

<b>Committee(s):</b> Police Authority Board- For information	<b>Date(s):</b> 11 <sup>th</sup> July 2019
<b>Subject:</b> Community Scrutiny Group and Independent Advisory Group Arrangements	<b>Public</b>
<b>Report of:</b> Commissioner of Police Pol 59-19	<b>For Information</b>
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### Summary

The Independent Advisory Group (IAG) is a strategic group that seeks to improve two-way communications between the police service and the diverse communities it serves. Closely linked to the IAG and often a sub-group in many forces is the Community Scrutiny Group (CSG) whose core responsibility is to monitor the legitimacy of a force's stop and search activities and use of force.

The effectiveness of the IAG and CSG has been recently called into question by HMICFRS during the recent PEEL Integrated inspection of the Force and highlighted lack of external scrutiny as an issue and commented that the local IAG and CSG have not been functioning effectively for some time.

As a result, the CoLP Chief Officer Team gave direction that the functioning and activities of the IAG and CSG be reviewed in consultation with the members, to potentially identify areas for improvement or causes for concern and to implement any recommendations for improvement that were made. This process has been carried out and a key recommendation supported by members, the Chief Officer Team and other senior managers and officers within CoLP has been made that the IAG and CSG be merged into a single Independent Advisory and Scrutiny Group (IASG).

This report outlines the planned stages towards this merger and is submitted for information.

### Recommendation

Members are asked to note the report.

### Main Report

#### Background

1. At the beginning of 2018, the Commissioner and Assistant Commissioner commissioned a review of Force community engagement to ensure it was capturing the views of the community and people they serve. This review gained

momentum after the findings of HMICFRS in their Integrated PEEL inspection which was published in April 2018.

2. Findings included:

### **Independent Advisory Group (IAG)**

- Insufficient number of members regularly attending to fulfil its minimum requirement to operate legitimately
- A lack of adherence to its constitution in terms of time of office for the Chair and other office holders
- An absence of police liaison and attendance at a senior level in more recent times (superintendent or above)
- A lack of inclusion or updates from the Force to the IAG in relation to key policing decisions and activities
- A potential for duplication of activities given the similarity of aims and objectives to those of the CSG

### **Community Scrutiny Group (CSG)**

The main issue with the CSG has been a virtual absence of membership attendance laid out in the details of meetings below:

- Jan 2017 CSG meeting cancelled by chair owing to operational demand
- 25<sup>th</sup> April 2017 – Chair held meeting at Bishopsgate Police Station; three members of the CSG attended.
- 25<sup>th</sup> July 2017 – Chair cancelled meeting due to heightened terrorist threat in London based on operational demand.
- 25<sup>th</sup> October 2017 – Deputy Chair held meeting at Wood Street; one member of the CSG attended.
- 28<sup>th</sup> March 2018 –Deputy Chair held meeting held Wood Street; two members of the CSG attended.
- Both the chair and deputy of the group were also police officers thereby affecting its ability to operate independently

### **Current Position**

#### **The IAG**

3. The City of London Independent Advisory Group was established over a decade ago. Specifically as per the information on the Force's website, the IAG should undertake the following:

- Advise the City of London Police on critical incidents in relation to the community
- Advise on City of London Police policy and high impact issues concerning Black and Minority Ethnic communities e.g. Stop and Search, recruitment and retention of officers.
- Advise on the impact on the community of operational and tactical policing issues

- Interact with the community the City of London Police serve to help promote an inclusive approach.

## **The CSG**

4. Recruitment to the City of London Community Scrutiny Group is ongoing and currently being advertised on the Force's website and via other avenues, including community forums, residents and business forums and the advertisement has been forwarded to Members by the Town Clerk for their dissemination to networks and contacts. Its remit is simply presented as 'independent of the police, the group can ask questions related to the policing of the City, hold the force to account and challenge the way the City of London Police operates.'
5. 12 members have currently been recruited (subject to successful vetting) who are reflective of the greater London population. All members were invited to attend an induction day on Tuesday 11<sup>th</sup> June 2019. The induction meeting provided the CSG members with an understanding of police community scrutiny groups, training, Terms of Reference, Stop & Search, Use of Force, Spit Guards and Limb Restraints and police feedback. The CSG will now receive some high level training on policing matters to enable them to provide the force with constructive feedback.

## **Proposals**

6. As a result of the outcome of the Community Engagement review and the HMICFRS PEEL Inspection recommendation, a number of recommendations have been made and agreed by the CoLP Chief Officer Team which have either been completed or are in the process of being completed:
  - To increase and maintain the number and diversity of membership of the IAG through active and ongoing recruitment.
  - To ensure a minimum attendance and maximum time in office of IAG members to enable it to fulfil its requirements and maintain its legitimacy
  - To ensure police attendance at IAG meetings at a senior level (superintendent above)
  - To ensure the IAG is regularly updated of Force performance and key strategic changes
  - To look to merge the functions of the IAG and CSG to create an independent advisory and scrutiny group (IASG) to improve representation and resilience.

