

Document Pack



Mark James LLM, DPA, DCA
Prif Weithredwr,
Chief Executive,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

FRIDAY, 9 NOVEMBER 2018

TO: ALL MEMBERS OF THE DYFED POWYS POLICE AND CRIME PANEL

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE DYFED POWYS POLICE AND CRIME PANEL WHICH WILL BE HELD IN THE CHAMBER - COUNTY HALL, CARMARTHEN. SA31 1JP. AT 10.30 AM, ON FRIDAY, 16TH NOVEMBER, 2018 FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Mark James CBE

CHIEF EXECUTIVE



PLEASE RECYCLE

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Ref:	AD016-001

DYFED POWYS POLICE & CRIME PANEL

14 MEMBERS

CARMARTHENSHIRE COUNTY COUNCIL - 3 MEMBERS

- | | | | |
|----|------------|-------------|---------------|
| 1. | COUNCILLOR | KEN HOWELL | (Plaid Cymru) |
| 2. | COUNCILLOR | JIM JONES | (Independent) |
| 3. | COUNCILLOR | ERYL MORGAN | (Labour) |

CEREDIGION COUNTY COUNCIL - 3 MEMBERS

- | | | | |
|----|------------|------------------|---------------------------|
| 1. | COUNCILLOR | LLOYD EDWARDS | (Welsh Liberal Democrats) |
| 2. | COUNCILLOR | KEITH EVANS | (Independent) |
| 3. | COUNCILLOR | ALUN LLOYD JONES | (Plaid Cymru) |

PEMBROKESHIRE COUNTY COUNCIL - 3 MEMBERS

- | | | | |
|----|------------|----------------|----------------------------|
| 1. | COUNCILLOR | MICHAEL JAMES | (Independent) |
| 2. | COUNCILLOR | STEPHEN JOSEPH | (Independent Unaffiliated) |
| 3. | COUNCILLOR | ROBERT SUMMONS | (Conservative) |

POWYS COUNTY COUNCIL - 3 MEMBERS

- | | | | |
|----|------------|----------------|----------------------------|
| 1. | COUNCILLOR | DAVID O. EVANS | (Independent) |
| 2. | COUNCILLOR | LES GEORGE | (Welsh Conservative Party) |
| 3. | COUNCILLOR | WILLIAM POWELL | (Welsh Liberal Democrats) |

CO-OPTED INDEPENDENT MEMBERS - 2 MEMBERS

- | | |
|----|---------------------------|
| 1. | PROFESSOR IAN ROFFE |
| 2. | MRS HELEN MARGARET THOMAS |

A G E N D A

1. **APOLOGIES FOR ABSENCE AND PERSONAL MATTERS**
2. **DECLARATIONS OF INTEREST**
3. **TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE 27TH JULY 2018**
4. **MATTERS ARISING FROM THE MINUTES (IF ANY)**
5. **QUESTION ON NOTICE TO THE PANEL FROM A.T., CARMARTHENSHIRE**

9 - 16

“I was shocked to see that the panel is not representative of the society it serves. There is only one older white woman on the panel and the rest are older white men. Could a system be put in place to ensure that the panel is more representative of our society? This system should ensure that there are younger women on the panel, particularly mothers with childcare responsibilities, a panel member from BME, a panel member who is disabled and a panel member from the LGBT community. Why was it decided that the panel should be made up of County councillors, because these are overwhelmingly retired, white straight older males. We still have a very patriarchal society where structural and institutionalised sexism and racism exist and this panel does nothing to try and address this. Where the majority of Panel members represent mostly one group of our diverse society means they are likely to exhibit unconscious bias against certain groups and this can contribute to poor decision making and discrimination against those groups of people.”

6. **QUESTIONS ON NOTICE FROM PANEL MEMBERS TO THE COMMISSIONER:**

6.1 **QUESTION FROM COUNCILLOR KEITH EVANS**

Youth Offending

“The Minister of Justice in a recent report indicated that the number of young people being found guilty of offences in Ceredigion has reduced significantly over the last 12 years, 75% down in fact. Figures for 2017 indicate that there were 37 first time offenders.

