



Cleveland Police Ethics Committee

Minutes

Date: Tuesday 14 July 2020

Time: 16:00

Venue: Via MS Teams

Attendees:

Name	Role
Dave Smith	Committee Chair
Richard Smith	Committee Vice Chair
Khan Hanif	Committee Member
Craig Marshall	Committee Member
Stuart Green	Committee Member
Lisa Oldroyd	Assistant Chief Executive – Cleveland OPCC
Jenni Salkeld	EDI Manager – Cleveland OPCC
Isaac Holmes	EDI Officer – Cleveland OPCC
Liz Byrne	SIT Programme Manager – Cleveland Police
Ian Arundale	Temporary Deputy Chief Constable – Cleveland Police
John Dodsworth	Operational Ethics Lead Sergeant – Cleveland Police
Charlotte Rumins	Community Hub Advisor – Cleveland OPCC (Minutes)

Apologies:

Name	Role
Tresor Bukasa	Committee Member
Georgina Fletcher	Committee Member

No.	Discussed	Outcome/Decision/ Attachment
1	Introduction and Apologies Apologies for absence were noted from Tresor Bukasa and Georgina Fletcher.	
2	Declarations of Conflicts of Interest (if any) No conflicts of interest were declared.	

<p>3</p>	<p>Minutes of the Previous Meeting and Matters Arising</p> <p>The minutes of the previous meeting were approved as a true record.</p> <p>DS asked that the minutes of the meeting held on 2nd March also be recorded as a true record. This was agreed.</p> <p>CM requested that the recording of hate incidents that are not crimes be added as a substantive agenda item for discussion within the next meeting, DS agreed and asked that CM provide a written brief of what he would like to raise for discussion prior to the next triage meeting.</p>	
<p>4</p>	<p>Outcomes from the Previous Meeting</p> <p>It was noted that the views of the committee in respect of key worker benefits were seen as positive. Work is currently ongoing with the gifts, gratuity and hospitality register following discussions from the previous meeting.</p> <p>LO queried whether the register will be published on the Force website, DCC Arundale noted that following the development publication will be considered, there is not currently a record maintained of gifts and gratuities which are declined. The refreshed register will include details of the officer's decision making at the time in line with the Code of Ethics and Cleveland Police's values and behaviours.</p> <p>CM queried to what extent the public raise issues in respect of the receipt of gifts and gratuities. IA noted that he is not currently aware of any incoming issues but the increase in transparency that is being developed will make the public more aware of what is and is not accepted by the Force.</p> <p>LO noted that the OPCC have a process for the publication of gifts and hospitality which they would be pleased to share with the Force if it would assist. JS asked that the EDI team be consulted through the production of the Force policy.</p> <p>DS queried what internal and external scrutiny arrangements are in place in respect of receipt of gifts and gratuities. IA noted that the scrutiny is currently undertaken by IA and JD, this is currently an area which is to be developed further through the processes amendments which are taking place.</p> <p>Social distancing has also been brought up internally, panel members were aware in the previous discussions that a risk based decision is made in respect of social distancing and the use of PPE. It was noted that those staff who are shielding have had the ability to work from home throughout the period.</p> <p>Further review work is taking place in relation to the use of social</p>	

	<p>media, a policy is being produced in conjunction with DSE and will be brought to the committee for information during the consultation period.</p> <p>LB noted that the advice in respect of social media is timely from a service improvement perspective as they are currently considering how social media platforms will be utilised for community engagement.</p>	
<p>5</p>	<p>Issues Addressed Between Committee Meetings</p> <p>DS noted that he had been asked to respond to a dilemma which related to the offer of an alcoholic gift to members of the Force from a family who had been assisted by the Force. In order to respond to this, he had consulted with RS and produced a written response which was provided to IA.</p> <p>Following that dilemma, views were sought on the Force’s approach to taking the knee. On this occasion, DS shared the dilemma with all members of the committee for feedback.</p> <p>DS asked members which of the two approaches members preferred. CM noted that the views of the whole committee should be sought and the members of the committee should ‘reply all’ to ensure transparency of responses. DS noted that on some occasions there is a need for the Chair to draw up a response in consultation with the Vice Chair e.g. if response is required within 24 hours. DS added that there is also the potential for ad-hoc calls to be arranged between meetings to address the dilemmas.</p> <p>SG noted that it would be preferable for a consensus view to be reached between all members of the committee but he appreciates that in some cases more urgent action is required.</p> <p>IH noted that digital platforms are being considered for longer term solutions to actively keep momentum going between committee meetings. CM noted that the simplest and most commonly used technology would always be the preference for communication. RS noted that for the Force and OPCC to rely upon members for feedback the sensitivity and security of the information is to be appreciated by members.</p> <p>IA expressed his thanks to members for their feedback on the dilemmas which had been circulated between meetings. LB echoed IA’s comments and noted the improvements she has identified over the past year following the HMICFRS review.</p>	<p>DS to amend ToR to reflect discussions on addressing issues between meetings</p>
<p>6</p>	<p>Submissions</p> <p><u>How the Force deals with the 14 day quarantine</u></p> <p>JD provided an overview of the submission, it was noted that members of staff work in different conditions due to the nature of</p>	

