

# Guidance for Independent Panel Member on Police Misconduct Hearings

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## Introduction

This Handbook is provided in order to support the work of local policing bodies and Independent Panel Members (IPM) for police misconduct hearings. The Handbook provides advice and guidance. It is advisory only, and in some local policing body areas there may be local differences in the way IPM arrangements are managed. For advice on this IPMs should refer to their local policing body.

This Handbook should also be read in conjunction with the relevant police misconduct legislation and guidance.

## Background

1. Until 2008 cases of alleged serious misconduct were heard by Chief Constables, or on their behalf by another senior police officer. From 2008, a Police Misconduct Hearing Panel of three, comprising a senior police officer and another officer senior in rank to the accused officer, and a lay person, heard such cases.
2. Since 2012 the panel for each case has comprised a Legally Qualified Chair (LQC), a senior police officer (usually a Superintendent or Chief Superintendent) and an Independent Panel Member (IPM). Since 2014 police misconduct cases have been heard in public, except where there are special reasons for all or part of a hearing to be in private.
3. The Police Misconduct Hearing Panel is to be convened to hear allegations of serious cases of misconduct by police officers. The most severe outcome at this hearing would be dismissal from the police service without notice. Cases would include for example, allegations of criminal acts, serious road traffic matters such as drink/driving and other serious breaches of the standards of professional behaviour<sup>1</sup> expected of police officers such as neglect of duty.
4. The Police Misconduct Hearing Panels will hear cases governed by the relevant Police Conduct Regulations in force at the time an allegation against an officer comes to the attention of the Chief Constable. An IPM will be advised of the relevant regulations to be applied.
5. As referenced in paragraph 2, the Police Misconduct Hearing Panel consists of three persons: The LQC, an Independent Member and a police officer of the rank of Superintendent or above (providing that the officer is at least one rank above the person subject to the misconduct hearing), appointed by the appropriate authority. For senior officers this panel member should be the HMICFRS or an inspector of constabulary nominated by HMICFRS.
6. The purpose of a misconduct hearing is to:
  - Give the police officer a fair opportunity to make his or her case having considered the investigation report including supporting documents and to put forward any factors the police officer wishes to be considered in mitigation (in addition to the submission which must be sent in advance to the person(s) conducting or chairing the meeting/hearing for his, her or their consideration);

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<sup>1</sup> An understanding of the Code of Ethics will support an understanding of the standards of professional behaviour

- Decide if the conduct of the police officer fell below the standards set out in the Standards of Professional Behaviour based on the balance of probabilities and having regard to all of the evidence and circumstances;
- Consider what the outcome should be if misconduct is proven or admitted. Consideration will be given to any live written warnings or final written warnings (and any previous disciplinary outcomes that have not expired and any early admission of the conduct by the police officer).

### **Roles and Responsibilities of the Independent Panel Member**

7. Local policing bodies appoint persons as Independent Panel Members (IPMs) for Police Misconduct Hearing Panels as required under The Police Reform Act 2002 (as amended).
8. IPMs are people who have no relationship with the police service.
9. The role of an IPM is to assist other members of the Police Misconduct Hearing Panel in reaching a fair and evidence-based judgement about a particular officer's conduct and deciding on an appropriate sanction. They also ensure that there is an independent and impartial voice on such panels and provide assurance to the community that conduct matters are treated seriously and that misconduct proceedings are being properly investigated and adjudicated.
10. Some of the key responsibilities include:
  - attending and participating effectively in misconduct hearings as required;
  - preparing for hearings by considering in advance relevant papers, reports and background information;
  - constructively challenging accepted facts and views in these hearings where appropriate;
  - attending training offered that is relevant to the role and taking a proactive approach to considering what additional development would be appropriate;
  - maintaining high standards of professional conduct and ethics.

