

### Joint Audit Committee

30 July 2024

Responsible Officer:	Impact on Business:		Risk Register Reference & RAG
Jack Hudson Interim Chief Executive	High		
	Medium	X	
	Low		
Lead Manager:	Report Type:		
Director of Governance & Compliance	Governance	X	
	Strategic		
	Operational		
Previous papers to Committee:			
Annual report 27 July 2023			

<b>Report summary</b>	This report summarises the mechanisms the Commissioner has in place to hold the Chief Constable to account for ethics and integrity.			
<b>Related Police and Crime Plan objective</b>	Ethical Policing			
<b>Action</b> (tick one box only)	Information <input type="checkbox"/>	Assurance <input checked="" type="checkbox"/>	Approval <input type="checkbox"/>	Decision <input type="checkbox"/>
<b>Recommendation</b>	To note the report.			

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

### **1. Purpose**

The purpose of this report is to share with the Joint Audit Committee details of the mechanisms the Police and Crime Commissioner (the "Commissioner") has in place to hold the Chief Constable to account for ethics and integrity.

### **2. Background and Legislation**

- 2.1 The model of policing we have across the country, is based upon public co-operation. Confidence in policing relies upon the police behaving in a way which maintains the support of the public. Through the Ethical Policing theme of the Police and Crime Plan 2021-24, the Commissioner outlined the importance of, and his commitment to, holding the Chief Constable to account for ensuring officers and staff across the Constabulary, carry out their roles in line with the standards of professional behaviour expected of all those within policing.
- 2.2 The Commissioner is clear that where standards fall short of expectations, or where something could have been done better, that the Chief Constable has in place processes which mean that complaints will be dealt with fairly and that the outcome is reasonable in the circumstances and lessons can be learnt for the future.
- 2.3 When the Commissioner launched his first Police and Crime Plan 2021 – 2024 (the Plan), he committed to ensure the police act with integrity and social responsibility, promoting a culture that is inclusive, diverse and takes equality seriously – from how they interact with the public they serve, to environmental sustainability.
- 2.4 The Commissioner ensured that robust governance arrangements were in place to ensure he could carry out his holding to account responsibility and

gain assurance on deliverables. Going into his second term as Commissioner, work has begun on what the new Plan will look like. The Ethical Policing pillar will remain within the plan and work is currently being done into what the deliverables within this will be this time around to ensure that the Commissioner can develop on the successes of 2021-2024.

- 2.5 The sections that follow will demonstrate the mechanisms that are in place and provide an update against each one based on the baseline that was reported on in July 2023.

### **3 CONSTABULARY HOSTED CONTROLS ASSURANCE**

#### **3.1 Bedfordshire, Cambridgeshire and Hertfordshire (BCH) Professional Standards Department (PSD) Scrutiny Panel**

3.1.1 In early 2024 this Panel was reviewed and as a result was renamed the BCH PSD Strategic Scrutiny Panel. The terms of reference were revised to reflect that the Panel enables internal and external stakeholders to hold BCH PSD to account through an appropriate mechanism, in which PSD submit information on performance, delivery and policy for scrutiny, discussion and explanation. The Panel held quarterly, with a recognition that there is a means to increase panel frequency if there is significant concern about any relevant subject matter at any given time. The Senior Policy Officer attends this meeting on behalf of the Commissioner, and outcomes, recommendations, and observations from it inform the strategic direction of PSD and will be incorporated within BCH PSD delivery planning or policy and procedure as appropriate.

3.1.2 The primary functions of this panel are:

- To hold the Head of PSD to account for their delivery, and to use their collective expertise to provide feedback on PSD work, identify learning, and exploit opportunities to jointly resolve identified issues.
- This will be achieved through the effective scrutiny of:

- Outcomes of and learning from tactical scrutiny panel reviews,
- Themes in data reporting (inclusive of but not limited to: overall performance, Violence Against Women and Girls, discrimination, disproportionality of conduct and vetting decision making, pension forfeiture, organisational and individual learning),
- PSD strategic and delivery planning, including response to national and local issues,
- Horizon scanning and HMICFRS readiness
- New or updated policy and procedure.

