

DEPARTMENT: PPIU, SSI

4th January
2016

NAME OF PAPER: Response to Committee on Standards in Public Life

1. PURPOSE OF PAPER

This paper is in response to the report '**Tone from the top – leadership, ethics and accountability in policing**' published by the Committee on Standards in Public Life.

2. CONSIDERATIONS

Recommendation No 16 from the 'Tone from the top – leadership, ethics and accountability in policing' report states "*The Joint Audit Committee should scrutinise the basis of the assurances provided as to the integrity of crime data, including the related performance management systems*".

Action is required from the Joint Audit Committee (JAC) to ensure this recommendation is met. The recommendation concerns 'independent' assurance which could be provided by the Internal Auditors RSM.

The JAC members will need to consider focusing the Internal Auditors in respect of the scope and range of a Crime Data Integrity / Performance Management audit. Planning would need to take account of the upcoming HMIC unannounced Crime Data Integrity inspections planned for early 2016.

3. RECOMMENDATIONS

The Constabulary proposes the following discussion points for JAC Members consideration:

1. Agree in principle the acceptance of the Committee on Standards in Public Life recommendation 16
2. How to meet the recommendation through RSM e.g. delay an audit already planned for Q4 of the 2015/16 Internal Audit plan and insert a Crime Data Integrity / Performance Management audit; or find additional funds to complete the audit as an addition to the 2015/16 plan.
3. Alternatively, the Members explore a different method, through the OPCC Assurance Audits for example
4. The JAC agree to include a Crime Data Integrity / Performance Management audit in Q1 of the 2016/17 Internal Audit Plan - rather than in the 2015/16 plan
5. Agreement on the way forward

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AVON AND SOMERSET CONSTABULARY

	Station	█
	Station	HC PSD
Ref	Date	10 th December 2015
Subject	Committee on Standards in Public Life	

Please find below response to The Committee on Standards in Public Life report 'Tone from the top – leadership, ethics and accountability in policing'.

Recommendation 13

Chief Constables and PCCs should keep the arrangements for gifts, gratuities and hospitality registers and business interests, including notifiable members, and other employment under regular review as part of ensuring and evidencing that the Code of Ethics remains embedded in everyday practice.

The above information is kept under regular review by the PCC and Chief Constable. The gifts, gratuities and hospitality and business interest registers are reviewed quarterly at the Professional Standards & Performance Portfolio meeting with the Police and Crime Commissioner, to ensure that both registers are monitored and ensure compliance with legislation. The Constabulary also publishes both registers on the website to increase transparency.

In addition, the Constabulary have recently assisted The College of Policing, in their project on improving forces transparency. Whereby, we provided the College with our current data which sets out information on chief officers' gifts and hospitality and business interests registers. The force has marketed the requirement to declare gifts, gratuities and hospitality and business interest, through internal advertisements to ensure that all members of staff are aware of their responsibilities to declare such information. The communications also signposts them to a dedicated page on our intranet site where more information is available.

Recommendation 18

All parties with responsibility for complaints should make clear and actively publicise where their responsibilities – especially in relation to actual investigations and their outcomes – begin and end.

The implementation of the proposed changes to the police complaints and disciplinary systems should be monitored locally by PCCs and nationally by the Home Office, IPCC and HMIC.

Responsibility for handling police complaints through local resolution should not sit with those with appellate responsibility in relation to the same complaints.

The Home Office should consider whether or not complaints about PCCs should continue to be handled by the IPCC.

The Constabulary publishes information on the website with regard to who has responsibility for the various types of complaints, how complainants can make a formal complaint and how complaints are dealt with by the Constabulary. We provide information relation to the types of investigations which may arise from a complaint.

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The website provides links to the IPCC website where complainants can find further information, legislation and statutory guidance.

The Constabulary is aware of ongoing consultations and national developments in relation to complaints and will constantly review the extent of information provided through its website.

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Recommendation 13

Chief Constables and PCCs should keep the arrangements for gifts, gratuities and hospitality registers and business interests, including notifiable memberships, and other employment under regular review as part of ensuring and evidencing that the Code of Ethics remains embedded in everyday practice.

With regards to the administration of the Gifts and Hospitality, Business Interests, etc, (which it appears this recommendation is more about) this is managed centrally within the PSD Business Team. Registers are kept and reviewed annually. The actual policies are reviewed by the PSD Policy group which is chaired by DCI Hawkes.

[http://polcorpinfo.sharedservices.police.cjx.gov.uk/CollaborativePoliciesLibrary/ProfessionalStandardsDepartment\(PSD\)/BCH02_003GiftsandHospitalityProcedure.doc](http://polcorpinfo.sharedservices.police.cjx.gov.uk/CollaborativePoliciesLibrary/ProfessionalStandardsDepartment(PSD)/BCH02_003GiftsandHospitalityProcedure.doc)

[http://polcorpinfo.sharedservices.police.cjx.gov.uk/CollaborativePoliciesLibrary/ProfessionalStandardsDepartment\(PSD\)/BCH02_002BusinessInterestProcedure.doc](http://polcorpinfo.sharedservices.police.cjx.gov.uk/CollaborativePoliciesLibrary/ProfessionalStandardsDepartment(PSD)/BCH02_002BusinessInterestProcedure.doc)

Recommendation 14

Where a Joint Chief Financial Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest; be made publicly available; and regularly monitored by the Joint Audit Committee.

We asked our independent internal auditors initially to look at this before we put it into place. Our financial regulations are clearly written in a way that shows what the PCCs CFO roles are and what the CCs CFO roles are and our JAC meet once a year with the independent internal and external auditors, without any officers present, to get their views on whether they have any issues with regards to conflicts of interests etc. In addition we have an agreement with Central Bedfordshire that provides for the Commissioner, where he feels there is a conflict of interest or just wants independent assurance, to utilise the services of the Chief Finance Officer for Central Bedfordshire.

Recommendation 15

Where a Joint Press/Media Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest, be made publicly available, and regularly monitored by the Joint Audit Committee

This was reviewed by the Independent Auditors prior to it being put in place. The Joint Head of Communications is responsible only for the internal communications of the PCC. The Joint Audit Committee meet once a year with the independent internal and external auditors to oversee any possible conflicts of interest and this documentation is publicly available.

Recommendation 16

The Joint Audit Committee should scrutinise the basis of the assurances provided as to the integrity of crime data, including the related performance management systems.

The Joint Audit Committee have a forward-planned schedule of content for meetings, which incorporates receiving reports on the integrity of crime data, including related performance management systems. This schedule is reviewed and updated annually.

Recommendation 18

All parties with responsibility for complaints should make clear and actively publicise where their responsibilities – especially in relation to actual investigations and their outcomes – begin and end. The implementation of the proposed changes to the police complaints and disciplinary systems should be monitored locally by PCCs and nationally by the Home Office, IPCC and HMIC. Responsibility for handling police complaints through local resolution should not sit with those with appellate responsibility in relation to the same complaints. The Home Office should consider whether or not complaints about PCCs should continue to be handled by the IPCC.

The police complaints system is monitored by the Bedfordshire, Cambridgeshire and Hertfordshire Strategic Alliance Sub Group chaired by the DPCC for Cambridgeshire on behalf of the PCC's, the BCH PSD Governance Board which is chaired by the PSD ACPO Lead (DCC Cambridgeshire) and the Board is the DCC's for Bedfordshire and Hertfordshire, a finance manager and HR lead. The PCC's are provided with the PSD Conduct reports, PSD Monthly report, PSD Quarterly Report, PSD Learning the Lesson Report.

The IPCC download complaints information directly from PSD systems and then publish public quarterly reports.

The HMIC have conducted an inspection of PSD in 2015 and review records and information related to other strands of the PEEL assessments.

There is clarity across the complaints and discipline legislation and guidance. It requires to be simplified so it is easy to understand by the public and the police.

The legalistic and adversarial nature of the legislation needs to move to a more learning focussed system for those who have made a genuine mistake or need to improve.

Legislation and Guidance

- Police Reform Act 2002 Part 2 and Schedule 3
- The Police (Complaints and Misconduct) Regulations 2012
- The Police (Conduct) Regulations 2012
- The Police (Performance) Regulations 2012
- The Independent Police Complaints Commission Statutory Guidance.

The changes proposed should include the clear demarcation of role and responsibilities. The advertising of the complaints system is being reviewed to make access to information easier and is

part of an IPCC project. The merger of the control rooms and an access portal should make information more accessible in the future.

The Police investigate Local Resolutions and are then the appeal body. The appeal body should be independent of the police as this will give transparency, accountability and increase public confidence. At this time when complainants are dissatisfied with the appeal result they then resort to the PCC who has now statutory powers over than oversight. The current system does not increase confidence.

The IPCC should remain investigate PCC's as this then transparent and likely to increase public confidence. A police force investigating a PCC cannot be seen as either.