## **Timetable for implementation of recommendations**

7. As detailed above in the 'Current Position' section the recent campaign to recruit members for a CSG identified 12 new members from diverse backgrounds. They have been advised and are supportive of the concept of an IASG and their membership within it.
  - The IAG has recently increased its membership to eight and has managed to fulfil the attendance requirements for its last two IAG meetings.
  - An officer of superintendent rank has attended the last two meetings of the IAG and this is mandated to continue

- The IAG has recently been provided with inputs on force performance, the force change programme- Transform; and an input on counter terrorism prevention activities. Further presentations are planned in future meetings
- 26 June 2019 – is the next meeting of IAG to discuss and ratify creation of the IASG as per proposed new terms of reference (See Annex A)
- 4 September 2019-First meeting of IASG to include members of CSG. Nominations and election of new chair and committee members.
- Subsequent dates of IASG to be arranged

### **Corporate & Strategic Implications**

8. This will support the City of London Corporation Corporate Plan 2018-23 theme of:
- **Contribute to a flourishing society**- people are safe and feel safe

This will support the City of London Police Corporate Plan 2018-23 themes of:

- **To make the City of London the safest city area in the world**, regarded as a centre of excellence for protective security. We will use state of the art technology to protect the City of London and put us at the forefront of criminal investigation in a rapidly evolving landscape of crime.
  - **To deliver a policing service that is valued** by those who live, work and visit the City of London. By ensuring that the Force engages with these groups it will be able to assess the impact of the policing response on the Community.
9. The engagement with these groups will enable the Force to ensure that it can support these themes by receiving external scrutiny and feedback on the policing response.

### **Consultation**

10. The Chair of the IAG, has been fully briefed of plans and supports the principle of a merger of the two groups. He has indicated he will not be seeking re-election. The merger will be discussed with members at the next IAG on 26 June 2019. Members of the IAG have been sent the terms of reference for the new IASG and an accompanying explanation based on the recommendations.

11. The proposal has also been circulated internally in CoLP and the Strategic Management Board members are supportive of the proposed approach.

### **Conclusion**

12. Members will understand the need to have a truly effective advisory and scrutiny group that challenges the force in an appropriate way. It is considered that the recommendation to have a refreshed and reinvigorated single group will make this happen rather than retaining the two groups which are currently not operating effectively or legitimately.

**Appendices**- Annex A – City of London Police Independent Advisory & Scrutiny Group proposed Terms of Reference

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## **City of London Police Independent Advisory & Scrutiny Group**

### **Terms Of Reference**

Independent involvement and advice is the process which takes place when, people independent of the police service, monitor, observe or advise on aspects of policing, both in terms of the functions and policies of the service and the way in which the police interact with the broader community.

#### **1.0 Article 1 – Name**

- 1.1 The group's official name will be 'City of London Police Independent Advisory and Scrutiny Group'. (IASG)

#### **2.0 Article 2 – Address**

- 2.1 Secretary of IASG to be determined.

#### **3.0 Article 3 – Aims**

- 3.1 To work as partners with the police service to:
  - 3.1.1 Increase trust and confidence in policing amongst all communities.
  - 3.1.2 Provide constructive advice to the organisation on ways to improve the quality of service delivery to all communities.

#### **3.2 Objectives**

- 3.2.1 To critically appraise organisational policies, practices and procedures.
- 3.2.2 To make significant contributions to both strategic and tactical considerations seen at draft stage, particularly with reference to critical incidents.
- 3.2.3 To make observations both within the police service and the role it plays in the wider community.
- 3.2.4 To instil just and fair relations between the police and the communities they serve, as well as between communities.
- 3.2.5 To provide an effective external monitoring process to ensure that the force is adhering to both use of force and Best Use of Stop and Search (BUSS) principles, in particular ensuring both qualitative and quantitative data is monitored.

#### **4.0 Article 4 – Membership**

- 4.1 The membership of the IASG will be open to individuals who reside, work or frequent the City of London.
- 4.2 Appointment to the IASG will be the decision and responsibility of the host organisation, in consultation with the IASG.
- 4.3 Appointments to the IASG will be transparent to public scrutiny, as will the details of tenure and remuneration.

- 4.4 Ideally the IASG will consist of a cross-representation of the area's diverse communities recognising the 6 diversity strands, age, race, religion and belief, gender/transgender, sexual orientation and disability. Members should also include representatives from local residential and business communities.
- 4.5 It is expected that members will serve for a term of four years with a maximum of two terms. An Independent Advisor may apply to serve a second term, subject to the support of the respective IASG Chair, and with the agreement of the host organisation's lead for IASG.
- 4.6 The group will consist of no less than seven members, and no more than 15 members.
- 4.7 Designated leads and deputies will be selected from members for the key areas of stop search and use of force.
- 4.8 Members of the IASG may be de-selected by the host organisation in the following circumstances:
- The member has failed to attend three consecutive meetings of the IASG without giving an apology or acceptable reason, other than special or urgent meetings;
  - Failure to fulfil designated actions or prepare for meetings;
  - The representative's membership would undermine the credibility and legitimacy of the group or fundamentally weaken aspects of its work;
  - Any breach of the operating protocols set out within this policy;
  - The member has broken the Code of Conduct as set out in Appendix D to this policy.