Does the Commissioner have comparable data for the rest of the Force Area?

The Commissioner expends a considerable amount of money on schemes to support our Youth and prevent crime. If data indicates a similar reduction in the rest of the Force area and

bearing in mind the huge pressure on budgets, will he be reducing the resources allocated to this area of work?"

6 .2 QUESTION FROM COUNCILLOR KEITH EVANS

STATEMENT OF ACCOUNTS for 2017-2018

"Whilst it is accepted that it is impossible to predict with total accuracy the demands that may be placed on the force in the future especially from one-off tragedies and incidents, it could be argued that some of the budget forecasting for 2017-2018 was not as robust as it might have been. What steps is the Commissioner taking to ensure that such forecasting will be as robust as it reasonably can be in the future?"

6 .3 QUESTION FROM COUNCILLOR KEITH EVANS

STATEMENT OF ACCOUNTS for 2017-2018

"A comparison of the assets and liabilities shown in the statement of accounts for 16/17 and 17/18 appears to show a significant weakening in the overall financial health of the budget. Is this part of a longer trend and if it is what steps is the Commissioner taking to reverse it?"

6 .4 QUESTION FROM COUNCILLOR KEITH EVANS

STATEMENT OF ACCOUNTS for 2017-2018

"On page 69 of the statement of accounts, under the heading 'segmental income' was a figure of £1,067,000 from the 'Resources Directorate'. Please could the Commissioner explain what this relates to? Is the Commissioner satisfied that every effort is being made to maximise the income streams that are available in order to reduce budgetary pressures and the burden on local tax payers?"

6 .5 QUESTION FROM COUNCILLOR KEITH EVANS

STATEMENT OF ACCOUNTS for 2017-2018

"Given the current government's attitude to the funding of the police service nationally, has there been any indication that the Home Office top up grant for pensions is under threat? Given the potential for pensions liabilities to place a significant burden on the budget, are such matters taken into account when authorising early retirement? What steps are being taken to reduce the risks that these issues pose?"

6 .6 QUESTION FROM COUNCILLOR KEITH EVANS

STATEMENT OF ACCOUNTS for 2017-2018

“On page 81 of the statement of accounts in the column ‘total surplus assets’ there is an entry of £1,437,000 for ‘assets reclassified’. Please can the Commissioner confirm what this means and what assets they refer to?”

6 .7 QUESTION FROM COUNCILLOR WILLIAM POWELL

“What is your understanding of the operational independence of the Chief Constable and how does this impact in practical terms on how you hold the Chief Constable to account?”

6 .8 QUESTION FROM COUNCILLOR WILLIAM POWELL

“Please explain in particular how you hold the Chief Constable to account in relation to Serious & Organised Crime, Counter terrorism, special operations and covert surveillance activities.”

6 .9 QUESTION FROM COUNCILLOR WILLIAM POWELL

“Please explain the governance structures that you have put in place and how you ensure that they are strategically aligned to the main risks that the force faces”

6 .10 QUESTION FROM COUNCILLOR WILLIAM POWELL

“How do you monitor the strength of the connection between your Police and Crime Plan and what operational officers actually do on a day to day basis? How do you ensure that operational officers are aware of your priorities?”

6 .11 QUESTION FROM COUNCILLOR WILLIAM POWELL

“How do you receive information from the force regarding its performance? Is it provided to you by the Chief Constable and his officers or do you and your officers have direct access to force management data. If the former , how do you satisfy yourself that the information you receive from the force is accurate?”

6 .12 QUESTION FROM COUNCILLOR WILLIAM POWELL

“Please give examples of occasions where by holding the Chief Constable to account you have achieved positive outcomes for the people of Dyfed-Powys. Are there any occasions where you feel your actions have not achieved the desired aims and if there are, what have you done to address this?”

