

<b>CAMBRIDGESHIRE POLICE AND CRIME PANEL</b>	<b>Agenda Item No. 10</b>
<b>19 July 2023</b>	<b>Public Report</b>

## **Report of Police and Crime Commissioner for Cambridgeshire and Peterborough**

Contact Officer – Jack Hudson, Director of Governance & Compliance

Contact Details – [cambs-pcc@cambs.police.uk](mailto:cambs-pcc@cambs.police.uk) 0300 333 3456

### **POLICE AND CRIME COMMISSIONER'S APPROACH TO INTEGRITY ASSURANCE**

#### **1. PURPOSE**

The purpose of this report is to share with the Cambridgeshire Police and Crime Panel (the “Panel”) details of the mechanisms the Police and Crime Commissioner (the “Commissioner”) has in place to hold the Chief Constable of Cambridgeshire Constabulary (the “Constabulary”) to account for ethics and integrity.

#### **2. RECOMMENDATION**

The Panel is recommended to note the contents of this report.

#### **3. TERMS OF REFERENCE**

Item 6 – to review or scrutinise decisions made, or other action taken, by the Police and Crime Commissioner in connection with the discharge of the Commissioner’s functions.

Item 8 – To support the effective exercise of the functions of the Police and Crime Commissioner.

#### **4. BACKGROUND & LEGISLATION**

The model of policing we have across the country, is based upon public co-operation. Confidence in policing relies upon the police behaving in a way which maintains the support of the public. Through the Ethical Policing theme of the Police and Crime Plan 2021-24, the Commissioner has outlined the importance of, and his commitment to, holding the Chief Constable to account for ensuring officers and staff across the Constabulary, carry out their roles in line with the standards of professional behaviour expected of all those within policing.

The Commissioner is clear that where standards fall short of expectations, or where something could have been done better, that the Chief Constable has in place processes which mean that complaints will be dealt with fairly and that the outcome is reasonable in the circumstances and lessons can be learnt for the future.

When the Commissioner launched his Police and Crime Plan 2021 – 2024 (the Plan), he committed to ensure the police act with integrity and social responsibility, promoting a culture that is inclusive, diverse and takes equality seriously – from how they interact with the public they serve, to environmental sustainability.

The Commissioner has robust governance arrangements in place to ensure he can carry out his holding to account responsibility and gain assurance on deliverables. The sections that follow will demonstrate these mechanisms and detail how the management of the complaints system features throughout.

## **5. CONSTABULARY HOSTED CONTROLS ASSURANCE**

### **5.1. Bedfordshire, Cambridgeshire and Hertfordshire (BCH)**

#### **Professional Standards Department Scrutiny Panel Scrutiny Panel**

The purpose of this panel is to review and advise on ethical, proportionate, and fair decision making by Professional Standards Department (PSD) and Human Resources (HR) in relation to decision making of Conduct and Public Complaint cases, relevant PSD and HR policy, training, and organisational learning. The panel is chaired by the Head of BCH PSD and it meets on a quarterly basis. Membership of this panel includes external advisors on diversity and ethics to the police as well as the Chair of Cambridgeshire Community Panel. The Senior Policy Officer from the Office of the Police and Crime Commissioner (OPCC) attends these meetings, and it is via this channel that the Commissioner is sighted on activity at this Panel. The UNITY staff association lead representing under-represented groups within the Constabulary and the force Ethics and Legitimacy Co-ordinator also attend and provide feedback key messages and findings into the Constabulary.

The Commissioner is satisfied that ethics are considered and scrutinised throughout this meeting as the topics discussed (including, for example, equality and diversity, as well as the national Police Race Action Plan) by nature are steered by the Code of Ethics and ethical issues must be considered. This is supported by an extensive programme of cultural activity to ensure delivery against the force culture statement which was presented to the Panel in March 2023.

## **5.2. Bedfordshire, Cambridgeshire and Hertfordshire Equality, Diversity and Inclusion Board (BCH EDIB)**

This board provides strategic vision and coordination to ensure BCH supports the National Police Chiefs Council (NPCC) Policing Vision 2025<sup>1</sup>. The Director of Governance and Compliance from the OPCC is a member on this board for assurance that the force is committed to achieving this. These meetings are chaired by the Deputy Chief Constable (DCC) for Bedfordshire, and they are held bi-monthly, and work is supported by a designated BCH Inclusion coordinator. There is regular attendance at these meetings by BCH stakeholders and force Ethics, Diversity, Equality, and Inclusion (EDEI) strategic leads. BCH and local updates are provided in relation to ongoing and proposed activity including positive action which is managed via local force EDEI Strategic Group meetings.

