 FEBRUARY 2010

AGENDA ITEM: 10

PSHR10/06

BUSINESS INTEREST UPDATE

Report by the Chief Constable

This report is for information only

1. INTRODUCTION

- 1.1 The Business Interest FPD has been reviewed and amended to include police staff. This in line with the ACPO Guidance on the Management of Business Interests and Additional Occupations for Police Officers and Police Staff. The administration and management of the Register of Business Interests remains the responsibility of the Professional Standards Department (PSD).

2. CURRENT POSITION

2.1 Police Regulations

- 2.1.1 The revised Business Interest FPD has been amended to include Political Associations, which was previously included in the HR policy. Any officers or police staff registering an interest in Public Office (District & County Council, Parish Council) will have to submit a Business Interest application. The FPD lists politically restricted posts, these include; Police Officers, Special Constables, PCSO's and Police Staff (M4 and above).

2.2 European Working Time Regulations (EWTR)

- 2.2.1 In addition to Police Regulations consideration must be given to the amount of time dedicated to the business or activity to ensure staff do not exceed the limit of working an average of 48 hours per week as set out in the EWTR.

2.3 Force Policy and Process

- 2.3.1 A comprehensive process has been introduced to manage applications to hold a Business Interest and maintain an accurate Register of Business Interests. Existing officers and individuals newly appointed are required to submit a form notifying the Force if they hold or intend to hold a Business Interest.

Once the details of the Interest have been submitted, the member of staff's Head of Department or District Superintendent will make a recommendation to the Head of Professional Standards to either support or reject the application based on Police Regulations and Police Personnel Unsatisfactory Performance and Misconduct procedures criteria as specified in the policy and the EWTR. In addition consideration will be given to the person's performance, conduct and attendance records where appropriate. The Head of PSD will then either approve the Interest or not approve clearly stating the reasons for his/her decision and there is an appeal process which can be made to the Assistant Chief Constable. Conditions can be stipulated at any stage of the process to ensure the Interest does not impact on the person's ability to undertake their role. When determining a request or an appeal due consideration must also be given to Human Rights legislation, specifically Article 8: the Right to Respect for Private and Family Life and Article 14: the Prohibition of Discrimination. This is to ensure any refusal or restriction is fair, within regulatory guidelines and takes into account the right to a private life for all staff.

2.4 Types of Business Interest

2.4.1 A list of current Business Interests for Norfolk Constabulary officers and police staff is attached at Appendix A. The Register of Business Interests is now available on the Norfolk Police Web Page under the Publication Scheme. The number of Business Interests has risen since the previous report submitted to the Committee in August 2009 as a result of the publication of the new Force Policy Document which has reminded officers and staff of their obligation to register interests. The most common categories of Interests have remained the same with a rise in the registration of voluntary activities, notably School Governors. A number of work as volunteers for a variety of organisations and although they are not in receipt of payment this activity must be considered as a Business Interest in terms of the EWTR and suitability or compatibility with the role of police officer.

2.5 Comparison to Other Forces

2.5.1 The FPD was reviewed and amended to include Political Associations. This was compared against Suffolk & Cambridgeshire's policies on Political associations.

3. WAY AHEAD

3.1 Monitoring

3.1.1 Once more data are available, PSD will monitor the rise in applications for Business Interests and identify any significant trends.

3.2 Police Staff

3.2.1 The new Force Policy Document will include police staff and they will now be required to register any Business Interest they may hold using the same process that applies to officers. This will replace the current requirement to simply inform their Department Head.

4. **IMPACT IMPLICATIONS**

4.1 In producing this report I have considered all of the impact implications. Where there are material impacts, I have identified these. Where I have stated 'none', I certify that there are no material impacts.

- a. **Finance:** The management of business interests is undertaken within the existing budget allocation.
- b. **Staff:** None.
- c. **Training:** None.
- d. **Accommodation:** None.
- e. **ICT:** None.
- f. **Vehicles:** None.
- g. **Equipment:** None.
- h. **Other resources:** Media & Communications.
- i. **Efficiency gains:** None.
- j. **Link with Norfolk Police Authority/Norfolk Constabulary priorities:** None.
- k. **Risk Management:** Business Interests of officers must be managed in accordance with Police Regulations and the European Working Time Regulations in order to be legally compliant and protect the effectiveness and reputation of the Force.
- l. **Diversity/Human Rights:** None.
- m. **Environment and Sustainability:** None.

5. **RECOMMENDATION/ACTION REQUIRED**

5.1 It is recommended that Members note the contents of this report

Officer Presenting Report at the Meeting:

Karen Walker,
Deputy Head of Professional Standards
Professional Standards Department
01953 42-3799
walkerk@norfolk.pnn.police.uk

Contact Officer:

Jim McIntyre,
Information Security & Vetting Manager
Professional Standards Department
01953 424073
mcintyrejr@norfolk.pnn.police.uk

Executive Officer:

Kevin Wilkins
Assistant Chief Constable

Are there Background Documents? No

Does the report contain Exempt Information? No

Appendix A

REGISTERED BUSINESS INTERESTS	
CATEGORY	TOTAL NUMBERS
Accountancy	1
Agriculture/Horticulture/Fishery	12
Art & Crafts	3
Author	3
Balloon Pilot	1
Builder/Decorator/Handyman	4
Catering/Hotel/B&B	5
Cleaning	2
Computer Maintenance	1
Consultancy	4
Director	10
Diving	4
Driver - Private Hire	5
Driving Instruction/Training	8
Electrician	1
Emergency Medical Technician	1
Engineering	2
Entertainment	3
Equipment Hire	3
Expert Witness	1
Florist	1
Genealogy	1
Haulage	1
Health & Beauty	8
House Clearance	1
Insurance Broker	1
Land Management	1
Leisure Industry	1
Mystery Shopper	2
Photography	7
Play Supervisor	1
Pilot	1
Printing	1
Property Rental/Management	37
Research	1
Retail (including home-based)	11
Safety/Security Advisor	4

Self Defence Instruction	12
Sports Coaching/Stewarding	4
Spouse/Partner Interest	3
Training/Instruction/ Assessing	31
Travel Agency	1
Vehicle Recovery	2
Vehicle Rental	2
Vehicle Sales	3
Voluntary Work	31
Warehouse	1
Web Design	2
TOTAL	243

OVERVIEW OF COMPLAINTS & DISCIPLINE STATS

Report by the Chief Constable

This report is for consideration and information only.

1. **INTRODUCTION**

Attached to this report is the quarterly review in relation to the Complaints, Misconduct and other matters that have been processed for the period 1st April 2009 to 31st December 2009.

2. **CURRENT POSITION**

The new Force structure came into effect on 6th April 2009 and the categorisation of complaint data has been amended to reflect this.

PSD staff continue to support local management in dealing with complaints and performance management with formal training included on the Sergeants programme. In addition a number of Master Classes have been held targeted at those officers attracting a higher than average number of complaints.

The general rise in complaints has continued into the third quarter reflecting a regional and national trend. However, the increase in the number of complaints in Norfolk is beginning to slow down with only a 2.3% increase this quarter. This compares favourably with the previous two quarters where complaints rose by an average of 13.7%.

3. **WAY AHEAD**

Departmental procedures continue to be reviewed to provide the most effective support to local management in managing complaints. Information is to be made available more regularly to supervisors in anticipation that effective management intervention will help reverse the rise in complaints. A dedicated Complaints, Performance and Misconduct Analyst will help the department

identify areas for improvement across the Force.

4. **IMPACT IMPLICATIONS**

In producing this report I have considered all of the impact implications. Where there are material impacts, I have identified these. Where I have stated 'none', I certify that there are no material impacts.

- a) **Finance:** None.
- b) **Staff:** No additional staff are required but an officer from PSD is now in attendance for the inspection of files.
- c) **Training:** PSD staff members involved in preparation of the new Police Misconduct Procedures
- d) **Accommodation:** None.
- e) **ICT:-** Access required for those inspecting files.
- f) **Vehicles:** None.
- g) **Equipment:** None.
- h) **Other resources:** None.
- i) **Efficiency gains:**
- j) **Link with Norfolk Police Authority/Norfolk Constabulary priorities:-** All aspects of PSD compliment Norfolk Police Authority/Norfolk Constabulary priorities.
- k) **Risk Management:** None.
- l) **Diversity/Human Rights:** - Included within the statistics pack.
- m) **Environment and Sustainability:** None.

5. **RECOMMENDATION/ACTION REQUIRED**

- 5.1 It is recommended that Members note the contents of this report.

Officer Presenting Report at the Meeting:

Supt Berni Cartwright
Professional Standards Department
01953 423930
cartwrightb@norfolk.pnn.police.uk

Contact Officer

Karen Walker,
Deputy Head of Professional Standards
Professional Standards Department
01953 42-3799
walkerk@norfolk.pnn.police.uk

Executive Officer:

Kevin Wilkins
Assistant Chief Constable

Are there Background Documents? Yes

Does the report contain Exempt Information? Yes – Part 2 not for publication.

The exemption paragraph is number 1.

A public interest test has been considered and, in all the circumstances of the case, the public interest in maintaining the exemption is considered to outweigh the public interest in disclosing the information.