Kind regards

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CHIEF CONSTABLE'S RESPONSE TO THE RECOMMENDATIONS WITHIN THE COMMITTEE ON STANDARDS IN PUBLIC LIFE'S REPORT –
TONE FROM THE TOP: ETHICS, ACCOUNTABILITY AND LEADERSHIP IN POLICING

No	Committee on Standards in Public Life's recommendations	Chief Constable's Response
13	Chief Constables and PCCs should keep the arrangements for gifts, gratuities and hospitality registers and business interests, including notifiable memberships, and other employment under regular review as part of ensuring and evidencing that the Code of Ethics remains embedded in everyday practice.	The Specified Information Order already requires information to be published at prescribed intervals. Relevant information for all these areas are published quarterly on the public website for the Constabulary. Annual reviews of these areas are carried out through the Professional Standards Department and are reported quarterly to the independent Audit and Ethics Committee.
14	Where a Joint Chief Financial Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest; be made publicly available; and regularly monitored by the Joint Audit Committee.	There is already detailed CIPFA guidance on the controls which should be put in place where a joint Chief Officer is appointed. In Cheshire, the PCC and Chief Constable have two separate Chief Finance Officers and their roles are clearly set out in the Scheme of Corporate Governance.
15	Where a Joint Press/Media Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest, be made publicly available, and regularly monitored by the Joint Audit Committee.	There is a joint press/media office for the OPCC and Constabulary. A memorandum of understanding is in place setting out the required standards of service and arrangements for resolving conflicts.

16	<p>The Joint Audit Committee should scrutinise the basis of the assurances provided as to the integrity of crime data, including the related performance management systems.</p>	<p>The Joint Audit Committee maintains an oversight of the Constabulary Service Assurance Plan which details the assurance arrangements across a range of business areas including the integrity of crime data. The Committee has also received specific reports from the Constabulary on its management systems in relation to crime data integrity and also independent reports from the Constabulary's Internal Auditors.</p>
18	<p>All parties with responsibility for complaints should make clear and actively publicise where their responsibilities – especially in relation to actual investigations and their outcomes – begin and end.</p> <p>The implementation of the proposed changes to the police complaints and disciplinary systems should be monitored locally by PCCs and nationally by the Home Office, IPCC and HMIC.</p> <p>Responsibility for handling police complaints through local resolution should not sit with those with appellate responsibility in relation to the same complaints.</p> <p>The Home Office should consider whether or not complaints about PCCs should continue to be handled by the IPCC.</p>	<p>The force complaint procedure and how that fits with the IPCC and OPCC is recorded on the force internet for the public to access. This provides clear guidance on the role and responsibilities for investigations and appeals.</p> <p>This is a matter for the other bodies named, however the force supports and assists these bodies to effectively monitor the complaints and disciplinary processes.</p> <p>At the current time both functions remain within the Constabulary. The Constabulary and OPCC will be monitoring the legislation change with regard to a decision on whether all or slices of the process (eg appellate responsibility) require this to change. In order to maintain integrity with this process, appeal and upheld levels are reported on to IPCC and to the independent Audit and Ethics Committee.</p> <p>This is a matter for the Home Office to consider.</p>



Jacqui Cheer, QPM, BA(Hons), MBA, Dip(Cantab)
Chief Constable

Postal Reply to: Shared Service Centre
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12 November 2015

Lord Bew
Committee on Standards in Public Life
Room GC.05
1 Horse Guards Road
London
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Dear Lord Bew

The Police Service welcomes and supports the interest of the Committee for Standards in Public Life in the issues that affect the integrity of those who lead, be that the Police and Crime Commissioner or the Chief Constable. The PCC role and the relationship of that role to the force and to the public is still evolving. It is critical that those who become either PCCs or Chief Constables recognise the need to act with integrity and professional ethics as this sets the tone for the whole organisation and influences the trust and confidence of the public they serve.

The below responses are submitted in my national role as the lead for professional standards and ethical policing and summarise our approach to the recommendations referred to in your letter to Chief Constables dated 27 July 2015.

Recommendation 13

Arrangements for gifts, gratuities and hospitality registers.

Chief Constables and their forces responded to the need for greater transparency in these areas following the publication of three integrity related inspection reports of Her Majesty's Inspectors of Constabulary (HMIC) in 2011, 2012 and 2015. All of these touched on the issue of registers and their regular publication and scrutiny. The 2015 report summarises the progress made in paragraph 5.5 commenting that progress had been made in the previous recommendations about the registers but that further work was needed to ensure the information contained within them was effectively cross-referenced with other areas such as procurement.

Following publication of the first report in 2011, the Association of Chief Police Officers (ACPO) discussed and agreed the need for national consistency in what could be accepted, paid for and registered following the publication of the HMIC Reports. The College of Policing has investigated holding the registers for forces but in an age of limited resources felt unable to undertake this task. They will however be able to signpost people to force's own registers. The College have recently circulated a template for forces to adopt so that information is published in easily digestible and comparable ways and they are undertaking a review of force websites to ensure the information is easily accessible.

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Chief Officers also agreed national guidance regarding business interests. As officers and staff see their household incomes shrink there has and will continue to be a rise in the number of people seeking secondary employment. Forces are very conscious of balancing the well-being of their staff when considering the impact of a second job versus the stress of mounting debts. They have in place review procedures, both at set times and when circumstances change eg a period of absence, under performance or a change of role.

The issue of accepting gifts, gratuities or hospitality is specifically covered by many forces in the activities they undertake to support the embedding of the Code of Ethics. Several forces use a version of 'snakes and ladders' to discuss ethical dilemmas including hospitality and gifts. The Strategic Command Course (for aspiring chief officers) includes an interactive session in which they decide how to deal with reports of inappropriate activities including matters around gifts and hospitality. The discussion following the exercise covers the need for standards and transparency in these areas.

The National Police Chiefs' Council (NPCC) Lead for Professional Standards is responsible for maintaining a focus on these areas and encouraging forces to have effective arrangements.

Recommendation 14

Joint Chief Financial Officers (CFO).

Research suggests that four¹ Forces have such arrangements in which they share a Chief Financial Officer with the relevant Police and Crime Commissioner. No issues arising from these arrangements have been raised for Chief Constables to discuss at the National Police Chiefs' Council or within the Professional Standards and Ethics Portfolio meetings.

Each of the four PCC and force websites has been visited to consider whether the arrangement is visible to the public. All four PCC websites make it clear that the Chief Finance Officer is a shared post with the Force. Only one force website explicitly references the shared post. One PCC website provides access to the paper and decision notice supporting the arrangements. Another gives easy access to information about the Audit Panel and the papers provided to it. Two make specific reference to the Home Office Financial Management Code of Practice and the specific arrangements they have to access the CFO in their Local Authority in the event of a conflict of interest. The transparency of these arrangements would allow an interested party or member of the public to raise questions about the decision to share the post, whether it was working and how it is monitored.

The Association of Police & Crime Commissioners (APCC) facilitates meetings of those working in similar roles across England and Wales, including the chance for Chief Finance Officers to meet and discuss matters such as those arising from shared posts.

¹ Bedfordshire, Durham, Suffolk and Wiltshire. 7 forces did not provide information

Chief Finance Officers hold a statutory post with defined roles including their accountability. Their work is governed by their professional regulations and by the above mentioned Home Office Code of Practice. The transition to both the Chief Constable and the Police and Crime Commissioner being Corporation Soles and requiring a CFO in 2012/2013 ensured that all parties revisited the role of the CFO and corporate governance arrangements.

Recommendation 15

Joint Press/Media Officers

Seven forces² share media or communications posts at the senior level. Two³ of the seven also share the Chief Finance Officer. No issues arising since these arrangements were implemented have been raised for Chief Constables to discuss at the National Police Chiefs' Council or within the Professional Standards and Ethics Portfolio meetings. Forces were able to point us to protocols and memorandums of understanding governing these arrangements.

Six PCC⁴ and the seven Force websites have been visited to consider whether this arrangement is visible to the public. On the PCC websites four make explicit reference to the arrangements, usually in association with an organisational chart. The information contains phrases which indicate the specific nature of the arrangements, for instance 'provided by the Police', employed by the Chief Constable, seconded to the OPCC⁵ and 'jointly funded'. A fifth PCC website indicates on their organisational chart that the communications post is different through the use of colour but there is no explanation of the differences. The information was not visible on the sixth website. The picture is less clear on the force websites with three being explicit in their descriptions with phrases such as 'Strategic Corporate Communications for the Police and the Office of the Police and Crime Commissioner' and 'provides professional advice and support for the PCC and the CC'. Four Force websites do not make explicit reference to sharing resources or force resources providing professional media advice to the OPCC. In only one case is the shared communications provision not readily visible on either the force or the PCC website, although it is possible to work out that such an arrangement exists from other information available.

Unlike the Chief Finance Officers, media professionals do not have a statutory role in either the force or the OPCC. They do follow their own professional code and have national and regional networks which meet regularly and with the NPCC Lead T/Chief Constable Gareth Morgan in Avon and Somerset.

The forthcoming election for Police and Crime Commissioners will be the first with incumbent PCCs and may test these arrangements as PCCs seek re-election and need to continue to explain to the public what they are doing and how they are holding their respective Chief Constables to account for the delivery of effective and efficient policing.

² Bedfordshire, Cleveland, Gloucestershire, Kent, Northumbria, South Wales and Wiltshire. 7 forces did not provide information

³ Bedfordshire and Wiltshire.

⁴ Technical difficulties prevented research on a website

⁵ Office of the Police and Crime Commissioner

Recommendation 16

Joint Audit Committees should scrutinise the basis of the assurances provided as to the integrity of crime data.

Forces accept that there were matters that needed to be urgently addressed and the micro-managed target culture in some areas had led to an environment where individuals decided to or felt the need to disregard the crime recording standards. In response to the HMIC inspection and reports about crime data integrity forces will have implemented plans to improve and assure themselves that those improvements are sustainable. The HMIC maintain a focus in this area.