As part of the revision of this Panel, a subgroup was created that is named BCH PSD Tactical Scrutiny Panel.

## **3.2 BCH PSD Tactical Scrutiny Panel**

3.2.1 The main differences between the BCH PSD Strategic Scrutiny Panel and this Tactical Scrutiny Panel are:

- This one is only for external scrutiny to be carried out by members of the public, for them to hold BCH PSD to account on various topics through an appropriate mechanism, which requires explanation regarding PSD decision making & outcomes.
- This panel is held monthly.
- Outcomes, recommendations, and observations from this panel will be shared with the BCH PSD Strategic Scrutiny Panel for further consideration and strategic direction.
- Membership comprises of PSD representatives, internal and external community representatives, PRAP and VAWG tactical leads, force ethics leads, DSG members and internal support and advisory networks.
- Primary functions include retrospectively checking and challenging BCH PSD decision making in relation to: Discrimination and disproportionality – conduct and public complaints, VAWG (Violence against Women and Girls) and Vetting disproportionality.

3.2.2 The OPCC has a relevant policy area representative in attendance at each of the tactical panels. Their role in this panel is for assurance for the Commissioner that effective scrutiny is taking place and to prepare the Senior Policy Officer for any upcoming themes that will be reported into the Strategic Scrutiny panel.

3.2.3 The Commissioner is satisfied the rebranded BCH PSD Strategic Scrutiny Panel and the introduction of the BCH PSD Tactical Scrutiny Panel provide an enhanced level of scrutiny on ethical decisions and strategic planning as a result of scrutiny feedback.

3.2.4 The topics discussed (including, for example, equality and diversity, as well as the national Police Race Action Plan) by nature are steered by the Code of Ethics and ethical issues are therefore considered.

### **3.3 Hate Crime Scrutiny Panel**

3.3.1 The Constabulary are currently developing a Hate Crime Scrutiny Panel. The intention is for this to go live in 2024/25. This panel will call for membership from people who are representative of those, or who themselves, have lived experiences of hate crime. Scrutiny themes will focus on race, disability, religion, sexuality/gender (LGBTQ+ community) and each session will cover a range of different themes.

3.3.2 The OPCC will be on the membership of this panel in order to be able to provide assurance to the Commissioner that scrutiny of hate crime is being carried out with a key focus on ethics and ethical decision making.

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

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

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

### **3.5 Ethics Diversity Equality and Inclusion Strategic Group (Cambs)**

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

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

Commissioner's BCB in respect of the Constabulary's duties under the Equality Act.

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

### **3.6 Race and Inclusion Board (Cambs)**

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

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

3.6.3 This Board is informed by several local boards and continues to onward report into the Commissioner's Business Coordination Board (BCB) where the Commissioner is able to scrutinise and hold the Chief Constable to account.

### **3.7 Ethics Panels**

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

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

### **3.8 Complaint Resolution Team**

3.8.1 The Complaint Resolution Team (CRT) managed within the People and Professionalism Department of the Constabulary provides quarterly updates to the Force Executive Board and subsequent updates to the Commissioners BCB. The report advises around emerging patterns and trends within



complaints and identifies opportunities for learning and improvement on an individual, team and force wide basis which would include ethical issues if identified. Through onward reporting to BCB, the Commissioner continues to scrutinise performance and hold the Chief Constable to account.

3.8.2 The Commissioner also has responsibility for conducting reviews of complaints (See Section 4.1.)

### **3.9 Business Assurance Meeting**

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

### **3.10 Youth Justice Management Board**

3.10.1 The Constabulary have nominated strategic and tactical stop and search leads to ensure performance and scrutiny is maintained in an effective, fair, proportionate, and transparent manner. The scrutiny of stop and search involving children and overnight custody of children is scrutinised and reported on to this Board. A quarterly update detailing stop / strip search data in relation to under 18s conducted by the Constabulary together with any incidence of a child being kept overnight in custody is taken to the Cambridgeshire and Peterborough Youth Justice Management Board and reviewed by relevant partner agencies.