their roles, three position statements were provided from Unison, Police Federation and the OPCC.

Following the Unison position statement in respect of police staff, CM noted that he wondered what the approach of other similar organisations would be.

SG noted that he feels police officers and staff should not feel unable to take a holiday or break when they deserve and need one. However, he added that selflessness and leadership are key policing principles he wondered to what extent police officers should adopt these principles when deciding how to act in these circumstances.

DS noted that staff who had booked holidays prior to the quarantine regulations would have been acting unknowingly, those officers and staff who had booked their holidays after the quarantine regulations were announced had an awareness of what would be required of them.

DS noted that there is an assumption that because some people cannot work from home, no one should work from home. He also queried what advice is given now in terms of expectations of staff booking holidays for areas which still require a quarantine period.

JD noted that the OPCCs position is that as working from home has been effective throughout the period, this can continue for any quarantine period.

The Force position for officers and staff was also discussed, those holidays which have already been booked will be honoured but staff may be required to use annual leave or flexi balances to accommodate the quarantine period. For future holiday bookings, there will be a requirement for staff to consult their line manager prior to booking to ensure any required quarantine periods can be accommodated without affecting the resilience of the Force.

IA noted that concerns have been raised that certain areas of the Force will be treated differently and that is the reasoning for a blanket approach. Some members of staff are also unaware that the OPCC are a separate organisation and their ability to accommodate a period of working from home has therefore been queried.

DS queried why those staff who are able to work from home cannot, it was noted that it is much more difficult to accommodate on an individual basis as all roles differ. KH noted that he feels a more flexible approach should be adopted to accommodate everybody.

CM noted that the matter conflates operational needs with the ethics, the decision has been taken on the basis of operational needs as opposed to the ethical considerations. He added that if the holiday is deliberately scheduled to gain an extra two weeks leave from work then it would be unethical.

RS noted that he agrees with the Force's approach to have equality amongst staff as they are choosing to go on holiday with the awareness they now have.

DS noted that in any of the scenarios, if someone has booked a holiday knowing of the quarantine period and knowing of their ability to work from home and they are then unable to work from home the Forces decision of equality between staff would add to the resilience issues. IA noted that the national response that Unison has put forward identifies that there will always be an exception, the policy is broad enough to maintain operational resilience and allows for planning based on demand but on some occasion there will be exceptions to the rule.

Overall, the committee felt that the Unison statement seems appropriate and that for any subsequent holidays booked following the quarantine announcement, annual leave or unpaid leave should be used for the quarantine periods with the exception for emergency situations.

Diverting work calls to personal devices, at what point does it become unethical

JD provided an overview of the submission. DS queried whether police issue devices have specific and more stringent restrictions in terms of logging procedures or encryption. JD noted that it differed depending upon the type phone issued, the smartphones issued by the Force contain access to Force email and PNC amongst other systems.

DS queried whether the use of the personal device would allow access to any of the police systems. JD noted that it would only allow for the use of call or text functions.

CM queried why they would transfer calls through, JD noted that some may feel it's easier to only use one device. IA noted that there is two ends of the spectrum, some officers would transfer calls through when they are off duty to allow them to still receive calls however the other end is where the device is used for inappropriate contact which is where the dilemma has arisen.

RS noted that it is reasonable to expect that any officer or member of staff provided with equipment to use should use it as it is expected. SG noted that his thoughts on ethics on this are questions as to why an officer would have their personal device with them at work. He added that there may be issues around objectivity and integrity of those who may act inappropriately which would raise concerns. KH agreed that during work hours personal devices should not be used.

LB noted that the obstacles that may be in place for frontline officers which leads them to need to have their personal device with them, such as the use of mapping functions, would need to be

explored. The support staff functions requirement to use their personal device for calls whilst working from home is also required to be considered when reaching a decision on the policy.

