

PROFESSIONAL STANDARDS AND HUMAN RESOURCES COMMITTEE
MINUTES OF THE MEETING HELD IN THE NPA MEETING ROOM, BUILDING 8,
JUBILEE HOUSE, WYMONDHAM, NORFOLK
ON TUESDAY, 18 MAY 2010

Present:

Mrs F Anthony
Mr R Chapman (Substitute)
Mrs V Jenkins
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
Mrs J Hayes	Deputy Chief Executive, Norfolk Police Authority
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. **Election of Chairman**

Mrs V Jenkins nominated Mr K Turner to the position of Chairman, seconded by Mr J Perry-Warnes. There being no other nominations, it was

RESOLVED:

That Mr K Turner be appointed as Chairman of the Professional Standards and HR Committee for the ensuing year.

2. **Appointment of Vice Chairman**

Mr R Chapman nominated Mr D Reeve to the position of Vice Chairman, seconded by Mrs V Jenkins. There being no other nominations, it was

RESOLVED:

That Mr D Reeve be appointed as Vice Chairman of the Professional Standards and HR Committee for the ensuing year.

3. **Apologies for Absence**

Apologies were received from Mrs Graveling (Head of HR Service Delivery) and Deputy Chief Constable Learmonth. It was noted that there were two vacancies on the Committee and Mr R Chapman was attending as a substitute on this occasion.

4. **Declarations of interest**

There were none.

5. **To confirm the minutes of the meeting held on 10 February 2010**

The minutes of the meeting held on 10 February 2010 were agreed to be a correct record and were signed by the Chairman.

Members were reassured that any actions arising from the meeting had been completed and the information circulated to Members outside of the meeting.

6. **Matters of Urgent Business**

There were none.

7. **Statement of Intent for 2010/11**

The Deputy Chief Executive presented the Statement of Intent for 2010/11, which was supplementary to the Terms of Reference. It was noted that the Statement covered the key areas of focus for the Committee, which would be achievable during the coming year.

RESOLVED:

To note and endorse the Statement of Intent for 2010/11.

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

The Deputy Chief Executive informed the Committee that Rachel Cerfontyne had sent her apologies to the meeting and it was noted that she would be present at the next meeting of the Committee in August 2010. Members were informed that the Informal Meetings would continue and every effort would be made to maximise her time when visiting the Authority and Constabulary.

The Committee was reminded that governance issues had been discussed at the recent Informal Meeting and after further discussions, it was agreed that the Chairman and Deputy Chief Executive would meet with the Chief Executive regarding collaboration and governance arrangements. There followed some general discussions regarding collaboration and it was agreed that Ch/Supt Shiner would circulate the HR Collaboration workstream document, including timescales, to Members for information. It was also agreed that Supt Cartwright would circulate the Terms of Reference of the working groups for PSD in respect of collaboration, to the Committee Chairman, for information.

RESOLVED:

- i) That the Chairman, Deputy Chief Executive and Chief Executive would meet to discuss collaboration and governance arrangements;
- ii) Ch/Supt Shiner agreed to circulate the HR Collaboration workstream document, including timescales, to Members for information;

- iii) Supt Cartwright would circulate the Terms of Reference of the working groups for PSD in respect of collaboration, to the Committee Chairman, for information.

9. **Learning and Development Update**

Members were pleased to note that satisfaction rates regarding the delivery of the training plan remained consistently high, at between 91 – 97% during the period January to March 2010. The Committee was then apprised of the system which was in place to challenge non-attendance at training events. After discussions around variations from the agreed training plan, Members requested additional information as to why a Health and Safety training course for Senior Executives was cancelled due to last minute apologies received from delegates.

In response to a query from a Member, it was noted that the use of the RAF Coltishall training facility may cease in the future and the Committee was reassured that the Estates Department were actively searching for suitable alternative venues.