3.10.2 The OPCC have a senior member of the team attend this Board on behalf of the Commissioner. Discussion takes place and assurance received as to the appropriate use of police powers in these cases. CEO of the OPCC attends

this on behalf of the Commissioner to ensure that he can be assured that the police are held to account for this.

### **3.11 Trust Confidence and Legitimacy SME Meeting**

3.11.1 This is a new meeting that the OPCC have only had attendance at since the start of 2024. The primary purpose of the Trust Confidence & Legitimacy SME's meeting is to oversee the strategic direction from the Chief Constable to seek to improve the trust confidence and legitimacy of Cambridgeshire Constabulary both internally and externally and in so doing properly embed the culture statement and values.

3.11.2 The meeting is positioned at a tactical level and will allow the strategic lead to track progress as evidenced in the data gathered by a number of workstreams that report into the meeting. This meeting then feeds into the Force Performance Board on a quarterly basis.

3.11.3 Key items that are discussed at this meeting include:

- Casey review
- Culture statement
- Number of fairness at work cases
- Number of complaints
- Number of misconduct cases
- Race Action Plan
- Diversity data
- HMICFRS reports
- Stop & search data

3.11.4 Through having membership on this meeting, the OPCC are able to contribute to the improvement of trust, confidence and legitimacy in Cambridgeshire Constabulary and are able to provide the Commissioner with assurance that the Constabulary are addressing key issues that can have an impact on this important agenda.

## **4 OPCC HOSTED CONTROLS ASSURANCE**

### **4.1 Complaints and Reviews**

- 4.1.1 The Commissioner has a statutory duty to hold the Chief Constable to account for his handling of complaints and to oversee Cambridgeshire Constabulary's complaints system.
- 4.1.2 The CRT initially handle complaints against officers and staff who work for the Constabulary, as well as complaints about the service provided by the Constabulary as a whole. It is recognised that sometimes CRT may be unable to resolve expressions of dissatisfaction. This may result in PSD recording the matter as a complaint. This is then handled by PSD and upon finalisation, the complainant receives a letter outlining the outcome. The outcome letter also outlines how they can have the handling of their complaint reviewed by the relevant review body. Generally, this request must be made to the relevant review body within 28 days. For most complaints managed by the Constabulary, the relevant review body is the Commissioner.
- 4.1.3 A review focuses on the handling of the complaint. The review considers whether the outcome of the handling of the complaint was reasonable and proportionate. It is not a reinvestigation of the original incident that led to the complaint. Where it is found that the outcome of the complaint is not reasonable and proportionate, the OPCC will uphold the review and may make certain recommendations to the Chief Constable.
- 4.1.4 Until April 2024, reviews were undertaken by the Reviews Officer of the OPCC, and quality assured by a member of the OPCC's Senior Management Team (SMT) before finalisation. Since the last update that was presented to the JAC, this function has been outsourced to an independent service provider, Sancus Operations. This was necessary to meet the increasing demand on the OPCC and to improve completion time of reviews to increase customer satisfaction. The OPCC retain overall responsibility for this, remain the single point of contact for complainants and continue to complete a thorough quality assurance process for all completed complaint reviews.

4.1.5 Since the introduction of the external provider, the average completion time for a complaint review has reduced from 56 days (for 2023-2024) to 42 days (so far since April 2024) and this is decreasing with every case.

4.1.6 Once finalised, the complainant is informed of the outcome and if the complainant is still dissatisfied with the outcome, they have the option of proceeding with a judicial review.

4.1.7 Between 1 April 2023 and 31 March 2024 (OPCC completing review function), details relating to complaint review requests received are as follows.

Total number of complaint review requests received: **47**

Number of valid requests: **35**

Number of invalid requests: **12** (6 were outside of the review period, 1 was the incorrect OPCC and 5 were unable to validate)

Number of requests not progressed due to no response from complainant (unable to confirm review request): **3**

Number of complaint reviews upheld: **9**

4.1.8 Since 1 April 2024 (introduction of the external provider) to date, details relating to complaint review requests received are as follows;

Total number of complaint review requests received: **1**

Number of valid requests: **1**

Number of invalid requests: **0**

Number of requests not progressed due to no response from complainant (unable to confirm review request): **0**

Number of complaint reviews upheld: **0**

## **4.2 Complaints Dip-Sampling**

4.2.1 In February 2024, as a result in an identified gap in assurance, the OPCC introduced complaints dip-sampling. This means that on a quarterly basis, the OPCC request a theme for complaints from PSD and all complaints fitting that theme are made available to be dip-sampled. This gives the Commissioner additional assurance that complaints against the Constabulary are being

handled reasonably and proportionately and provides an opportunity for the OPCC to raise any issues they identify within the complaints directly with PSD for addressing.