Ethics points which arise or are discussed at the BCH EDIB are sufficiently considered and agreed decisions and actions are circulated to members for consideration. Force EDEI leads (explained below at section 5.3) discuss such items. Through the Director of Governance and Compliance attending this meeting, the Commissioner is assured that actions are completed and responded to.

## **5.3. Ethics Diversity Equality and Inclusion Strategic Group (Cams)**

This is a Constabulary specific meeting, and the purpose is the promotion of the highest standards of conduct to help create an inclusive working environment through EDEI activity in line with the Code of Ethics, and to provide governance and oversight, reinforcing the core Constabulary Values of Fairness, Integrity, Diligence and Impartiality. It is chaired by the Head of People and Professionalism and force strategic EDEI lead with upward reporting to Cambridgeshire DCC as Chief Officer lead. The group meets bi-monthly and work is supported by a designated Force Inclusion Coordinator. The OPCC are not part of the current membership of this group however as this group reports into the BCH EDIB the Commissioner is therefore assured through this governance arrangement. This group also reports to the Commissioner's BCB in respect of the Constabulary's duties under the Equality Act.

Having discussed this group with the Head of People and Professionalism, the Commissioner is assured that the Constabulary is satisfied that ethics are scrutinised at this meeting as they are considered when discussing agenda items including national

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<sup>1</sup> [Policing Vision.pdf \(npcc.police.uk\)](https://www.npcc.police.uk/policing-vision)

drivers such as the national Police Race Action Plan, Macpherson and Baroness Casey report, BCH initiatives such as anti-racism training, ethics panels, force culture activity, positive action, equality, and staff network updates amongst others. In addition, this group informs EDEI tactical group activity which also considers and actions ethical issues that arise at the strategic level, as well as dealing with matters for escalation and requiring sign-off at a strategic level. All Constabulary business areas are in attendance. This includes staff associations, support group leads and the force Ethics & Legitimacy Co-ordinator with representation at both the strategic and tactical meetings offering assurance as to the consistency of ethics considered and managed between both EDEI meetings.

#### **5.4. Race and Inclusion Board (Cams)**

The Chief Constable chairs this Board. It meets bi-monthly, and their purpose is to maintain and oversee the force response to the four pillars of the national Police Race Action Plan. Each pillar has a designated Chief Superintendent lead who is responsible for delivery against the plan.

The Board is attended by the DCC, Assistant Chief Constable (ACC), Chief Superintendent pillar leads and other business leads, such as PSD and Corporate Communications. This level of corporate governance is deemed necessary by the Constabulary to provide assurance that the longstanding challenges around the lower levels of trust and confidence in Black communities are being addressed and managed appropriately: similarly, that issues are identified, reviewed, and managed appropriately: opportunities are recognised and maximised in line with the national plan.

This Board is informed by a number of local boards and onward reports into the Commissioner's Business Coordination Board (BCB) and it is via this mechanism that the Commissioner is able to scrutinise and hold the Chief Constable to account.

#### **5.5. Ethics Panels**

The Constabulary facilitate one internal and one external Ethics Panel on a quarterly basis. Both are currently chaired by an Inspector within People and Professionalism Department. The purpose of this panel is to address questions or dilemmas that have been raised within the workplace where supervisors and staff may not know the appropriate outcome and there is no defined policy or procedure to support. Discretion may be applied, and a proportionate outcome may be determined based on the facts known at the time, however a referral of the 'dilemma' to the Ethics Panels may support

the decision making and assist others in the future.

All items raised at a panel, are documented in the accessible online Ethics Library (held in SharePoint), for all within the force to access if necessary. By hosting external panels for members of the public, this allows the Constabulary to seek the views of volunteer members of the local communities on the same dilemmas, enabling them to consider different perspectives. The Senior Policy Officer from the OPCC attends this for information and assurance on the scrutiny of ethical decision making within policing. This provides additional assurance to the Commissioner that Ethics are being scrutinised internally.