6 .13 QUESTION FROM COUNCILLOR WILLIAM POWELL

“Having had an opportunity to attend and observe a meeting of the Police Accountability Board, I think it is fair to say that (like the meetings of this Panel) the level of public attendance is

very low. Would the Commissioner therefore agree that in the interests of openness and transparency, it would be far more appropriate for such meetings to be webcast (and therefore accessible to the vast majority of residents) even if that is at the expense of limiting the number of suitable venues at which they can be held?”

7. QUESTIONS ON NOTICE FROM MEMBERS OF THE PUBLIC TO THE COMMISSIONER:

7.1 QUESTION FROM A.B.

“Is it time for our council tax to fund the police less and use it to fund private security companies to police our community instead, as I and my neighbours no longer have any confidence in the police at all, and no longer bother to report drug crime in our area?”

7.2 QUESTION FROM E & C.

“How do you, as Police Commissioner, monitor the work of Dyfed-Powys Police, in enforcing the speed limits that are in place outside schools, such as our own at Talgarth?”

7.3 QUESTION FROM C.D.

“What measures do you have in place as Police and Crime Commissioner to ensure that Dyfed Powys Police has a 'fit for purpose' policy to alert minors to the phenomenon of 'Stranger Danger?’”

7.4 QUESTION FROM C.D.

“How regularly are you as Police Commissioner updated by the Chief Constable on incidents of this kind - and how is the effectiveness of liaison and communication with LEAs, schools and local communities, in the event of incidents being reported?”

8. PANEL PRIORITY 3 - SCRUTINY OF THE POLICE AND CRIME PLAN	17 - 70
9. DECISIONS TAKEN BY THE COMMISSIONER	71 - 78
10. PANEL PRIORITY 2 - HOW THE POLICE AND CRIME COMMISSIONER HOLDS THE CHIEF CONSTABLE TO ACCOUNT	79 - 84
11. PANEL PRIORITY 3 - SCRUTINY OF THE POLICE AND CRIME PLAN - CALL FOR EVIDENCE FROM CARMARTHENSHIRE COUNTY COUNCIL	85 - 88
12. EXCLUSION OF THE PUBLIC	

THE REPORTS RELATING TO THE FOLLOWING ITEMS ARE NOT FOR PUBLICATION AS THEY CONTAIN EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 12 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) (WALES) ORDER 2007. IF, FOLLOWING THE APPLICATION OF THE PUBLIC INTEREST TEST, THE BOARD RESOLVES PURSUANT TO THE ACT TO CONSIDER THESE ITEMS IN PRIVATE, THE PUBLIC WILL BE EXCLUDED FROM THE MEETING DURING SUCH CONSIDERATION.

13. COMPLAINT AGAINST THE POLICE AND CRIME COMMISSIONER

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DYFED POWYS POLICE AND CRIME PANEL

27TH JULY 2018

PRESENT: Councillor A. Lloyd-Jones (Chair);

Carmarthenshire County Council Members:

Councillors J. K. Howell, T.J. Jones and E. Morgan;

Ceredigion County Council Members:

Councillors K. Evans and L. Edwards;

Pembrokeshire County Council Members:

Councillor M. James, S. Joseph and R. Summons;

Powys County Council Members:

Councillors D. Evans and W. Powell;

Independent Members

Professor I. Roffe;

Mrs. H.M. Thomas;

In attendance from the Office of the Police and Crime Commissioner:-

Mr. D. Llywelyn - Police and Crime Commissioner;

Mrs. C. Morgans - Chief of Staff;

Ms. B. Peatling - Chief Financial Officer;

The following Officers were in attendance:

R. Edgecombe, Legal Services Manager;

D. Hockenhull, Marketing and Media Manager;

L. Morris, Senior Press Officer;

J. Owen, Democratic Services Officer;

Chamber, 3 Spilman Street, Carmarthen – 10:30am - 1:15pm

1. APPOINTMENT OF CHAIR AND VICE-CHAIR FOR THE PANEL

IT WAS PROPOSED AND SECONDED THAT COUNCILLOR A LLOYD-JONES BE APPOINTED AS THE PANEL CHAIR.