### **Independent Panel Member Criteria**

11. The qualities required of an IPM will include strong analytical abilities in order to properly evaluate the evidence being put to them. In addition, self-confidence is essential to bring the required level of independence to the process and engage constructively with the LQC and the senior police officer on the panel.
12. Ideally, an applicant for the role of IPM will have experience of professional regulations, tribunals, or other legal processes, and of working with disciplinary procedures.
13. Other attributes include the ability to take a balanced, open minded and objective approach to the issues and to reach evidence-based decisions that are robust and will withstand challenge, and the ability to clearly and cogently articulate views, while being receptive to other people's opinions. IPMs will have high standards of conduct and ethics and a commitment to fairness and equality. They must be committed to the process and be willing to set aside sufficient time to prepare for and attend hearings.

## Appointments

14. Each Local Policing Body is responsible for maintaining and administering a list of persons to be appointed as IPMs.
15. Many Local Policing Bodies have collectively decided to maintain lists on a regional footprint, with IPMs required to be able to cover any force area within that region.
16. Individual IPMs are able to sit on the lists for more than one policing region.
17. Appointments are made for a duration of five years.
18. The independence and impartiality of an IPM is a fundamental requirement and IPMs must immediately inform the Local Policing Body Chief Executive (or equivalent) if there is any change in their circumstances, such as those exclusions given but not exhaustively in the list below, that may affect their eligibility to continue as an IPM  
Exclusions from sitting as an IPM:
  - Serving and retired police officers
  - Serving and retired police staff
  - Serving and retired special constables
  - Current and former Police and Crime Commissioners (from any Force area)
  - Current and former PCC staff (from any Force area)
  - Former police authority members and officers (from any police authority)
  - Undischarged bankrupts
  - Anyone whose estate has been sequestrated and the sequestration has not been recalled or reduced or a discharge has not been obtained
  - Anyone who has made a composition or arrangement with, or granted a trust deed for their creditors and has not paid off the debts in full or five years have not yet passed since the terms of the deed of composition or arrangement, or trust deed were fulfilled
  - Anyone who is subject to a disqualification order under the Company Directors Disqualification Act 1986, or to an order made under Section 429(2)(b) of the Insolvency Act 1986 (failure to pay under County Court Administration Order).
19. To maintain confidence in the process, the Local Policing Bodies will not normally appoint someone with unspent criminal convictions (with the exception of fixed penalties). Each case will be considered on its merits. IPMs appointed must immediately notify the Chief Executive of the appointing Local Policing Body or region if they are reported, arrested for, or charged with a criminal offence.
20. The Local Policing Bodies may also consider it to be inappropriate if there is perceived conflict of interest through relationships (e.g., family or close friends) with a Police and Crime Commissioner or officer of any of the local policing bodies, or a police officer or member of police staff or special constable. IPMs are required to declare any such relationships at any time during their term of appointment. IPMs must immediately notify the Local Policing Bodies' Chief Executive of any subsequent relationships that may give rise to a perceived conflict of interest with their role as an IPM.
21. Opportunities to join Local Policing Body IPM lists will be advertised on the individual or regional website, force websites as well as through appropriate social media sites.

22. Local Policing Bodies should pay particular attention to ensuring, where possible that the pool of IPMs available is as diverse as possible to reflect the diversity of communities that the police serve.

### **Selection of an Independent Panel Member for a Misconduct Case**

23. The agreed method of selecting an IPM is the use of a 'cab rank' system. All Local Policing Bodies should, as a matter of good practice, publish their selection policy. However, it is likely to include the following:

- a) On establishing the need to hold a misconduct hearing, the Professional Standards Department (PSD) will engage their Local Policing Body to advise of the necessity for an IPM to be appointed.
- b) The Local Policing Body will access the list and select the first IPM on it (i.e., consideration will be given to record of hearings attended previously.)
- c) If the IPM is available, then he/she will be formally appointed in accordance with [regulation 28](#) The Police (Conduct) Regulations 2020.
- d) If the IPM is not available, then they remain at the top of the list to be selected for another hearing. The Local Policing Body then engages the IPM second on the list, and so the selection continues until one is appointed.
- e) Where a Local Policing Body is unable to appoint from their list, they may seek assistance from another Local Policing Body or region.

### **The Misconduct Process**

24. Misconduct allegations against Police Officers are investigated by the Professional Standards Department (PSD) on behalf of the relevant Chief Constable, in accordance with legislation and guidance from the Home Office and Independent Office for Police Conduct (IOPC).

