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**POLICE & CRIME
COMMISSIONER**
for Leicester,
Leicestershire & Rutland
Your Communities - Your Commissioner

INFORMATION PACK

RECRUITMENT OF MEMBERS TO THE ETHICS AND TRANSPARENCY PANEL

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INTRODUCTION FROM THE POLICE AND CRIME COMMISSIONER

The inception of Police & Crime Commissioners in late 2012 heralded a new era for policing in England and Wales. Through them, efficiency and effectiveness are monitored and the police held to account on behalf of the communities whom they are charged to serve and keep safe.

But public support is far from solely dependent upon how well the police control crime (important though that most certainly is) – the very way in which they carry out their complex and often demanding duties is crucial to public confidence. In particular, police are expected to display the very highest standards of professionalism, fairness, and integrity at all times and we know that, when such standards are not met, public support and confidence are invariably adversely affected.

It is against this backdrop that the Police and Crime Commissioner has decided to reconstitute the Ethics and Transparency Panel. Through this body, Leicestershire Police is subject to even greater independent public scrutiny.

The Panel has the authority to examine and advise on officer and staff conduct including scrutiny of how complaints made by members of the public are dealt with by the Force's Professional Standards Department. The Panel also have the authority to discuss complex policing issues from an ethical perspective and, where necessary and appropriate, provide guidance to senior leadership teams. We, the Chief Constable and I, will listen.

The Ethics and Transparency Panel makes an explicit and highly public commitment to transparent, ethical policing which will enhance, even further, the Force's reputation and effectiveness. I am deeply grateful to those who serve on this most important body and the important work they undertake.



Mr Rupert Matthews
Leicestershire Police & Crime Commissioner

Information about the Ethics and Transparency Panel

The aim of the Ethics and Transparency Panel is to provide assurance to the Police and Crime Commissioner that ethics and integrity are embedded within Leicestershire Police and that complaints against the police are being handled expeditiously and following due process. The Panel debates and advises on these three areas and adds value to the current audit and scrutiny processes already in place.

Background

In recent years there has been heightened focus on the integrity of police officers and police forces. In response the police service has produced a number of national policies and guidance documents. In 2011 Her Majesty's Inspector of Constabulary (HMIC) published their inspection report '*Without Fear of Favour*' - <https://www.justiceinspectorates.gov.uk/hmicfrs/media/a-review-of-police-relationships-20111213.pdf> and in December 2012 the follow up report entitled '*Revising Police Relationships: A progress report*' – <https://www.justiceinspectorates.gov.uk/hmicfrs/media/revisiting-police-relationships.pdf>

This second report identified that whilst nationally progress had been made there was still more needing to be done. A further HMIC report entitled '*Integrity Matters*' <https://www.justiceinspectorates.gov.uk/hmicfrs/wp-content/uploads/police-integrity-and-corruption-2015.pdf> - was published on 30 January 2015 and can be accessed at: This report addresses the arrangements to ensure integrity and provide the capability to tackle corruption in policing.

The annual HMICFRS inspection into Police Effectiveness, Efficiency and Legitimacy (PEEL) reports on integrity within police forces as part of the 'legitimacy' pillar of the inspection process. The latest report for Leicestershire can be accessed at:

<https://www.justiceinspectorates.gov.uk/hmicfrs/peel-assessments/peel-2018/leicestershire/>

Further information on Leicestershire Police can be accessed at: <https://www.leics.police.uk/>

Transparency and accountability of decision making within the police service is coming under greater scrutiny and there is a growing vulnerability for senior officers regarding some of the new challenges that policing in austerity brings coupled with the opportunity to demonstrate value based, ethical decision making around operationally complex issues.

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The Ethics and Transparency Panel

The ETP undertakes an advisory role and is not a decision-making body. It is overtly unbiased and independent. It provides a forum for debate on complex operational or personnel issues with a view to defensible decision making. In delivering their remit, the Panel considers both broad thematic issues as well as practical day-to-day and historic matters. In certain circumstances, the Panel will advise on live operations or events or examine the application of the national decision making model. Information on the national decision-making model can be found at:

<http://www.acpo.police.uk/documents/president/201201PBANDM.pdf> The Panel will discuss and provide advice about ethical issues and not just scrutinise the application of policy and procedure.

The Panel provides a transparent and independent forum that monitors and encourages constructive challenge over the way complaints, integrity and ethical issues are handled by the Force and overseen by the Police and Crime Commissioner. It assists and supports Leicestershire Police in maintaining clear ethical standards and achieving the highest levels of integrity and professional standards of service delivery.