Forces and PCCs will have adopted a variety of methods to assure themselves and the public that a) crime recording is accurate, timely and meets the National Crime Recording Standards (NCRS) and b) checking that the assurance methods are themselves sound. Audit Committees offer but one solution. The Committee have received a response from Sussex Police outlining how they have used their Audit Committee in this regard and this approach will be seen in other force areas. Several forces have asked their Internal Audit or External Audit teams to examine and report their findings to the Audit Panel.

All Forces have Force Crime Registrars (FCR) who operate with a direct reporting line to a nominated chief officer. They have a national network for sharing good practice and seeking assistance and support with particular issues.

Recommendation 18

The complaints system.

The complaints system requires a radical redesign, including a wide ranging debate about the purpose of such a system and the desired outcomes. The current system has developed piecemeal and many of the issues raised when the complaints process was redesigned in the 2000s (when the Independent Police Complaints Commission (IPCC) replaced the Police Complaints Authority (PCA)), have not been addressed then or since. In many ways the complaints process is now more opaque, more bureaucratic and more punitive than it was previously.

The ability of the public to raise a complaint or their dissatisfaction is critical to the service providing effective, efficient, just and fair policing. It allows the police to dispense with unsuitable people and to learn and change in response to errors and mistakes. There is a strong link between this and the trust and confidence of the public, whether as individuals or communities. There is also a growing evidence base that the fair application of the complaints process, and any disciplinary process arising from it, is critical to the sense of procedural justice within the workforce and that this drives the behaviour of officers and staff. The evidence from the people surveys conducted by Durham University demonstrates that procedural unfairness or injustice demotivates officers and staff, with consequently reduced discretionary effort and energy levels.

There is an opportunity to consider the complaints system as a whole and introduce radical change, rather than see it just as a process. The APCC and NPCC are stakeholders in a number of the meetings considering the changes and the Home Office has undertaken consultation. The outcomes of that consultation and the proposed changes have yet to be published, but as the NPCC Lead for Professional Standards I fear a concentration on the process (ie recording, letters, flow-charts) rather than a consideration of the whole system.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Cheer', written in a cursive style.

Chief Constable Jacquie Cheer QPM
NPCC Lead for Professional Standards and Ethical Policing

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02 December 2015

Lord Bew
Chair, Committee on standards in Public Life

Via Email: public@public-standards.gov.uk

Dear Lord Bew,

Tone from the top – leadership, ethics and accountability in policing

I am writing to you in response to your letter of 27th July 2015 formally requesting my full and considered response to a number of recommendations contained within the Committee on Standards in Public Life report *Tone from the top – leadership, ethics and accountability in policing*.

I have long believed that an ethical force will produce quality results and performance, if it is led by a strong visible leadership team, that communicate clearly what is required and to what standard. I totally agree that the tone is set from the top, and with credible and accountable management that lead in a transparent and professional manner it is more than deliverable.

I have outlined the response to each of the recommendations below, which I hope will assist you.

Recommendation 13

Chief Constables and PCCs should keep the arrangements for gifts, gratuities and hospitality registers and business interests, including notifiable memberships, and other employment under regular review as part of ensuring and evidencing that the Code of Ethics remains embedded in everyday practice.

In my force we have a set of core values that every member of staff has signed up to which has been established for over 7 years. My force know what I expect of them and I am proud of their belief in these values as they form the cornerstone of our policing family. They are similar to the code of ethics in that they are designed to give a clear understanding of where we are and what we believe and expect from our employees and as an organisation as a whole. All of the chief officer gifts, gratuities hospitality and indeed business interests and notifiable memberships are published regularly. It is an embedded practice



Mick Creedon, QPM, BA(Hons), MA
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Recommendation 14

Where a Joint CFO is appointed, an explicit policy and appropriate controls should be in place to manage any potential conflicts of interest; be made publicly available; and regularly monitored by the Joint Audit Committee.

We made a conscious decision when the PCC office was created that we would not explore a joint financial officer as we felt that the potential for a conflict of interest was too great and too problematic. It goes without saying that should we feel the need to reverse that decision then scrutiny would be an important factor in that process, and our Joint Audit Risk & Assurance Committee would be the obvious vehicle for that process.

Recommendation 15

Where a Joint Press/Media Officer is appointed, an explicit policy and appropriate controls should be in place to manage any potential conflicts of interest; be made publicly available; and regularly monitored by the Joint Audit Committee.

We do not share our media teams but as above, a conscious decision was considered that if asked we would be reluctant to use a joint media team for exactly the same reasons detailed above.

With both Recommendation 14 and 15 we are mindful that conflict of interest should not be a direct bar to sharing services in the interest of efficiency and transparency. Indeed we share legal services within our 5 force region which is also available to the OPCC within each force also. This will and does at times create a conflict of interest but we are skilled at identifying the conflict and mitigating any risks involved.

Recommendation 16

The Joint Audit Committee should scrutinize the basis of the assurances provided as to the integrity of crime data, including related performance management systems.

We welcome and are open to scrutiny on many levels regards the integrity of our crime data, whether internal review, from our PCC, from our multi agency focus groups, IPCC of indeed Her Majesty's Inspector of Constabulary, who have recently announced a program of unannounced inspections of crime recording standards. We have long been commended on the integrity of our data recording around crime from many inspection formats and we aim to maintain that integrity. My force know that I do not set targets and I only want ethical crime recording not low crime stats.

Recommendation 18

All parties with responsibility for complaints should make clear and actively advertise where their responsibilities – especially in relation to actual investigations and their outcomes – begin and end. The implementation of the proposed changes to the police complaints and disciplinary systems should be monitored locally by PCCs and nationally by the Home Office, IPCC and HMIC. Responsibility for handling police complaints through local resolution should not sit with those with appellate responsibilities in relation to the same complaints. The Home Office should consider whether or not complaints about PCCs should continue to be handled by the IPCC.

This multi layered recommendation demonstrates how complex this issue is, but from a force that received great praise from HMIC around our PSD matters we feel that within the current guidelines we operate on a professional and integrity based platform. Of course there are those potential 'conflict of interest' matters that raise their heads when the public see us investigating 'our own' but if the leadership and communication is right then more often than not the public will have trust in that process.

We would welcome some oversight around complaints from PCCs given that they would have an informed view of Policing and its complexities, and have the communities which we serve at the forefront of their agenda.

However we would be concerned as to how a system which separated local resolution from an appellate responsibility might work, without adding more bureaucratic layers to a system that, if allowed, can take an unacceptable amount of time to complete.

I hope that this satisfies your request. Should you require any additional information, or wish to discuss any of the points I have made, please do not hesitate to get in touch. In the first instance you may wish to contact my Staff Officer DCI Mark Knibbs who should be able to answer any questions, or arrange for us to communicate directly. His contact details are as follows:
mark.knibbs.1011@derbyshire.pnn.police.uk

Yours sincerely

A handwritten signature in black ink that reads "M. Creedon". The signature is written in a cursive style with a large initial 'M'.

Mick Creedon
Chief Constable



Lord Bew
Chair
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26 November 2015

Dear Lord Bew

I am writing in response to your letter date the 27 July 2015 concerning the recommendations made by the Committee on Standards in Public Life within its report 'Tone from the top – leadership, ethics and accountability in Policing'.

In your letter you have asked for a formal response with regard to a number of specific recommendations contained within the report.

Recommendation 13: Chief Constables and PCC's should keep the arrangements for gifts, gratuities and hospitality registers and business interests, including notifiable memberships, and other employment under regular review as part of ensuring and evidencing that the Code of Ethics remains embedded in everyday practice.

I am satisfied that the Force has robust arrangements in place for monitoring such matters at all levels within the Organisation. Following the recent HMIC 'integrity matters' inspections and report the Force has repeated messages advising all staff of the need to register interests and to record gifts, gratuities and hospitalities. These are centrally recorded and subject to periodic independent review by both the head of the force professional standards department and the Ethics and Appeals Sub-Committee administered through the Office of the Police and Crime Commissioner (OPCC). Copies of the registers are published externally to ensure that such matters are open and transparent to the public.

In addition the Chief Executive of the OPCC also publishes similar registers relating to the PCC, The Deputy PCC and staff within the OPCC.

Any concerns are dealt with by the Professional Standards Department or when appropriate highlighted to the force Standards and Ethics Board which is jointly chaired by me and the PCC.

In addition we have a comprehensive plan to ensure that the Code of Ethics continues to be embedded and developed within the Force and this is reported on to both the Force Standards and Ethics Board, Operational Commanders Board and the Ethics and Appeals Sub-committee.

Recommendation 14: Where a Joint Chief Financial Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest; be made publicly available; and regularly monitored by the Joint Audit Committee.

Dorset Police and the Office of the Police and Crime Commissioner for Dorset do not share a joint Chief Financial Officer. The recommendation regarding the need for appropriate controls to manage potential conflicts of interest is fully supported, and such controls would be implemented should the position in Dorset change in the future.

Recommendation 15: Where a Joint Press/Media Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest; be made publicly available; and regularly monitored by the Joint Audit Committee.

The OPCC in Dorset employs a Communications and Engagement Manager, who reports directly to the Chief Executive and manages a small team working primarily for the OPCC. Dorset Police also has a Communications and Engagement Department, led by a separate Head of Department. This individual provides professional personal development advice for the OPCC's communications team and can also advise the PCC and Force on shared issues where there is no conflict of interest, such as coordinating a community engagement strategy or events diary.

Colleagues in both teams may also assist one another on an ad-hoc basis for resilience reasons and where duplication of effort and expense would be wasteful and unnecessary, such as taking photographs at an event. Such an approach is appropriate for a small Force area and reduces overall costs, for example avoiding the need to appoint an individual at Head of Department level in both the OPCC and the Force.