NORFOLK

CONSTABULARY

Our Priority is You

Professional Standards Department

Quarterly Review

Police Authority

For the period 1st April 2009 to 31st December 2009

CONTENTS

PART 1

Complaints Recorded/Completed (Comparison figures)

Main Categories of Complaint Recorded

Complaints Recorded based on Location of Staff

Complaints of Discriminatory Behaviour

Completed Complaints - Locally Resolved/Substantiated

Regional Comparison

Complaints from the Visibly Ethnic Minority Group/Gender of Complainants

Direction and Control Complaints

Appeals to IPCC

Trends

Lessons Learned

FIGURES FOR THE PERIOD 1st APRIL TO 31st DECEMBER 07, 08 & 09

Complaints Recorded/Completed

For period 1st April to 31st December =	2007	2008	2009	% + or – On previous year
Complaints Recorded	534	470	481	+2.3%
Complainants Recorded	375	353	448	+27%
Complaints Completed	484	517	478	- 8%
Results of completed complaints:-				
Locally Resolved	230 (47.5%)	260 (50.3%)	227 (47.5%)	
Withdrawn	25	23	40	
Dispensation/Discontinued	58	35	36	
Unsubstantiated	152	186	165	
Substantiated	19	13	10	

Comparison of Categories of complaints recorded

Category	2007	2008	2009
B. Sexual Assault	0	0	2
C. Other Assault	85	60	56
D. Oppressive Conduct/harassment	59	49	40
E. Unlawful arrest etc	25	9	8
F. Discriminatory Behaviour	11	15	13
G. Perjury/Irregular Evidence	16	14	11
H. Corrupt Practice	1	0	2
J. Mishandling Property	4	21	7
K. Breach Code A PACE (Re Powers of arrest/search)	3	9	4
L. Breach Code B PACE (Re search of premises seizure)	7	7	10
M. Breach Code C PACE (Re treatment during detention)	24	23	11
N. Breach Code D PACE (Re identification procedures)	1	0	0
P. Breach of Code E PACE (Re tape recording)	0	0	0
Q. Lack of fairness and impartiality	16	17	9
S. Other Neglect of Duty	145	126	171
T. Other Irregular procedure	10	10	7
U. Incivility	100	77	95
V. Traffic	10	9	17
W. Other (complaints not easily categorized elsewhere)	5	4	7
X. Improper disclosure of information	12	20	9
Y. Other Sexual Conduct	0	0	2
TOTAL	534	470	481

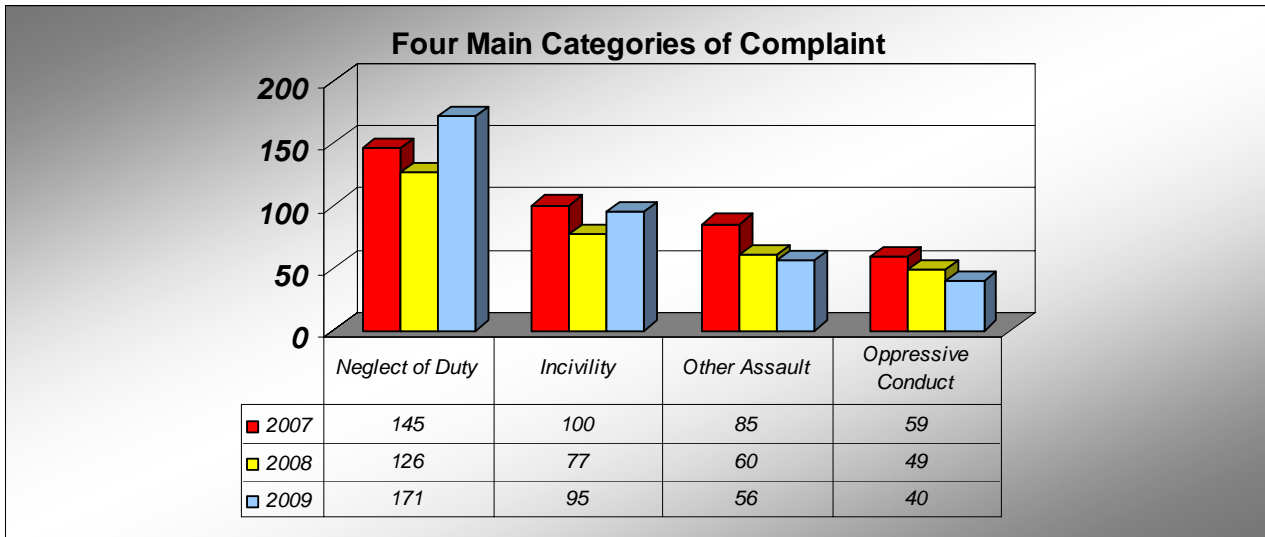
There has been an increase of 2.3% in the number of complaints recorded compared with last year and cases continue to be completed within the 90 day force target and 120 day national target: 83% of all cases were completed within 90 days (target 75%) and 91% within 120 days (target 90%). All cases were completed in an average of 47 days.

The four main categories of complaint continue to be Neglect of Duty, Incivility, Other Assault and Oppressive Behaviour.

Neglect of Duty has increased by 35% and Incivility by 23%, but Other Assault has decreased by 6.6% on last year.

Other areas of increase include Breach Code B and Traffic.

Main Categories of Complaint Recorded



The four leading areas of complaint from the public continue to be Neglect of Duty, Incivility, Other Assault and Oppressive Behaviour which together make up 75% of the total complaints recorded during the nine month period.

The main category of complaint for the force and nationally continues to be Neglect of Duty which incorporates all types of allegations of failures in duty. This has increased this year by 35% and Incivility increased by 23%. However, it is encouraging to note that Other Assault has decreased by 6.6% and Oppressive Conduct has decreased by 18%.

Other Areas where there have been significant decreases are Mishandling of Property which has decreased by 66%, Breach Code C – decreased by 52%, Lack of Fairness and Impartiality – decreased by 47% and Improper Disclosure of Information has decreased by 55%

The areas of increase are Sexual Assault, Other Sexual Assault and Corrupt Practice, which have all recorded 2 complaints each compared to none last year. Breach Code B has an increase of 3 complaints and Traffic increased by 8.

66 complaints were recorded against Police Staff – an increase of 35% on last year.

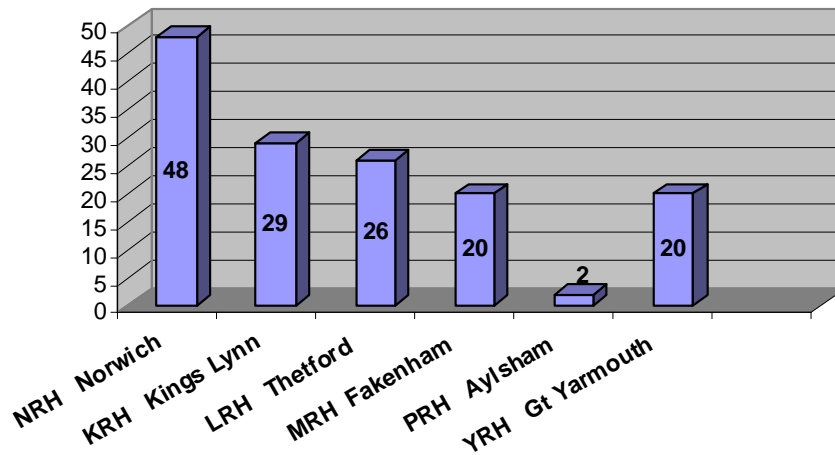
	2007	2008	2009
Special Constables	18	10	13
PCSO	13	17	24
Detention/Custody Staff	4	4	9
PEO	2	2	2
Contact Centre Agent/Call Taker	2	6	5
Traffic Warden	0	0	1
Other	9	10	12
TOTAL	48	49	66

Complaints Recorded based on location of staff

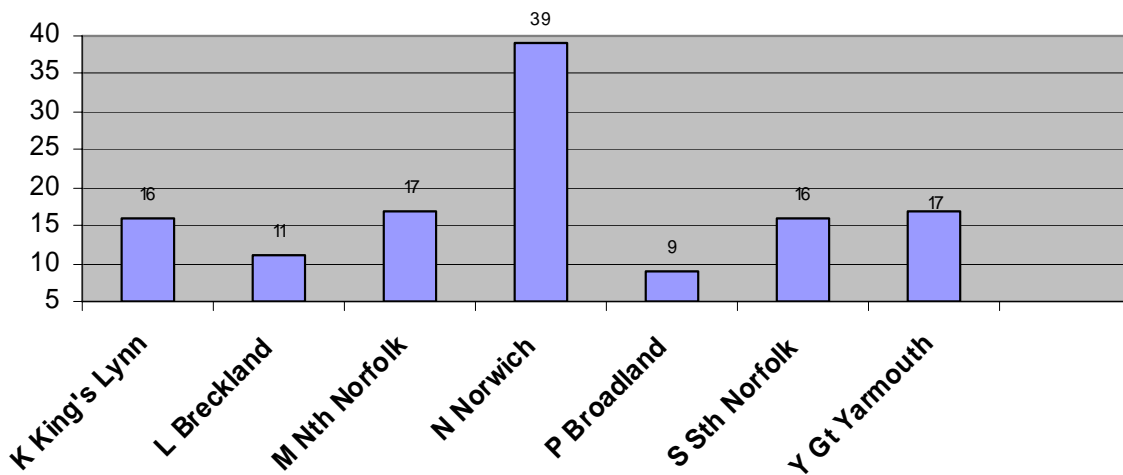
Protective Services include Road Policing, Vulnerable Persons, Firearms, etc. County Delivery Support includes CID, Custody and Special Constabulary.

