



## **Cleveland Independent External Ethics Committee**

### **Minutes**

**Date:** 27<sup>th</sup> April 2022

**Time:** 16.00 – 18.30

**Venue:** Cleveland Police Central HQ / MS Teams

#### **Attendees:**

<b>Name</b>	<b>Role</b>
Dave Smith	Committee Chair
Stuart Green	Committee Vice Chair
Richard Smith	Committee Member
Craig Marshall	Committee Member
Paul Woodvine	Committee Member
Sarah Soppitt	Committee Member
John Miller	Supt – Standards and Ethics – Cleveland Police
Neal Gillson	Sgt, Ethics Lead, DSE - Cleveland Police
Rachelle Kipling	Temporary Assistant Chief Executive – Cleveland OPCC
Shaun Craggs	DS – Standards and Ethics – Complaints and Discipline
Heidi Spencer	OPCC (minutes)

#### **Apologies:**

<b>Name</b>	<b>Role</b>
Ian Arundale	Deputy Chief Constable – Cleveland Police
Jenni Salkeld	EDI Manager
Tresor Bukasa	Committee Member
Georgina Fletcher	Committee Member
Aaron Fidler	Committee Member

#### **Apologies not received:**

<b>Name</b>	<b>Role</b>
Shaun Mooney	Committee Member
Hanif Kahn	Committee Member
Kim Stuart	Committee Member

No.	Discussed	Outcome/Decision/ Attachment
1	<p><b>Welcome &amp; Introduction</b></p> <p>DS welcomed everyone to the meeting and started with a round of introductions.</p> <p>It was explained that the meeting was being recorded to facilitate the minute taking.</p>	
2	<p><b>Apologies for Absence</b></p> <p>Apologies for absence were noted.</p>	
3	<p><b>Declarations of Conflicts of Interest</b></p> <p>DS declared his interest as being a member of the Internal Ethics and Standards Board.</p> <p>SG declared his interest as being chair of Cleveland Joint Audit Committee.</p> <p>Members were reminded to declare any declarations of interests at any points throughout the meeting.</p>	
4	<p><b>Updates and Matters Arising</b></p> <p>DS highlighted issues relating to attendance. Committee members who do not send apologies over a period of time will be contacted in terms of further involvement within the committee moving forward.</p> <p>A question in terms of the EDI team was raised from DS and RK explained the EDI team does not sit under the OPCC anymore but are now part of and employed by the force. A decision which was made by the PCC. All communication and coordination of the Independent Ethics Committee moving forward will be delivered through the OPCC.</p> <p>DS mentioned an issue regarding the youth committee and addressing the age demographic and membership of the IEC.</p> <p>RK updated that she had a conversation that morning with a colleague who leads on the youth commission and the work they do for the OPCC. RK explained the funding is coming to an end and the PCC is keen to put something in place to engage with the younger generation in what work we are doing. RK further advised that the OPCC were looking at commissioning a provider who can support with this work in the future. A specification was currently be drafted and it was agreed that thoughts and ideas from the Ethics Committee could feed into this.</p>	

DS felt this was a good idea and it was agreed for a draft specification to be brought along to the next Ethics Committee meeting.

Action for RK to bring initial thinking in terms of ideas for Cleveland Youth Forum to next meeting.

**Minutes from last meeting -**

The Committee agreed that the minutes from the 8<sup>th</sup> February were accurate.

**Harry Miller case (follow up from last meeting)**

CM highlighted that at the route of the challenge is what is called perception-based recording which was the primary concern of the judges. The fact that some action can be taken against someone without any evidence whatsoever, except the subjective perception of either the person who they thought it's being discriminated against or a dis-interested third party.

CM also mentions that College of Policing (COP) have updated their guidance which was done before the court case, something the judges were not very impressed by.

The judge's statement: 'In my opinion the revisions do not go very far, or not nearly far enough to address the chilling affect of the perception-based recording more generally'.

CM offered a final point - our discussion is focused on what Cleveland Police where doing about it, which is good. The main issue is not what Cleveland Police is doing but the national situation.

This matter has now been closed.

**Draft terms of reference – amendments**

DS presented some wording to be added as an addition to the current Independent Ethics Committee Terms of Reference in relation to use of social media by committee members.

DS advised that everyone has the right to an opinion but believes it becomes difficult if the person is a member of a scrutiny/ethics group.