The Committee noted the Learning and Development Priorities for 2010/11 and the Costed Training Plan for 2010/11 together with the potential for in-year savings. It was reported that all new business cases needed to contain sufficient information with regard to training requirements so that these could be considered and accommodated as appropriate. Members were reassured that whilst the Constabulary would still ensure it had a developed workforce, duplication and unnecessary training would cease. It was noted that the Learning and Development Department managed the budget for all training within the Constabulary to ensure consistency of approach and business need; and training requests had to be approved in advance.

RESOLVED:

- i) To note the contents of the report;
- ii) That Members would receive further information as to why a Health and Safety training course for Senior Executives was cancelled due to last minute apologies received from delegates;
- iii) That the Chairman would receive a copy of the Cost Based Review of the Learning and Development Department, for information;
- iv) To endorse the Learning and Development Priorities and Costed Training Plan, subject to a further update being provided at the next Committee meeting;
- v) That the Chairman and Deputy Chief Executive would meet with Ch/Supt Shiner and Anne Strutt regarding training issues.

10. **Human Resources Update**

The Committee was updated that Police Officer strength was currently at 1649, against an establishment of 1656. It was reported that there would be 4 intakes of 10 officers during the year, all of whom would have completed the pre-commencement course at Norwich City College.

With regard to staff strength, it was noted that staff levels were 10.9% below establishment, and Members were advised that where possible vacancies were kept open pending the conclusion of over re-structuring, thereby allowing staff to have increased redeployment opportunities if facing potential redundancy.

Members noted that the number of officers and staff leaving the force had significantly reduced, which had led to a stable workforce. Members were pleased to be informed that sickness levels were better than target, due to the measures which had been put in place, which included intense management and opportunities for promotion being reduced, if sickness levels were unacceptably high. Members were reassured that employees who were genuinely unable to work were treated with respect and provided with ongoing support to enable them to return to work.

The Committee was updated that revised policies for Deployment and Promotion were currently out to consultation and had been sent to the Police Federation, for their comments. After discussion, it was agreed that a copy of both policies would be sent to the Committee Chairman and Deputy Chief Executive for information, after the meeting. Members then discussed postings and were updated that all changes to postings required the approval of Ch/Supt Shiner.

Members were updated on the latest developments regarding the Diversity Action Plan. It was reported that an open evening had taken place in February which provided information on joining the Constabulary. Members were pleased to note that 120 people attended and 6 candidates from a VME background would be commencing the pre-employment course at Norwich City College later in May.

RESOLVED:

- i) To note the contents of the report;
- ii) That the Chairman and Deputy Chief Executive would receive copies of the Force Policy Documents for Deployment and Promotion, which were currently out for consultation, for information.

(N.B. Ch/Supt Shiner left the meeting at this point.)

11. **An overview of the Management of Obligations under the Freedom of Information Act 2002 and 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 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 Act covered three main areas of work: Subject Access, Disclosure and Compliance.

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 Departments 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 the need to ensure that staff were kept apprised of any developments in legislation was reported. In response to a query from a Member, it was noted that there were no national guidelines on the fees that could be charged for providing information. It was reported that due to the complexity of many requests received, it could take a significant amount of time to source the information, however a request could only be declined if it would take in excess of 18 hours to complete the request or if the request was vexatious.

The Committee were reminded that the Authority also received FOI requests directly and benefitted from support and assistance from the Constabulary, as necessary, in this respect.

RESOLVED:

To note the contents of the report.