## **5.6. Complaint Resolution Team**

The Complaint Resolution Team (CRT) managed within People and Professionalism Department of the Constabulary provides quarterly updates to the Force Executive Board and subsequent updates to the Commissioners BCB. The report advises around emerging patterns and trends within complaints and identifies opportunities for learning and improvement on an individual, team and force wide basis which would include ethical issues if identified. Through onward reporting to BCB, the Commissioner can scrutinise performance and hold the Chief Constable to account.

The Commissioner also has responsibility for conducting reviews of complaints (See Section 6.1.)

## **5.7. Business Assurance Meeting**

This is where actions and recommendations from His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) reports are discussed. OPCC staff have been attending this as of February 2023 for oversight and assurance that recommendations made by HMICFRS are being considered and progressed. Within the HMICFRS reports ethics and integrity features, and the Commissioner is assured against action taken against any findings through having members of his team attend.

## **5.8. Youth Justice Management Board**

The Constabulary have nominated strategic and tactical stop and search leads to ensure performance and scrutiny is maintained in an effective, fair, proportionate, and transparent manner.

The scrutiny of stop and search involving children and overnight custody of children is

scrutinised and reported on to this Board. A quarterly update detailing stop / strip search data in relation to under 18s conducted by the Constabulary was presented at the April 2023 Board.

Constabulary data regarding the stop and search of children including any strip searches together with any incidence of a child being kept overnight in custody is taken to the Cambridgeshire and Peterborough Youth Justice Management Board and reviewed by relevant partner agencies. The OPCC Chief Executive Officer (CEO) attends this Board on behalf of the Commissioner. Discussion takes place and assurance received as to the appropriate use of police powers in these cases.

CEO of the OPCC attends this on behalf of the Commissioner to ensure that he can be assured that the police are held to count on this.

## **6. OPCC HOSTED CONTROLS ASSURANCE**

### **6.1. Complaints and Reviews**

The Commissioner has a statutory duty to hold the Chief Constable to account for his handling of complaints and to oversee Cambridgeshire Constabulary's complaints system.

The CRT initially handle complaints against officers and staff who work for the Constabulary, as well as complaints about the service provided by the Constabulary as a whole. It is recognised that sometimes CRT may be unable to resolve expressions of dissatisfaction. This may result in PSD recording the matter as a complaint. This is then handled by PSD and upon finalisation, the complainant receives a letter outlining the outcome. The outcome letter also outlines how they can have the handling of their complaint reviewed by the relevant review body. Generally, this request must be made to the relevant review body within 28 days. For most complaints managed by the Constabulary, the relevant review body is the Commissioner.

A review focuses on the handling of the complaint. The review considers whether the outcome of the handling of the complaint was reasonable and proportionate. It is not a reinvestigation of the original incident that led to the complaint. Where it is found that the outcome of the complaint is not reasonable and proportionate, the OPCC will uphold the review and may make certain recommendations to the Chief Constable.

Reviews are delegated to the OPCC and are undertaken by the Review Officer and quality assured by a member of the OPCC's Senior Management Team (SMT) before

finalisation. Once finalised, the complainant is informed of the outcome. Once a decision has been finalised, if the complainant is still dissatisfied with the outcome, they have the option of proceeding with a judicial review.

Between 1 April 2022 and 31 March 2023, details relating to complaint review requests received are as follows;

- Total number of complaint review requests received: **53**
- Number of valid requests: **35 completed, 7 ongoing, 0 not started**
- Number of invalid requests: **6** (2 Requests made outside of 28-day timescale, 2 Cambs OPCC was not the relevant review body, 2 not schedule 3 complaint)
- Number of requests not progressed due to no response from complainant (unable to confirm review request): **2 out of 5**
- Number of complaint reviews upheld: **4**

### **Complaints against the Chief Constable**

The Commissioner has direct responsibility for complaints against the Chief Constable. More serious complaints are referred to the Independent Office for Police Conduct (IOPC) for investigation. The threshold for referring such complaints is set out in IOPC Statutory guidance on the police complaints system 2020.