However, there is clear separation in reporting and accountability for communications activity, particularly when the PCC fulfils his scrutiny role. The Communications and Engagement Manager for the OPCC is always tasked by the Chief Executive or the PCC, not by the Force. Published job descriptions and departmental structures clearly signal this differentiation, and all involved in communications are mindful to avoid any actual or perceived conflicts of interest, ensuring different individuals are representing the Force and the PCC as corporate soles when required.

Recommendation 16: The Joint Audit Committee should scrutinise the basis of the assurances provided as to the integrity of crime data, including the related performance management systems.

The Force Crime Registrar (FCR) is independent from operational command and reports directly to the Deputy Chief Constable (DCC) on all matters relating to compliance with the National Crime Recording Standard and the Home Office Counting Rules for recorded crime. The FCR has a monthly meeting with the DCC and

PCC to ensure they have oversight of all emerging issues in relation to crime recording compliance and crime data integrity (CDI).

The FCR conducts a bi-annual CDI replica audit to ensure that compliance does not decrease and ensures an ongoing programme of detailed audits and dip checks are conducted to ensure the ongoing integrity of our crime recording systems and practices.

The FCR presents a Crime data quality audit compliance report to the quarterly OPCC Ethics and appeals sub-committee who in turn report any emerging concerns or issues to the force Standards and Ethics board and the Joint Independent Audit Committee. These reports are published on the OPCC website for the public.

The PCC has recently extended scrutiny by commissioning an external consultant to review how the force deals with Out of Court Disposals and the resultant recommendations have been implemented, including the establishment of an Out of Court Disposal Scrutiny panel.

The Force is committed to completing the recommendations made by HMIC following the CDI Inspection in 2014 with all recommendations being actively tracked and monitored through the Force Corporate development team.

Recommendation 18: All parties with responsibility for complaints should make clear and actively publicise where their responsibilities – especially in relation to actual investigation and their outcome – begin and end.

Both the Force website and that of the PCC explain how to make a complaint against the police, Police staff, the PCC or OPCC staff. On the Force website there is an explanation of how matters will be dealt with and who has responsibility for each part of the process within the current legal framework and associated statutory guidance. The force is currently embarking on a strategic alliance with Devon and Cornwall Police and over the coming months a joint professional standards department is to be implemented. A key element of the communication strategy for this change will include this recommendation and will ensure a consistent and informative approach is taken across both forces and relevant OPCC's websites and other suitable communications.

The implementation of the proposed changes to the police complaints and disciplinary systems should be monitored locally by PCC's and nationally by the Home Office, IPCC and HMIC.

Any structural and procedural changes that will need to be implemented as a result of the proposed changes to the current legislative framework will be actively monitored and approved through the force standards and ethics board.

Responsibility for handling police complaints through local resolution should not sit with those with appellate responsibility in relation to the same complaints.

Once the full details of the proposed changes to the legislative framework for handling police complaints is known our existing structures and processes will be critically examined and any necessary alterations made to ensure full regulatory compliance and promote public confidence. In the meantime I am satisfied that any matters where there is a potential for a conflict of interests in the independence of appeal decisions

then suitable arrangements are made for these decisions to be taken by officers from outside of the investigatory structure or at times outside of the force entirely.

I trust this provides sufficient details as to the current and potential future position of the force with regard to these matters. If you would like to discuss these matters further or require additional details please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read "J. Simpson". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

Chief Constable



Tone from the Top

1 message

Wilson Kennedy 42073098 <Wilson.Kennedy@essex.pnn.police.uk>
 To: "public@public-standards.gov.uk" <public@public-standards.gov.uk>

27 November 2015 at 10:43

Thank you for giving Essex Police the opportunity to respond to the recommendations laid out in the Committee on Standards in Public Life published report 'Tone from the top - leadership, ethics and accountability in policing'. Our response to the recommendations relevant to Essex Police are as follows:

<p>Recommendation 13</p> <p>Chief Constables and PCCs should keep the arrangements for gifts, gratuities and hospitality registers and business interests, including notifiable memberships, and other employment under regular review as part of ensuring and evidencing that the Code of Ethics remains embedded in everyday practice.</p>	<p>Essex Police already fully comply with this recommendation. A hospitality register in relation to Chief Officers is published on our public internet site. The full, force hospitality register is monitored by Professional Standards Dept and reviewed on a monthly basis by the Deputy Chief Constable in his Integrity and Anti-corruption Board.</p> <p>Likewise secondary employment applications are authorised by Human Resources and all applications authorised and rejected are reported to the same Integrity and Anti-corruption Board. A programme of annual review and renewal of secondary employment is also in place.</p>
<p>Recommendation 14</p> <p>Where a Joint Chief Financial Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest; be made publicly available; and regularly monitored by the Joint Audit Committee.</p>	<p>Not applicable as Essex does not have a joint CFO</p>
<p>Recommendation 15</p> <p>Where a Joint Press/Media Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest, be made publicly available, and regularly monitored by the Joint Audit Committee.</p>	<p>Not applicable as Essex does not have a joint Press/Media Officer</p>
<p>Recommendation 16</p> <p>The Joint Audit Committee should scrutinise the basis of the assurances provided as to the integrity of crime data, including the related performance management systems.</p>	<p>The HMIC has the expertise in this area and it is difficult to see what value the JAC could give to this oversight, given the skill sets of the JAC. It may be that the developments of the HMIC's oversight of national crime recording has overtaken this</p>

	<p>recommendation.</p> <p>That being said the JAC do have oversight of the Force Risk Register and should integrity of crime recording be a force risk, possibly via HMIC inspection result, then they would have a part to play in the assurance process.</p>
<p>Recommendation 18</p> <p>All parties with responsibility for complaints should make clear and actively publicise where their responsibilities – especially in relation to actual investigations and their outcomes – begin and end.</p> <p>The implementation of the proposed changes to the police complaints and disciplinary systems should be monitored locally by PCCs and nationally by the Home Office, IPCC and HMIC.</p> <p>Responsibility for handling police complaints through local resolution should not sit with those with appellate responsibility in relation to the same complaints.</p> <p>The Home Office should consider whether or not complaints about PCCs should continue to be handled by the IPCC.</p>	<p>As far as this recommendation relates to Essex Police we are compliant with publicising our responsibilities and how to make a complaint on our public facing website. It also references other ways of registering a complaint i.e with IPCC.</p>

Wilson Kennedy

Head of Corporate Services

Essex Police, HQ, PO Box 2, Springfield, Chelmsford, Essex CM26DA

Tele : 101 Ex 150000

Office hours 0800 - 1600 Mon - Fri

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11/27/2015

Cabinet Office Mail - Tone from the Top

Kent Police on 01622 690690 or Essex Police on 01245 491491, as appropriate.

**Alan Pughsley QPM
Chief Constable**

Lord Bew
Chair
Committee on Standards in Public Life
Room GC.05
1 Horse Guards Road
London SW1A 2HQ

Direct Line: 01622 652003
E-Mail: cc@kent.pnn.police.uk

Date: 14th December 2015

My Lord,

I write with reference to your letter dated 27th July 2015 regarding the Committee on Standards in Public Life report entitled 'Tone from the top – leadership, ethics and accountability in policing' and firstly, apologise for only just formally responding to you.

I would like to thank you for the opportunity to comment upon the recommendations that were specific to Chief Constables (and indeed Police and Crime Commissioners). I wholeheartedly agree with the Committee's conclusion that as a public service we must maintain the highest ethical standards in line with public expectation. At Kent Police, we have instilled a new culture which is centred around three core priorities; to provide a quality service, to put victims and witnesses at the heart of everything we do and to 'do the right thing'. Our culture principles are underpinned by the Code of Ethics and very much complement the 'Seven Principles of Public Life' around selflessness, integrity, objectivity, accountability, openness, honesty and leadership. These principles not only set out expectations for those officers and staff working within Kent Police but also make it clear against the Kent Police 'Mission, Vision, Values and Priorities' what the communities in Kent can expect from us.

As Chief Constable, I am fortunate to have a strong working relationship with the Kent Police and Crime Commissioner, Mrs Ann Barnes, and we are held to account robustly around a number of areas, not least the promotion of ethical behaviour and embedding the Code of Ethics force wide under the leadership of my Deputy Chief Constable, Paul Brandon. This involved a focussed communication, engagement and training programme across the Force and was recognised by the College of Policing in their review of the Code of Ethics one year on from its launch. We are held to account for our actions around upholding ethical standards via the Police and Crime Commissioner's Governance Board and People Board. In addition to this, we have an internal Ethics Committee (chaired by the Deputy Chief Constable) and an external Ethics Committee (chaired by the Police and Crime Commissioner).

In response to your letter, I would like to provide the following comment to each of the specific recommendations you outlined:

Recommendation 13

Chief Constables and PCCs should keep the arrangements for gifts, gratuities and hospitality registers and business interests, including notifiable memberships, and other employment under regular review as part of ensuring and evidencing that the Code of Ethics remains embedded in everyday practice.

Such arrangements are already in place in Kent. Our Human Resources department review business interests on a yearly basis. The Professional Standards Department performs regular cross referenced checks on gifts, gratuities and hospitality / secondary business interests / and procurement, as part of our continued work on the Police Integrity Model.

Recommendation 14

Where a Joint Chief Financial Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest; be made publicly available; and regularly monitored by the Joint Audit Committee.