12. **Policing Pledge 10 – Dissatisfaction Report**

Members were reminded that Pledge 10 stated that the Constabulary was required to provide the following service to the public: *'Acknowledge any dissatisfaction with the service you have received within 24 hours of reporting it to us. To help us fully resolve the matter, discuss with you how it is to be handled, give you an opportunity to talk in person to someone about your concerns and agree with you what will be done about them and how quickly.'*

The Committee noted that a process was in place to capture complaints and the Professional Standards Department had put measures in place to acknowledge any complaint within 24 hours, followed by contact to establish how the complaint would be dealt with. It was noted that there was no established procedure to capture general dissatisfaction, where a member of the public does not wish to follow the formal complaints procedure, and no means of capturing and analysing the details of any dissatisfaction with Constabulary service. It was reported that new Statutory Guidance from the Independent Police Complaints Commission encouraged Forces to address minor issues and casual expressions of dissatisfaction before matters progressed to becoming formal complaints.

Members were informed at the last meeting of the Committee that the Constabulary would be adopting a system for recording dissatisfaction, which had been developed by Suffolk Constabulary, however there had been some difficulties in ensuring compatibility with Norfolk Constabulary's IT systems. It was noted that Norfolk Constabulary's IT Department had since been tasked with developing a bespoke system and the proposal was then discussed in detail. The Committee were concerned regarding the development of a new system and whether it would be compatible and relevant in respect of future collaboration. Concerns were also raised regarding how the new system would sit alongside existing procedures and the Constabulary's aims in relation to cultural and behavioural change.

After discussion, it was agreed that issues surrounding the recording of dissatisfaction would be discussed with the IPCC Commissioner, at the next Informal Meeting of the Committee.

RESOLVED:

- i) To note the contents of the report;
- ii) To query the development of a new bespoke IT system for recording dissatisfaction levels and whether it would be compatible with other current IT systems and, in particular, its relevance in respect of future collaboration; and how this would sit alongside existing procedures and what the Constabulary were aiming to achieve in relation to cultural and behavioural changes;
- iii) To agree to discuss issues surrounding the recording of dissatisfaction with the IPCC Commissioner, at the next Informal Meeting.

(N.B. Mr R Chapman left the meeting at this point.)

13. Annual Recruitment and Selection Monitoring

The Deputy Chief Executive introduced the report, which provided annual employment monitoring data for the Authority and Chief Executive's Office for 2009/10. Members were reminded that under equalities legislation relating to disability, gender and race, a Single Equality Scheme had been developed. It was noted that Police Authorities had a statutory duty to help eliminate discrimination and promote equality of opportunity. It was reported that within the Scheme there was a requirement to undertake recruitment monitoring in relation to senior police officers, Police Authority Members and staff and volunteer roles to ensure equality of opportunity.

Members considered the statistics included at Appendix A of the report, which covered the three stages of recruitment: application, short listing and appointment, in the financial 2009/10.

The Committee noted the statistics, which showed that the majority of applicants for vacant positions were white. It was reported that the key issue revealed by the statistics was the fact that the Authority had not attracted applicants from a broader spectrum of the community and particularly individuals from Black Minority Ethnic (BME) backgrounds. It was noted that before commencing any recruitment processes in the future, greater emphasis would be focussed on encouraging applications from under represented groups; and it was hoped that the knowledge and expertise of the newly established Citizen Focus Team would be a cornerstone in achieving greater success in this area, in respect of engagement and awareness activity.

RESOLVED:

To note the contents of the report.

14. Overview of Complaints and Discipline Statistics

Supt Cartwright initially gave a Departmental overview from which it was noted that the results of a recent anti-fraud and corruption survey were awaited and it was agreed that the results would be circulated once a detailed analysis had taken place. It was also agreed that Supt Cartwright would circulate her departmental

plan, strategy and SWOT analysis for Members' information. Attention was drawn to the complaints leaflets targeted at young people and the work within Schools and Members received assurances that this was timely, relevant and in context.

Members were then apprised that the Performance Improvement Unit was continuing to be successful and was attracting interest nationally, with similar units being introduced within other Forces. The Committee then received a comprehensive update on the officers and staff who were currently suspended or subject to misconduct hearings and receiving adverse publicity.

