



Office of the Police and Crime Commissioner
Joint Professional Standards Scrutiny Panel
Terms of Reference

1. Background

- 1.1 The Joint Independent Ethics Committee is an advisory committee, whose purpose is to provide independent and timely opinion on moral and ethical considerations facing the Chief Constable (CC) and the Police and Crime Commissioner (PCC), or both. It acts as a 'critical friend' to the CC and/or the PCC on the ethical issues faced.
- 1.2 In addition to the scheduled Committee meetings members have aligned themselves to thematic areas, in order to become more involved in particular areas of business and attend relevant scrutiny meetings. The thematic areas include stop and search, custody detention, diversity, equality and inclusion, vetting and Professional Standards Department (PSD).

2. Statement of Purpose

- 2.1 Due to the complexity of the PSD business area, which includes complaints, vetting, conduct processes and anti-corruption, there is a need for more transparency in this critical area of policing to build public trust and confidence. The activity of this Panel will improve transparency, reassure the public, and build trust and confidence, in alignment with the Commissioner's Police and Crime Plan priority.

3. Objectives

- 3.1 The Joint Professional Standards Scrutiny Panel will:
 - Provide transparency relating to PSD misconduct matters, complaints/reviews and vetting to re-assure the public and build public trust in those processes.

- Improve confidence, trust and satisfaction by enabling opinions and concerns of Joint Professional Standards Scrutiny Panel members to be heard.
- Calibrate and challenge decision making within PSD/OPCC based on feedback, perspective and public interest in relation to vetting, complaints and conduct matters.
- Provide a vehicle for the Joint Professional Standards Scrutiny Panel to critically assess and feedback to the wider JIEC members decisions made by PSD/OPCC.
- Facilitate continuous learning, improvement of police services/OPCC procedures including policy, training and identification of best practice.

4. Membership and Organisation

- 4.1 Members of the Joint Professional Standards Scrutiny Panel are all members of the Joint Independent Ethics Committee who were appointed via a recruitment process.
- 4.2 Representatives from PSD/OPCC will attend to present cases.
- 4.3 The members will appoint a Chair.
- 4.4 The Joint Professional Standards Scrutiny Panel will be scheduled to meet at least quarterly, although additional urgent meetings may be requested to discuss cases that require immediate consideration.
- 4.5 In addition to the formal, scheduled Panel meetings, the Panel will have the ability to undertake dip-sampling on a quarterly basis. This will cover both the Constabulary and the Office of the Police and Crime Commissioner's handling of professional standards matters in alignment with the Case-Sampling Protocol.
- 4.6 Members will be required to disclose any known personal interests in any case discussed as soon as it becomes apparent, so they can remove themselves from the discussion of that particular case. In respect of case-sampling, Members will be obligated to remove themselves from reviewing any case if this situation arises.
- 4.7 Meetings will be held in person, with the Chair able to exercise discretion for remote attendance if required but not as the norm.
- 4.8 The meeting will be serviced by the OPCC, and the minutes will be published on the PCC website, once approved.

4.9 Travel expenses will be payable in line with the rates applicable to JIEC meetings. Panel members must submit the expenses claim form to request payments which will be processed by the OPCC and paid by Lancashire Constabulary.

5. Attendance at Meetings and Quorum

5.1 A minimum of three appointed Members of the Panel must be present to be deemed quorate. This must include the Chair or Vice-Chair.

5.2 Panel meetings will be held in private.

6. Minutes

6.1 The Governance Officer for the PCC, or their nominated representative, will record the names of those present at the meeting, write minutes, including the key points and decisions of all meetings, along with any actions stemming from discussion that need to be taken before the next meeting. At the start of each meeting, the minutes of the previous meeting must be approved by the Panel and signed by the Chair as a true record.

6.2 The Chair of the Panel will establish at the beginning of each meeting the existence of any conflicts of interest, and these will be recorded accordingly.

6.3 The minutes of the Panel will be placed in the public domain (via the OPCC website) as soon as these have been approved at the next meeting and signed by the Chair, with exclusion of any matter deemed private and confidential.