Kent Police do not have a joint Chief Finance Officer (CFO) so this recommendation is not relevant to this Force. However both the CFO's are required to be professionally qualified accountants with recognised IFAC qualifications and members of accountancy bodies which have a Code of Ethics and requirements for continuing professional development.

The CFO for the Chief Constable and CFO for the Office of the Police and Crime Commissioner (OPCC) both publish a related party return in the Annual Statement of Accounts which declare any potential conflicts of interest. Both CFOs are standing invitees to the Joint Audit Committee and are therefore monitored and scrutinised by this committee.

Recommendation 15

Where a Joint Press/Media Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest, be made publicly available, and regularly monitored by the Joint Audit Committee.

Kent does not have a Joint Press/Media arrangement. The force has a team, and it provides a service to the OPCC. The staff are employed solely by the Chief Constable and are under his direction and control. They are also solely funded by the force. The service provided to the OPCC is regularly monitored at an oversight meeting every Monday morning where the Chief Constable, PCC, and the Head of Communications meet to discuss issues that are joint, as well as acknowledging where they have separate communications needs and ensuring those are met.

Recommendation 16

The Joint Audit Committee should scrutinise the basis of the assurances provided as to the integrity of crime data, including the related performance management system

Kent Police has been subject to an intensive series of audits since February 2013, when the PCC for Kent commissioned HMIC to conduct an inspection to determine whether the people of Kent could have confidence in the force's crime figures.

This inspection found that more needed to be done before the people of Kent could be confident that the crime figures were as accurate as they should be. The incident to crime conversion rate showed that 90% of crimes were being recorded correctly.

The Force responded to the HMIC report of June 2013 by immediately introducing new and improved processes for accurate crime recording, including a comprehensive back-record review of Public Protection Unit incidents, Domestic Abuse, Hate and Harassment for that financial year. Furthermore, the force recorded or re-classified all errors found by HMIC.

The processes put into place were acknowledged in the HMIC report in November 2014 as having added 'value and permanence' to the approach, when the incident to crime figures had improved to 96%. The recommendations made by HMIC were implemented and continue to be developed.

This high standard of accuracy has been maintained in a recent force audit which mirrored the HMIC inspection, resulting in a compliance rate of 96.5%. This progress has continued in-force with a comprehensive audit calendar, further strengthening the position with specialist risk-based audits to ensure the continued integrity of crime data.

Recommendation 18

All parties with responsibility for complaints should make clear and actively publicise where their responsibilities – especially in relation to actual investigations and their outcomes – begin and end.

Kent Police is fully supportive of this recommendation. This information is covered on the Kent Police website in information about complaints. Our information page links to the IPCC's website detailing the complaints procedure, which also covers appeals. This clarifies that the appeal body will either be the Head of Professional Standards Department, or the IPCC. The decision as to who the relevant appeal body will be is set down in the IPCC Statutory Guidance and is dependent on the nature of the complaint.

The implementation of the proposed changes to the police complaints and disciplinary systems should be monitored locally by PCCs and nationally by the Home Office, IPCC and HMIC.

Kent Police agrees with this in entirety.

Responsibility for handling police complaints through local resolution should not sit with those with appellate responsibility in relation to the same complaints.

This suggests an appeal in relation to a local resolution conducted by the Police should not go to the Police, but to an alternative decision maker - most likely the OPCC. This would appear to be outwardly 'fairer'. It is easy to see how the current system could be seen as 'an internal review' rather than a true appeal right, as there is no institutional separation between the first instance decision maker and those who would consider the complaint on appeal. However, if the OPCC takes on responsibility for complaints, another appellate body would be required.

The Home Office should consider whether or not complaints about PCCs should continue to be handled by the IPCC.

The IPCC should continue to handle complaints against PCC's, as there is currently no obvious alternative.

Once again, I would like to thank you for providing me with the opportunity to comment upon the recommendations above and if there is any further information from us that you would find useful please do not hesitate to let us know.

Yours faithfully,



**Alan Pughsley
Chief Constable**



Rt. Hon Lord Bew
Chair, Committee on Standards in Public Life
Room GC.05
1 Horse Guards Road
London
SW1A 2HA

AJC/lb

26 August 2015

Dear *Lord Bew*

Thank you for your letter dated the 27th July which referred to the recently published report 'Tone from the Top – Leadership, Ethics and Accountability in Policing.' Specifically, you requested a full and considered response as to how the Force is addressing relevant recommendations, as outlined in your letter.

In relation to each recommendation, I would comment as follows.

Recommendation 13

Force policy regarding gifts and hospitality operates on the presumption that all such offers are politely declined, albeit it is recognised that there may be occasions when this is not possible. Irrespective of whether or not an offer is accepted, all offers are recorded on a local (BCU/Department) register, which automatically feeds into a central register held by the Professional Standards Department and reviewed by the Detective Superintendent. In addition, the central register is inspected and signed bi-annually by the Deputy Chief Constable, with any entries considered inappropriate challenged. A Force Gifts and Hospitality register is published bi-annually on the Force internet site.

Force policy requires all police officers and police staff to apply for authorisation for a business interest. All applications, whether approved or declined, are recorded on a centrally held register managed and monitored by the Professional Standards Department and reviewed by the Detective Superintendent. The register is published on the Force internet annually. In addition, as part of the annual Performance Review process, all staff are asked to declare if they have, or wish to pursue, a business interest.

Andrew J. Cooke, QPM
Deputy Chief Constable, Merseyside Police, PO Box 59, Liverpool, L69 1JD
Tel. 0151 777 8001 Fax. 0151 777 8033 Email. andrew.j.cooke@merseyside.pnn.police.uk

The Force also has, what HMIC described in a recent inspection report, a 'clear and well publicised policy outlining the obligation to declare any change in circumstances in an officer or staff members personal associations and relationships and that officers and staff are aware of their obligations in this regard.' All notifications are reviewed by the Anti-Corruption Unit.

All of the above, and other matters relating to integrity, are considered by the Integrity and Anti-Corruption Board chaired by the Deputy Chief Constable. This ensures appropriate governance is exercised for these processes.

I am encouraged to note that during the inquiry, the Committee were told by a number of stakeholders of the achievements in Merseyside Police in embedding the Code of Ethics. This includes how we have, and continue to, address issues referred to above: gifts and hospitality; business interests; and notifiable associations. Within the content of your report, I am also pleased to note that Merseyside Police is highlighted in a positive manner, and that reference is made to HMIC recognising our adoption of the Code of Ethics as good practice.

Recommendation 14

The Force and OPCC have separate Financial Officers.

Recommendation 15

The Force and OPCC have separate Press/Media Officers.

Recommendation 16

The Joint Committee's terms of reference 2015/16 sets out how the Committee exercises governance, risk and control, which includes, amongst other things, consideration of reports on the effectiveness of internal controls and the monitoring of agreed actions. It is in this context that the Committee is able to seek assurances, as required, regarding the integrity of crime data and related performance management systems.

Existing internal Force governance arrangements regarding the integrity of crime data are sufficiently robust to be able to provide the Joint Committee with the level of assurance it requires. Data Integrity, which includes the accurate recording of crime in accordance with national standards, is one of the Force's key priorities. Governance arrangements exercised by the Deputy Chief Constable, ensure this priority is subject to an appropriate level of scrutiny.

Notwithstanding this, the Force has a dedicated, accredited Force Crime Registrar (reporting directly to the Deputy Chief Constable) and an audit team with specific responsibility for ensuring crime is recorded in accordance with Home Office Counting Rules. HMIC, through a programme of thematic inspections, also provide assurance regarding crime data integrity.

Recommendation 18

This recommendation relates to Home Office proposals following the Secretary of States Improving Police Integrity: Reforming the Police Complaints and Discipline System recommendations. Since the proposals require legislative changes, at the time of writing, the Home Office plan for a Bill to be laid before Parliament in December 2015. It is anticipated it will not receive Royal Assent until early 2017.

In view of the above, the Force continues to operate within the existing legislative framework for dealing with complaints as outlined in the Police Reform Act 2002 and Police Reform and Social Responsibility Act 2011. As such, all low level complaints continue to be dealt with by the Force with the Chief Constable as the relevant appeal body. The complaints process is clearly explained on the Force internet site.

I trust the above provides you with the information you require.

Yours sincerely,



Andrew J Cooke QPM
Deputy Chief Constable

cc. Chief Constable Jacqui Cheer, QPM
PCC Lead for the Professional Standards and Ethics Portfolio



NORFOLK

CONSTABULARY

Our Priority is You

27th November 2015

Lord Bew
Chair, Committee on Standards in Public Life
Room GC.05
1 Horse Guards Road
London
SW1A 2HQ

Norfolk Constabulary

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Chief Constable

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Dear Lord Bew

I am writing with reference to your letter dated 27th July 2015, regarding the Committee on Standards in Public Life report 'Tone from the top – leadership, ethics and accountability in policing'.

Please find the response from Norfolk Constabulary, regarding the recommendations within the report.

Recommendation 13

Chief Constables and PCCs should keep the arrangements for gifts, gratuities and hospitality registers and business interests, including notifiable memberships, and other employment under regular review as part of ensuring and evidencing that the Code of Ethics remains embedded in everyday practice.

Management of the gifts and gratuities register and business interests sits within the Professional Standards Department. These are reviewed quarterly at the Deputy Chief Constable's portfolio meetings. The gifts, gratuities, hospitalities and business interests of Chief Officers is to be published quarterly, alongside misconduct meetings and hearings, on both the outward facing Norfolk Constabulary website and the Force Intranet. The Office of Police and Crime Commissioner also publishes their gifts and hospitalities on their outward facing website.