- 4.2.2 The mechanism is scrutinous of the complaints process and is an additional opportunity to gain oversight of how ethical decision-making features in the complaint handling process.

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

- 4.3.1 The Commissioner has direct responsibility for complaints against the Chief Constable.
- 4.3.2 More serious complaints are referred to the Independent Office for Police Conduct (IOPC) for investigation. The threshold for referring such complaints is set out in IOPC Statutory guidance on the police complaints system 2020.
- 4.3.3 Following receipt of a complaint against the Chief Constable the OPCC will assess whether the complaint falls within the scope of the Policing and Crime Act 2017 and the complainant's eligibility to make a complaint. Also, whether the matter relates to conduct and or death or serious injury and whether the complaint should be recorded. Local Policing Bodies (the OPCC) are the appropriate authority only when a complaint is about the conduct of a Chief Constable. If the complaint relates to decisions in general or about decisions delegated by the Chief Constable these matters will be referred to the Constabulary's Incident Review Team (IRT) or Complaints Review Team (CRT) for them to resolve or, if not resolved, forward to PSD to be dealt with as a local complaint.
- 4.3.4 Complaints will be dealt with in accordance with the statutory guidance. In certain circumstances the OPCC will, when required, refer the matter to the IOPC for independent consideration. The OPCC will inform the complainant of their decision whether to record the complaint or not and the reasons behind the decision. The complainant will be informed in writing of any outcome as well as any right of appeal.

4.3.5 Between 1 April 2023 and 31 March 2024, details relating to complaints received against the Chief Constable of Cambridgeshire Constabulary are as follows;

Total number of complaints received: **7**

Number of complaints recorded under schedule 3 (meet criteria for CC complaint): **0**

Number of complaints not recorded under schedule 3 (do not meet criteria for CC complaint): **7**

Number of complaint outcomes appealed to IOPC: **0**

This is a considerable increase on the previous financial year where only 1 complaint against the Chief Constable was received. However, as with the above, this complaint did not meet the criteria to be formally recorded as a Chief Constable complaint due to the matters being complained about involving delegated functions or actions of officers and/or staff other than the Chief Constable.

#### **4.4 Complaints against the Commissioner**

4.4.1 The Panel has responsibility for handling complaints against the Commissioner and the Deputy Police and Crime Commissioner. Details of the complaints process is included on the Commissioner's Website.

4.4.2 Between 1 April 2023 and 31 March 2024, one complaint was recorded by the Panel against the Commissioner and referred to the IOPC. The IOPC reviewed the complaint and determined that the complainant had not provided evidence in support of their allegations and that the complaint was bare assertions.

#### **4.5 Independent Custody Visitors (ICVs)**

4.5.1 ICVs are volunteers representing the local community. They make unannounced visits to police custody with the purpose of undertaking an

independent check on the treatment of detainees, the conditions in which they are being held and ensure that their rights and entitlements are being observed. Every PCC has a legal duty to run an Independent Custody Visiting scheme and appoints a scheme Manager to run the scheme on their behalf. The Commissioner, alongside the Chief Executive, Head of Custody and the Scheme Manager meet on a bi-annual basis to ensure that ICVs, and the information gathered by ICVs is being used to effectively hold the Chief Constable to account from the frontline to the senior management.