Suggested wording from DS:

*'Members of the committee have a role as 'critical friends' to the Force and have a responsibility to maintain the trust of the Force through their conduct. Inevitably, and rightly so, members of the Committee will have different views and opinions and the Committee meeting provides a safe space for these views to be expressed. Where members have concerns over ethical behaviour within the Force, they are encouraged to raise these within the Committee. If a member is unhappy with the response or feels they need to make their views*

*more public, through the example of social media, they should inform the Chair and step down from the Committee so that it is clear those opinions do not reflect the views of the committee as a whole.'*

RS thinks its fair and gives a reminder that all members have agreed to a confidentiality position which both the Force and OPCC rely upon.

DS explains the comments made online were derogatory about the way Cleveland Police operates. As a member of this group, you are not allowed to mention anything that has been discussed in these meetings as a matter of confidentiality.

It was agreed that the draft would be sent out with the minutes and comments to be brought back to the next meeting for discussion and agreement

### **Social media policy**

DS mentioned that the policy does not cover anything around 'like' and comments which should be specifically mentioned.

Will bring back the policy back to the next meeting regarding this matter.

JM explains - if it does take a little bit longer to complete the policy, including small amendments, that is perfectly acceptable. It has been in the writing stage for some time now for all the right reasons, due to numerous changes and other campaigns and policies this needed to link in with. If it needs a little bit longer to get the right advice that is perfectly acceptable.

SS mentions it is a brilliant document and it covers a good balance in terms of the value of social media within policing work. It mentions a downside in terms of parody accounts, in particular on Twitter where they are not using their real name, so it's difficult to trace who is making comments.

DS concludes that it will be brought back to the next meeting and for JM to raise questions in terms of the policy with JB.

### **Appropriate relationship guidance**

SC explained the appropriate relationship guidance is a tool to use to reflect on reflection of own relationships when involved with a colleague and to use it as a gage to ascertain that the relationship is fair, does not disadvantage anyone else or does create a perceived conflict of interest.

DS mentioned it could be difficult if there is a relationship between two officers which has not been disclosed. He asked how does the guidance deal with that, is there a duty to disclose or identify who you are having a relationship with?

SC advised that the tool sets out the circumstances where there is a conflict of interest. People working on the same team or in the same

unit and how others are treated due to the relationship in terms of advantage.

It is not designed to deal with those intimate relationships between staff and colleagues where they separated and where there is no apparent conflict. It is very much up to the individual to look at themselves and decide if there is a conflict and if any further support is required. Officers and staff are encouraged to be transparent about their relationships and take ownership for themselves. The guidance is written in terms of personal responsibility.

SC asked if the document could be shared at next meeting for further discussion.

### **Vetting**

RK advised that following discussion at the previous meeting a paper has been pulled together in relating to the vetting of committee members.

RK advised that the view was that members of such committees should be vetted and a copy of the paper will be circulated with the minutes.

Panel had no real issues or concerns in relation to vetting – any issues as a result of the paper being circulated to be discussed at the next meeting.

### **Violence Reduction Unit (VRU)**

RK provided an updated following the announcement that Home Office will be providing Cleveland with funding for a Violence Reduction Unit.

RK advised that Cleveland's VRU will be called CURVE (Cleveland Unit for the Reduction of Violence). The funding provided is over three years with the purpose of VRUs being around understanding the root causes of serious violence. RK highlighted that It is not about policing or enforcement but working with communities and young people to try and divert them away from getting involved in criminal behaviour. A new team will be introduced through the funding and they will commission local organisations to do deliver elements of the work on.. Alongside this project, Cleveland Police will get an amount in 'grip' funding which essentially is to complement the VRU in terms of targeted enforcement work. Even though the funding has been confirmed an annual process with the Home office still need to go ahead in terms of how the funding will be spent.

### **Feedback from event 1<sup>st</sup> March 2022**

NG summed up that it was a successful event and reminded the committee that the packs with information is still available if you have no received one.