In respect of complaints, it was noted that there had been an increase of 8 complaints recorded when compared with last year and the majority of cases continued to be completed within the 90 day Force target and the 120 day national target. It was noted that the three main categories of complaint continued to be Neglect of Duty, Incivility and Other Assault.

The Committee noted the complaints received according to location and it was agreed that further consideration would be given to how such information was presented, to provide clarity and eliminate the 'other/unknown' category. It was also agreed that information on the number of complaints received, where no individual officer was identified, would be included in the next report.

There followed some discussions regarding the use of Resourcelink within the Constabulary and concerns were raised regarding the accuracy of data produced. Members agreed that the Deputy Chief Executive and Committee Chairman would discuss the matter with Chief/Supt Shiner at their next meeting.

In respect of Locally Resolved Complaints, it was noted that 46.9% had been locally resolved and training continued to address the Local Resolution process with first and front line management and was also being enhanced by the new Sergeants and Inspectors core training. Members were apprised that the national average for Local Resolutions during 2009/10 was 41.65%.

The Committee noted that 6.2% of complaints that were fully investigated were substantiated during the last quarter. Members were pleased to note that there had been an 11.5% decrease in the number of Direction and Control complaints recorded in the last year. The main categories of Direction and Control complaints received were Operational Management Decision, followed by Operational Policing Policies and General Policing Standards.

Members noted the Lessons Learned and it was reported that they were regularly published on the Professional Standards section of the Constabulary's website. There followed some discussion on how such information could be shared more effectively with officers and it was agreed that Supt Cartwright should approach the Communications and Public Affairs Department with a view to providing information for each edition of Upbeat, which would previously have been covered within the Integrity Times. After further consideration, Members also requested that further analysis be undertaken regarding those officers who had attended the PSD Masterclasses, to assess the impact upon their future complaint levels

RESOLVED:

- i) To note the contents of the report;

- ii) That Supt Cartwright would circulate the results of a recent anti-fraud and corruption survey once the detailed analysis of results had taken place;
- iii) That information on the number of complaints received, where no individual officer was identified, be included in the next report;
- iv) That the Deputy Chief Executive and Chairman when meeting with Chief/Supt Shiner would discuss Resourcelink and the accuracy thereof, at their next meeting;
- v) That further consideration be given to how the information on complaints recorded based on location of staff was presented to provide clarity and eliminate the 'other/unknown' category;
- vi) That Supt Cartwright should contact the Communications and Public Affairs Department with a view to providing information for each edition of Upbeat, which would previously have been covered within the Integrity Times;
- vii) That further analysis be undertaken regarding those officers who had attended the PSD Masterclasses, to assess impact upon their future complaint levels;
- viii) That Supt Cartwright would circulate her departmental plan, strategy and SWOT analysis, for Members' information.

(N.B. Miss N Thatcher arrived during this item.)

(N.B. Mr T Tomkinson left the meeting during this item.)

15. **Any other items of business**

There were none.

16. **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.

17. **Exempt Items for Decision**

There were none.

18. **Consideration of individual Complaints and Discipline matters for the period 1 January to 31 March 2010**

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

RESOLVED:

To note the contents of the report.

(N.B. Mr J Perry-Warnes left the meeting during this item.)

19. **Overview of the Civil Claims and Employment Tribunal Statistics for the period 1 January to 31 March 2010**

The Deputy Head of Legal Services reported that 38 public liability claims had been received in the quarter, compared to 33 in the same period in 2009 and commented on the reasons for the increase. In relation to the 38 closed files, Members were informed that 13 had been settled and that no cases went to trial. The remaining 25 closed files were not pursued, discontinued or stayed.

It was noted that no employer's liability claims had been received in the period, and that no files had been closed. It was noted that, as at 14 April 2010, 10 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 14 April 2010 was 6.

RESOLVED:

To note the contents of the report.

20. **Date of next meeting**

Wednesday, 18 August 2010 at 10.00 a.m.

(The meeting closed at 1.15 pm.)

CHAIRMAN