Recommendation 14

Where a Joint Chief Financial Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest; be made publicly available; and regularly monitored by the Joint Audit Committee.

There is a Joint Chief Finance Officer between Norfolk Constabulary and the Office of Police and Crime Commissioner. The arrangements of this role were recommended in a joint agreement when the post was constituted. The joint agreement outlines any potential areas of conflict, and how both organisations would handle such. The Chief Finance Officer is a CIPFA member, and as such is bound by Standards of Professional Practice. An agreement is in place with the Cambridgeshire PCC, should such an issue arise whereby the Joint Norfolk Chief Finance Officer can only advise

either the Chief Constable or Police and Crime Commissioner, the Chief Finance Officer for Cambridgeshire will offer advice to the other party. All of the arrangements in the appointment of a Joint Chief Finance Officer, are continuously reviewed by the Chief Executive and Chief Finance Officer, alongside the Scheme of Governance and Consent, and are described in the Annual Governance Statement of the Police and Crime Commissioner and Chief Constable.

This report is now publically available on the OPCC website.

Recommendation 15

Where a Joint Press/Media Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest, be made publicly available, and regularly monitored by the Joint Audit Committee.

Norfolk Constabulary and the Office of Police and Crime Commissioner do not share a media officer. The two media functions work closely together and discuss approaches to certain press releases, publications of reports etc. Governance responsibilities ultimately lie separately with the Chief Constable and Police and Crime Commissioner. Norfolk Constabulary does operate a collaborative media function with Suffolk Constabulary, our preferred partners. This department is a joint unit, whereby all functions can be completed by members of staff from either organisation. A collaboration agreement under section 22a of the Police Act 1996 is in existence covering the accountability and governance arrangements of this partnership.

Recommendation 16

The Joint Audit Committee should scrutinise the basis of the assurances provided as to the integrity of crime data, including the related performance management systems.

Her Majesty's Inspectorate of Constabulary has previously completed a Crime Data Integrity (CDI) inspection of the Constabulary and further inspections are expected in the future.

The Constabulary has responded robustly to the findings of this inspection and put in place additional measures to ensure full compliance with the National Crime Recording Standard (NCRS). This has included an enhanced audit and compliance function which reports monthly to Chief Officers on internal compliance with the NCRS. The most recent report is showing significant improvement with NCRS compliance now at 97%.

The Force Crime Registrar has strong links with the Office of the Police and Crime Commissioner and has regular meetings with the Deputy Police and Crime Commissioner to discuss confidence in the Constabulary's crime recording process. Scrutiny of this process by the Joint Audit Committee is now in place, with members receiving an annual report. In addition the committee has received a presentation from the Crime Registrar regarding the processes adopted around ensuring the integrity of the crime recording process.

Recommendation 18

All parties with responsibility for complaints should make clear and actively publicise where their responsibilities – especially in relation to actual investigations and their outcomes – begin and end. The implementation of the proposed changes to the police complaints and disciplinary systems should be monitored locally by PCCs and nationally by the Home Office, IPCC and HMIC. Responsibility for handling police complaints through local resolution should not sit with those with appellate responsibility in relation to the same complaints. The Home Office should consider whether or not complaints about PCCs should continue to be handled by the IPCC.

At the current time, details about how to make a complaint and who is responsible for those are detailed on the Norfolk Constabulary external website. The PCC website similarly provides this information. The Constabulary provides a public report to the PCC each quarter providing performance and outcome information concerning the handling of complaints against the police and misconduct matters. These reports are published on the PCC website.

The Professional Standards Department and Office of Police and Crime Commissioner are working closely together to understand the implications, strengths, weaknesses and opportunities of the proposed new complaints handling models. Once the new model is determined the Constabulary will communicate clearly with staff, the public and complainants how the management of complaints and appeals will operate.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C Hall', with a small flourish at the end.

C Hall
Deputy Chief Constable

p.p **Simon Bailey**
Chief Constable



Response to the report 'Tone from the Top - Leadership, Ethics and Accountability in Policing'

1 message

NPCC CC Mark Polin <mark.a.polin@nthwales.pnn.police.uk>
To: "public@public-standards.gov.uk" <public@public-standards.gov.uk>

24 November 2015 at 12:46

Dear Lord Bew,

Tone from the Top – Leadership, Ethics and Accountability in Policing

I refer to the above report and the invitation to offer comment on the recommendations set out therein.

I do so in my capacity as Chair of the Chief Police Officers' Staff Association and with specific regard to the following recommendation:

"All parties with responsibility for complaints should make clear and actively publicise where their responsibilities – especially in relation to actual investigations and their outcomes – begin and end."

CPOSA strongly endorses the recommendation and invites you to consider the following issues in pursuing its adoption and implementation:

- the complaints arrangements involve a number of parties - for example forces and their appropriate authorities; Police & Crime Commissioners (particularly as regards to their statutory responsibility for oversight of complaints handling and investigation) and the Independent Police Complaints Commission (IPCC) to name but three - and not only should all be required to set out where their responsibilities begin and end but there should be a clear articulation of the associated decision making framework so that there can be no doubt as to with whom responsibility for certain decisions rests. A clear timeline should be provided for any investigation to ensure accountability.
- building on the above, and specifically with regard to the chief officer members of our Association, the Home Office has commenced consultation on assigning all investigations relating to chief officers to the IPCC. If this proposal were to be adopted absolute clarity would be required as to the separation of responsibilities between the investigator (the IPCC) and the appropriate authority (PCC for a chief constable and the chief constable for all other chief officers) including how the parameters for any such investigation would fall to be determined and reporting lines.
- there have been recent examples of what might be called 'mission creep' in investigations conducted in relation to chief officers and, apart from anything else, this has given rise to significant criticism with some justification. This highlights an issue in our view concerned with governance, or the absence thereof, and particularly with regard to the IPCC. It is important that any investigation is thorough, yet proportionate, in keeping with the nature (and severity) of the allegations made or concerns identified and the outcomes should accordingly derive from the evidence elicited during the investigation of the nature described.

I am of course prepared to expand upon any of the above.

Yours sincerely

Mark Polin

Chair of CPOSA

Mark Polin

Prif Gwnstabl / Chief Constable



Ni ddylid trin e-bost ar y rhyngwrwyd fel dull diogel o gyfathrebu. Mae Heddlu Gogledd Cymru yn monitro'r holl negeseuon e-bost a drosglwyddir ar y rhyngwrwyd yn ogystal â'u cynnwys. Dim ond er sylw'r sawl y'i cyfeiriwyd hi ato/ati y bwriedir y neges hon. Os ydych yn derbyn y neges hon mewn camgymeriad, gadewch i'r sawl a'i gyrrodd wybod a dilêwch hi oddi ar eich system. Gall defnyddio neu ddatgelu cynnwys y neges hon heb ganiatâd fod yn anghyfreithlon. Efallai nad yw'r farn a fynegir yn y ddogfen yn bolisi swyddogol. Diolch i chi am eich cydweithrediad.
Heddlu Gogledd Cymru

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North Wales Police



NORTH YORKSHIRE POLICE'S RESPONSE TO REPORT TONE FROM THE TOP

04 FEBRUARY 2016

Committee on Standards in Public Life Report: Tone from the Top

1. Report Purpose

1.1 The purpose of this report is:

- To present North Yorkshire Police's (NYP's) responses to the recommendations from the Committee on Standards in Public Life Report "Tone from the Top" Leadership, Ethics and Accountability in Policing dated June 2015.

2. Recommendations and Responses

2.1 The report made 20 recommendations/Areas for Improvement (AFIs) overall. Of the 20 recommendations there are 12 recommendations that the Committee on Standards in Public Life have requested responses on. These are:-

Recommendation 2: PCCs and their Deputies should receive an ethical component as an essential part of their induction. While this should be locally tailored and delivered it should cover the Seven Principles of Public Life, the Association of Police and Crime Commissioners Ethical Framework and the College of Policing's Code of Ethics. This is to provide an understanding of ethics in practice and the role of PCCs as ethical leaders, promoting and modelling the high standards of conduct for which they hold others to account.

Response: Human Resources (HR) induction and training for all staff includes the Code of Ethics as a 'golden thread' within day to day behaviours. Work on the performance management framework and implementation of the Police Performance Framework (PPF) (including personal quality of 'professionalism') has commenced, both will support the Code of Ethics.

The Police & Crime Commissioner (PCC) does not have a Deputy PCC. The statutory part of the role is covered by the PCCs Chief Executive Officer (CEO). The CEO receives the HR induction described above which includes the Code of Ethics.

The PCC upon taking up post swears an oath (Police Attestation). This includes Honesty and Integrity. The incumbent PCC is fully aware of the Code of Ethics, Nolan Principles etc. Any new PCC would receive a briefing as part of their induction.

Recommendation 3: A Deputy PCC should be subject to the same mandatory national minimum code of conduct as PCCs and publicly available protocols should be in place for their relationships with other employees of the PCC.

Response: The PCC does not have a Deputy PCC. The statutory part of the role is covered by the PCCs CEO. The CEO receives the HR induction described above which includes the Code of Ethics. Should a Deputy PCC be appointed, appropriate awareness induction would be put in place.

Recommendation 5: Joint Audit Committees should publish an Annual Report in a form that is easily accessible to the public.