Following receipt of a complaint against the Chief Constable the OPCC will assess whether the complaint falls within the scope of the Policing and Crime Act 2017 and the complainant's eligibility to make a complaint. Also, whether the matter relates to conduct and or death or serious injury and whether the complaint should be recorded. Local Policing Bodies (the OPCC) are the appropriate authority only when a complaint is about the conduct of a Chief Constable. If the complaint relates to decisions in general or about decisions delegated by the Chief Constable these matters will be referred to the Constabulary's Incident Review Team (IRT) or Complaints Review Team (CRT) for them to resolve or, if not resolved, forward to PSD to be dealt with as a local complaint.

Complaints will be dealt with in accordance with the statutory guidance. In certain circumstances the OPCC will, when required, refer the matter to the IOPC for independent consideration. The OPCC will inform the complainant of their decision whether to record the complaint or not and the reasons behind the decision. The complainant will be informed in writing of any outcome as well as any right of appeal.

Between 1 April 2022 and 31 March 2023, details relating to complaints received against the Chief Constable of Cambridgeshire Constabulary are as follows;

- Total number of complaints received: **1**
- Number of complaints recorded under schedule 3 (meet criteria for CC complaint): **0**  
(Outcome: not eligible, civil matter)
- Number of complaints not recorded under schedule 3 (do not meet criteria for CC complaint): **1**
- Number of complaint outcomes appealed to IOPC: **0**

### **Complaints against the Commissioner**

The Panel has responsibility for handling complaints against the Commissioner or the Deputy Police and Crime Commissioner. Details of the complaints process is included on the Commissioner's Website and the outcome of complaints made is also detailed on the website.

Between 1 April 2022 and 31 March 2023, details relating to complaints received against the PCC that met the recording criteria;

- Total number of complaints received: **0**

## **6.2. Independent Custody Visitors (ICVs)**

ICVs are volunteers representing the local community. They make unannounced visits to police custody with the purpose of undertaking an independent check on the treatment of detainees, the conditions in which they are being held and ensure that their rights and entitlements are being observed. The ICV Scheme is run by the Commissioner and supported by a scheme manager, who is a member of the OPCC. The Commissioner, the ACC, the Head of Custody and the Scheme Manager meet on a bi-annual basis to ensure that ICVs, and the information gathered by ICVs is being used to effectively hold the Chief Constable to account from the frontline to the senior management.

The Constabulary operates two full time custody suites. Thorpe Wood in Peterborough which has 26 cells, and Parkside in Cambridge which has 12 cells. There are two contingency suites, March which has 11 cells, and Huntingdon which has 10 cells. Through the work of ICVs, the Commissioner can give assurance to the public that people detained by the police in their force area are being treated in a lawful, ethical and transparent way. Ethics feature in ICV visits and ICVs are trained to ensure that they can assess how detainees are being treated from an ethical policing perspective. ICV visits



help to prevent ill-treatment and harm to detainees, and Custody Inspectors value the work of the ICVs in contributing to a safe environment and continuous improvement of custody.

The Commissioner has received positive assurance regarding the constructive relationship between the ICVs and the Constabulary. This is particularly evident in the accessibility provided to ICVs by custody officers, with ICVs welcomed on their visits. The ICVs hold quarterly meetings with the Constabulary Inspectors (whose remit is Custody) for the North and South working areas attending; the OPCC facilitates these meetings. There is also a quarterly meeting of senior OPCC staff and senior officers from the Constabulary, including the Force's Custody Lead, meaning the OPCC can directly hold the force to account re actions taken due to ICV recommendations including because of ethical concerns.

This multi-meeting approach, and the involvement of ICVs provides assurance to the Commissioner that ethics are sufficiently scrutinised. The OPCC attend both the more tactical level meeting and the strategic meeting, assuring the Commissioner that ethics are fully considered and scrutinised in the ICV feedback process. On behalf of the Commissioner, the OPCC are currently progressing the accreditation with the intention of 'Going for Gold' to validate the approach.

The ICV scheme collects a range of data from visits, reporting back at panel meetings and to ICVA. While overall figures are recorded, the key information is the findings from visits, which have continued to inform ICVs, the OPCC and the Constabulary to recognise positive practice and improve processes where necessary.

Between 1 April 2022 and 31 March 2023, ICVs conducted 51 visits and spoke to 208 detainees who were in custody at the time of visits. 61 detainees were not available to speak to (they may have been asleep, in interview, speaking to a solicitor or with a healthcare provider). On very rare occasions ICVs are advised by Custody staff that it would not be advisable to visit a detainee due to them being violent. Visits were conducted at various times throughout the week, and with a concerted effort to visit on different days, including weekends.