25. PSD will interview complainants, witnesses, and the accused officer. Compiling statements in a report which is put before a senior police officer of the Constabulary, known as the Appropriate Authority (AA).

26. The AA then assesses whether there is sufficient evidence to take the case forward as an allegation of "misconduct" or "gross misconduct". If the decision is to proceed, then the hearing takes place at which the report is presented to the Police Misconduct Hearing Panel.

27. The AA appears, usually represented by Counsel, to present the case against the police officer in question, and the officer usually appears to defend the allegation. The officer is usually accompanied by an official of the Police Federation, who will often also instruct Counsel.

28. The AA frequently does not call any witnesses, because the report from the PSD constitutes the evidence which the accused officer has to answer. However, it is open to the LQC to give directions in advance of the hearing for witnesses to attend, and this will usually be done where there is a relevant fact in dispute which needs to be resolved by questioning a witness. Witnesses do not take an oath.

29. Hearings are conducted in two parts. First the Police Misconduct Hearing Panel decides, by a majority, if necessary, which of the disputed facts are found proved, on the civil standard of proof, which is the balance of probabilities, and also decides whether the

facts found proved amount to 'misconduct' or to 'gross misconduct'. Misconduct is defined in the [Police \(Conduct\) Regulations 2020](#) as: 'a breach of the Standards of Professional Behaviour', and gross misconduct is defined as: 'a breach of the Standards of Professional Behaviour so serious that dismissal would be justified'.

30. In making their decisions the Police Misconduct Hearing Panel may have regard to the Code of Ethics published by the College of Policing, their local Force values and behaviours policy, as well as Home Office Guidance. When the decision has been made and announced at the first stage, unless it is found that there is no misconduct, the panel then proceeds to the second stage. It listens to submissions, and decides what sanction, if any, it is fair and proportionate to impose, in order:

- to protect the public
- to maintain public confidence in the police service, and
- to uphold high standards in policing and deter misconduct.

31. If gross misconduct has been proven, the Police Misconduct Hearing Panel can dismiss the officer, impose a final written warning or a written warning, direct that the officer must receive management advice, or take no further action. If only misconduct is proven, there is no power of dismissal, unless the officer is in breach of an earlier final written warning. In deciding upon sanctions, panels are assisted by Guidance on Outcomes in Police Misconduct Proceedings published by the [College of Policing](#).

32. Following the outcome, the officer may appeal to the Police Appeals Tribunal. (see section 10)

## **Code of Conduct**

33. Members of Police Misconduct Hearing Panels must maintain the highest standards of conduct and ethics and uphold the Committee on Standards in Public Life's seven principles of Public Life (see below). For example, when carrying out misconduct proceedings, panel members must not:

- Bring the Office into disrepute
  - Use the position improperly to advantage themselves, family or friends
  - Disclose confidential information
- Breach of the Code of Conduct may lead to suspension or removal from the list of panel members.

34. IPMs must be committed to:

- Treating everyone with respect
- Upholding human rights
- Promoting equality of opportunity
- Eliminating unlawful discrimination.

35. The Principles of Standards in Public Life ([The Nolan Principles](#)) are

- **Selflessness:** Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends.
- **Integrity:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.
- **Objectivity:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- **Accountability:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- **Openness:** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- **Honesty:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- **Leadership:** Holders of public office should promote and support these principles by leadership and example.

### **Impartiality**

36. Fairness and impartiality are the cornerstones of procedural justice and important for the achievement of legitimacy

37. As an IPM, individuals must show impartiality throughout all their dealings with colleagues, the officer, their representatives, and representatives of PSD or Counsel.

38. This is achieved by being unprejudiced, fair, and objective. IPMs must consider different sides of a situation and ensure that each side is given equal consideration. IPMs must not favour one person or another and must not allow personal feelings, beliefs, or opinions to unfairly influence their actions in any situation thereby ensuring their decisions are clear and evidence based.