## **5.0 Article 5 – Election of the Executive Committee**

- 5.1 The elected officers of the IASG may consist of a Chair, Vice-Chair, and Secretary and elections will take place once a year: this group will be the Executive Committee. Failure to appoint one or more of these positions will not render the work of the executive invalid.
- 5.2 The Chair, Vice-Chair and Secretary shall be elected by those present and voting at the meeting.
- 5.3 At least two calendar months' notice will be given of an election.
- 5.4 The term of office for executive members is one year. They may apply to serve a second term, subject to the support of the respective IASG Chair, and with the agreement of the host organisation's lead for IASGs.
- 5.5 Temporary vacancies among the executive shall be filled by nomination.

## **6.0 Article 6 – Executive Committee**

6.1 The duty of the Executive Committee will be to:

- manage the IASG
- ensure meetings are planned, reviews are undertaken of minutes and papers
- act as a point of contact between meetings.

## **7.0 Article 7 – Meetings**

7.1 The IASG will take place on a quarterly basis. Times and days may fluctuate to accommodate the needs of all members.

7.1 Members are expected to allow and encourage all colleagues to fully participate in discussions in an open, free and constructive manner.

7.2 It is a fundamental principle of the group that it is opposed to discrimination on the grounds of political opinion, religion, race, gender, sexual orientation, disability, or age and that it shall not practice such discrimination. The group shall not give a platform to extremist political or religious groups. There should be mechanisms in place to remove members from the group, if they incite racial hatred or advocate discrimination on the grounds outlined above.

7.3 In order to fulfil its primary purpose of providing independent advice to the police service, IASGs must have access to relevant, up-to-date information.

7.4 Access to some information may be prohibited by law e.g. Official Secrets Act, Data Protection Act. Additionally some information may be so sensitive that its divulgence would be inappropriate. This might include confidential matters relating specifically to individuals, specific intelligence in relation to a proposed sensitive policing operation, or intelligence which might compromise the safety of individuals or the police or the public at large.

7.5 Standing agenda items will include (but will not be limited to):

- Stop search, use of force (including Taser/PAVA spray/spit guards and leg restraints data shown by gender, age and ethnicity.)
- Information on any trends relating to complaints, data sets or any other causes for concern.
- Current versions of any on-going action plans in relevant areas, to allow review of progress against issues.
- Updates on any new local or national schemes or guidance and the force's compliance against these.
- Review of membership and identification of new members to ensure effective representation is an on-going consideration.
- Communication of key messages, data and documents and review of availability to the public

## **8.0 Article 8 – Quorum**

8.1 The numbers of full voting members required to be physically present to make decisions at regular meetings will be 4. Where it is necessary to make



decisions regarding the IASG working methods, IASG membership or rules of the group then a simple majority of full voting members must be physically present to vote.

- 8.2 The group needs active participation so members who fail to attend 3 consecutive meetings in any one-year without satisfactory reason can be asked to resign if the chair proposes it and the majority of members present agree.

#### **9.0 Article 9 – Finance**

- 9.1 Where relevant, the Police will reimburse all members for reasonable out of pocket expenses.
- 9.2 Claims for reimbursement of incurred expenses will be in line with normal force procedure.
- 9.3 The control for the funding of the IASG will be done by the Police in line with standard operating procedures, and must be fully auditable.

#### **10 Article 10 – Dissolution Procedure**

- 10.1 If the Executive Committee, by a simple majority, decides at any time that it is necessary or advisable to dissolve the network, it shall call an Extraordinary General meeting of all members of the IASG who have the power to vote.

#### **11 Article 11 – Code of Conduct**

- 11.1 The Code of Conduct for the time being shall be that every member shall discharge their duty with integrity, fairness, politeness, tolerance, courtesy, respect, openness and truthfulness and without fear or favour. In particular, every member shall:
- Avoid all form of harassment, victimisation, unreasonable discrimination, abusive or derisive attitudes or behaviour towards other individuals and groups;
  - Behave in a manner that does not bring discredit to the group.
  - Avoid favouritism to any particular individual or group.
  - Treat any information that comes into their possession during the course of their duties as confidential, and shall not use it for personal benefit, nor shall they divulge that information to other parties except in the proper course of the IASG business.
- 11.2 Any member of the IASG who knowingly breaches the aims of the Group (Article 3), or commits any act (by word or deed), which may be deemed by the Executive Committee, as being detrimental to the Group, shall have his or her membership, revoked upon a majority vote of the Executive Committee.

#### **12 Article 12 – Miscellaneous**

- 12.1 Members who advise police are not liable for the outcomes of police decision-making and are not answerable to the police.
- 12.2 The police are not obliged to follow advice given by members, although appropriate explanations should be given where advice is not taken