The charts below show a breakdown.

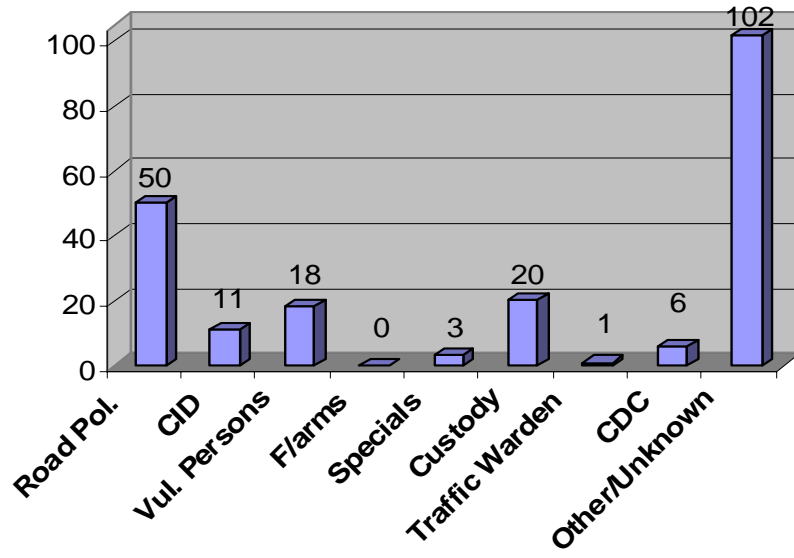
Complaints Recorded by Response Hubs 01.04.09. to 31.12.09



Complaints Recorded by SNT 01.04.09 to 31.12.09

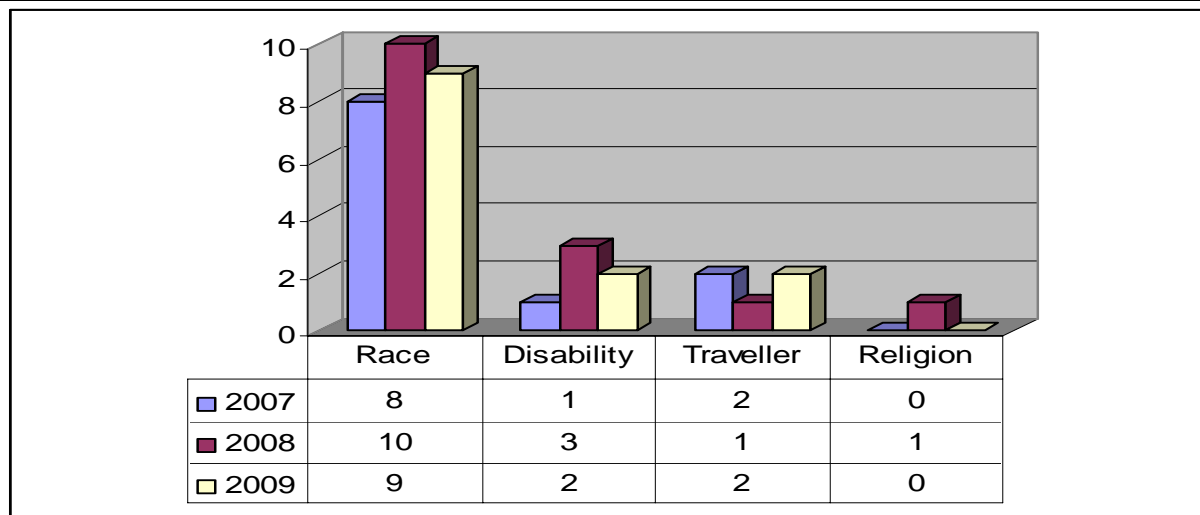


**Complaints Recorded by Protective Services, CDU, CDC,
Other/Unknown - 01.04.09-31.12.09**



Complaints of Discriminatory Behaviour

This category of complaint covers all discrimination, i.e. Homophobic, Gender, Religion/Faith, Race, Disability, Mental Health and Other.



Complaints of Discrimination have decreased this year from 15 to 13 for the same period. Racial complaints have slightly decreased from 10 to 9. Disability complaints have decreased from 3 to 2 and Traveller complaints have increased by 1.

The two Disability complaints are:

1. *Alleged that Officers discriminated against the complainants in respect of their physical disabilities.*
2. *Alleged by the complainant that his son was ridiculed because of his medical condition when stopped by Officers.*

The nine Racial complaints were:-

1. *An allegation that the Officer's attitude was appalling and asked if he was treating the complainant differently because he was a 'foreigner'.*
2. *Allegation of a prejudice attitude towards the complainant because of her colour.*
3. *An allegation that the Officers observed and targeted the complainants because of their colour. They believe that their treatment was based purely on the fact that they were black.*
4. *Complainant believes that the lack of police action may be due to her race.*
5. *Complainant alleges that the Officer discriminated towards him because of his race.*
6. *Complainant alleges he was arrested because he was black.*
7. *Complainant believes if he was not black he would have been treated differently.*
8. *Complainant believes he is being stopped because he is black.*
9. *Complainant alleges Officer put Asian on charge sheet when he told him he wasn't.*

The two Travellers complaints were:-

1. *The complainant felt he was spoken down to and spoken to in an aggressive manner because he was a Traveller.*
2. *The complainant alleged that the Officer assaulted her and called her a 'dirty stinking thieving pikey' whilst in Custody.*

The ethnicities of four of the complainants are yet to be established, four complainants are White British and five from the Visibly Ethnic Minority Group.

Three of the thirteen complaints have been unsubstantiated, one has been locally resolved and nine remain under investigation.

N.B. The ethnicity of the complainant is not always available at the time of recording the complaint and is therefore shown as 'Not Stated' until the complainant is eventually interviewed.

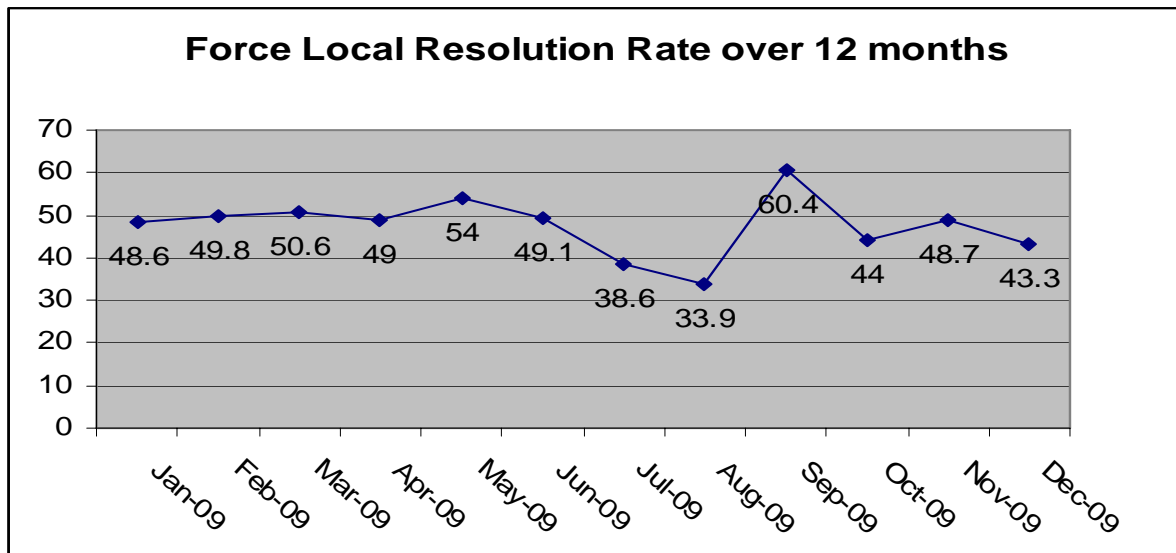
No complaints of Discrimination have been substantiated for at least eight years.

Completed Complaints

Locally Resolved Complaints

227 complaints have been locally resolved from a total of 478 completed (47.5% of all complaints). The chart below shows the figures achieved over the last 12 months by the Force.

With a view to improving this figure further, training continues to address the LR process with first and front line management and also being enhanced by the new Sergeants & Inspectors core training which includes Departmental input on LR processes.

