



## **Cleveland Independent External Ethics Committee**

### **Minutes**

**Date:** 8<sup>th</sup> June 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
Tresor Bukasa	Committee Member
Kim Stuart	Committee Member
Hanif Kahn	Committee Member
Helen Tavinder	Cleveland Police and Ethics Advocate
Neal Gillson	Sgt, Ethics Lead, DSE - Cleveland Police
Paul Waugh	Directorate of Standards and Ethics Superintendent – Cleveland Police
Rachelle Kipling	Temporary Assistant Chief Executive – Cleveland OPCC
Sarah Wilson	Commissioner's Officer for Consultation and Engagement
Heidi Spencer	OPCC (minutes)

#### **Apologies:**

<b>Name</b>	<b>Role</b>
Sarah Soppitt	Committee Member
Jenni Salkeld	EDI Manager
Georgina Fletcher	Committee Member

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

<b>Name</b>	<b>Role</b>
Shaun Mooney	Committee Member
Aaron Fidler	Committee Member

No.	Discussed	
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> <p>Shaun Mooney is no longer a member of the IEC due to no contact with the chair or any other members of the committee including no apologies for absence over a longer period.</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>Minutes from meeting 27<sup>th</sup> April</b></p> <p>It was noted that the minutes are identified as an accurate record of the meeting held on the 27<sup>th</sup> April 2022.</p>	
5	<p><b>Ethical Submission 1 – Ethical Companies</b></p> <p>DS opened by asking SG if the discussion around ethical companies has been brought up at the Joint Audit Committee which he is the chair of.</p> <p>SG replied it was on the agenda at the last meeting and explained they will continue to look at it at the next meeting later in the month.</p> <p>Some of the key issues – dimensions of ethics are very much embedded within the procurement process. To be clear, there is a distinction between procurement and i.e., engaging with a supplier in the first instance and contract management.</p> <p>It is fair to say that the procurement function, in terms of ethics, is well developed. The contract management aspect is very much at an early stage.</p> <p>If any members are in any way reassured, for example there being many red flag questions, they could potentially disqualify a potential supplier for doing business with Cleveland Police.</p> <p>KS is asking what is lacking in terms of the contract management.</p> <p>SG replies – it is underdeveloped and currently on 3.5 equivalent staff who are currently engaged in procurement and contract management, so most of their time is</p>	

	<p>spent on the procurement and less time on the contract management elements. The work is being done, managing the performance in terms of suppliers, and keeping an eye on what they are doing and the quality of what is being provided.</p> <p>RK mentions from an OPCC perspective we are a bit more established in terms of our contract management element because we are really scrutinised on a national level in terms of what our victim services are delivering. One thing we have been working towards over the last 18 months is the quality schedule to make sure the providers we are working with are endearing to what's built into the contract. They are also providing evidence to us to make sure they are delivering. Previously there was just a conversation and we took their word for what they were saying. Now we have quarterly meetings where evidence must be provided. Also need to ask some ethical questions with some support of IEC.</p> <p>RS makes a comment as a word of caution for the purpose of the committee. Because of the complex of this subject, we can only really ask the force and the OPCC to have a sort of base requirement in terms of the procurement process, recognising an ethical standard somewhere.</p> <p>On a case-by-case basis, the procurement officer will then add on any specific ethical requirement. We as a committee needs to be satisfied there is a basic level of contract management and the understanding around it, but beyond that I can't see we go far beyond that within this committee due to the complexity.</p> <p>Due to this dilemma being complex, a recommendation from SG would be that we invite head of procurement to join in at our next meeting to reflect with them, the issues discussed during this meeting.</p>	
<p><b>6</b></p>	<p><b>Matters arising/updates</b></p> <p><b>Amended terms of reference:</b> An updated version with two proposed amendments has been circulated to the committee and it was agreed that the committee was happy with those.</p> <p><b>Youth Commission</b> An update from SW regarding the youth ethics panel – some pilot work has been done with Cleveland youth commission on developing a youth ethics panel.</p> <p>For the last two years the OPCC has been grant funded an organisation called Leaders Unlocked to run a youth commission but are not in the guideline to provide grant funding to the same organisation year after year in terms of equality to the marketplace.</p> <p>A tender has been put out for an organisation who will be able to run a youth independent advisory group. The scope has been slightly changed from youth commission to youth independent advisory group because they would like to move into the IEG model and for work with the police. One of the areas in the spec is around the development of the youth ethics panel.</p> <p>Would like to link in with the IEC on working with this new group of young people to develop a bit more of an established model.</p> <p>DS mentioned that a rota between IEC members should be created to assure there is a representative available for each of the youth independent advisory group meetings.</p>	

TB asked in terms of a timescale for the youth independent advisory group.