UNANIMOUSLY RESOLVED that Councillor Alun Lloyd-Jones be appointed Chair of the Panel.

The Chair sought nominations for Vice-Chair, it was proposed that Professor I. Roffe be the Panel's Vice-Chair, which was seconded.

UNANIMOUSLY RESOLVED that Professor I. Roffe be appointed Vice-Chair of the Panel.

2. APOLOGIES FOR ABSENCE AND PERSONAL MATTERS

An apology for absence was received from Councillor L. George (Powys County Council).

The Panel extended their congratulations to the Police and Crime Commissioner and a team of Dyfed-Powys Police Officers for taking part and completing a 5 day charity bike ride challenge which raised money for the Safer Dyfed-Powys Diogel Charity. The bike ride took place between 29th April 2018 and 4th May 2018 and raised approximately £5000.

3. DECLARATIONS OF INTEREST

There were no declarations of personal interest.

4. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE 18TH MAY 2018

RESOLVED that the minutes of the meetings of the Dyfed Powys Police and Crime Panel held on the 18th May, 2018 be signed as a correct record.

5. MATTERS ARISING FROM THE MINUTES (IF ANY)

5.1 Minute 4.1 – Agenda Item, Question by Councillor A. Lloyd Jones

An update was requested with regard to the Welsh Government funding for the All Wales School Liaison programme. The Police and Crime Commissioner reported that as a result of a considerable amount of lobbying, the Welsh Government had agreed to continue to fund the programme for a further 12 months in order to obtain further evidence prior to making a final decision.

5.2 Minute 4.5 – Agenda Item, Question by Councillor M. James

It was commented that it was pleasing to note that the Police and Crime Commissioner had been working together with farming communities in order to reduce livestock worrying incidents. The Police and Crime Commissioner stated that major steps had been taken in that every County would receive dedicated specific resources in order to eradicate livestock worrying offences.

In response to a query regarding the governance of the Rural Crime Strategy, the Police and Crime Commissioner stated that the Chief Constable Chairs regular Rural Crime Fora and partnership meetings. Whilst the Forum was an operational function, the Police and Crime Commissioner extended an invitation to Panel Members to attend and represent on the Forum.

5.3 Minute 7 – Agenda Item, Decisions taken by the Commissioner

It was commented that the old Police Station in St Clears opposite the carpark was unsightly and concern was raised that this may be contributing to an increase in negative public perception with regard to its former association with the Police. The Police and Crime Commissioner stated that the building had been sold and that the building was no longer the responsibility of the Dyfed-Powys Police.

6. DRAFT ANNUAL REPORT OF THE POLICE AND CRIME COMMISSIONER

The Panel, in accordance with the provisions of Sections 12 and 28 of the Police Reform and Social Responsibility Act 2011, received for consideration the Annual Report of the Police and Crime Commissioner for 2017/18.

The following questions/issues were raised on the report:-

- It was highlighted that there had been a few challenges with regard to the Goleudy Victim and Witness Service since its launch. The Police and Crime Commissioner acknowledged that as a result of a few teething problems a number of improvements had been identified. Improvements in service included, Goleudy agreeing to manage and support medium risk domestic abuse victims and all high anti-social behaviour cases.

Furthermore, the Police and Crime Commissioner stated that it had been proposed that Goleudy provide a performance report for which they would be accountable for.

- In response to a question regarding to the arrival of travellers in Aberystwyth, the Police and Crime Commissioner stated that following a discussion with the Chief Constable he would provide an update directly to the Councillor as the local member.
- In order to raise the profile of the Dyfed-Powys Police and Crime Panel it was suggested that the work of the Panel be recognised within the Annual Report. The Police and Crime Commissioner agreed to take on board the suggestion.
- Reference was made to the provision of CCTV cameras. It was conveyed that the local press had reported positive news stories. The Police and Crime Commissioner informed the Panel that he had spent an evening at Builth Wells Police Station to observe first-hand the CCTV facility being used operationally. During the observation, an arrest had been made in which the CCTV would be used as evidence. The Police and Crime Commissioner reported that he was pleased to see the CCTV working as it was intended and that he was looking forward to seeing the success being emanated to other areas.