The Panel focuses on the following three areas:-

- **Ethics**

The launch of the Code of Ethics by the College of Policing in July 2014 https://www.college.police.uk/What-we-do/Ethics/Ethics-home/Documents/Code_of_Ethics.pdf set out the principles and standards of behaviour that promote, reinforce and support the highest standards from all those working within the police service. Police staff also have their own code and fall under the Police Staff Council Standards of Professional Behaviour at:

<https://www.local.gov.uk/sites/default/files/documents/workforce%20-%20Police%20-%20PSC%20handbook%20-%20Guidance%20Note%209%20-%20Standards%20of%20Professional%20Behaviour.pdf>

The principles of the Codes are integral to the delivery of policing and are part of growing police professionalism leading to increased public confidence. Professional ethics is broader than integrity alone and incorporates the requirement for individuals to give an account of their judgement, acts and omissions. The Panel facilitates public scrutiny in this area and helps to build and maintain trust and public confidence.

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• Integrity

Integrity is pivotal to public trust and confidence and oversight of how this is embedded within the Force requires independence and transparency for the police to have 'legitimacy' with the public it serves. Integrity in policing is about ensuring that the people who work for the police uphold public confidence. It is about how well the police make decisions, deal with situations and treat people day in and day out. If the public don't trust the police to be fair and act with integrity and in their best interests it is unlikely that they will be inclined to assist the police.

• Complaints

The Police and Crime Commissioner has a duty to hold the Chief Constable to account on how effectively he discharges his responsibility for responding to complaints and misconduct allegations made against the Force. This includes the dip sampling of completed complaint files and consideration of performance data in relation to the number of complaints, categories, trends etc. The Ethics and Transparency Panel provide a robust, independent and transparent approach to the oversight of complaints and misconduct matters.

The Ethics and Transparency Panel contributes to developing trust and confidence in the following ways:-

- (a) Influencing changes in force policy.
- (b) Enhancing the debate and development of police policies and practices.
- (c) By anticipating and understanding future ethical challenges that the service will face and influencing any response by the police.
- (d) Articulating and promoting the influence of professional ethics in all aspects of policing.

Membership

The Panel comprises seven members recruited to the role from the local community. All members will either live and/or work within the Leicestershire Police geographical area. Membership of the Panel aims to reflect the culturally diverse local community and members come from a variety of backgrounds.

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Working Arrangements

The working arrangements of the Panel will be as follows:-

- (a) The Panel will be subject to the Freedom of Information Act and in the interests of transparency it will meet in public except when considering restricted information when it will meet in private. Agendas will be published five working days prior to the meeting date. Reports and minutes will be published on the Police and Crime Commissioner's website.
- (b) The Panel will have a Chair and a Deputy Chair who will be elected to the roles at the inaugural meeting. The roles of Chair and Deputy Chair will be elected for a 2-year term. The member elected to serve as Chair will only do so for no more than two terms of 2 years. The Deputy Chair will act as Chair at meetings in the absence of the Chair. If the Chair can no longer continue in this role, the Deputy Chair will act as the Chair until the formal election of a new Chair
- (c) Each member will be required to record their interests in the register of pecuniary and non-pecuniary interests. In addition, members will be required to disclose any such interests at the commencement of any meeting where there is a need to do so due to the nature of the agenda, or immediately if they arise unexpectedly in discussion.
- (d) Each member will sign a declaration to abide by the nine policing principles, based on the Nolan principles and contained within the Code of Ethics.
- (e) To assist with individual effectiveness, all members of the Ethics and Transparency Panel must agree to be subject of an appraisal process operated by the Chair of the Panel. An appraisal of the Chair will be undertaken by the Police and Crime Commissioner.
- (f) A quorum for all meetings will be 3 members, one of whom must be either the Chair or Deputy Chair.
- (g) Meeting dates will be scheduled at least 12 months in advance and a forward plan of work agreed.
- (h) Outside of formal meetings members of the Panel will undertake work within the remit of the Panel's terms of reference. This will include the dip sampling of a statistically significant number of complaint files and other areas of work as identified.
- (i) Attending Panel meetings will be the Chief Executive and the Chief Constable and Head of Professional Standards from Leicestershire Police, or

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their deputies. The Head of Communications will also be present or represented at the meeting. Other officers will attend as and when appropriate.

- (j) Secretarial support for agenda setting, collation and distribution of reports and the taking of minutes will be provided through the Office of Police and Crime Commissioner.
- (k) All members will be appointed for an initial 2-year term with the PCC needing to re-appoint to continue with further 2-year terms thereafter, the maximum period of tenure will be 4 years. The term of membership will be effective from the date of recruitment of the member.