In addition, this year we have successfully recruited 11 new ICVs, whom once vetting is completed, will receive training followed by shadowing opportunities alongside other ICVs to develop their skills.

### **6.3. Stop & Search / Use of Force Community Scrutiny Panels**

The OPCC work with the Constabulary to facilitate and attend these Community Scrutiny Panels (CSP). They are independently chaired and membership on the panel includes representatives of the communities of Cambridgeshire and Peterborough. The panel is required to meet a minimum of eight times per year, though in practice it meets eleven times per year including one AGM. The purpose is to provide the Constabulary with a community perspective and help them gain an understanding of the extent of any local concerns and their impact within these communities.

The independent chair is provided with the entire (anonymised) data set for Stop and Search / Use of Force by the Constabulary. The Chair then selects several incidents according to identified themes, for example mental health or age. Panel members read background information relating to the incident and view the Body Worn Videos (BWV) from incidents of Stop and Search Use of Force. The members are trained on how to effectively scrutinise BWV, including doing so against the Code of Ethics. The summary provided of each encounter they scrutinise includes a review of whether it was ethical.

Several members of the Constabulary attend the CSP including both the Constabulary's Force/Strategic Lead and Tactical Lead for Stop and Search / Use of Force, as well as the Constabulary's Ethics and Legitimacy Co-ordinator. Two officers also attend the Panel supporting it by providing the written records and BWV to be reviewed. Having such a strong Constabulary attendance allows them to directly hear feedback including any ethical concerns and answer questions around ethics as they arise.

The OPCC formally notifies the Constabulary of the CSP's observations, feedback, and grading. This formal feedback is assessed (including ethical concerns against the Code of Ethics) by the Constabulary's Tactical Lead who communicates the feedback to the involved officer and their line manager. Any response from individual officers (for example, why they chose a course of action considering the Code of Ethics or the National Decision Making model) is collated by the Tactical Lead and fed back to the CSP so they are reassured it has been acknowledged and actioned.

On a more organisational level, the formal written feedback together with the verbal feedback heard at the Panel meeting is scrutinised at the force's monthly Stop and Search / Use of Force Strategic Meeting, where organisational learning is identified and actioned regarding ethics. From this Strategic level meeting the Force/Strategic Lead can refer ethical concerns up to the Force Operations Board, chaired by the ACC, if

needed. Meanwhile, the Panel feedback is also considered at the monthly Stop and Search / Use of Force Internal Review Group (a more tactical level meeting) from where ethical feedback and actions can be shared more widely across the Constabulary frontline as points of improvement or acknowledgement of good practices. At all the internal review meetings other ethical concerns identified within the organisation may also be raised, discussed, and actioned.

The Constabulary report back to the Community Scrutiny Panel any organisational actions and outcomes taken in response to concerns the Panel raised and notify them of any relevant self-started actions from within the Constabulary, welcoming further feedback, and questions from the Panel. This feedback process also allows the OPCC (through their attendance at the CSP) to be kept aware of the actions and outcomes relating to ethics. Through facilitation of this panel, the Commissioner is assured that ethics are considered at multiple levels within the internal review process and the CSP, which in combination results in robust ethical scrutiny around Stop and Search and Use of Force.

Opportunities to enhance the effectiveness of this panel are implemented when identified and some key achievements in support of Integrity from the panel to date include:

- Continued drive to diversify the membership of the panel to strive for equal representation. Another recruitment drive is scheduled for this quarter.
- The Commissioner has facilitated an increase in web presence (website and social media) to enhance reputation and public confidence.
- Enhanced protection of individuals in Strip Searches
- Improvements the quality of grounds given.
- Increased availability in BWV through a shift in culture and additional charging stations

Between 1 April 2022 and 31 March 2023 the OPCC facilitated 10 Community Scrutiny Panels and scrutinised 33 Body Worn Video incidents of a combination of Stop and Search and Use of Force.

#### **6.4. Business Coordination Board**

This is the joint governance forum where the Commissioner holds the Chief Constable to account for the efficiency and effectiveness of the Constabulary officers. The agenda is managed by the Commissioner.