- 4.5.2 The Constabulary operates two full time custody suites. Thorpe Wood in Peterborough which has 26 cells, and Parkside in Cambridge which has 12 cells. There are two contingency suites, March has an additional 11 cells, and Huntingdon an additional 10 cells.
- 4.5.3 Through the work of ICVs, the Commissioner can give assurance to the public that people detained by the police in their force area are being treated in a lawful, ethical and transparent way. Ethics feature in ICV visits and ICVs are trained to ensure that they can assess how detainees are being treated from an ethical policing perspective. ICV visits help to prevent ill-treatment and harm to detainees, and Custody Inspectors value the work of the ICVs in contributing to a safe environment and continuous improvement of custody.
- 4.5.4 The Commissioner has received positive assurance regarding the constructive relationship between the ICVs and the Constabulary. This is particularly evident in the accessibility provided to ICVs by custody officers, with ICVs welcomed on their visits. The ICVs hold quarterly meetings with the Constabulary Inspectors (whose remit is Custody) for the North and South working areas attending; the OPCC facilitates these meetings. There is also a quarterly meeting of senior OPCC staff and senior officers from the Constabulary, including the Force's Custody Lead, meaning the OPCC can directly hold the force to account re actions taken due to ICV recommendations including because of ethical concerns.

4.5.5 This multi-meeting approach, and the involvement of ICVs provides assurance to the Commissioner that ethics are sufficiently scrutinised. The OPCC attend both the more tactical level meeting and the strategic meeting, assuring the Commissioner that ethics are fully considered and scrutinised in the ICV feedback process.

4.5.6 In November 2023 the Scheme was recognised nationally for the excellent quality of its work and was presented with a gold quality assurance award by the national Independent Custody Visiting Association.

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

## **4.6 Community Scrutiny Panels**

4.6.1 The OPCC work with the Constabulary to facilitate and attend Community Scrutiny Panels (CSP). They are independently chaired and membership on the panel includes representatives of the communities of Cambridgeshire and Peterborough. Since the 2023 report that was presented, the terms of reference of the panel have been reviewed and some key changes recognised.

4.6.2 The changes include:

- The CSP only used to meet eight times per year, this has now been increased to 12 times, and then an additional meeting for the AGM.
- To address barriers for attendance, the CSP now meet alternately between face to face and online. This has increased attendance at meetings.



- The addition of online panel meetings has also allowed 16 and 17 year olds to attend, as some of the safeguarding barriers have been removed through offering online attendance.
- In March 2024, the CSP introduced the theme of Custody scrutiny. Meaning now the panel meetings cover Stop and Search, Use of Force and Custody.
- With the introduction of Custody as a theme came the need to appoint Co-Chairs of the panel. The Co-Chair of the Custody panel is an active ICV at present and has sound knowledge and experience of custody.

4.6.3 The format of the panels continues to run the same with the independent co-chairs being provided with data sets for Stop and Search / Use of Force / Custody records by the Constabulary. The relevant co-chair then selects several incidents according to identified themes, for example mental health or age. Panel members read background information relating to the incident and view the Body Worn Videos (BWV) and drawing upon the training they have all received, they are able to effectively scrutinise BWV, including doing so against the Code of Ethics. The summary provided of each encounter they scrutinise includes a review of whether it was ethical.

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

4.6.5 The OPCC formally notifies the Constabulary of the CSP's observations, feedback, and grading. This formal feedback is assessed (including ethical concerns against the Code of Ethics) by the Constabulary's Tactical Lead who communicates the feedback to the involved officer and their line manager.

Any response from individual officers (for example, why they chose a course of action considering the Code of Ethics or the National Decision Making model) is collated by the Tactical Lead and fed back to the CSP so they are reassured it has been acknowledged and actioned.

4.6.6 On a more organisational level, the formal written feedback together with the verbal feedback heard at the Panel meeting is scrutinised at the force's monthly Stop and Search / Use of Force Strategic Meeting, where organisational learning is identified and actioned regarding ethics. From this Strategic level meeting the Force/Strategic Lead can refer ethical concerns up to the Force Operations Board, chaired by the ACC, if needed. Meanwhile, the Panel feedback is also considered at the monthly Stop and Search / Use of Force Internal Review Group (a more tactical level meeting) from where ethical feedback and actions can be shared more widely across the Constabulary frontline as points of improvement or acknowledgement of good practices. At all the internal review meetings other ethical concerns identified within the organisation may also be raised, discussed, and actioned. The OPCC are currently exploring what the replica mechanism is for feedback and learning from custody scrutiny sessions to be shared within the force.