The Police and Crime Commissioner informed the Panel that a flyer had been developed in order to provide information to the public on the provision of CCTV. The flyer was available for the Panel to peruse.

The Police and Crime Commissioner invited the Panel to view the CCTV Central Monitoring area at Police Headquarters following the next finance seminar.

Following a query raised regard to Automatic Number Plate Recognition (ANPR) the Police and Crime Commissioner stated that an ANPR intelligence tactical desk had been introduced that provided a robust and far reaching facility.

In response to a query regarding the use of facial recognition, the Police and Crime Commissioner stated that whilst South Wales Police currently utilise the facial recognition function within their CCTV system, there was no intention to use the provision of facial recognition within the Dyfed-Powys Police CCTV system due to concerns regarding the accuracy. However, should there be scope to utilise facial recognition in the future, the CCTV system installed had the capabilities to provide the service.

UNANIMOUSLY RESOLVED that the report be received.

7. DECISIONS TAKEN BY THE COMMISSIONER

The Panel received, for information, a report detailing the decisions made by the Police and Crime Commissioner for the period 19th December 2017 - 16th July, 2018. The following issues were raised:

- In relation to the decision regarding Carmarthen Neighbourhood policing (NPT) base, the Police and Crime Commissioner stated that there had been a delay due to the presence of damp in the building. However, following a meeting Carmarthenshire Town Council and subject to no issues with CADW, the NPT base would be opened in due course.

Following a comment raised regarding police visibility, the Police and Crime Commissioner stated that public contact with Police had changed considerably over the last decade and that the public were encouraged to ring 101 or 999, dependent of the degree of seriousness. It was further commented that it was important for police to remain visible for the safety of the public and to meet the needs of some elderly and other individuals who may prefer face to face interaction.

A query was raised with regard to the opening hours of the Carmarthen NPT base. The Police and Crime Commissioner stated that he had recently challenged the Chief Constable with regard to future opening hours and that Sup. Int. Claire Parmenter as part of a team had been directed to undertake a review of the opening hours of all NPT's. In light of the aforementioned review, the Panel were keen to receive clarity and consistency with regard to NPT opening hours across the force.

- In response to query raised regarding policing in pairs, the Police and Crime Commissioner stated that there was no requirement for police to be visible in pairs, however pairing was necessary for mentoring purposes.
- Referring to the decision regarding the ICT Backup solution the Police and Crime Commissioner explained the contract procurement process with the final sign off being made by the Police and Crime Commissioner.

- It was asked how decisions were made in accordance with the Wellbeing of Future Generations Act (Wales) 2015 (WBFGA) and if there was a standardised approach? The Police and Crime Commissioner reassured the Panel that each decision made did not have a detrimental impact on the WBFGA and stated that he would include how decisions impacted the WBFGA in future reports.

UNANIMOUSLY RESOLVED that the report be received.

8. POLICE ACCOUNTABILITY BOARD

The Panel received for consideration the agenda, reports and minutes for the Police Accountability Board meeting held on the 8th May 2018.

The Chair stated that some of the pages were illegible and duly requested that the quality of the reports be improved for the future meetings.

Concern was expressed in relation to the increase in sickness absence attributed to psychological disorders, it was asked what was being done to address this? The Police and Crime Commissioner stated that sadly the trend was consistent with national trends which was increasing year on year. He added that a reason for the increase could be attributed to individuals being more comfortable reporting their reasons for absence as the stigma regarding mental health and psychological disorders lowers.

The Police and Crime Commissioner reassured the Panel that proactive measures had been put in place to assist individuals and reduce the increasing trend through organised staff well-being seminars, fairs and surveys.