### **Confidentiality**

39. Security is a paramount and essential element to ensure that the information contained within the hearing bundle and any related correspondence is retained and secure. The relevant PSD or Local Policing Bodies Office will liaise with the IPM as to how the information will be provided (i.e. electronically or physically). It is incumbent upon the IPM to ensure that this information is not lost, stolen, or disclosed to others.

40. Should the IPM discover that such information is lost or stolen this should be reported immediately to the appropriate contact within the appointing Local Policing Body Office.



The IPM will need to provide them with full details of what has happened. They will then advise the IPM of the next steps and whether the matter needs to be reported to the Information Commissioner's Office (ICO)/ the Police.

41. During their role, the IPM may acquire considerable personal information about persons connected with police misconduct proceedings. That information must be protected against improper or unnecessary disclosure. The IPM should be aware that improper disclosure of information acquired during the role of IPM may attract civil or criminal proceedings.
42. Additionally, unauthorised disclosure of facts concerning police operations or security may constitute an offence under the Official Secrets Act 1911 and 1989, the Data Protection legislation including the General Data Protection Regulation (UK GDPR) and the Computer Misuse Act 1990.
43. At the end of a hearing, the IPM should not retain any physical papers as these should be handed back to the relevant PSD officers on the final day of the hearing. If, however, further discussions or deliberations are due to take place, the papers should be returned at the earliest opportunity by the most secure method. Where papers are provided electronically via a portal, the IPMs access will be removed. If they are provided via email, then the IPM should delete all records and send a confirmation email to the relevant Local Policing Body Office/PSD to confirm that deletion has taken place.

### **Police Appeals Tribunal**

44. A police officer of a rank up to and including Chief Superintendent has a right of appeal to a Police Appeals Tribunal (PAT) against any disciplinary finding and/or disciplinary outcome imposed at a misconduct hearing held under the relevant Police Conduct Regulations. Senior police officers, in addition, have the right to appeal to a PAT against any disciplinary finding and/or outcome imposed at a misconduct meeting.
45. A police officer may not appeal to a tribunal against a finding of misconduct or gross misconduct where that finding was made following acceptance by the officer that his or her conduct amounted to misconduct or gross misconduct (as the case may be).
46. The composition of a PAT is set out in Schedule 6 to the Police Act 1996 (as amended). Where the appeal is made by a police officer who is not a senior officer, the PAT appointed by the local policing body will consist of:
  - An LQC drawn from a list maintained by the Home Office
  - a serving senior officer; and
  - A lay person
47. The 'layperson' is someone who is not, and has never been, a member of a police force, special constable, civilian police staff, Local Policing Body or other policing body as identified within the Police Act 1996. The inclusion of a lay person allows a further independent and impartial view on the tribunal from outside policing.
48. The Local Policing Body are responsible for holding a list of independent people to sit on such panels. Some Local Policing Bodies have taken the decision to use their appointed IPMs for both Police Misconduct hearings and Police Appeals Tribunals.

49. The appointment of an IPM to a PAT will be carried out in the same way IPMs are appointed to police misconduct hearings as identified in Section 5 of this Handbook.
50. An IPM cannot be appointed to a PAT if they have sat on the misconduct hearing which dealt with the matter initially.

## **Fees and Expenses**

### **Fees**

51. The recommended rate of pay for an IPM is currently set at £211.50 per day for a full day (4+ hours, excluding meals breaks) and £104.50 per half day (under 4 hours).
52. These rates are payable for days when IPMs are sitting on Misconduct panels or on PATs. They are not applicable for preparation work as this is covered separately (see 58).
53. It is recognised that a sitting of less than 4 hours, and when taking travelling time into account on the same day, may cause an IPM to give up a whole day for a half day's<sup>2</sup> session. IPMs may claim for a full day's<sup>2</sup> sitting where the sitting is less than 4 hours (excluding meal breaks) and where hearing time and travel on the same day as the hearing together total over 7 hours.
54. A fee may be claimed at the rate of £15.00 for each hour necessarily spent in preparatory work.
55. Where a hearing runs late, but not into a further day, then a long sitting allowance may be claimed. The long sitting allowance may be claimed where the length of a tribunal sitting exceeds 7 hours (excluding meal breaks). The allowance payable is 1/6 of the normal daily rate for each hour, or part thereof, in excess of 7 hours.
56. IPMs attending training will be able to claim the current half day rate to cover attendance at training days. This approach recognises the time commitment in attending, but also recognises the value of the training IPMs will receive as part of their continuous professional development. IPMs would also be able to claim travel expenses outlined in section 10 of this Handbook.