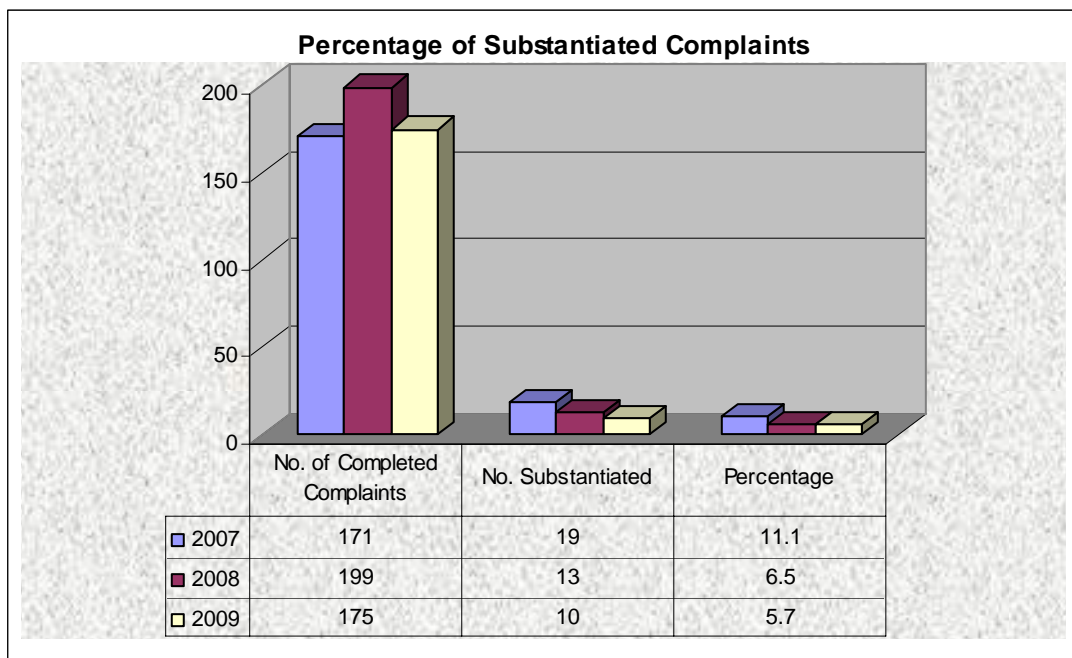


Substantiated Complaints

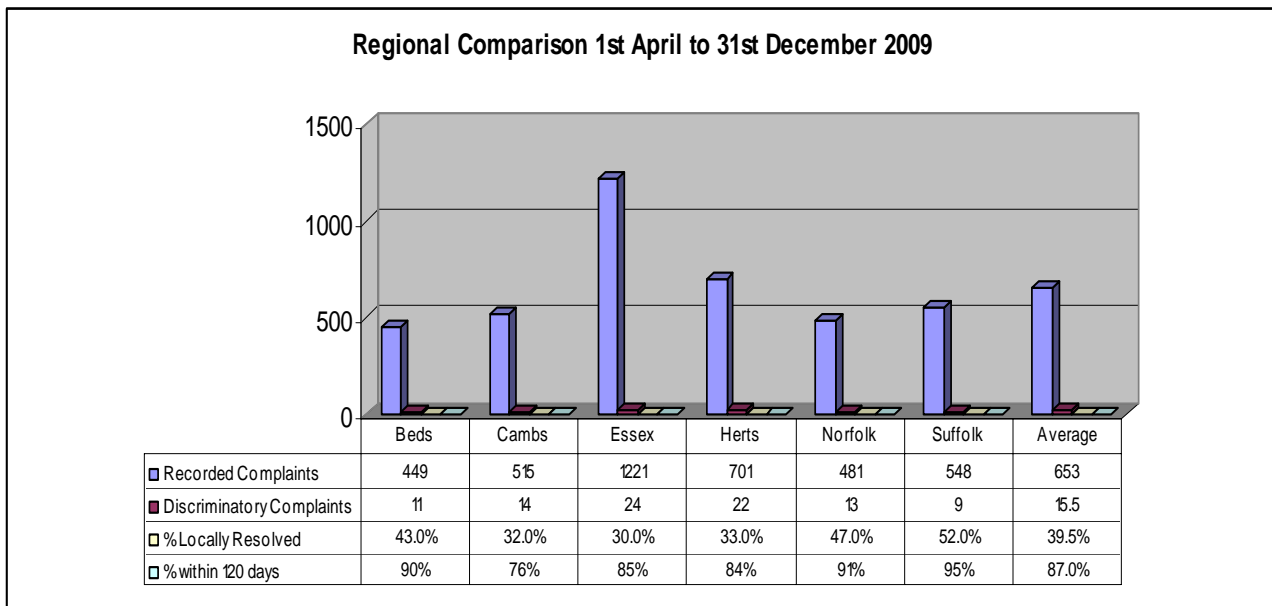
10 (5.7%) of the 175 complaints fully investigated were substantiated during the period a decrease on the previous two years. Brief details are as follows:-

- Complainant questions the Officers professionalism due to numerous unsolicited text messages sent to his girlfriend.
- A 999 call was made to report an incident and the complainant believes the delay in attendance put her and her family at risk
- Complainant is unhappy that police vehicles are routinely parked in taxi ranks.
- Officer behaved inappropriately towards a victim of crime by visiting at home and sending text messages.
- Officer failed to take action against individual making racist comments in his presence.
- Officer failed to notify Officer in case and Criminal Justice Unit or CPS of potential further evidence and made no attempt to contact complainant.
- Complainant states that Officer could have done more to ensure complainant did not get too cold when he was detained.
- Officer closed a file without any meaningful investigation, neglected to contact the complainant and failed to appropriately record decision making.
- Complainant sustained injuries which he believes were inflicted by an off-duty Officer.
- Officer failed in his duty of care to a minor causing significant distress.

One officer received Words of Guidance, Two officers received Written Warnings, One officer received Formal Action at a Misconduct Hearing, One Officer received Words of Advice, Two Officers received Management Action (one received a Development Plan and one a Personal Action Plan) and no further action was taken in respect of three complaints.



Regional Comparison



	Beds	Cambs	Essex	Herts	Norfolk	Suffolk
Complaints recorded per 1000 staff	181	174	173	155	138	185

A comparison is made with the regional forces rather than most similar forces as data has been benchmarked and recording guidelines are checked regularly at quarterly meetings.

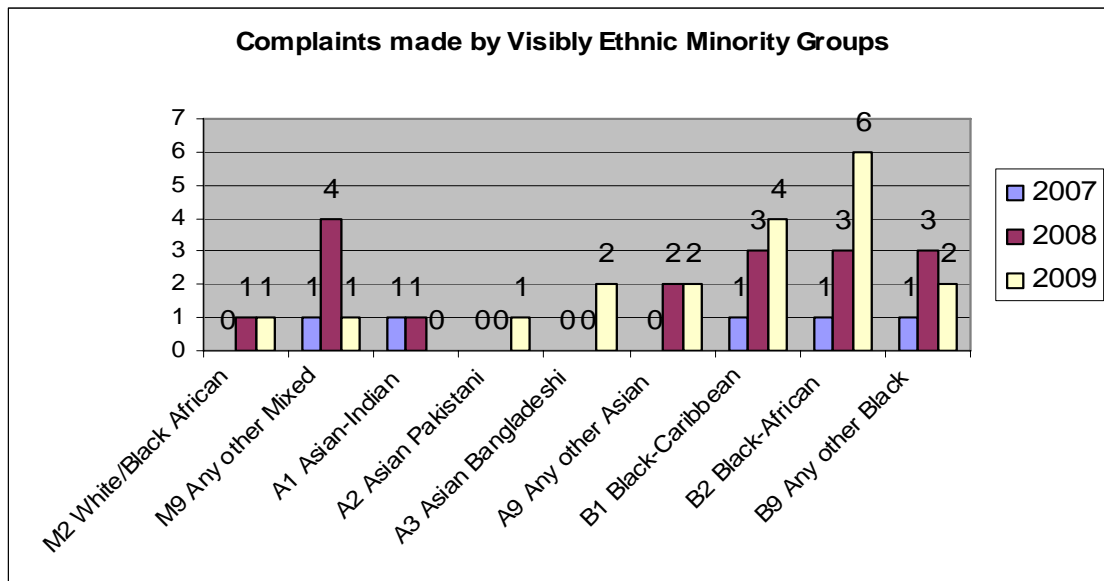
Norfolk's Local Resolution figure of 47% is the second highest for the region and well above the regional average of 39.5%. This has decreased from this time last year when the LR rate for Norfolk was 50% but the average has also decreased leaving Norfolk in the same second place position.

The Regional average for recorded complaints based upon the figures received is 653, higher than Norfolk's figure of 481. This average is mainly due to the high rise in complaints from Essex. When compared with complaints recorded per 1000 members of staff Norfolk is well below the 168 average with a figure of 138, an increase of 1 on last years performance.

The 13 recorded Discriminatory complaints are slightly lower than the regional average of 15.5 for the nine month period.

Investigations continue to be completed within the 120 day target. Norfolk is the second highest with a figure of 91% full investigations completed within 120 days. This figure is also well above the 87% average for the region.