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**Office of the Police and Crime Commissioner for
Leicester, Leicestershire and Rutland
Ethics and Transparency Panel
TERMS OF REFERENCE**

Purpose

The Ethics and Transparency Panel is responsible for enhancing external and internal trust and confidence in the ethical governance and actions of Leicestershire Police and the Office of The Police and Crime Commissioner. The Panel will seek to do this by:

- Promoting high standards of ethical conduct.
- Providing a focus for education and understanding around ethical issues.
- Scrutinising Force values and their application.
- Encouraging discussion within and outside of the organisation especially but not exclusively around issues affecting organisational culture.

Objectives

- The Panel will consider a range of matters, the remit of which is flexible.
- It is not expected that this Panel will scrutinise individual complaints or discipline hearings except in exceptional circumstances after the fact.
- The Panel is an advisory body and the final decision on any matter will always lie with the Police and Crime Commissioner (PCC).
- The Ethics and Transparency Panel has the potential to improve and strengthen the delivery of Policing services to the public by adding value beyond audit and scrutiny.
- The panel will receive ethical issues/ dilemma's faced by officers and staff within the force. You could open this up for submissions by anyone in any role across the force again removing filters and demonstrating inclusivity and access.
- The panel will have a role in providing independent assurance that overall complaints are managed in an ethical and proportionate way. The Commissioner and the Chief Constable could equally ask for specific assurance relating to case involving complaints of race or sexual harassment be monitored and reported against.

Framework

- Any changes made to the Terms of Reference or membership will have to be brought to the attention of and signed off by the Police and Crime Commissioner
- Meetings will be largely strategic in focus.
- The Panel must feel able to challenge and where necessary ensure that matters are highlighted to members of the Police's Senior Team and/or OPCC.

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- The Chair will set the agenda for each meeting and ensure members have sufficient information in advance to usefully contribute to discussions.
- Submissions for the agenda will be made via a specific email address on the intranet or by personal approach to any panel member and passed on to the Chair.
- Individuals with experience or knowledge specific to particular subjects may be invited to join the panel on a one-off basis. These may come from the community, partner agencies or from within the Force itself.
- An operational approach may be required occasionally and this can be facilitated by utilising a small cohort from the panel on a flexible basis.

Membership of the Panel

- The Panel will have a Chair and a Deputy Chair who will be elected to the roles at the inaugural meeting. The roles of Chair and Deputy Chair will be elected for a 2-year term. The member elected to serve as Chair will only do so for no more than two terms of 2 years. The Deputy Chair will act as Chair at meetings in the absence of the Chair. If the Chair can no longer continue in this role, the Deputy Chair will act as the Chair until the formal election of a new Chair
- Members of the Panel will be interviewed by the PCC and the Chief Executive and appointed by the PCC when suitable candidates are found
- All members will be appointed for an initial 2-year term with the PCC needing to re-appoint to continue with further 2-year terms thereafter, the maximum period of tenure will be 4 years. The term of membership will be effective from the date of recruitment of the member.

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Ethics and Transparency Panel Members
Remuneration Scheme

Members will be paid an annual allowance. This will be £2,840 per year, plus travel expenses at standard class rail fare or car miles at 45p per mile.

Travelling expenses

Travelling expenses will be claimed in respect of the distance between your place of departure and the place where the approved duty is carried out and the return journey.

You will normally be aware of meetings in advance and so will, in most cases, be claiming for travel from home or place of work. There may however be occasions when meetings are called at short notice. In such circumstances, and where your point of departure is outside of the Force area, you will be paid from the point of where you have entered the area from your place of departure.

The claimant must ensure that their private car insurance covers the use of the vehicle on OPCC business.

Travel by train will be reimbursed up to standard class travel. For claimants who are eligible attention is drawn to the financial savings to the Office of Police and Crime Commissioner (OPCC) through use of a senior railcard, which enables savings of a third on all rail journeys. The cost associated with purchasing the card can be reimbursed from the OPCC.

Travel by taxi may be claimed only where public transport is not available. Travel by air requires the prior approval of the Chief Executive and is limited to economy class.

Subsistence

Subsistence will only be paid for attendance at meetings of the Ethics and Transparency Panel meetings and any related training, conference or seminars arranged by the OPCC where refreshments are not provided. The level of reimbursement for meals will be:

Breakfast	£10.00
Dinner	£30.00

Claims for meals and other expenses will be paid on the basis of actual expenditure with a receipt.

Other expenses

All necessary hotel accommodation required for OPCC business will be booked and paid for by the OPCC. Value for money and best use of public funds will be key issues in determining the accommodation.