6.4 The minutes of this meeting will be submitted to the Joint Independent Ethics Committee for information and noting.

7. Performance and Review

7.1 The Panel will, having regard to best Governance practice, review these Terms of Reference annually and recommend any changes deemed necessary to the Chief Constable (CC) and Police and Crime Commissioner (PCC).

7.2 The Panel will review its own performance to ensure it is fulfilling its terms of reference and operating effectively. In doing so, it will make any recommendations for change to the CC and PCC.

8. Responsibilities

- The members will nominate a Chairperson (Appendix A).
- All members of the meeting will adhere to the confidentiality agreement (Appendix B).

- Any declaration of interest will be highlighted at the earliest opportunity by individual members and the necessary steps will be taken to mitigate risks (Appendix C).
- Members of the meeting will feed back their involvement to the JIEC membership.

9. Agenda

- PSD representatives will present finalised cases for discussion with members.
- PSD Scrutiny Panel will feed concerns/issues/identification of best/good practice into the meeting.
- Any actions from the meeting will be completed in an agreed timely manner and presented at the next meeting unless stated otherwise.

The TOR will be reviewed in 12 months to identify improvement opportunities and benchmark best practice with other panels within Lancashire Police/OPCC.

Appendix A – Joint Professional Standards Scrutiny Panel Meeting Chairperson Role and Responsibilities

- It is the responsibility of the Chairperson to ensure that all participants are given an opportunity to contribute.
- The Chairperson should pace the meetings and ensure it runs on time.
- At the beginning and end of the meeting, the Chairperson will remind members about the confidentiality agreement (Appendix B) and declaration of interests (Appendix C).

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Appendix B – Confidentiality Arrangements

As part of the meeting, all members will acknowledge the following:

- All members will operate on a need to know basis and are aware of the confidentiality of the meeting.
- All members understand their duty of confidentiality and that their involvement with the Panel will end should this be compromised.
- All members will be required to sign the confidentiality agreement prior to their involvement in formal meetings or dip-sampling activity.

More details can be obtained from the Constabulary Data Protection Policy (Appendix E).

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Undertaking of Confidentiality for the Joint Professional Standards Scrutiny Panel Members

I, **xxxx**, hereby acknowledge the responsibilities arising from me attending the Joint Professional Standards Scrutiny Panel.

I understand that my part in fulfilling the role means that I may have access to personal data and that such access shall include

- reading or viewing of information held on computer or displayed by some other electronic means,
- reading or viewing manually held information in written, printed or photographic form, or
- overhearing any face to face, radio, telephone or verbal communication.

I undertake that;-

- I shall not communicate to nor discuss with any other person the contents of the Data shared except to those persons authorised by the Controller as is necessary to progress the agreed Purpose.
- I shall not retain, extract, copy or in any way use any Data to which I have been afforded access during the course of my duties for any other purpose.
- I will only operate computer applications or manual systems that I have been trained to use and for the specified purpose.
- I will comply with the appropriate physical and system security procedures made known to me by the Processor.
- I will act only under instruction from the Panel Chair or other relevant official in the processing of any Data.
- I will make known at the earliest opportunity any association or contact I might have or had with any persons subject of discussion and will remove myself from said discussion.

I understand that the Data shared is subject to the provisions of the Data Protection Act 2018 and that by knowingly or recklessly acting outside the scope of this Agreement I may incur criminal and/or civil liabilities.

I undertake to seek advice and guidance from the Head of Professional Standards Department/Chief Executive of the Office of the Police and Crime Commissioner, or other relevant official of the Data Controller in the event that I have any doubts or concerns about my responsibilities or the authorised use of the Data defined in the agreement.

I have read, understood and accept the above.

Name:

Signature:

Date:

Appendix C – Declaration of Interests

All members of the Panel must consider whether they may have to disclose to the meeting knowing any individuals or officers in relation to any matters under consideration on the Agenda. If it becomes apparent they know any persons or properties during the discussions, they should make the Chair aware and step out of the meeting for that item.

The Chair will remind members of this at the commencement of every meeting.

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