On a quarterly basis, dissatisfaction with the Constabulary is monitored through a complaints report provided by the Chief Constable to the Board, this is published on the Commissioner's website. This allows the Commissioner to hold the Chief Constable to account in terms of performance against complaints and delve into the content of complaints to identify any themes for addressing. The Commissioner can call for reporting on Ethics and Integrity where issues are identified.

## **6.5. Legally Qualified Chairs**

Legally Qualified Chairs (LQC) were brought into being on 1 January 2016 (as a result of the Police (Conduct) (Amendment) Regulations 2015). They are appointed by Police and Crime Commissioners (PCCs), from across the Eastern Region, to serve in a pool of LQCs from which Cambridgeshire PSD can draw upon to chair misconduct hearings.

The OPCC currently have representation on a working group who are responsible for planning the next round of recruitment for LQCs, and this will include a revision of terms and conditions of serving in this role, within which ethics and integrity will feature.

## **6.6. Internal Audit**

RSM undertake reviews of Risk Management as part of their annual internal audit plan. The purpose of this is to provide an opinion of the effectiveness of risk management processes and to assess whether these have been embedded throughout both organisations.

The most recent RSM Internal Audit Progress Report (January 2023) found the following key items regarding integrity:

- They found that the Force has appropriate policies and procedures that ensure employees are aware there is a general duty for all staff to report and challenge misconduct.
- Existing policies make it clear that employees with external business interests are responsible for reporting and maintaining interests. Also for gifts & hospitality, such items are subject to a structured risk assessment, which supports the identification of conflicts of interest or other concerns.
- Where there may be a potential conflict of interest exists, these are reported to the Force by PSD.
- Systems, controls, training and oversight of overtime claims are in place on CARM, and once a month random dip sampling of all claims is carried out to ensure that the

correct job code and rates are being used.

## **7. External Control Assurance**

### **7.1. Joint Audit Committee**

The Joint Audit Committee (JAC) undertakes the core functions of an audit committee in accordance with the guidance set out in the CIPFA publication. The JAC meets quarterly. They provide independent advice and assurance to the Commissioner and the Chief Constable.

The joint Annual Integrity Report 2022/23 was published and presented to JAC in May 2023. It provides a summary of the non-financial integrity arrangements, which the Commissioner and the Constabulary had in place during the reporting period.

It includes the controls process, how the various controls processes operated during the reporting period and evidence of their effectiveness. It also includes a complaints update.

A revised approach to the joint strategic risk register has recently been developed and was presented to JAC April 2023. JAC provided the critical eye, and their feedback has been considered and implemented. The Commissioner is assured that the JAC are providing a critical summary of performance around integrity and management of controls.

### **7.2. College of Policing – Code of Ethics**

The Code of Ethics (CoE) was first published in 2014, by the College of Policing (COP) to provide a framework to support ethical decision-making and clear guidance on the standards of professional behaviour within the police service. This is the key framework to which policing acts.

In 2023 the COP will launch a review of the CoE to better support ethical and professional behaviour in policing. Areas that are being addressed in the review include:

- concerns about misogyny, sexism, candour and upstanding
- conflation of the different elements of the CoE (principles and standards)
- the perceived focus on conduct regulations at the expense of the ethical principles
- the CoE being seen as punitive and not encouraging reflective learning.
- the perceived unequal focus on police officers rather than police staff confusion between the role and standing of the CoE and that of conduct regulations.

To resolve these issues the COP will be replacing the current CoE with three separate but complementary products which provide a framework for ethical and professional behaviour:

- A set of ethical policing principles that can be used to support decision making.
- Some guidance on ethical and professional behaviour which supports the use of the ethical principles in understanding expectations around behaviour.
- A Code of Practice which provides direction to Chief Officers on providing the organisational environment to deliver ethical and professional policing.

PCCs have been engaged with the consultation and will be with the implementation of the reviewed CoE. They will be welcomed to share views on the documents, discuss whether they feel able to 'endorse' the revised CoE and discuss the role that they might play in supporting implementation of the revised CoE and the Code of Practice. The OPCC are already engaged in this process and will continue to have oversight throughout the consultation process.