### **Cancellations**

57. Whilst every effort will be made not to cancel hearings, there may be occasions when this is unavoidable.
58. Local Policing Bodies recognise that IPMs may have declined other work in order to participate at a hearing and have adopted the following approach to paying for cancelled days.
59. If a hearing is cancelled over two weeks in advance of the proposed date there will be no payment made, but the IPM's named will, with their agreement, be put back at the top of the regional list of available IPMs.
60. Where a hearing is cancelled 7-14 days prior to the commencement date the current half day rate will be payable for each of the days the hearing was expected to last, up to a maximum of five days. They will go the bottom of the regional list.

61. Where less than seven days' notice is given, the full day rate will be payable for each of the days the hearing was expected to last, up to a maximum of five days.
62. Cancellations without good reason by IPMs, especially if made to undertake other paid work, may result in an IPM being removed from a regional list following discussions with the Local Policing Body Chief Executive. (For the avoidance of doubt, cancellation due to an existing professional commitment "overrunning" will be regarded as being with good reason).

### **Hearing Length**

63. It is not always possible to accurately predict the length of time required to hear a case.
64. If a case does not take as long as estimated, the Local Policing Body Chief Executive has discretion to authorise payment in respect of the "over-estimated" days at the current half day rate for each of those days, up to a maximum of five days. The expectation is that the Local Policing Body Chief Executive will exercise his/her discretion in favour of authorising such payment. If he/she does not, full reasons therefore will be provided to the IPM.

### **Travel Expenses**

65. Where public transport costs are incurred at the standard rate, these will be reimbursed in full on providing the relevant receipts.
66. Mileage will be reimbursed for mileage incurred travelling to and from any venue in relation to the work being undertaken. Mileage will be reimbursed at the HMRC vehicle rate, currently 45p per mile.
67. The vehicle, for which mileage is being claimed must be taxed, have appropriate insurance for business use and a valid MOT certificate (where applicable) at the time the journeys were made. Evidence of this may be requested for audit purposes.
68. Costs incurred for rail travel will be reimbursed at the standard rate. Any costs incurred for first class rail travel will not be reimbursed.
69. All claims for travel expenses must include a completed claim form from the relevant Local Policing Body, including a signed declaration that they were incurred in the performance of approved duties and that this expenditure has not been claimed from any other body in respect of the same duties.
70. Travelling allowances are designed to meet expenses incurred and are in no sense a form of remuneration. Please note that no liability can be accepted in the event of any accident, damage, injury, or death whilst travelling or whilst undertaking hearing duties.
71. There is no provision for payment of travelling time.

### **72. Accommodation and subsistence**

Wherever possible hearings will be timed to avoid the necessity for overnight stays. If a hearing runs to two or more days, then IPM may, if travel to the hearing venue is likely to

take more than an hour, claim reimbursement for the cost of overnight accommodation up to a maximum of **£126 per night**<sup>2</sup>. This rate is made up as follows:

- Accommodation up to a limit of **£100** per night.
- Plus, a flat rate allowance of **£26**. This allowance is intended to cover dinner and local travel (for example between hotel and the hearing venue) and to cover miscellaneous expenses. No additional amount is payable.

73. IPMs should arrive at the hearing sufficiently early and refreshed to prepare for the hearing and meeting other panel members. In cases where the IPM has a journey of more than one hour, the Local Policing Body may agree to meet the cost of overnight accommodation the night prior to the first day of the hearing.

74. Unless the IPMs travel from the hearing venue to his/her home is likely to take more than an hour, an overnight accommodation claim may not be made in respect of the final day of the hearing if a long sitting allowance has been claimed.