In response to a query, the Police and Crime Commissioner stated that the public were urged to call 101 as this would enable to quantify on average how long each call took to be resolved.

It was asked, if the results of a recent staff survey could be shared with the Panel? The Police and Crime Commissioner stated that he would make enquiries.

UNANIMOUSLY RESOLVED that the report on the Police Accountability Board held on 8th May 2018 be noted.

9. CHAIRMAN'S ANNUAL REPORT 2017-2018

The Panel received the Chairman's Annual Report 2017-2018 which aimed to raise public awareness of the role and work of the Panel. The report had been developed in accordance with the guidance issued by the Centre for Public Scrutiny.

The report provided a review of the year 2017-18 and included the panel's 4 objectives for 2018-19. The following individual panel members had volunteered to act as Panel champions for each objective:-

1. Scrutiny of the Police Precept - Cllr Keith Evans
2. Scrutiny of how the PCC holds the Chief Constable to account - Cllr William Powell
3. Scrutiny of the Police and Crime Plan - Professor Ian Roffe
4. Improving Public awareness of the Police and Crime Panel - Cllr Alun Lloyd Jones

In addition, the report proposed the following distribution schedule be as follows:-

- Publish the Annual Report on the Panel website and circulated to traditional media outlets that are active in the force area;
- E-mail the Annual Report to all MPs, AMs, MEPs, County Councillors and Town & Community Councils in the force area.

In addition to the abovementioned distribution schedule, requests were made to include libraries, Chairs of other Police and Crime Panels and that copies to be made available at the National Eisteddfod.

Furthermore, the Legal Services Manager stated that he would e-mail all Panel members seeking recommendations where to distribute the plan in their areas.

The Panel highlighted some typographical errors which Officers noted.

The Chair expressed sincere thanks to the Legal Services Manager for his guidance and support in developing the report.

UNANIMOUSLY RESOLVED that:

- 9.1 the Chairman's Annual Report 2017-2018 subject to the typographical amendments being made, be endorsed;
- 9.2 the distribution list set out in the report to include libraries and Chairs of other Police and Crime Panel be approved.

10. PANEL COMMUNICATIONS STRATEGY

The Panel received the Panel Communication Strategy report and the Strategy was circulated to the Panel for consideration.

The Strategy had been developed in order to satisfy legislation which required Police and Crime Panels to promote their activities with a view to raising public awareness and engagement. Furthermore, the Strategy provided assurance that its activities were conducted in a cost-effective manner which in turn would comply with the conditions attached to the Home Office Grant which funded the work of the Panel.

The report highlighted that since the creation of the Dyfed-Powys Police and Crime Panel all promotional activities had been undertaken by Carmarthenshire County Council's Media and Marketing Team which included:

- the creation and maintenance of the Panel's website;
- the production of large number of press releases;
- engagement work with traditional media outlets across the force area;
- engagement work with the press offices of the other 3 unitary authorities across the force area.

As a result of the above work, the Panel noted that the last 12 months had seen a significant increase in public and press interest in the work of the Panel.

In order to increase the level of public understanding of the specific role of the Panel, the Strategy sets out how, through the use of traditional media and online/social media this would be achieved.

The Panel noted that webcasting the meeting could be a method of providing a cost-effective means of engaging with the press and public and was therefore proposed that the Panel trial this for its next scheduled meeting on the 16th November 2018.

The Chair thanked the Carmarthenshire's Media and Marketing team for all the exceptional work that they carry out for the Panel.

UNANIMOUSLY RESOLVED that

10.1 The Panel Communication Strategy be endorsed;

10.2 as a trial the next Panel meeting scheduled to take place on 16th November, 2018 in Carmarthen be webcast.