Response: The Risk and Assurance Manager produces an annual report for the Joint Independent Audit Committee (JIAC) that is easily accessible to the public and published on the Office of the Police and Crime Commissioner (OPCC) website.

Recommendation 6: PCCs' responsibility for holding Chief Constables to account on behalf of the public should explicitly include holding the Chief Constable to account for promoting ethical behaviour and embedding the College of Policing's Code of Ethics. Each PCC's Police and Crime Plan should set out how they intend to do this, and their Annual Report should show delivery against the objectives set out in the plan.

Response: The force made a decision not to implement a Code of Ethics scrutiny meeting but to implement the Code of Ethics as a "Golden Thread" running through the organisation. HR induction and training includes the Code of Ethics as a 'golden thread' within day to day behaviours. Work on the performance management framework and implementation of the PPF (including personal quality of 'professionalism') has commenced, both will support the Code of Ethics.

The PCC holds the Chief Constable (CC) to account through regular one to ones and the monthly Corporate Performance Delivery and Scrutiny Board. Consideration will be given during the Police & Crime Plan refresh 2016 for the PCC to be explicit in the Police and Crime Plan about holding the CC to account.

There is a page in the Police and Crime Plan headed "Holding the CC to account", and the link to ethics is shown on Page 37 of the Police and Crime Plan under the heading 2. People first which includes the GOAL: Embed the national Code of Ethics and establish an independent panel to monitor compliance and other issues related to integrity and transparency. The Annual Report 2014-2015, page 12 has a paragraph Code of Ethics with a quote from the CC "We welcome the introduction of the Code of Ethics which sets out clearly defined principles for our officers and staff to uphold as they work to protect our communities."

Consideration will be given to showing delivery against the Code of Ethics objectives in the Annual Report 2016.

Recommendation 10: As a matter of good practice:

- PCCs should publish a forward plan of decisions identifying the subject matter of the decision, why it is key, the meeting at which the decision is due to be taken, who will be consulted before the decision is taken and what reports/papers will be available for inspection; and
- Police and Crime Panels should produce a forward plan of work specifying, as appropriate, the information required from PCCs in order for them to carry out that work.

Response: NYP has a governance forecast (forthcoming governance meeting dates), which is published on the website. There is a recognition that all NYP activities should be transparent as a default position and

that only those items which are GPMS protectively marked 'Restricted', 'Protect', 'Confidential' should not be published in the public domain.

All the decisions of the Executive Board (NYPs Decision making Forum) are published on the OPCC website and there are a range of published documents on the North Yorkshire Police website including Gifts, Gratuities and Hospitality register, details of Business Interests, details of the results of the outcomes of disciplinary hearings. In addition, NYP have recently committed to 'live stream' the Corporate Performance Delivery and Scrutiny Board.

The PCC has demonstrated her support for the Code of Ethics along with CC commitment
<http://www.northyorkshire-pcc.gov.uk/news/julia-mulligan-welcomes-new-code-of-ethics/>

The PCC is committed to openness and transparency shown through publishing the decisions made by the Executive Board. Decisions requested of the Board are take into consideration of the 3i's, Interest, Innovation and Investment and are published on the OPCC website. There is also a range of published documents on the North Yorkshire Police website including Gifts, Gratuities and Hospitality register, details of Business Interests, results of disciplinary hearings etc. When detailed information regarding decisions cannot be published, a rationale is provided to the public. Top down explanation of significance of Code of Ethics seeks to promote cultural change.

HR induction and training includes the Code of Ethics as 'golden thread'. Work on performance management framework and implementation of PPF (including personal quality of 'professionalism') has commenced, both will support Code of Ethics. The Police & Crime Panel do have a forward plan which is published.

Recommendation 13: Chief Constables and PCCs should keep the arrangements for gifts, gratuities and hospitality registers and business interests, including notifiable memberships, and other employment under regular review as part of ensuring and evidencing that the Code of Ethics remains embedded in everyday practice.

Response: Gifts Gratuities and Hospitality registers and Business Interests registers are in place within NYP, are regularly reviewed and have been inspected by HMIC.

There is a recognition, by NYPs Police and Crime Commissioner (PCC) and Chief Constable (CC), that all NYP activities should be transparent as a default position and that only those items which are GPMS protectively marked 'Restricted', 'Protect', 'Confidential' should not be published in the public domain.

All the decisions of the NYP Executive Board (NYPs Decision Making Forum) are published on the Office of the Police Commissioners (OPCC) website and there are a range of published documents on the North Yorkshire Police website including Gifts, Gratuities and Hospitality register, details of Business Interests, details of the results of the outcomes of disciplinary hearings. In addition, NYP have recently committed to 'live stream' the Corporate Performance and Scrutiny Board.

The portfolio and procedure for Business Interests is now held within the Professional Standards Department and not Human Resources (HR) and the Deputy Chief Constable (DCC) has governance over this.

Recommendation 14: Where a Joint Chief Financial Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest; be made publicly available; and regularly monitored by the Joint Audit Committee.

Response: NYP has separate financial officers a CC Financial Officer (CFO) and a PCCs Financial Officer. NYP has a Chief Finance Officer (CFO) protocol in place which is published on the PCCs website and referred to in the Annual Governance Statement.

Recommendation 15: Where a Joint Press/Media Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest, be made publicly available, and regularly monitored by the Joint Audit Committee.

Response: NYP has a Joint Media Policy and a Corporate Communications Team which deals with operational communications for the Force. This is separate from the Commissioner's day-to-day communications arrangements, which sit within her own office. There is a deliberate separation, in order to avoid compromising the objectivity in operational policing, as required by the Chief Constable.

The only "shared" resource is the Head of Communications, who is charged with providing strategic communications advice to both the Commissioner and the Chief Constable, with regard to their different respective roles. In the event that the Chief and Commissioner have different views on an issue, professional advice will be given by the Head of Communications to each party in accordance with the best interests of each, but the delivery will be provided by the separate functions in order to avoid operational conflicts of interest.

NYP will consider the review of scrutiny with the Joint Independent Audit Committee (JIAC) as it is not currently in the JIAC's terms of reference.

Recommendation 16: The Joint Audit Committee should scrutinise the basis of the assurances provided as to the integrity of crime data, including the related performance management systems.

Response: The Risk and Assurance Unit provide reports to the JIAC in relation to all HMIC outcomes and also Internal Audit. The reports contain recommendations and progress to date against those recommendations. The Crime Data Integrity Inspection findings were reported to JIAC.

The force made a decision not to implement a Code of Ethics scrutiny meeting but to implement the Code of Ethics as a Golden Thread running through the organisation. HR induction and training includes Code of Ethics as a 'golden thread' within day to day behaviours. Work on performance management framework and implementation of the Policing Performance Framework (PPF) (including personal quality of 'professionalism') commenced - both will support the Code of Ethics.

NYP will consider the review of scrutiny with JIAC as it is not currently in the JIAC's terms of reference.

Recommendation 17: PCCs and their Deputies should publish a register of meetings with external stakeholders and routinely publish information about all significant meetings involving external attempts to influence a public policy decision. The published information should include dates of meetings, details of attendances and meaningful descriptors of subject matter. It should normally be published within one month on their website in an easily accessible format.

Response: The CC, and Chief Officer Team (COT) more generally, conduct station visits with officers, staff and volunteers. In addition, NYP has a quarterly leadership day which is focussed on engagement and co-creation of strategic delivery. NYP host regular Inspectors, Chief Inspectors and Superintendent days. The CC has one to one sessions with all Superintendents. NYP also hold an annual PCSO day with more than 80% attendance and there is an annual Special Constables Conference. The CC and others also have regular slots on the broadcast media as well as conducting regular webcasts. Local commanders are regularly called to district overview and scrutiny committees and neighbourhood officers attend local

community meetings. The PCC holds the CC to account through regular one to ones and the Corporate Performance Delivery and Scrutiny Board. The PCC holds regular surgeries across the county.

NYP has a governance forecast, which is published on the website. There is a recognition that all NYP activities should be transparent as a default position and that only those items which are GPMS protectively marked 'Restricted', 'Protect', 'Confidential' should not be published in the public domain.

All the decisions of the Executive Board (NYPs Decision making Forum) are published on the OPCC website and there are a range of published documents on the North Yorkshire Police website including Gifts, Gratuities and Hospitality register, details of Business Interests, details of the results of the outcomes of disciplinary hearings. In addition, NYP have recently committed to 'live stream' the Corporate Performance Delivery and Scrutiny Board.

The PCC has demonstrated her support for the Code of Ethics along with CC commitment <http://www.northyorkshire-pcc.gov.uk/news/julia-mulligan-welcomes-new-code-of-ethics/>

The PCC is committed to openness and transparency shown through publishing the decisions made by the Executive Board. Decisions requested of the Board are take into consideration of the 3i's, Interest, Innovation and Investment and are published on the OPCC website. There is also a range of published documents on the North Yorkshire Police website including Gifts, Gratuities and Hospitality register, details of Business Interests, results of disciplinary hearings etc. When detailed information regarding decisions cannot be published, a rationale is provided to the public. Top down explanation of significance of Code of Ethics seeks to promote cultural change.

Stakeholders are invited for comments on the Police and Crime Plan and other surveys. This enhances close partnership working ensuring that all parties and stakeholders are invited to relevant discussions

Recommendation 18: All parties with responsibility for complaints should make clear and actively publicise where their responsibilities – especially in relation to actual investigations and their outcomes – begin and end. The implementation of the proposed changes to the police complaints and disciplinary systems should be monitored locally by PCCs and nationally by the Home Office, IPCC and HMIC. Responsibility for handling police complaints through local resolution should not sit with those with appellate responsibility in relation to the same complaints. The Home Office should consider whether or not complaints about PCCs should continue to be handled by the IPCC.