Complaints made by Visibly Ethnic Minority Group



Of the 448 complainants recorded for the period, 19 (4.2%) were from the Visibly Ethnic Minority (17 complaints). Details are as follows:-

Asian Pakistani	Complainant alleges that Officer was rude to him because he was Pakistani (Locally Resolved)
Asian Bangladeshi	Complainant alleges that Officer arrived late for an appointment and did not apologise and during the meeting was rude and unprofessional. (Unsubstantiated)
Asian Bangladeshi	Complainant is unhappy with the lack of action taken to her report of fraudulent passports. She further alleges that the officer did not speak to her in a professional manner. (Locally Resolved)
Any other Asian Background	Complainant alleges that he was not allowed a phone call in custody to update his parents and that he was not treated properly in terms of his schizophrenia and his behaviour was due to this fact. (Locally Resolved)
Any other Asian Background	Complainant alleges that she feels victimised and bullied. (Open)
Black African	Complainant alleges that the officer failed to adequately establish what had occurred during an incident and that he was dismissive and his conduct unprofessional. (Unsubstantiated)
Black African x 3	Complainants allege that they were observed and targeted because of their colour. (Open)
Black African	Complainant alleges that he was arrested because he is black. (Open)
Black African	Complainant alleges that he is being stopped because he is black. (Open)
Black Caribbean	Complainant states that officers attended his address to execute a search warrant. He was not obstructive but they arrested him and he believes his arrest and subsequent detention were unlawful. (Discontinued)
Black Caribbean	Complainant alleges that officers lied to his girlfriend about his previous offending in order to persuade her to make a statement against him. (Unsubstantiated)
Black Caribbean	The complainant was involved in a public order incident. He states he was pushed and bitten by a number of Officers on his arms and wrists. (Withdrawn)
Black Caribbean	Complainant is unhappy with lack of police action taken to her continued reports of harassment. (Locally Resolved)
Any other black background	Neglect or failure of Duty (Locally Resolved)
Any other black background	Complainant is unhappy with the service provided by the Control Room. (Locally Resolved)
White & Black African	Complainant states that her dogs were taken from her without necessary authorisation. Her human rights were breached, she was left unconscious on the floor by police and the police also failed to investigate the crime she had reported and are prejudice towards her. (Unsubstantiated)
Any other mixed background	Complainant states that two people shouted abuse and the officer did nothing to stop this abuse. (Withdrawn)

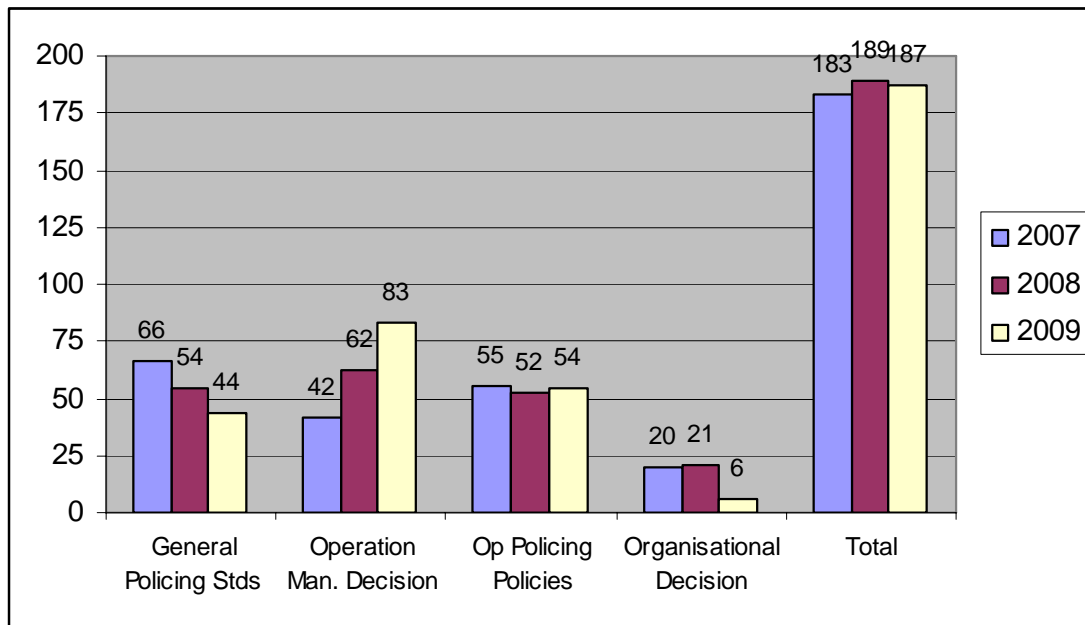
Four of the above investigations remain under investigation, six have been Locally Resolved, four have been unsubstantiated, one was dispensed with as the complainant did not pursue the complaint and two withdrawn.

The ethnicity of the remaining 429 complainants was White British 282 (63%), 9 (2%) other White Background, 2 were listed as any other ethnic group and 136 (30%) still to be established. As previously mentioned the ethnicity of the complainant is not always available at the time of recording the complaint.

Direction and Control Complaints

A complaint which relates to the direction and control of a force by a chief officer; not a complaint made against a specific officer. Four categories of this type of complaint are:-

1. Operational Policing Policies
2. Organisational decision
3. General policing standards in the force
4. Operational management decision (where there is no issue of conduct)



187 Direction & Control complaints were recorded for the first nine months, a slight decrease of 2 (1.1%) complaints compared with last year.

The main category is Operational Management Decision with 83 followed by Operational Policing Policies with 54. Examples of the highest category are as follows:-

Unhappy with the lack of action taken to cars parked near her house causing an obstruction.

Unhappy with the investigation into an assault which he feels has been regarded as a neighbourhood dispute.

Unhappy with the lack of action taken in relation to an attack upon her two daughters.

Unhappy that their son was arrested and detained in custody for an alleged offence which resulted in NFA.

Unhappy with the way she was dealt with when arrested for suspected theft and also unhappy that her DNA and fingerprints will be kept even though it was NFA'd.

Unhappy with the lack of action and interest taken by local officers of a reported theft.

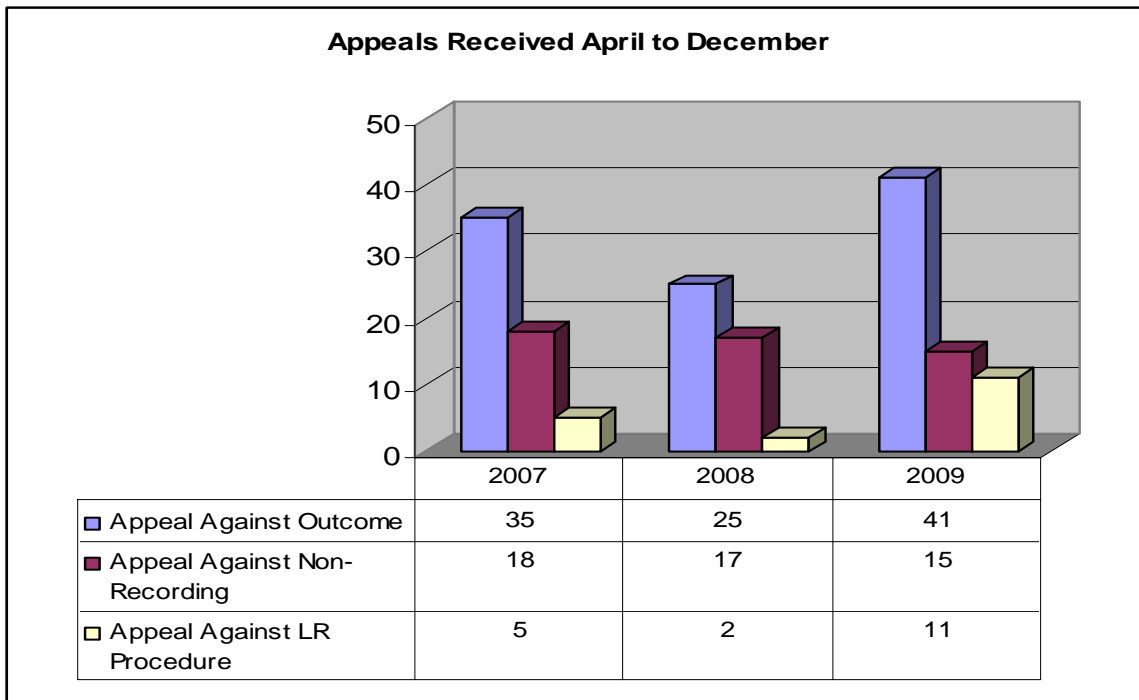
Unhappy with harassment order he has been issued.

128 of the 187 complaints recorded were finalised during the period in an average of 22 days (IPCC guidance on the completion of Direction and Control Complaints is 28 days)

The district recording the highest number of Direction & Control issues was Norwich City Council District (30) followed by Contact & Dispatch Centre (22), Breckland (16), CJS (15), King's Lynn & West Norfolk (15), Protective Services (14), South Norfolk (14), Great Yarmouth (11), North Norfolk (11), Broadland (6) and Road Policing and CID (5 each).

The remainder were a mixture of Headquarters' Departments.

Appeals Received



There has been a 48.8% increase in the number of appeals recorded for the nine month period compared with last year: 67 as opposed to 45.