75. Where an overnight stay is not necessary, an allowance may be claimed for the necessary costs spent on meals (day subsistence). The allowance is based on the period during which the IPM is absent from home. The rates are: -

- Absence of more than 5 hours and less than 10 hours                   **£4.25**
- Absence of more than 10 hours   **£9.30**

76. This is a flat rate allowance which may be claimed whether the cost of meals was more, or less, than the actual amount of expenditure. It is not necessary for receipts to be provided. The allowance should not, of course, be claimed if a meal is provided free of charge.

### **Other Expenses**

77. Postage and telephone calls etc necessarily dispensed in respect of the determination of the hearing may be claimed upon provision of documentary evidence. Where it is necessary for papers to be dispatched this should be done by registered post or special delivery to preserve the confidentiality of papers. Evidence of the cost should be provided with any claim.

### **Claiming Expenses**

78. All claims must be submitted on a completed claim form which must be signed. IPMs who wish to submit an invoice may include a copy of this with the completed claim form but an invoice without a completed and signed claim form does not constitute an eligible claim.

79. VAT may be claimed by those IPMs registered for the purposes of VAT. In these cases, the VAT registration number should be shown on the completed claim form.

80. Upon appointing an IPM to a hearing, each local policing body will inform the IPM of the local arrangements to be followed for the submission of a claim form/invoice

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<sup>2</sup> It is accepted that in some areas accommodation will be more costly and a higher rate may be agreed locally with the Chief Executive, prior to expenditure being incurred.

## Indemnity

81. The outcome of a misconduct hearing is based on a joint decision of the Police Misconduct Hearing Panel, though there are certain technical decisions relating to the hearing process that are vested with the Chair.
82. Local Policing Bodies and their respective officers have been working with the Home Office and the National Association of LQCs (NALQC) and developed a pragmatic solution and a form of wording which covered the LQCs and IPMs. It offered LQCs and IPMs assurance that they were covered for damages unless it was shown in a court or similar that they had acted in bad faith (this is similar to the wording of the magistrates' indemnity set out in the Courts Act 2003). It provided elected local policing bodies with a backstop to ensure that LQCs and IPMs acted professionally in their respective roles.
83. Until such time as a national solution is found the agreed wording (revised in November 2022) is:

*“ In respect of the case of ..... which is to be held on ..... I (in my role as Police and Crime Commissioner or equivalent) agree to indemnify you as the Legally Qualified Chair (“LQC”)/Independent Panel Member (“IPM”) in respect of any liabilities arising (including reasonable costs as agreed with you in connection with responding to or engaging with any legal proceedings or matters arising from the discharge of your functions as an LQC/IPM) for anything done or omitted to be done by you in the discharge of those functions unless, having received representations or submissions by or on your behalf, you are proved in a court of law or other tribunal with appropriate jurisdiction to have acted in bad faith. Furthermore, in the event of your being held to have any liability for anything done or omitted to be done by another member of the Panel of which you are part, I agree to indemnify you in full in respect of any such liability.*

*In addition, and/or for the avoidance of doubt, it is confirmed that this indemnity includes, but is not limited to, any costs you may incur:*

- In seeking legal advice in relation to the receipt of a witness summons/order or an application therefor;*
- In relation to the preparation of any representations and/or witness statements in relation to an application for a witness summons/order and/or in relation to an application to set aside the issuing of a witness summons/order;*
- In relation to securing legal representation at any hearing of an application for a witness summons/order and/or the hearing of any application to set aside the issuing of a witness summons/order;*
- In relation to the costs (including costs of legal representation) of participating in any appeal and/or application for judicial review (and any appeal therefrom) arising as a consequence of your being in receipt of an application for a witness summons/order or an application therefor; and*
- In relation to attending a hearing or hearings, including the time spent thereat.*

*However, save where the issue/matter needs to be addressed by you immediately, no costs to which this indemnity applies should be incurred by you before you have notified the Chief Executive of my Office of the nature and extent of the issue/matter giving rise to a claim under it.”*

84. The liability of Police Misconduct Panels members in legal proceedings other than Judicial Review proceedings (e.g., employment tribunals) is currently the subject of ongoing legal proceedings. Local Policing Bodies and the National Association of Legally Qualified Chairs (NALQC) have agreed that the indemnity set out above will be periodically reviewed whilst the legal proceedings continue and at their final conclusion.