Response: This is currently under review as part of the Evolve Programme (joint working of NYP, Durham, Cleveland project) and is linked to changes and reports nationally. The CC in Cleveland is the national lead for the NPCC and the PCC for North Yorkshire is the APCC lead. Both are involved in the development of future plans.

NYP do have a policy in place for public complaints against police officers and police staff. NYP are awaiting National changes (due at the end of Dec 15) to the Police Complaints process.

Recommendation 20: PCCs' appointment procedures should comply with open and transparent appointment processes including:

- a requirement for there to be an independent member on the appointment panel set up to oversee the appointments process for Chief Constables and senior Office of PCC staff; and
- a requirement that a criterion for selection be that the panel is satisfied that the candidates can meet the standards of the Seven Principles of Public Life.
- details of the independent panel member should be published.

Where a PCC intends to appoint a deputy PCC the PCC should disclose that fact and the intended

Deputy (if known) at the time of the election.

A decision to suspend or accept a resignation of a Chief Constable or to appoint a Deputy PCC should be regarded as a decision of 'significant public interest'

Response: NYP has an independent member confirmation hearing when interviewing/appointing a new Chief Constable.

On the PCC senior staff NYP work on the basis that this is the statutory officers : CEO and CFO. Both of these need to undergo a police and crime panel confirmation hearing to ensure consistency.

Work will be done to ensure the Police & Crime Panel confirmation hearing is undertaken for the CEO and CFO roles in future. NYP will also review other levels of the recruitment process (i.e. a Police & Crime Panel confirmation hearing for other PCC staff recruitment).

3. Consultations Carried Out

3.1 Business Area leads, whose risks and recommendations feature in this report, have been consulted with in preparation for the information contained within.

My ref: NE/15/10/08

Lord Bew
Chair, Committee on Standards in
Public life
Room GC.05
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London
SW1A 2HQ



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POLICE**
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Surrey safer*
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Nick Ephgrave
Deputy Chief Constable
20th November 2015

Dear Lord Bew,

I write in response to your letter dated 27th July in which you requested a full and considered response from Police forces, Police and Crime Commissioners and Chief Constables to the recommendations made from the 'Tone from the top – leadership, ethics and accountability in policing' report.

Surrey Police has considered the relevant recommendations and would make the following observations:-

Recommendation 13

“Chief Constables and PCCs should keep the arrangements for gifts, gratuities and hospitality registers and business interests, including notifiable memberships, and other employment under regular review as part of ensuring and evidencing that the Code of Ethics remains embedded in everyday practice.”

The current Surrey Police practice in this area is considered to be transparent and to provide sufficient opportunity for external scrutiny. As you will know, the College of Policing publishes details of Surrey Chief Officer Pay, Business Interests and Gifts and Hospitality. This information is also contained within Surrey Police's own website. The Office of the Police and Crime Commissioner for Surrey also publishes this information on its website for both the OPCC and Chief Constable. All of this information is easily accessible to the public. Surrey Police benchmark with our colleagues in Sussex and cross reference entries from companies or commercial

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organisations with the Procurement Team to ensure that there are no commercial interests which might introduce a conflict.

The Joint Audit Committee, comprising of 5 Independent members, meets quarterly to review gifts, gratuities and hospitality for the Chief Constable , Deputy Chief Constable, Police and Crime Commissioner and Deputy Police and Crime Commissioner.

There are appropriate mechanisms in place to allow all officers, at every level, to submit gifts, gratuity and hospitality declarations as well as business interests to an independent meeting chaired by the Head of Professional Standards (PSD) to review, approve / disapprove and record for external publishing.

The membership of this review body consists of the Head of PSD, a Unison representative, a Police Federation representative, the head of Vetting and a senior Human Resources representative, all of which together allows for robust review and challenge.

The recommendation that this be subject to regular review is entirely appropriate as it is central to the Code of Ethics and demonstrates clear adherence to them.

Recommendation 14

“Where a Joint Chief Financial Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest; be made publicly available; and regularly monitored by the Joint Audit Committee”.

Surrey Police do not have Joint Chief Financial Officer. Nevertheless, this recommendation would appear a sensible and appropriate measure.

Recommendation 15

“Where a Joint Press/Media Officer is appointed, an explicit policy and appropriate controls should be put in place to manage any potential conflicts of interest, be made publicly available, and regularly monitored by the Joint Audit Committee.”

Surrey Police do not have a Joint Press Officer as when secondary transfer was agreed it was decided that due to the potential conflict in interest as highlighted in this recommendation, having separate teams was the most appropriate structure.

Recommendation 16

“The Joint Audit Committee should scrutinise the basis of the assurances provided as to the integrity of crime data, including the related performance management systems.”

We agree with this recommendation.

The Surrey Joint Audit Committee (JAC) has received the following information/assurances with regard to crime data integrity (CDI) and Surrey Police have sufficient measures in place to allow for the independent chair of the JAC and committee members to comply with the recommendation.

Surrey Police has a number of formal meetings to scrutinise performance and crime data integrity; the Strategic Risk and Learning Group, the Strategic Crime and Incident Recording Group and the Crime Performance Board, each of which is chaired by the Deputy Chief Constable. The Joint Audit Committee has open access to the Force’s Performance and Assurance meetings, along with the Office of the Police and Crime Commissioner. Indeed the chair and a committee member have attended the Strategic Risk and Learning Group in both March and July 2015.

Surrey Police’s Strategic Crime and Incident Recording Group looks in detail at Crime Data Integrity with a robust and consistent approach over nine audit products, which have been developed using HMIC methodology and further expanded to allow the Force to receive appropriate assurances on its CDI position.

In response to the HMIC CDI Recommendations, Surrey Police initiated Operation Nolita, a task and finish group designed to embed robust CDI practices across the Force. Operation Nolita is chaired by an Assistant Chief Constable and reports in to the Strategic Risk and Learning Group and managed through the Force’s risk register and bi-monthly updates are provided. The Joint Audit committee have risk management as a standing item on their quarterly agenda and request formal force

updates on risks. The Joint Audit committee have been appraised and updated on the management of Crime Data Integrity through these risk updates.

In addition Surrey Police support the Joint Audit Committee in their scrutiny working with their internal auditors, to which they have as part of their audit plan audits into Crime Data Integrity. For example the internal auditors' have reviewed crime recording, no criming and have recently commissioned a review into crime data quality and associated processes (starting on the 27th November 2015). All recommendations made by the internal auditors are tracked through the Joint Audit Committee until they have received independent assurance that the recommendation has been completed or remediated.

The Force reports and assures the Joint Audit Committee via the Annual Governance Statement detailing the Forces performance management regime to include Crime Data Integrity reporting providing assurance that the Force has a suite of effective performance and monitoring products and appropriate governance arrangements in place.

Recommendation 18

“All parties with responsibility for complaints should make clear and actively publicise where their responsibilities – especially in relation to actual investigations and their outcomes – begin and end.”

“The implementation of proposed changes to the police complaints and disciplinary systems should be monitored locally by the PCCs and nationally by the Home Office, IPCC and HMIC.”

“Responsibility for handling police complaints through local resolution should not sit with those with appellate responsibility in relation to the same complaints.”

“The Home Office should consider whether or not complaints about PCCs should continue to be handled by the IPCC.”

The force and OPCC currently publish information in relation to the roles and responsibility of those involved in the complaint process and this is available publicly on the Surrey Police Website. Work is already underway to redesign the Surrey

Police website which will redefine more clearly the roles and responsibilities to ensure compliance with this recommendation. The Force will also be utilising social media to promote the complaints process.

The Home Office consulted with PCCs last year to ascertain the appetite to take on key elements of complaint handling and investigation. The local position in Surrey is that the PCC currently has no desire to take on any of the functions and responsibilities fulfilled by PSD. It is not known what the current national picture is in relation to this area as no legislation has been enacted and the Home Office is yet to articulate its findings or views on this area.

The current practice within force, in keeping with the national approach, is that the same body considers both complaint finalisation and appeals. The report is correct to challenge the appropriateness of this arrangement but in reality there are clear distinctions in roles between the Appropriate Authority and Delegated Appropriate Authorities to ensure that there are sterile paths of appeal in keeping with the spirit of IPCC guidance and Police Regulations. There is also a remedy in law, Judicial Review, which allows a complainant unhappy with an appeal decision to seek independent review. In practice the Chief Officer Group currently considers many queries in relation to appeals acting as a further option for independent review.

If changes are made to the complaints process and responsibility for appeals given to the PCC no additional independence would be provided over and above the current position.

At present, complaints about the PCC are passed in the first instance to the Police and Crime Panel. If the matter is potentially criminal they will refer the matter to the IPCC. Whilst there are other potential investigative bodies that could be responsible for these investigations, by retaining responsibility the IPCC can ensure a single consistent approach to complaint investigation across all facets of policing. It is our view that the IPCC ought to have the capability and capacity to deliver this as well as the required level of independence and supporting national infrastructure. I wouldn't therefore advocate any deviation from the current practices in this area.

I do hope these comments have been of assistance to you. If you would like to have any further information relating to any of the above, I would be only too pleased to assist.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'N. Ephgrave', with a long horizontal flourish extending to the right.

Nick Ephgrave
Deputy Chief Constable