SW explained the contract would be over a three-year period and the recruitment process for members would be on an annual basis.

**Vetting report**

RK – The report was talked through at the last meeting as it was still in a draft format and was waiting for some feedback from the force data protection officer.

Based on the content of the report - it was recommended that the members of IEC are vetted.

One thing to highlight, which was touched on in the last meeting, was that we did not want the vetting process to deter people from applying. So, when we are looking at the recruitment process, we might not mention that the applicant will undergo the vetting process.

It has been agreed with the force that the process of vetting is more to do with managing any risk rather than say yes or no in terms of becoming a member of the committee or not.

HT – believes there should be a notification within the advert for new members, that due to sensitive information being shared, a vetting process will take place.

HK agrees with HT that applicants should be informed that a vetting process will take place.

DS believes it is a process, looking for expression of interest. It is not an interview but more of a conversation where we would discuss how we work and what would be talked about within the committee, so if people do get to know about it face to face, the issue around vetting can be explained more sensitively than in any advert.

PDW agrees with the comments from DS.

SG mentions in terms of clarity – where will ultimate decision-making authority lie for this and who will ultimately have the power to say ‘yes or no’ to a potential member.

PW replies that it is something we need to be careful about is if we have decided to go down that route there is clear vetting APP guidance so there are clear decision makers in that guidance within the structure. That decision maker is the vetting officer in Cleveland Police who makes the decision for Cleveland but also for the OPCC and other contractors etc. who come in to work within the police – which would be the same vetting as we are looking at in this instance.

Would feel uncomfortable if we were to go away from that process.

RK explained she had a conversation with the head of information security within the force who explained it would be a decision for SIRO (senior information risk owner) – currently the deputy chief constable. The decision would go to them who would identify any potential risk on somebody’s vetting.

There is also the vetting appeals policy that has recently gone through which gives the opportunity to make an appeal.

DS sums up that vetting will go ahead as there are no objections within the committee. RK will link in with the vetting team and there will be a template that members need to complete.

	<p><b>Relationship Guidance</b></p> <p>NG mentions the document is still under review and due diligence ongoing so still an opportunity to influence this.</p> <p>The document is clear guidance for everybody and states what is expected including some guidance around some dangers and risks that might not have been considered.</p> <p>CM made a comment – dealing with an issue which really rely on personal integrity and honesty and when you try and legislate for that it is extremely difficult to do and get the right balance.</p> <p>HT asks if it is an over prescriptive document whereby it is trying to manage the personal relationships but overstepping the professional boundaries of the force’s involvement in that? Does it have to be as lengthy as it is, or would it be enough to have more of a bullet point summary?</p> <p>DS sums up –yes, the document is lengthy. Would it be more useful to have an executive summary with a longer version sitting behind it? Will provide feedback in terms of the document to Shaun Craggs.</p> <p><b>Utilisation of Police officer research</b></p> <p>NG explained that every student officer must complete PCDA which includes a dissertation research relevant, and problem orientated policing.</p> <p>The current process – because it is the university who are marking it, they must approve the suitability in terms of subject, title, and research but also the training aspect of Cleveland Police will be able do that. They are very welcoming of the idea that suggested topics to be put forward should officers struggle to come up with something suitable and for some inspiration.</p> <p>DS wants to make it clear that officers who are joining the force is doing this qualification and there is an element of research as part of that qualification. How substantive is that element of research in terms of number of days they must do it?</p> <p>NG explains it is comparable to a normal university degree and they will receive a BA Honours in policing with the research element being part of their dissertation.</p> <p>NG is happy to be the link between we, the university and training department in terms of putting forward a log of suggested topics.</p> <p>DS suggest this should stand as a standing item and at the end of each meeting we should reflect on what have been discussed to see if we have missed any opportunities of research that can be undertaken.</p>	
7	<p><b>Ethical Submission 2 – Professional Witness</b></p> <p>SW explains about the professional witness service which is essentially where civilian people work undercover to gather information and intelligence packages which can then be passed to the police and taken forward for prosecution. It could be somebody living covertly in the community and gathering information in that way or it could be somebody just walking around the community – getting footage, information, and the intelligence to pass onto the police and other community safety partners.</p> <p>The question to the panel – is it ethical to use appeared service to gather information</p>	

and having a paid member of staff in covertly in an area as a community gathering evidence.

It is worth noting that in other areas it tends to be private firms working for profit that run these services. Nothing we are looking at doing in Cleveland but working in partnership with the voluntary sector who are keen to assist.

Looking at applying for some safer street funding from the Home Office to look at different measures, in particular around the professional witness service.