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Carers' Allowance

Any member who is required to pay a Carer in order to attend a meeting may claim a Carers' Allowance. This allowance shall be paid upon the production of a valid signed receipt, and shall be for actual expenditure incurred up to a maximum of the national minimum wage rate per hour.

Carers' Allowance may be claimed for the total hours it takes to leave home, attend the meeting and return home. The allowance shall not be payable in response of care provided by a member of the claimant's family or household.

Payments may be claimed in respect of children aged 16 or under and in respect of other dependants where there is a medical or social work evidence that care is required.

Income tax and National Insurance

Most entitlements to allowances and expenses are subject to deductions for income tax and national insurance. In respect of mileage expenses, the HM Revenue and Customs approved rates adopted by the OPCC are exempt of payment of income tax and national insurance.

PAYE tax will be deducted at the basic rate on tax code BR unless a tax code can be provided/assessed via Form P45/P46 or the tax office can send a form P6. In these cases deductions will be made in accordance with the tax code issued.

Flat rate Class 1 National Insurance contributions (Category A) will be deduction on pay when the lower earnings limit is exceeded unless you produce a valid exemption certification available from your local tax office.

Claimants, who are self-employed or have full-time employment with another employer, may pay more National insurance than is needed. If so, a refund will be initiated by the Department of Works and Pensions (DWP) after the year-end and when the total overpayment can be accurately assessed.

If the claimant is over retirement age they need pay no contributions, regardless of whether they are receiving a pension. The claimant should require a 'certificate of age exemption' from HM Revenue and Customs and arrange for this to be forwarded to the OPCC. The OPCC will make the necessary arrangements to stop National Insurance contributions being deducted.

If the claimant or their spouse is in receipt of benefits they should note that all allowances count as earning whether or not they are actually being claimed and paid. Consequently, they should declare their 'earning' to the DWP in cases where a state benefit is also being received.

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OFFICE OF POLICE AND CRIME COMMISSIONER

Ethics and Transparency Panel

The Recruitment Process

Recruitment is through application and open competition. Applicants are required to submit a CV and covering letter broadly outlining how they meet the essential and desirable criteria for the role. This should be returned to:-

The Police and Crime Commissioner for Leicestershire
Police Headquarters
Enderby
Leicester
LE9 6SW

The application should be returned by the closing date of Friday 19th November 2021. Following the closing date shortlisting will take place. Applicants will be assessed against the criteria within the person specification. Successful candidates will be invited to interview.

Interviews will take place at Police Headquarters, Enderby, Leicester on Monday 20th December 2021.

Persons exempt from applying

The following persons are exempt from applying:-

- Currently serving with or employed by the Police and Crime Commissioner for Leicestershire or the Chief Constable of Leicestershire Police.
- Ex-members of the previous Police Authority.
- Currently a serving Independent Custody Visitor or Misconduct Panel members.
- A standing or ex-PCC or ex-Chief Constable.
- A current member or ex-member of a Police and Crime Panel.
- Has served as a police officer within the last 8 years.
- Serving officers of the Special Constabulary or have served as a Special Constable within the last 8 years.
- Elected councillors, currently serving in that role, or those active in local or national politics.

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- Individuals who have significant business or personal dealings with the Office of the Police and Crime Commissioner or Leicestershire Police.
- Individuals who are immediate family members of the PCC or the Chief Constable or who have a very close relationship with either and as such may not have the requisite level of independence required for Panel membership.
- Individuals removed from a trusteeship of a charity.
- Individuals under a disqualification order under the Company Directors Disqualification Act.
- A person who has been adjudged as bankrupt, or made a composition or arrangement with his creditors.
- Convicted in the UK, Channel Islands or the Isle of Man of any offence and has had passed on a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine, within the last five years prior to their appointment.

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Ethics and Transparency Panel

Timeline for Recruitment Process

<u>DATE</u>	<u>ACTION</u>
19 th November 2021	Deadline for completed applications
20 th December	Interviews
Week commencing 3 rd January 2022	Applicants informed of outcome of interviews
18 th March 2022 17 th June 2022 16 th September 2022 16 th December 2022	Ethics and Transparency Panel future meeting dates

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Member of the Ethics and Transparency Panel

PERSON SPECIFICATION
Member of the Ethics and Transparency Panel
PERSON SPECIFICATION