Of those recorded, an IPCC decision has been received in 44 cases:-

Appeal against Outcome (41)	9 x Upheld 17 x Not Upheld 15 x Live
Non-Recording (15)	4 x Upheld 6 x Not Upheld 5 x Live
Local Resolution Procedure (11)	1 x Upheld 7 x Not Upheld 3 x Live

Complaint Trends Report

- Although there is a slight rise in the number of Complaints recorded for the year to date, up to 481 from 470 for the same period last year this only shows an increase of 2.3%, an improvement on the previous two quarters.
- The number of cases recorded (i.e. the number of complainants) has increased by 27% continuing the trend identified in the first two quarters of 2009, however this trend is also declining compared to a figure of 44% for the previous quarter. Regional Forces are still showing an increase in complaints indicating similar trends. Norfolk Constabulary continue to have the lowest number of complaints per thousand officers of all regional forces with 138. The regional average is 168.
- Of the 3 main areas of complaint 2 continue to show an increase:-
 - a) Neglect of Duty up from 126 to 171 (↑35%)
 - a. Incivility up from 77 to 95 (↑23%)

There is also a downward trend in these complaints compared to the first two quarters as these categories are being targeted through training and management intervention.
- Other Assault which had also been rising in the last 2 quarters has shown a decrease:-
 - c) Other Assault down from 60 to 56 (↓6.6%)
- Despite the overall rise in complaints the following categories have seen a decrease:-
 - d) Oppressive Conduct, which has seen a decrease of 18%.
 - e) Mishandling of property, which has seen a decrease of 66%.
 - f) Improper disclosure of information, which has seen a decrease of 55%.
 - g) Stop Search, which has decreased by 55%.
- The Local Resolution rate remains 47.5% not quite meeting the 50% target. It is also a decrease compared to last year's figure of 50.3%. The change in Regulations in December 2008 has shown a national decline in LR Rates following the introduction of proportionate investigations.
- Complaints of Discriminatory Behaviour have seen a slight decrease with 13 recorded for the period, which is 2 less than the same period last year.
- 2 complaints have been made by Travellers compared to 1 for the same period last year however racial and disability complaints have both decreased by 1 with 9 complaints concerning race (10 for the same period in 2008) and 2 complaints concerning disability (3 complaints for the same period in 2008).
- The number of Direction and Control complaints has shown a slight decrease with 187 recorded compared with 189 for the same period last year.

LESSONS LEARNED

ISSUE	ACTION TAKEN
<p>During a talk to school children (12-13YRS) it was alleged that the police spokesperson made inappropriate comments with regards to under age drinking and admitted to doing it themselves also indicating that they had taken drugs. A comment was also made with regards to social services not doing a lot.</p>	<p>It is imperative that when talking to members of the public comments are in line with force policy and the Standards of Professional behaviour. The group being spoken to were extremely impressionable. It is with this in mind that all personal whom speak /present on behalf of the Constabulary will now be assessed by the training department for the quality of content and delivery. These assessments are currently being undertaken.</p>
<p>A complainant called police following a male kicking his front door down and being assaulted. The complainant recognised his assailant who entered his property, he was so scared that he ran and hid in a neighbours shed Within the same time period another call was received by the control room involving reports of a disturbance at another nearby location .The two calls were incorrectly linked and only the address from the second call was attended. The complainant spent the night in the shed and had to re contact Police the next day when a crime report was initiated.</p>	<p>There could have been serious repercussions for the constabulary bearing in mind the male had been physically assaulted and had to flee his own home. It is imperative that when receiving calls assumptions are not made with regards to locations, which may seem the same. The member of police staff was spoken to and has reflected on their actions. This incident was disseminated for the attention of all control room staff.</p>
<p>A complainant stated that he had to swerve off the road to avoid an oncoming police vehicle which was travelling at speed straddling the hatchings in the middle of the road.</p>	<p>Officers must be aware that police driving is always subject to public scrutiny. The need to balance a prompt and effective response with the safety of other road users. The officer was subject to words of advice and a driving check test by a police driving instructor, which was passed.</p>
<p>The complainants were subject of burglary, they received various documentation from the Constabulary stating 'Our priority is you', that they would be updated at least on a monthly basis and the officer allocated would contact them and keep them informed. What transpired can be classed as the 'SOMEBODY' routine. After a month of no contact they phoned in, in fact on five occasions to be passed from person to person with each one stating they did not know who should update them and to be fobbed off at the end of each call with 'somebody will call you back' Eventually they did find somebody who could update them.</p>	<p>Reminder to all staff via the website, members of the public must be updated regularly if not by the investigating officer a nominated person. This experience left the complainants totally disappointed and disillusioned. A system is now in place whereby the supervisor checks each case every 3 weeks to ensure updates are being provided.</p>

This complaint is a case is one of mistaken identity; the complainant shared the same name as a person wanted by police. He was traced to his place of work, arrested and taken into custody. His fingerprints, photo and DNA were taken. It soon transpired that he was in fact the wrong male and was released without charge. He subsequently had to pay for a taxi back to his place of work and explain to his employer the circumstances. He was of previous good character having never been arrested before.

Within two days of a burglary and police officers attending to take details of the crime. The victim received a letter from the CMU stating that there were no further lines of enquiry to investigate. This was on the day after the victim had filled in and posted the form detailing what was missing. In fact the investigation was still live awaiting test results back. The letter had been sent out prematurely.

A young male was out with his friends and had fallen into a ditch near a lake, he was soaking wet. It was an extremely cold night and the boy wanted to go home but due to peer pressure stayed with his friends. The friend's then decided it would be a good idea to borrow an unattended canoe and go for a trip on the lake. At this point police arrived and questioned the boys. The young male was obviously very cold, shaking and not answering questions. At one point he was asked if he required an ambulance, but declined the offer, he was kept at the scene for an hour. Although he was conveyed back to his home address by police, he had been detained in the open air on a cold night whilst soaking wet whilst enquiries were made and was in the first throes of hyperthermia. Another duty of care issue a person's welfare is paramount.

Following investigation into this complaint, it was highlighted that information about the offending male if followed up would have prevented the arrest of the complainant, there was at least one other male living in Norfolk with the same name. The force was shown to be at fault and consequently an exceptional application was granted to have DNA and fingerprints removed from the database. The PNC record was also removed and a reimbursement of the taxi fare was provided. Reminder via website to all officers to carry out thorough checks before arrest. The force is finding an increase in cases suitable for the, National Exceptional Circumstances Policy removal of DNA.

This oversight led to a feeling of frustration with regard to the perceived lack of action which led to a complaint. The CMU were reminded to check that all outgoing correspondence is accurate and suitable, as errors such as this easily erode the confidence the public have in Police investigations.

Consideration should have been given as to the boys welfare at no time did it occur to the officers to allow the boy to at least sit in a car. Secondly none of the police vehicles had a silver blanket. All vehicles should be checked on the commencement of every shift for essential equipment as per force policy. This is the responsibility of the driver.
Notice board entry.

Boot Checks

Ensure all equipment is present as per the inventory. The inventory lists for each vehicle are contained with the Vehicle Specification Handbook, available on the [Fleet Management Department website](#).

**NOT FOR PUBLICATION – by virtue of
Paragraph 1 of the Local Government Act 1972**

NORFOLK POLICE AUTHORITY

PROFESSIONAL STANDARDS AND HR COMMITTEE

10 FEBRUARY 2010

AGENDA ITEM: 16

PSHR10/08



NORFOLK
CONSTABULARY

Our Priority is You

Professional Standards Department

Quarterly Review

Police Authority

For the period 1st April 2009 to 31st December 2009

PART 2 – NOT FOR PUBLICATION

Officers highlighted and action taken

Internal Investigations

Suspended Officers

Misconduct Hearings

Highlighted Staff

(Staff with 3 or more cases recorded during a 12 month period)

Due to changes within the structure of the Constabulary it has not been possible to compare like with like figures for this quarter, This will remain the same until the start of the first quarter April 2010. However an overall figure has been obtained and staff identified in respect of their location/Department.

In this third quarter 18 officers have been highlighted as having received 3 or more complaints in a rolling twelve month cycle. This compares with 37 officers in the second quarter. 3 officers have been highlighted on 3 occasions and four officer s on 2 occasions, in a rolling 12 month period. Although Broadland and North Norfolk have amalgamated they will still be shown as separate districts.

Since June this year a change in the process sees all officers who are highlighted having a report compiled, which is then in the majority of cases referred to the Performance Improvement Unit. The unit then decides whether to liaise with the officer's manager to ascertain if there is a performance problem or to recommend no further action. Officers histories are currently under review with reports being progressed and these will be forwarded to the PIU.

Kings Lynn (K) During the period 4 Police Officers were highlighted as having 3 or more cases recorded against them.

Breckland (L) During the period there have been no Police officers highlighted.

North Norfolk (M) During the period there have been no police officers highlighted.

Norwich (N) During the period 9 Police Officers were highlighted as having 3 or more cases recorded against them.

Broadland (P) During the period there have been no Police officers highlighted.

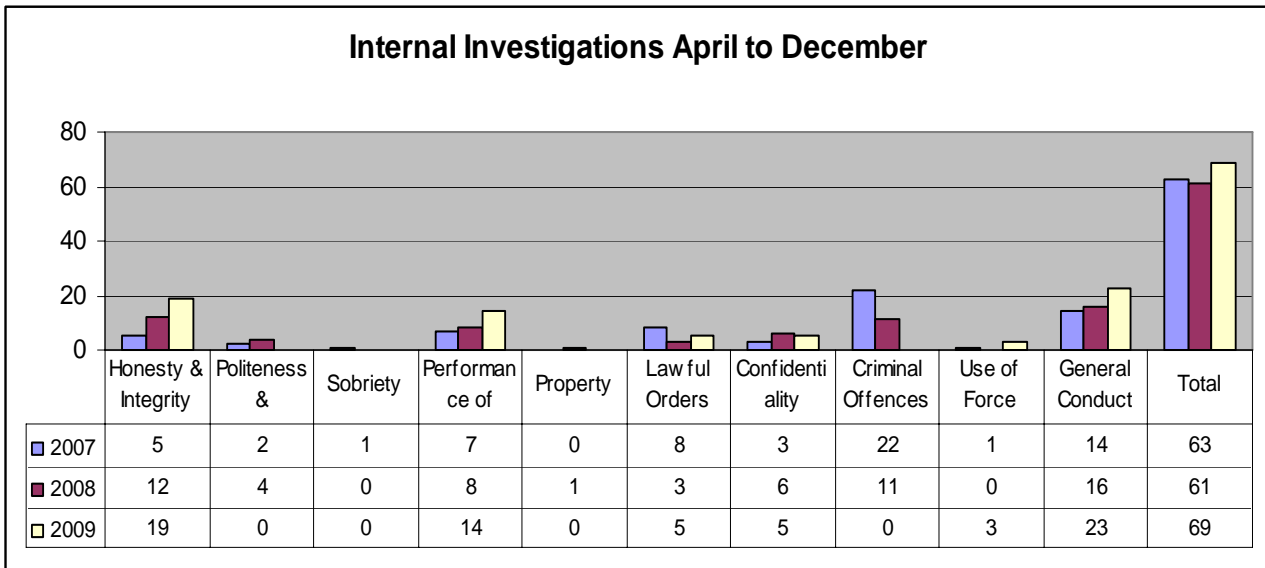
South Norfolk (S) During the period there have been no Police Officers highlighted.