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

4.6.8 Between 1 April 2023 and 31 March 2024 the OPCC facilitated 11 Community Scrutiny Panels and scrutinised 44 Body Worn Video incidents of a combination of Stop and Search and Use of Force.

4.6.9 The most recent HMICFRS PEEL<sup>2</sup> assessment of Cambridgeshire Constabulary (published on 12th March 2024) reported that ‘Cambridgeshire Constabulary is outstanding at using police powers and treating people fairly and respectfully’. The Commissioner and Constabulary are in agreement that this grading would not have been achieved without the work of the Community Scrutiny Panel. The panel allows for the Constabulary to engage with the community to understand and identify any potential disproportionality. Through this activity the force can make any necessary improvements through individual and organisational learning.

4.6.10 To gain the highest possible HMICFRS grading of ‘outstanding’ for this area of business is critical for public confidence, trust and ultimately legitimacy and Cambridgeshire Constabulary are the first police force to gain this grading in this area from HMICFRS.

## **4.7 Business Coordination Board**

4.7.1 This is the joint governance forum where the Commissioner holds the Chief Constable to account for the efficiency and effectiveness of the Constabulary officers. The Terms of Reference are published on the Commissioners website. The agenda is managed by the Commissioner.

4.7.2 On a quarterly basis, dissatisfaction with the Constabulary is monitored through a complaints report provided by the Chief Constable to the Board, this is published on the Commissioner’s website. This allows the Commissioner to hold the Chief Constable to account in terms of performance against complaints and delve into the content of complaints to identify any themes for

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<sup>2</sup> [Cambridgeshire PEEL Assessment 2023–2025 - His Majesty’s Inspectorate of Constabulary and Fire & Rescue Services \(justiceinspectors.gov.uk\)](https://www.justiceinspectors.gov.uk)

addressing. The Commissioner can call for reporting on Ethics and Integrity where issues are identified.

#### **4.8 Police Misconduct**

4.8.1 Since the 2023 report that was provided to the Police and Crime Panel, the new regulations for police misconduct have been published.

4.8.2 Previously, in line with the Police Conduct Amendment Regulations 2015, Legally Qualified Chairs (LQC) for misconduct hearings (brought into being on 1 January 2016) were appointed by Police and Crime Commissioners (PCCs). The Eastern Region managed a pool of LQCs from which Cambridgeshire PSD have been able to draw upon to chair misconduct hearings. Since January 2024, the OPCC have appointed 3 LQC's.

4.8.3 The Senior Policy Officer had an active role in the regional working group who were responsible for recruitment LQCs, and this group also worked on the revision of terms and conditions of serving in this role, within which ethics and integrity featured highly. Recruitment has been completed successfully and the Eastern Region are in a good position nationally in terms of preparedness for the new regulations to be implemented.

4.8.4 In January 2023, the Home Secretary launched a review into the process of police officer dismissals<sup>3</sup>, to ensure that the system is fair and effective at removing those officers who are not fit to serve. Following conclusion of that review, the government announced a series of reforms to strengthen the police disciplinary system, which have given greater responsibilities to chief constables. The Senior Policy continues to play an active role on the regional working group, responding to national updates regarding the review and working to implement all changes.

4.8.5 This is an essential area of business for the Commissioner to ensure that everything possible is being done to increase trust and confidence in the

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<sup>3</sup> [Dismissals Review Report.pdf \(publishing.service.gov.uk\)](#)

police. Given recent national high-profile cases, the OPCCs engagement with this crucial area of work provides the assurance needed that both the OPCC and PSD are doing everything possible to ensure that those not fit to serve are removed from Cambridgeshire Constabulary.

#### **4.8.6 Pension Forfeiture**

4.8.7 During this reporting period, further work has been undertaken to strengthen the approach to Pension Forfeiture on behalf of the Commissioner. The ability to determine pension forfeiture is contained within the Police Pension Regulations 1987. In summary, this is where a police officer is convicted of a criminal offence that is linked to their role as a police officer.