<u>Criteria</u>	<u>Essential</u>	<u>Desirable</u>
<u>Eligibility</u>	<ul style="list-style-type: none">• To be 18 years of age or over and live or work in the Leicestershire Police force area• Be independent of both Leicestershire Police and Police and Crime Commissioner and his office• Must be granted vetting clearance in accordance with National Vetting Policy for the police	
<u>Knowledge and experience</u>	<ul style="list-style-type: none">• Ability to examine evidence and complex documentation and take an independent and unbiased view.	<ul style="list-style-type: none">• Current or previous membership of a group where there is an ethical dimension <p>Experience in one or more of the following fields:</p> <ul style="list-style-type: none">• Law and Criminal Justice• Applied Ethics and Public Policy• Commerce/Finance and Business• Community Service• Partnership/Voluntary working <p>Health and Medicine due to the ethical dilemmas and skills deemed transferable to a policing environment</p>

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	Knowledge and awareness of ethical principles and how they apply to the police service.	Experience of a local government Standards Panels.
		Experience of advisory groups whether in the private sector or voluntary service.
	Excellent communication skills and be willing to attend meetings and carry out additional work outside of planned meeting dates	
<u>Working with people</u>	Establish and maintain good working relationships with a wide range of people.	
	Ability to work as part of a team.	
	Capacity to treat people fairly and with respect. To value diversity and respond sensitively and constructively to difference of opinion.	
<u>Skills and abilities</u>	Ability and confidence to scrutinise and challenge and make balanced reasonable and proportionate judgements	
	Ability to debate issues concerning professional standards, integrity and ethics and to challenge and make recommendations about ethical dilemmas facing the organisation.	
	To have high personal integrity and the utmost respect for confidentiality.	
	Self-motivated and able to think independently, critically and analytically.	

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OFFICE OF POLICE AND CRIME COMMISSIONER

ETHICS AND TRANSPARENCY PANEL

ROLE PROFILE

Reports to: The Police and Crime Commissioner

Responsibilities:

- To attend quarterly meetings at Police Headquarters Enderby.
- To contribute to the effective discharge of the Panel Terms of Reference.
- To develop and maintain effective working relationships with Panel members, the Police and Crime Commissioner and his senior officers and the Chief Constable and his senior officers.
- Contribute to the business of the meetings in a manner which supports all matters on the agenda being dealt with effectively and appropriately.
- Advise the Panel Chair where an interest or potential conflict of interest may exist in respect of a matter to be discussed at a meeting.
- Address the Panel on all matters where an opinion or decision is required and in such a manner that does not inhibit other members of the Panel wishing to express a different opinion.
- To be diligent in preparing for Panel meetings and making an effective contribution to those meetings to provide independent assurance.
- In addition to quarterly meetings to attend at other police premises as necessary to undertake actions outside of the formal meetings within the remit of the role.
- To work with other Panel members to reach a consensus on recommendations to the Police and Crime Commissioner and Chief Constable.
- To attend seminars, developmental and training sessions as and when required.
- To read relevant documentation in advance of meetings.
- During Panel meetings to follow the procedure determined by the Chair.

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- Promote compliance with the Code of Ethics for police officers and the wider police family.
- Ensure Leicestershire Police takes steps to promote the culture of learning from its experiences.
- To maintain security and confidentiality of the information received.
- To ensure a culture of learning from the Force's experiences
- To contribute to the delivery of defensible decision making by the senior leaders of Leicestershire Police to ensure that those decisions are in keeping with the Code of Ethics and the Force's 'Our Duty' principles and have the public interest at heart.
- To promote compliance with the Code of Ethics and Standards of Professional Behaviour for all who work for Leicestershire Police.

ROLE PROFILE - CHAIR

- To lead the Panel and ensure it is an effective working group.
- To promote a culture of integrity, openness and debate and be responsible for effective communication with stakeholders.
- To ensure that all Panel members receive accurate, timely and clear information. To ensure that Panel members act proactively in ensuring current issues are brought to the attention of the Police and Crime Commissioner.
- Contribute to the delivery of transparent and ethically rooted decision making ensuring those decisions are in the public interest.
- Contribute to the continuing development of the Panel.
- To be aware of and keep up to date with local and national ethical matters generally and particularly relating to policing and to be proactive in ensuring that such issues are brought to the attention of the Police and Crime Commissioner.
- To communicate the Force's ethics and compliance standards ensuring the effectiveness of that communication.

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ROLE PROFILE – DEPUTY CHAIR

- To support the Chair in leading the Panel in considering ethical issues to support decision making in relation to complex policing issues.
- To assist the Chair in setting the Panel's agenda and ensuring it functions as an effective working group. The Deputy Chair must promote a culture of integrity, openness and debate and will be responsible for effective communication with the Commissioner and/or his officers.
- To assist the Chair in monitoring and auditing compliance.
- To assume the role and powers of the Chair if the Chair is not present or unavailable until such time as the Chair becomes available.