Great Yarmouth (Y) During the period there have been no police officers highlighted.

Protective Services During the period 5 Police Officer were highlighted as having 3 or more cases recorded against them.

CCR During this period no officers were highlighted.

Internal Investigations



During the nine month period 62 internal investigations have been recorded (a total of 69 Allegations). This is a 3% increase on the same period last year where 60 investigations were recorded.

The investigations involved 72 members of staff in total. 53 Police Officers, 9 Police Staff, 6 PCSO's and 4 Special Constables.

The highest category recorded was 'General Conduct' (23) which included some of the following issues:-

- Allegation of Assault
- Allegation that Officer failed to adequately deal with an alleged assault on two persons.
- Allegation that Officer formed an association with a potentially vulnerable victim.
- Allegation that two Officers gave a lift to young girls in a marked police vehicle.
- Allegation that an Officer slammed or kicked a door on police premises causing damage.
- Allegation of sending lewd text messages.
- Allegation of unnecessary harassment and unwarranted communications
- Allegation of bullying and harassment of staff members
- Allegation of bringing the Constabulary into disrepute by facebook entries.
- Allegation of avoiding payment of fares on a Railway by producing warrant card.
- Allegation of dangerous driving whilst in a police vehicle.
- Allegation of Officer being ejected from a Café having been drunk and abusive to staff.

Of the 62 investigations recorded in the last nine months:-

No Further Action was taken in respect of 6 members of staff.

Words of Advice were given to 3 members of staff.

5 Written/Verbal Warnings were issued.

3 had Management Action taken.

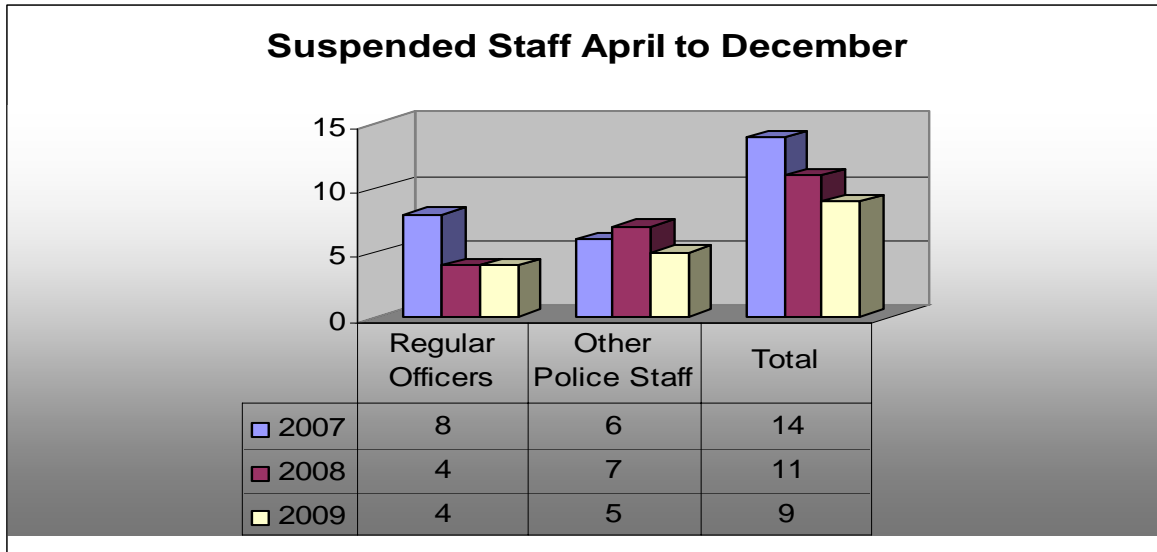
4 members of staff were dismissed.

2 resigned.

1 was transferred to a public complaint and 38 remain open.

SUSPENDED POLICE STAFF/MISCONDUCT HEARINGS

(N.B. Not all investigations/suspensions regarding non regular officers are recorded by PSD)



There have been Four Police Officers and Five members of staff suspended during this nine month period. This is an 18% decrease on last year and continues a steady decline in suspensions over the last couple of years.

Of the nine suspended this period:-

- 3 Police Staff were Dismissed.
- 1 Police Staff has Resigned
- 1 Police Officer has Resigned.

Five members of staff are currently suspended, four from this period and one from last year (4 Police Officers and 1 Police Staff). Details as below:-

<u>Case Ref</u>	<u>Officer/Police Staff</u>	<u>Allegation</u>	<u>Date Suspended</u>
MC 70/08	Police Constable	Fraud	18.10.08
CM 45/09	Police Constable	Inappropriate texts/e-mails	27.08.09
CM 46/09	Police Constable	Inappropriate disclosure	03.09.09
CM 47/09	Police Constable	Fraud	28.08.09
CM 72/09	Police Staff	Harassment, bullying, victimisation and/or discrimination.	02.12.09

MISCONDUCT HEARINGS

Three Misconduct Hearings were held during the first nine months of the year in relation to cases dealt with by this department and five Discipline Hearings were held by HR Department.

Brief details of the charges and outcomes are as follows:-

<u>Police Officers</u>	
Grossly neglected duty and failed to carry out duties and responsibilities with due diligence, potentially putting at risk the safety of children.	Dismissed with notice for Gross Incompetence
Lied on his application form about a period of sickness in previous employment.	Required to resign forthwith
Respect and courtesy to colleague	Final written warning
<u>Police Staff</u>	
Perverting the course of justice in relation to a speeding ticket.	Dismissed with notice for Gross Misconduct
Mis-used PNC for personal purposes. Other concerns regarding inappropriate behaviour also.	Dismissed with notice for Gross Misconduct
Inappropriately accessed internal systems and passed on information to a third party	Dismissed with notice. Fined £1000 at NCC
Allegation of bullying and harassment of staff members.	Dismissed with notice
Allegation that PSCO left work early and falsified her PNB to show she was at work when she was not.	Oral Warning

PROFESSIONAL STANDARDS AND HR COMMITTEE

10 FEBRUARY 2010

AGENDA ITEM: 17

PSHR10/09

**OVERVIEW OF CIVIL CLAIMS & EMPLOYMENT TRIBUNAL STATISTICS FOR
THE PERIOD 1ST OCTOBER TO 31ST DECEMBER 2009 AND FORCE ENTRY
STATISTICS AUGUST TO OCTOBER 2009**

Report by Chief Constable

This report is for information only.

1. INTRODUCTION

1.1 This report provides Members with an overview of public liability and employer's liability civil claims and employment tribunal statistics for the period 1st October - 31st December 2009. Details of the claims received following forced entries are also provided.

2. CURRENT POSITION

2.1 Statistics relating to public liability, employer's liability and employment tribunal claims are attached at Appendix A.

2.2 An overview of claims received following forced entries is attached at Appendix B.

3. IMPACT IMPLICATIONS

3.1 In producing this report I have considered all of the impact implications. Where there are material impacts, I have identified these. Where I have stated 'none', I certify that there are no material impacts.

- a) **Finance:** The financial implications are detailed in the report.
- b) **Staff:** None.
- c) **Training:** None.
- d) **Accommodation:** None.
- e) **ICT:** None.
- f) **Vehicles:** None.
- g) **Equipment:** None.
- h) **Other Resources:** None.
- i) **Efficiency Gains:** None
- j) **Link with Norfolk Police Authority / Norfolk Constabulary priorities:**
None.

- k) Risk Management:** Lessons learned, if any, are routinely brought to the attention of the Risk Manager and other appropriate officers/staff.
- l) Diversity / Human Rights Act:** Lessons learned, if any, are routinely brought to the attention of the Risk Manager and other appropriate officers/staff. No Equality Impact Assessment has been carried out.
- m) Environment and Sustainability:** None.

4. **RECOMMENDATIONS REQUIRED**

4.1 It is recommended that Members note the contents of this report.

Officer Presenting Report at the Meeting:

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Legal Services, OCC
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Contact Officer:

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Executive Officer:

Kevin Wilkins
Assistant Chief Constable

Are there Background Documents? Yes

Does the report contain Exempt Information? Yes

The exemption paragraph is 1.

A public interest test has been considered and, in all the circumstances of the case, the public interest in maintaining the exemption is considered to outweigh the public interest in disclosing the information.

