



Reference No: 100 - 2015

THE POLICE & CRIME COMMISSIONER FOR CLEVELAND

DECISION RECORD FORM

REQUEST: That the Commissioner formally records the strategic direction he has set arising from recent litigation

Title: Commissioner's Strategic Direction Arising from *Saddique -v- The Chief Constable of Cleveland Police* Newcastle Employment Tribunal 2501606/2014

Executive Summary:

As Police & Crime Commissioner, I am deeply concerned at the findings of the Employment Tribunal, set out in its judgment in the case of *Saddique v The Chief Constable*.

It is my responsibility, as the elected individual with the responsibility for the totality of policing in Cleveland, to set clear expectations for Cleveland Police arising from the issues highlighted in the judgment.

In doing so, I recognise the achievements made by both Chief Constable Jacqui Cheer and Deputy Chief Constable Iain Spittal in particular, in working to ensure tolerance and fairness within Cleveland Police underpinned by the national police Code of Ethics – and I recognise that the organisation has made huge progress under their leadership in this regard.

The effect of the matters I have set out and the courses of action agreed with the Chief Constable are as follows

1. Appeal - That the Chief Constable has determined that Cleveland Police will not seek to appeal against the findings of the Employment Tribunal in this case; and that PC Saddique and all personnel involved in the case be informed of this in a timely way.
2. Support and Welfare –
 - a. That all appropriate measures should continue to be in place to ensure that PC Saddique has access to the support he requires in order to resume his career within Cleveland Police.
 - b. That I would write to PC Saddique setting out my apology to him on behalf of the organisation and my intended course of action arising from the case – and offering him the opportunity to meet with me together with the Chief Constable.
 - c. That access to welfare support be available to all personnel affected by the issues in the judgment.
3. Other Legal Issues –
 - a. That I receive a briefing on the detail of all outstanding litigation involving the Force which feature allegations of discrimination; and
 - b. That appropriate forms of alternative dispute resolution (such as mediation) be considered and where appropriate used in order to bring about timely and lasting solutions to those disputes.
4. Conduct & Discipline –
 - a. That the Chief Constable (as appropriate authority) will ensure that appropriate decisions are reached about whether there are police conduct matters to be addressed, arising from the judgment – and if so, that such matters are dealt with fairly, in line with proper procedure and as quickly as possible .
 - b. That the Chief Constable and I recognise – and would wish to emphasise – that there is no suggestion arising from the judgment or more widely that operational policing to the public is delivered in a way which is affected by unlawful discrimination.
5. Professional Standards –
 - a. That the time is right for the PCC and Chief Constable to work together to make changes to public complaints handling and professional standards activity overall.
 - b. That once that new way of working is defined, we work together to appoint to the lead role within Professional Standards.
6. Organisational Development –
 - a. That the suite of measures focussed upon policy and procedure improvement, arising from the Equality Review, be completed as swiftly as possible; and
 - b. That the Chief Constable brings forward, for my consideration, a proposal for a broad programme of organisational development which strengthens and embeds appropriate behaviours across the organisation; and which demonstrates the value of difference and prevents individuals feeling isolated or unsupported within the organisation. By doing so, the Chief Constable and I recognise that improvement within the organisation can only improve the delivery of policing services to our communities.
 - c. That in line with my Police & Crime Plan, I am prepared to invest in the delivery of such a programme, valuing all serving and aspiring police officers, police staff, volunteers and in the interests of embedding good community and industrial relations.
7. Communications
 - a. The Chief Constable and I both recognised the need to respond to the issues highlighted by the Tribunal in a way which is sensitive to the best interests of PC Saddique and which is at the same time open and transparent to the public.
 - b. I have agreed with the Chief Constable that an appropriate transparency strategy should be adopted urgently, to achieve these aims.
 - c. With that in mind, I am taking the step now of setting out the strategic direction I have set and the measures agreed with the Chief Constable, in this Decision Record.

Decision:

To proceed as set out in the Executive Summary.

Contractor Details (if applicable):

Not applicable.

Implications:

Has consideration been taken of the following:	Yes	No	
Financial	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Legal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Equality & Diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Human Rights	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Sustainability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Risk	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

(If yes please provide further details below)

Decision Required – Supporting Information

Financial Implications: (Must include comments of the PCC's CFO where the decision has financial implications)

The financial implications resulting from the essential work and development, set out within this decision, will be incorporated into future financial plans as the costs become known.

Legal Implications: (Must include comments of the Monitoring Officer where the decision has legal implication)

The Commissioner has received legal advice in the course of assembling this formal set of directions and measures.

Equality and Diversity Implications

Inherent to the body text as set out in the Executive Summary

Human Rights Implications

Inherent to the body text as set out in the Executive Summary

Sustainability Implications

Inherent to the body text as set out in the Executive Summary

Risk Management Implications

Inherent to the body text as set out in the Executive Summary

OFFICER APPROVAL

Chief Executive

I have been consulted about the decision and confirm that financial, legal, and equalities advice has been taken into account. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner.

Signed: 

Date: 15 December 2015

Police and Crime Commissioner:

The above request HAS my approval.

Signed: 

Date: 15/12/15