4.8.8 If an officer is convicted of a criminal offence, the PCC has the following obligations:

- In cases involving an offence committed in connection with an officer's service as a member of a police force, the PCC must consider whether to apply to the Secretary of State for a Certificate of Pension Forfeiture.
- upon the issue of such certificate, the PCC must decide whether to exercise the power to forfeit; and
- if the PCC does decide to exercise the power of forfeiture, they must determine the amount and duration of forfeiture to be applied.

4.8.9 Robust mechanisms are in place to ensure that any case where an officer is convicted of a criminal offence is brought to the attention of the OPCC. This enables effective decision making at an appropriate level. The BCH (Bedfordshire, Cambridgeshire and Hertfordshire) policy on this has been revised to provide clarity of roles and responsibilities. The Commissioner is assured that through the tightened governance mechanisms in place with PSD, there are effective controls in place to manage this important responsibility.

## **4.9 Internal Audit**

4.9.1 RSM undertake reviews of Risk Management as part of the internal audit plan. This was last reported in October 2023 with reasonable assurance. The purpose of this is to provide an opinion of the effectiveness of risk management processes and to assess whether these have been embedded throughout both organisations.

4.9.2 The internal audit reports are shared with JAC members and they receive a progress report from RSM at each quarterly meeting of the committee. In addition, RSM provide an Annual Report with an opinion for the previous year. For 2023/24 this is a positive opinion that the OPCC and Constabulary have adequate and effective framework for risk management, governance and internal control.

## **5 External Control Assurance**

### **5.1 Joint Audit Committee**

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

5.1.2 The joint Annual Integrity Report 2023/24 is scheduled to report to JAC in July 2024. It provides a summary of the non-financial integrity arrangements, which the Commissioner and the Constabulary had in place during the reporting period. It includes the controls process, how the various controls processes operated during the reporting period and evidence of their effectiveness. It also includes a complaints update.

5.1.3 The joint strategic risk register was presented to JAC April 2024. JAC provided the critical eye, and their feedback has been considered and

implemented. The Commissioner is assured that the JAC are providing a critical summary of performance around integrity and management of controls.

## **5.2 College of Policing – Code of Ethics**

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

5.2.2 In 2023 the COP launched a review of the CoE to better support ethical and professional behaviour in policing. Areas that were addressed in the review include:

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

6.2.3 To resolve these issues the COP replaced the existing CoE with three separate but complementary products which provide a framework for ethical and professional behaviour:

- A set of ethical policing principles that can be used to support decision making<sup>4</sup>

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<sup>4</sup> [Ethical policing principles | College of Policing](#)

- Guidance on ethical and professional behaviour which supports the use of the ethical principles in understanding expectations around behaviour<sup>5</sup>
- A Code of Practice which provides direction to Chief Officers on providing the organisational environment to deliver ethical and professional policing<sup>6</sup>.

5.2.3 PCCs were engaged with the consultation at the outset and have since shared views on the documents and provided feedback on whether they feel able to 'endorse' the revised CoE. The Head of People and Professionalism in capacity as force Ethics, Diversity, Equality and Inclusion (EDEI) strategic lead also provided feedback to CoP.

### **5.3 Cambridgeshire Out of Court Disposals Scrutiny Panel**

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

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

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<sup>5</sup> [Guidance for ethical and professional behaviour in policing | College of Policing](#)

<sup>6</sup> [Code of Practice for Ethical Policing | College of Policing](#)



Violence Against Women and Girls (VAWG), Victim Charities, and Youth Offending the Commissioner is satisfied that they are aware of the role of ethics and are willing to raise ethical issues if they arise.

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

#### **5.4 Additional External Assurance**

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

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

## 6 **Summary**

- 7.1 The purpose of this paper was to provide an update against the 2023 report on all the mechanisms the Commissioner has in place to hold the Chief Constable to account for ethics and integrity. Through the complex interlinking governance frameworks of the OPCC and the Constabulary, all of the mechanisms explored within this paper feature. What is clear from revisiting this piece of work, is that ethics remains at the core of governance for both organisations and the Commissioner is therefore assured ethics and integrity are scrutinised across the board.