NORFOLK POLICE AUTHORITY

PROFESSIONAL STANDARDS COMMITTEE

**OVERVIEW OF CIVIL CLAIM &
EMPLOYMENT TRIBUNAL STATISTICS**

01 OCTOBER 2009 – 31 DECEMBER 2009

SUMMARY OF PUBLIC LIABILITY CLAIMS

Total PL claims received	31
<i>Compare same period 2008</i>	<i>21</i>
Total PL files closed	6
<i>Compare same period 2008</i>	<i>28</i>
Outstanding PL claims as at 12.01.10	106
<i>Compare approximate date 2009</i>	<i>48</i>
<u>Summary of closed PL files</u>	
Trials	1
<i>Compare same period 2008</i>	<i>1</i>
Settled	1
<i>Compare same period 2008</i>	<i>4</i>
Claim not pursued*/discontinued/stayed/struck out	4
<i>Compare same period 2008</i>	<i>23</i>

*(*Where liability is denied in a threatened action, if the claimant does not pursue the matter the file is closed and archived. However the claimant could still pursue the claim if the statutory limitation period has not expired.)*

Details of Public Liability Trials

<u>Name</u>	<u>Incident</u>	<u>Trial Date</u>	<u>File Closed</u>	<u>Our Costs</u>	<u>C's Costs</u>	<u>Damages</u>	<u>TOTAL</u>
Junior	15.08.06	27.10.09	28.10.09	Nil	Nil	Nil	Nil

TOTAL OUTLAY RE TRIALS Nil

DETAILS OF SETTLED PUBLIC LIABILITY CLAIMS

<u>Name</u>	<u>Incident Date</u>	<u>Damages</u>	<u>Our Costs</u>	<u>C's Costs</u>	<u>Total</u>
Norris	09.06.06	£3,270	Nil	£7,000	£10,270

TOTAL OUTLAY RE SETTLED CLAIMS£10, 270

**DETAILS OF THREATENED PUBLIC LIABILITY CLAIMS
NOT PURSUED/DISCONTINUED/STAYED/STRUCK OUT**

<u>Name</u>	<u>Costs Incurred</u>	<u>Costs Recovered</u>
Marsh	£5,210.73	Nil
Gowan	0	0
Buck	0	0
Orbit HA	0	0

Total outlay re PL claims not pursued/discontinued/stayed/struck out £5,210.73

SUMMARY OF EMPLOYER'S LIABILITY CLAIMS

Total EL claims received from Police Officers1
Compare same period 20081

Total EL claims received from police staff0
Compare same period 20080

Total EL claims closed0
Compare same period 20082

Outstanding EL claims as at 12.01.1010
Compare approximate date 20098

Summary of closed EL files

Trials N/A
Compare same period 20080

Settled N/A
Compare same period 20080

Claim not pursued*/discontinued/stayed/ N/A
Compare same period 20082

(*Where liability is denied in a threatened action, if the claimant does not pursue the matter the file is closed and archived. However the claimant could still pursue the claim if the statutory limitation period has not expired.)

SUMMARY OF EMPLOYMENT TRIBUNAL CLAIMS

Total ET claims received from Police Officers	1
<i>Compare same period 2008</i>	<i>2</i>
Total ET claims received from police staff	3
<i>Compare same period 2008</i>	<i>0</i>
Total ET claims closed (police)	2
<i>Compare same period 2008</i>	<i>1</i>
Total ET claims closed (police staff)	1
<i>Compare same period 2008</i>	<i>1</i>
Outstanding ET claims as at 12 January 2010	8
<i>Compare approximate date 2009</i>	<i>2</i>
<u>Summary of closed ET files</u>	
Hearings	1
<i>Compare same period 2008</i>	<i>0</i>
Settled	1
<i>Compare same period 2008</i>	<i>0</i>
Claim not pursued/discontinued/stayed	1
<i>Compare same period 2008</i>	<i>2</i>

Details of Employment Tribunal Hearings

<u>Name</u>	<u>Nature of Claim</u>	<u>Hearing Date</u>	<u>Compensation</u>	<u>Our Costs</u>	<u>C's Costs</u>	<u>TOTAL</u>
Dean, Stephen	DDA	15.09.09	Nil	£45,052.35	Nil	£45,052.35

Total outlay on ET hearings.....£45,052.35

Details of Settled Employment Tribunal Claims

<u>Name</u>	<u>Officer/Staff</u>	<u>Nature of claim</u>	<u>Compensation</u>	<u>Our costs</u>	<u>C's costs</u>	<u>Total</u>
Wibberley	Officer	Unfair dismissal	£2,000	£2,334.91	Nil	£4,334.91

Total outlay on settled ET claims..... £4,334.91

DETAILS OF DISCONTINUED EMPLOYMENT TRIBUNAL CLAIMS

<u>Name</u>	<u>Officer/Staff</u>	<u>Costs Incurred</u>	<u>Costs Recovered</u>
Howlett	Staff	£4,744.80	0

TOTAL OUTLAY RE DISCONTINUED EL CLAIMS £4,744.80

Outstanding Employment Tribunal Claims - 12 January 2010

<u>Name</u>	<u>Officer/Staff</u>	<u>Nature of Claim</u>
Capon, David	Staff	Disability Discrimination
Edwards, Bryan	Staff	Unfair Dismissal
Glover, Neil	Officer	Sex discrimination
James, Paul	Officer	Disability Discrimination
Morley, Pat	Officer	Disability Discrimination
Palmer, Natalie	Staff	Unfair dismissal
Tofts, Janice	Staff	Unfair dismissal
Wilson, Christine	Officer	Disability Discrimination

NORFOLK POLICE AUTHORITY

PROFESSIONAL STANDARDS & HUMAN RESOURCES COMMITTEE

OVERVIEW OF CLAIMS RECEIVED FOLLOWING FORCED ENTRIES

AUGUST - OCTOBER 2009

Public Liability Received August 2009						
Claim No.	LACHS ref:	Claimant	Claim for	Amount claimed	Amount Paid	
LW/PL/09/006 8	M5PL000051	BUTTLE, Stephen	Damage to flat when removing hydroponics equipment	£356.30	Nil - liab denied	
LW/PL/09/006 7	M8PL000068	PARNELL, Debra	Damage to wall during arrest of violent offender	£400	Nil - liab denied	
LW/PL/09/007 2	M8PL000065	WORKMAN, Michelle	Forced entry - welfare check	Not specified	Nil - liab denied	
LW/PL/09/007 1	M8PL000064	MILLS, Mrs V	Forced entry - welfare check	£373.75	Nil - liab denied	
LW/PL/09/006 5		ARBOURABAN, Mr M	Car damaged	£470.34	Nil - liab denied	
LW/PL/09/006 1	M8PL000058	FITZGERALD, Sean	Broken Computer	Not specified	Nil - liab denied	
LW/PL/09/006 2	M8PL000059	CUMMINS, Mrs M E	Forced entry - welfare check	Not specified	Nil - liab denied	
LW/PL/09/006 4	M8PL000060	SIROKAJA, Anastasia	Forced entry - welfare check on child	Not specified	Nil - liab denied	
LW/PL/09/006 9	M8PL000062	RANSOME, Lois	Damage to front door	£750	Nil - liab denied	

Amount Claimed: £2350.39 (+ 3 doors and 1 computer)

Amount Paid: Nil

Public Liability						
Received September 2009						
Claim No.	LACHS ref:	Claimant	Claim for	Amount Claimed	Amount Paid	
LW/PL/09/007 6	M8PL000071	KNOWLES, Steven	Forced entry	Not specified	Nil - liab denied	
LW/PL/09/007 9	M8PL000075	DUMBRILL, Mr & Mrs	Forced Entry and hassle	Not specified	Nil - liab denied	
LW/PL/09/007 4	M8PL000069	WALL, Stuart & Clare	Repairs to front door after forced entry	Not specified	Nil - denied no forced entry	
LW/PL/09/007 8	M8PL000074	KEDIN, Claire	Forced entry	£300	Nil - denied	

Amount claimed: £300 (plus 3 doors

Amount paid: Nil

Public Liability						
Received October 2009						
Claim No.	LACHS ref:	Claimant	Claim for	Amount claimed	Amount paid	
LW/PL/09/008 6	M9PL000001	FOX & MIDDLETON	Forced Entry (Persistent warrants)	Not specified	Nil - Liab denied	
LW/PL/09/008 7	M8PL000081	Bush Properties	Forced entry - warrant	£990.00	Nil - liab denied	
LW/PL/09/008 4	M8PL000079	FISHER, J. M.	Damage to fence, bbq, parasol and cat flap!!	£150	£75 - liab denied for parasol and cat flap	
LW/PL/09/008 3	M8PL000078	Broadland Housing - 97a Thorpe Rd. Norwich	Forced entry	£991.28	Nil - liability denied	
LW/PL/09/008 8	M8PL000082	SHALOM, Jon	Ripped trousers on a sharp radiator corner	£150	£100	
LW/PL/09/008 5	M8PL000080	VOGLER, C & J	Forced entry - welfare check, suicide attempt.	Not specified	Nil - liability denied	
LW/PL/09/009 0	M8PL000084	PRIDMORE, Susan	Forced entry - warrant, items seized	£724.15	Nil - liab denied	
LW/PL/09/008 9	M8PL000083	WILLIAMS, Gary	Broken laptop and memory card	£309.29	£9.29 - rest is still being valued/investigated	

Amount claimed: £3314.72 (plus 5 doors)
Amount paid: £184.29 (£300 outstanding)