## **Training & Development**

85. All IPMs must be in receipt of training as deemed appropriate by the appointing Local Policing Bodies on the relevant Police Regulations as well as other aspects of the role such as input of Equality & Diversity etc.
86. Should there be changes in regulations or if the Local Policing Body identifies training needs for IPMs to facilitate an efficient discharge of their responsibilities the Local Policing Bodies will arrange suitable training to be developed.
87. Fees and expenses arrangements for attendance at training events are dealt with in Section 10 of this Handbook.
88. Training to consist of Regulations, Data Protection, Equality & Diversity, and role of the IPM, with the details to be determined by each Local Policing Body or region to suit local need

## **Complaints**

89. Whilst rare, there may be occasions when someone wishes to complain about the conduct of an IPM. All Local Policing Bodies should, as a matter of good practice, publish their complaints policy. However, it is likely to include the following.
- 1) In the first instance it is hoped that any complaint will be able to be resolved through an informal discussion between parties;
  - 2) If, however, it is not possible (or appropriate) to resolve the matter informally complaints should be made in writing and sent to the Chief Executive of the appointing Local Policing Body;
  - 3) The complaint should be acknowledged within two working days and a full response should be made within twenty working days;
  - 4) In the event a complaint is made against an IPM they will be informed of the fact that a complaint has been made and given an opportunity to provide their account of events. To enable them to do so, they will be provided with the fullest information about the nature and extent of the complaint, including any statements provided to the Local Policing Body in relation to the complaint;
  - 5) Dependent upon the nature of the complaint, the Chief Executive will seek to resolve the matter through discussion and providing, wherever possible, options such as additional support and training. Where necessary, and appropriate, clear objectives for improvement will be set and reviewed by the Chief Executive;
  - 6) The procedure for dealing with complaints against IPMs will be determined locally and once complete IPMs will be advised by each local policing body. Work is proposed to review the procedure for complaints against LQCs. Once this is agreed this section will be updated to ensure it is consistent with that approach.

## **Suspension, Imposition of Conditions, and termination**

90. An IPM may be suspended from his/her appointment at any time by the Local Policing Body upon receiving a report of misconduct or poor performance from that Office. Work is proposed to develop recommended processes to be used in such circumstances. In

the meantime, each Local Policing Body is responsible for determining and implementing its own policy and procedures in this respect.

91. The Local Policing Body after due consideration may determine:
- that the IPM should be subject to conditions for future hearings, where there are performance issues including but not limited to attending further training;
  - terminate the appointment of the IPM. Before a decision to terminate is taken an opportunity shall be given to the IPM to make oral and/or written representations;
  - an appeal against a decision to terminate appointment to the Panel shall be notified to the Chief Executive within 14 days of the date of decision and shall be heard by a PCC who is independent of the matter.

## **Reviews**

92. With every hearing Local Policing Bodies and IPMs are encouraged to identify learning or best practice which should be shared by not only the IPM but the LQC, Local Policing Body, the officer concerned or his/her representatives and PSD.
93. The ability to assess how an IPM has 'performed' during the process is important to ensure that Local Policing Bodies or regions retain effective IPM's. This can be done in a variety of ways and could enable IPMs to feedback on the service they have received from the local policing body and PSD involved. Some elements could be:
- The number of hearings that they have attended during a calendar year against the number of hearings that occurred within that force or region;
  - Availability - should an IPM continually or habitually not be available then this does have an impact upon the local policing body/Region and their ability to have hearings in a timely manner;
  - Attendance at any provided training, continued failure to do so may negate them being able to preside over a hearing;
  - Constructive feedback on the case and identify any best practice or learning from the IPM, local policing body, the officer concerned or his/her representatives, PSD/Legal department.
94. Such a review would also allow Local Policing Bodies when re-appointing IPMs to have something to measure performance against.