HK asks if it links to the witness protection programme in terms of the people involved.

SW explains a full risk assessment will be undertaken and some commitment and support will be needed from the police if they came into any difficulties.

SG express a concern – the idea of paid performance makes it feel uncomfortable. Wonders what it says about Cleveland police and their existing links with their communities. Has it become that bad that we can't get the relevance in a normal way?

CM had a question about how it worked in other areas and the outcome would be interesting to find out.

RK explains in other areas it is predominantly led by community safety partnership which is a partnership group made up of local authorities. It is not police led.

TS has a concern in terms of it's led by private companies and if they are gathering professional evidence and for data protection - can that company keep that data and what if there is a breach?

RK confirms that it would be in the hands of the private sector company and they would own the information and therefore their responsibility if there was a breach.

For reassurance SW confirms that it would not be led by private sector within our area. It would be a voluntary sector organisation who is experts in handling sensitive data.

KS is confused of why we in the first place need to involve outside help to tackle the problems.

SW refers to the area and explains we feel we have lost trust in the community and hope by putting something like this in place, short term, will give some positive results.

RS asks if there is a clear reason why the force would not put undercover police in the area?

PW explains it is a big cost implication and to settle somebody in that particular area would be very time consuming to get that trust built up.

GT also mentions that to put someone new into such a tight community could be sniffed out pretty quickly.

DS has a concern to put spies into a community with the intention of gathering evidence. It will create a lack of trust. Moving into the area, being part of this program

	<p>or not, will immediately become distrusted and seen as someone who's been put there. Not sure what will be achieved and what is the criteria of what will be reported? Is it AS behaviour or more significant.</p> <p>DS sums up – it all depends on what is more important in this situation. Credit to the PCCs office for bringing it forward to the committee if there are any ethical issues. The majority are saying that there are ethical concerns around the dilemma which are to do with the impact on the community and so on. Important also to mention comments from PDW and RS in terms of the nature of the contract and the specification within the contract.</p> <p>If this was to go ahead these questions will be very important – however the majority of us, who there are ethical concerns which over-rides that.</p> <p>Another concern was to do with the way a conversation had taken place between the OPCC and the Force about this and whether it has taken place at the right level. A question that will be picked up outside of this meeting.</p>	
8	<p><b>Ethical Submission 3 – MFH and arrival times</b></p> <p>NG explains that balancing out and prioritising people who are missing from home, and the urgency when it comes through to the control room, can be tricky. On many occasions there are more missing people that need to be looked for than there are available units, particular over-night.</p> <p>Cleveland has as current policy that they are classed as arrived when physically at the destination. Predominantly timescale is 60 minutes.</p> <p>Is it ethical to say we have arrived when we are not physically somewhere?</p> <p>RS says it is a fine balance and sums up his conclusion that the performance indicators are there for a purpose and as long as the actions are appropriate the force should not be penalised carrying out appropriate actions rather than simply hit the performance indicator. There should be flexibility subject to some are properly checked and appropriate actions have been followed.</p> <p>HT mentions that the vulnerability of the missing person and a risk assessment needs to be put in place. Also, an operational issue and depending on circumstances.</p> <p>DS points out that the issue here is around the performance indicator. The difficulty is that the forces record data in different ways.</p> <p>Is it ethical right to record yourself as in attendance when you are not in attendance?</p> <p>It feels like the risk assessment is fundamental. If the risk assessment indicates that it is appropriate because the person who has gone missing from home is well known, they go to the same place every time etc. If the risk assessment is undertaken and can be justified, then there is not an ethical issue about recording arrived as the risk assessment have been undertaken.</p> <p>DS - When information comes into the control room, it is past someone in the force who has to make a decision and undergo a risk assessment to decide what action needs to be taken. A decision of arrived has been made.</p> <p>RS believes that arrival is after a risk assessment has been made and appropriate actions has been identified.</p>	

<p><b>9</b></p>	<p><b>Any other business</b></p> <p>TS brings up in terms of absence and SM as discussed at the beginning of the meeting. Thinks he should be removed as a member from the list and receive a letter with an explanation of why.</p> <p>NG mentions that the social media policy, provided by John Bonner, has been adapted and now includes covering 'likes' and what that would mean and also parody accounts.</p> <p>NG informed the group that at the last Ethics and Standards Board, DCC Ian Arundale commended the work of DS, with providing him a commendation for the work on the ethics and standards board and all the other parts he is involved in.</p>	
<p><b>10</b></p>	<p><b>Upcoming Meeting Dates</b></p> <p>Wednesday 2<sup>nd</sup> August 2022 @16.00-18.00 - Cleveland Police HQ/Teams</p>	