It was discussed and highlighted at the event the importance of the

	<p>independent ethics committee ensuring their voice is echoed through different organisations.</p>	
	<p><b>Submissions</b>  <b>Ethical companies – working with private sector</b></p> <p>CM has a problem with the definition ethical or non-ethical. You could argue if you are not supporting fair-trade organisations that you are un-ethical. It is difficult to find any relationship that are purely ethical. A quite complex issue.</p> <p>SS asks in terms of the due diligence policy for Cleveland Police. If that is in place you would have to do an annual check on all providers which would incorporate financial statements, stability, reputation etc. Would that not address a lot of this?</p> <p>NG explains there is a procurement team who has a process. Before a partnership with a new supplier is agreed, a set of questions are provided both ways to make sure the process is as thorough as possible. Steps and due diligence are in place.</p> <p>DS asks if the process is successful and does it identify ethical concerns</p> <p>SG thinks it is a potential tension between value for money and whatever perception definition of ethical conduct that might apply.</p> <p>JM thinks the conversation is exactly what was expected. In the past the checks would have been done through procurement and would have been a pretty simple decision. Now, in terms of threshold, we are in a different place with a continuous change of landscape.</p> <p>RS believes it is complex. The force has different policies, contracts and clauses and must act reasonably. Judgement must be made of what is reasonable. Thinks it's the civil law approach – looking at the available evidence and apply the balance of probabilities. Very complex and too much involved.</p> <p>The Committee will come back to the dilemma/discussion, pending the outcomes of SGs discussion within the Joint Audit Committee and documentation from NG on the sort of characteristics and questions that are asked in terms of contracts regardless of size and organisation.</p> <p><b>Training time for student officers</b></p> <p><b>Q: Is it ethically right to use public money to provide more time for student officers to study?</b></p> <p>SS explains that 20% is the minimum time you must give student officers. Every Force is audited so they need demonstrate that they have done so. It is not over the three years but up to gateway so the COP says it should happen 6-9 months prior of the completion of the 3 years.</p>	

	<p>DS raised the following: What is the right thing to expect from an organisation to give. The use of public funds if you go above the 20% (Force budget). Drop-out rate – If students are dropping out because they find 20% is not sufficient to allow them to do the work.</p> <p>SS makes a point – an apprenticeship has to be achievable within working hours unless the student makes the decision to do otherwise. You are not allowed to say that you have to work 8-10 hours in your own time or weekends, which is not what the funding is given for. You are audited to prove the student can achieve everything in the time given.</p> <p>DS believes there are a few ethical issues – is it ethical to spend more money on training new police officers than you need to. Also, a competitive issue in terms of what other forces offer.</p> <p>CM does not see those issues as ethical. How much you spend on training somebody to do something would come down to a judgement of outcome. CM believes it's about understanding education and how people respond to teaching.</p> <p>RS finds it difficult to form a strong view as it's difficult to gauge positive and negative outcomes. It's a complex issue with a whole range of different factors. The instinct is that 24% feels about right but when mentioned that another force is providing 40% which is almost a determining key point from a personal point of view. If 24% broadly aligns with our neighbours, it then sounds ok.</p> <p>JM made a comment that Northumbria do not count student officers as part of their resourcing. More difficult to achieve in Cleveland as a smaller force.</p> <p>SS explains that the ethical bit - if you are doing IPLDP or if you do the degree holder entry program you are after two years classed as being fully operationally competent. When you do the PCDA you are not fully operationally competent until you have an independent assessor at the end of year three who has assessed your operational competency portfolio and not the force itself. Cleveland Police will no longer decide if anyone on the PCDA is being operationally competent.</p> <p>SC had a question for SS - How does the students work out the 20% or 24% - are they mandated with specific tasks or do they have to make choices themselves? That would be an ethical question – if the officers must choose between service to the community and the choice to supplement a degree.</p> <p>SS answers that it is the employer and providers responsibility to do it. It is the Force's responsibility, as an employer, to ensure that each individual officer is getting it and that it can be evidenced.</p> <p>DS sums up – looking at comments from everybody, ethically, there is no reason why we wouldn't maximise the success of people taking the</p>	
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	<p>course. The investment which is an ethical investment.</p> <p>DS asks in relation to the first question about the providers and contracts – is the curriculum set nationally or are student officers determining a negotiation through a provider?</p> <p>NG replies that it is a national program that goes through university (Cleveland use Teesside). The program is approved by the College of Policing.</p> <p><b>Missing from home</b></p> <p>Deferred to the next meeting.</p>	
	<p><b>Any other business</b></p> <p>DS shared that he had attended a College of Policing session were discussed took place re. reviewing the principals of the Code of Ethics. No details to confirm as no conclusions were reached. Around 28 people were invited to talk about the review of the principals of the code of ethics which will soon have some changes.</p>	
	<p><b>Upcoming Meeting Dates</b></p> <p>Wednesday 8<sup>th</sup> June 2022 @16.00-18.00 - Cleveland Police HQ/Teams</p>	