All forces are also engaged with the CoE review. The Head of People and Professionalism in capacity as force EDEI strategic lead has provided feedback to CoP against the first iteration of CoE. The CoP have created a first draft of the review which is available on their website. This is currently out for consultation and will formally be released to forces on approval. The date of which is TBC.

### **7.3. Cambridgeshire Out of Court Disposals Scrutiny Panel**

Cambridgeshire Out of Court Disposals Scrutiny Panel is managed by an external chair and the panel meet on a quarterly basis. The overarching aim of the Panel is to provide transparency and accountability and increase public understanding, confidence, and trust in how the Constabulary use out of court disposals. Panel membership is comprised of a selection of professionals outside of policing who work within the Criminal Justice arena. The Panel scrutinise a selection of out of court disposal cases each quarter to give an open and independent assessment of the appropriateness of the decision making.

Whilst the assessment of out of court disposals focuses on appropriateness and proportionality as part of this assessment the ethical use of out of court disposals, including adherence to the code of ethics, is a key factor in the scrutiny. Since the independent panel is comprised of a range of Criminal Justice professionals from areas including CPS, Judiciary, Probation, VAWG, Victim Charities, and Youth Offending the

Commissioner is satisfied that they are aware of the role of ethics and are willing to raise ethical issues if they arise.

At quarterly meetings, the Inspector lead, and the Detective Sergeant who supervises out of court disposals attend from the Constabulary, since there is direct attendance by the Constabulary any ethical issues arising are heard. These are then considered in the CJ and Custody department SLT meeting reported on by exception to Force Performance Board, which feeds into BCB for the Commissioner to have oversight.

#### **7.4. HMICFRS**

The recent HMICFRS National Thematic Report on Vetting, Misconduct, and Misogyny in the Police Service contained 43 recommendations and identified a further 5 AFIs for all forces. They fall into the following categories:

- i. Updating minimum standards for pre-employment checks.
- ii. Establishing better processes for assessing, analysing, and managing risks relating to vetting decisions, corruption investigations and information security.
- iii. Improving the quality and consistency of vetting decision-making and improving the recording of the rationale for some decisions.
- iv. Extending the scope of the law relating to police complaint and misconduct procedures.
- v. Strengthening guidance for forces in respect of vetting processes, relationships, and behaviours in the workplace.
- vi. Understanding and defining what constitutes misogynistic and predatory behaviour in a policing context.
- vii. Improving the way the police collect corruption-related intelligence.
- viii. Improving the way police assess and investigate allegations of misconduct.

The Commissioner monitors progress against these recommendations and AFIs through attendance at the Constabulary's Business Assurance Meeting.

Another HMICFRS report was on the effectiveness of vetting and counter-corruption arrangements in BCH. The points of note for integrity were:

- a. Improve how force manages the vetting of its workforce, to make sure that post holders have valid clearance for the role undertaken.
- b. Further develop its system to monitor and respond to disproportionality in its vetting decisions.

Progress against these recommendations are monitored at the Business Assurance

Meeting.

## **7.5. Additional External Assurance**

In addition to the governance mechanisms listed above, there are further external sources of scrutiny on ethics and integrity that provide assurance to the Commissioner. These are sources such as NPCC, Home Office and CoP. Reports and activity from any of these external sources are monitored through the existing governance arrangements:

1. NPCC - All police officers and staff will be checked against PND to identify any intelligence of allegations (each force to own this. CC to respond on approach).
2. CoP - updating vetting rules for new and existing officers.
3. HO - reviewing rules around dismissal to simplify the process and give CCs freer hand.
4. HO – consultation underway on vetting, misconduct etc.
5. Independent Reviews - e.g. the Angiolini review (an independent review published in 2017 that looked into serious incidents and deaths in custody, undertaken by Rt Hon. Dame Elish Angiolini DBE QC).
6. Police and Criminal Evidence (PACE) Strategy Group
7. HMICFRS & His Majesty's Inspectorate of Prisons (HMIP)
8. Inquests

## **8 Closing Summary**

The purpose of this paper was to detail all the mechanisms the Commissioner has in place to hold the Chief Constable to account for ethics and integrity. Through the complex interlinking governance frameworks of the OPCC and the Constabulary, all of the mechanisms explored within this paper feature. What is clear from this piece of work, is that ethics is at the core of governance for both organisations and the Commissioner is therefore assured ethics and integrity are scrutinised across the board.