

**JOINT INDEPENDENT AUDIT AND ETHICS COMMITTEE
8 JANUARY 2021**

**REPORT OF THE CHAIR
JOINT INDEPENDENT ETHICS COMMITTEE ANNUAL REPORT**

PURPOSE OF REPORT

1. To report on the activity of the Ethics Committee during 2020 against the committee terms of reference which were in place for the reporting period.

2. KEY INFORMATION

Terms of Reference	Coverage During 2020
<p>To provide assurance to the PCC and the Chief Constable on the effectiveness of embedding the Code of Ethics and its on-going influence on service delivery.</p> <p>To promote the influence of ethics in delivering excellent quality of service.</p> <p>To anticipate ethical challenges facing the police service and influence changes to West Yorkshire Police policy.</p>	<p>Members have considered a number of work areas from an ethical perspective, including:</p> <ul style="list-style-type: none"> • PDR completion rates (January 2020) and the associated integrity health checks, recommending a full review of the effectiveness of the Force’s approach to PDR. Members also reviewed the PDR policy (January 2020) and have also considered the Use of Social Media policy. • Progress in the National Data Analytics Solutions project and any potential for legal challenge and disproportionality. • Ethical issues arising from extraction of mobile phone data, requesting a further report of the Force’s response to a report by the Information Commissioner’s Office. <p>Members have also received regular updates of ethical issues relating to the COVID-19 pandemic. This includes the provision of PPE, mechanisms for assessing officer and staff vulnerability and testing arrangements, risk assessments, OHU provision, agile working arrangements and temporary amendments to HR policies to accommodate flexible working, extraordinary COVID-19 funding for partners and the potential for disproportionality in policing the COVID-19 restrictions.</p>
<p>To regularly consider:</p> <ul style="list-style-type: none"> • The processes and policies in place around ethics and integrity and their effective delivery. • The Internal Ethics and Integrity Committee processes and findings. • Ethical issues arising from the Good Governance Group meetings. • Items referred from the Audit Committee arising from an ethical perspective. 	<p>Members have scrutinised Force policy, recommending and reviewing updates of policies, and have specifically reviewed policies on:</p> <ul style="list-style-type: none"> • Taser use and taser training • Community engagement • Safeguarding vulnerable adults • Uniform standards • Police pursuits • Service Confidence Policy

Terms of Reference	Coverage During 2020
<ul style="list-style-type: none"> • Anti-fraud, corruption, whistleblowing and equality and diversity best practice, policies and arrangements and their operation in the OPCC and the Force. • Any complaints against the Force and OPCC to ensure that they are dealt with expeditiously and follow due process. <p>To scrutinise and dip-sample:</p> <ul style="list-style-type: none"> • Senior officers' expenses, business interests, gifts and hospitality and procurement related declarations of the Force and OPCC to assist the Force and OPCC to set the ethical standards expected of all leaders. • Stop and search data and application of policy to assess any disproportionality. • Data relating to grievances, Employment Tribunals and discipline, recruitment and training and performance procedures to assess any disproportionality. • Complaints and conduct matters within the Force and the OPCC to ensure organisational learning takes place and statutory processes are adhered to. 	<p>Members considered the terms of reference of the Internal Ethics Committee and minutes of the meetings held (January 2020 and April 2020).</p> <p>At each Committee meeting members receive an update on ethical issues arising from the Good Governance Group.</p> <p>Members consider business interests and gifts and hospitality policy and declarations annually in the Audit Committee and may refer any ethical issues to the Ethics Committee for discussion as required.</p> <p>A report of police complaint handling is considered at each meeting of the Committee, including trends and comparisons with other Forces, referrals to the IOPC, police officer suspensions, learning recommendations and awareness campaigns and counter corruption work. The Head of Professional Standards attends each Committee meeting.</p> <p>Members also receive an annual report of casework and complaints in the OPCC, including information about the new complaint regulations which were introduced in February 2020.</p> <p>Members have considered the OPCC and Force staff surveys (April 2020).</p> <p>A report of proportionality in relation to conduct matters, grievance and performance procedures was presented to the Committee in April 2020 as well as updates of progress in rolling out unconscious bias training to all officers and staff (October 2020). Members also considered the draft Diversity, Equality and Inclusion Policy (January 2020) which has been developed following their recommendation.</p> <p>A report on proportionality of ANPR and the Force compliance with the Surveillance Camera Commissioner's code of Practice was considered by members (October 2020).</p> <p>Members requested a report on the use of force (neck restraint) in West Yorkshire in light of Black Lives Matter protests and referral of cases to the IOPC (October 2020).</p> <p>Members have also received progress reports on the positive action in recruitment programme along with the Internal Audit report on BAME recruitment (April 2020), requesting further data relating to exit interviews.</p>
<p>To receive reports from and make recommendations around ethics and integrity to the PCC's monitoring officer in the event of the PCC, Chief Constable or their staff committing or proposing to act lawfully.</p>	<p>Not required in the reporting period.</p>

Terms of Reference	Coverage During 2020
<p>To receive reviews from Her Majesty's Inspector of Constabulary and Fire and Rescue Services (HMICFRS), the Independent Office for Police Conduct (IOPC) and any other relevant review body, which include ethical issues relevant to the PCC or Force. This is to ensure full consideration has been given to any relevant actions arising from the recommendations and to monitor effective implementation.</p>	<p>Available as required. In the reporting period members have received reports on the Force's self-assessment against the Surveillance Camera Commissioner's Code of Practice and the Force's response to HMICFRS recommendation regarding resourcing of counter corruption work.</p>
<p>To provide assurance to the PCC and the Chief Constable that the development of Force policy and procedure reflects the values of the Force.</p> <p>To consider any ethical matters referred by the PCC or by the Chief Constable.</p>	<p>Meetings are held quarterly and are attended by the PCC's Interim Chief Executive and Deputy Chief Constable (or delegates). Minutes of the meetings are published.</p>

RECOMMENDATION

Members note the content of the report.

Julie Reid
 Governance Manager
 Office of the Police and Crime Commissioner