Overall, the committee felt that they were unable to identify any ethical issues with preventing staff from diverting any calls or information from their work phone to their personal device unless a good reason is demonstrated and discussed with line management.

Social media – personal social media accounts badged as professional

JD provided an overview of the submission.

CM noted that he has run a number of Facebook accounts and websites as a minister of religion and he has always been required to state that it is not an official website of his church and that it does not necessarily reflect the views and opinion of the church and that it is his own opinions. He added that officers should not make it ambiguous or imply that they are speaking for, or on behalf of the police force.

LB noted that it goes into what officers are permitted to do or not do and some of the accounts have been produced without clear direction or rules. Some rules to help around the use of these accounts would be beneficial to a number of people across the organisation.

SG noted that officers and staff celebrating successes online would be a good thing. However, ethically there are potentially big issues even with a disclaimer. If something inappropriate is posted by an officer or a member of staff, big ethical problems could potentially arise.

RS noted that he has a very strong personal view that he wouldn't share anything in any social media context in relation to work and noted he is aware that the ethics of the situation is changing but his review remains that he is against it as he does not see where the clear benefits outweigh the potential harms.

LB noted that the community are expecting the Force to do a lot more online and on social media, a greater cross section of the community is also able to be reached online and these conversations are developing internally. This needs to be enabled from a business perspective through the implementation of a policy to manage the risk more effectively.

DS noted that the more closer links with communities are, especially those which are more vulnerable or out of touch, the better as the Force has a duty of care to reach out to those areas of the community. The danger is that this may be misused. IA noted that there is a requirement to have controls in place to monitor the use of such accounts, he noted that there has, however, been some

	<p>referrals of inappropriate use of social media platforms. IA added that the Force appreciate the substantial use of social media by the generation of incoming officers. DS noted that those people who have misused social media could potentially still have been a threat even without the social media platforms.</p> <p>It was noted that a clear and agreed statement is difficult to reach based on the discussions, there are real benefits from the use of social media but there are also significant risks. The policy produced should aim to maximise the benefits and eliminate the risks as best possible. It was request that John Bonner be invited to the next meeting to discuss the progress of the policy production.</p> <p><u>EDI: Positive Action</u></p> <p>JS provided an overview on positive action and noted that it would be of benefit to table this for a fuller discussion at a future meeting with attendance from HR. The recruitment policy is being reviewed in respect of positive action. Nationally, 6.6% of police are reported to be from an under represented background vs the figures that 14% of the population are from an under represented background, these figures are consistent locally. Positive action is currently incorporated in respect of recruitment for PCs and the aim is to incorporate this in all areas of recruitment. The workforce stance is not currently clearly demonstrable to staff or to potential candidates.</p> <p>JS queried whether the group feel it is something they could provide discussion and insight around. DS noted that the group would be keen to hold a discussion on the ethical issues, he asked that at the next Ethics Committee meeting JS run members through the present state of the legislation with regard to equality and diversity and how Cleveland are developing a response to the national guidance.</p> <p>RS noted that positive action had been discussed at the committee on 1 August and suggested JS review the notes of that meeting.</p>	
<p>7</p>	<p>Draft Development Action Plan</p> <p>JS circulated the draft development action plan for information prior to the committee. JS noted that Kirsty D’Souza had provided action points from a HMICFRS perspective, discussions then took place between JS, DS, IH, JS and LO based on the points and a development action plan was produced. JS asked that attendees review the action plan and feedback and queries or comments they may have.</p> <p>IH provided an update on the benchmarking activity he had undertaken. There is a lot of variation between forces and it was noted that a lot of forces do not have an active external ethics panel. IH noted that South Yorkshire’s ethics committee members have a specialist area which they gain knowledge of from the Force and act as a SPOC on within meetings, members were asked to</p>	

	<p>consider their views on this.</p> <p>DS asked that this be revisited within the next meeting but that any feedback from the committee members be sent through to DS, JS or LO between meetings.</p>	
8	<p>Ethics Committee Questionnaire</p> <p>IH noted that as part of the development work, a survey link will be sent to members following each meeting to gather their views on how the meeting went and any feedback on the running of sessions. Feedback is also being sought on the survey itself as it is still in development.</p> <p>CM noted that he is unable to open embedded attachments within agendas and asked that documents be circulated individually.</p>	
9	<p>Any Other Business</p> <p>LB noted that she is now in a new role and has formally handed over the ethics committee development, this would now be her last meeting. DS thanked LB for her involvement in the committee and noted that they have benefited greatly from her contributions. KH equally expressed his thanks for the honest and open approach she has taken.</p>	