CHAIR

DATE

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DYFED-POWYS POLICE AND CRIME PANEL 16/11/18

PANEL PRIORITY 3 – SCRUTINY OF THE POLICE AND CRIME PLAN

Recommendations / key decisions required:

To note the report from the Police and Crime Commissioner regarding the progress being made in the implementation of the priorities in the plan and make such recommendations as the Panel thinks fit

Reasons:

The Members of the Panel have identified scrutiny of the Police and Crime Plan as one of their priorities for 2018-2019.

Report Author:

Professor Ian Roffe

Robert Edgecombe

Designation:

Panel Champion

Lead officer

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EXECUTIVE SUMMARY
DYFED – POWYS POLICE AND CRIME PANEL
16/11/18

PANEL PRIORITY 3 – SCRUTINY OF THE POLICE AND CRIME PLAN

The Police Reform and Social Responsibility Act 2011 ('the 2011 Act') places a statutory duty upon Police and Crime Commissioners to publish a Police and Crime Plan setting out their priorities. The 2011 Act also places a statutory duty upon Police and Crime Panels to scrutinise such Plans and monitor their effectiveness.

The Dyfed-Powys Police and Crime Panel has identified this function as one of their priorities for 2018-2019 and nominated their Vice-chairman, Professor Ian Roffe to act as the lead member (or Panel Champion) in respect of it.

The Panel has asked the Police and Crime Commissioner to provide the attached detailed report setting out the progress being made in respect of the implementation of the Police and Crime Plan.

Panel members are asked to note the report and make such recommendations to the Commissioner as they consider appropriate.

DETAILED REPORT ATTACHED ?

YES

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Host Authority File	LS-0511/39	County Hall Carmarthen

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Policing Protocol 2011 Health Check

Not compliant. Duty not currently being met

Partially compliant. Some additional work necessary

Fully compliant, no additional work necessary

N/A

Duty	Number	Action Required	RAG status	Progress Update Nov 2018 (Q2 Jul/Aug/Sep)
Set the strategic direction and objectives of the Force through the Police and Crime Plan which must have regard to the SPR	17a	Development of Police and Crime Plan in line with requirements set out in Police Reform and Social Responsibility Act 2011 (Part 1; Chapter 3; 7)		Launched following Police and Crime Panel review w/c 27th March 2017
		Development of a Police and Crime Delivery Plan to support the achievement of the objectives as set out in the Police and Crime Plan		Launched following Police and Crime Panel review w/c 27th March 2017
		Review the Police and Crime Plan to ensure it remains fit for purpose		Informal review undertaken concluding that the PCP remains fit for purpose and relevant given the broad nature of the Plan, however consideration needs to be given to prioritisation for the remainder of the PCP lifespan. Policy officer lead on SPR supports the oversight of Force activity in relation to this and a response has been submitted to the recent national consultation on the SPR, which supports extending the focus to cover other elements e.g. roads policing
Scrutinise, support and challenge the overall performance of the force including against the priorities agreed within the Plan	17b	There are formal governance arrangements in place to support effective scrutiny		<p>The revised governance structures were formally launched on 3rd September 2017. The arrangements are designed to enable clear structure, governance and accountability. In so doing, the arrangements provide a foundation for collaboration, efficiency, partnership working and importantly, provide a landscape that ensures greater understanding of our organisation, our demands and our service delivery.</p> <p>The governance arrangements have evolved over the last 12 months and V16 of the structure is available.</p> <p>A review of the governance arrangements is due to take place (October 2018) and once complete, findings will be reported and areas identified for improvements will be reviewed and where appropriate, implemented.</p>
		Development and annual review of Corporate Governance Framework		The annual review and ensuing amendments of the CGF was approved by the PCC and CC at Policing Board in April 2018 following extensive consultation internally and with the Joint Audit Committee. The revised CGF has been published along with an FAQ document to aid use and accessibility of the document.
		Establish a risk-based, forward looking schedule of activity to support improvements in Force performance		<p>Supportive scrutiny process is gaining traction, with whole OPCC involved in scoping and fieldwork of first deep dive exercise.</p> <p>Forward work plan for assurance function is set out for forthcoming year, with additional detail being added each month when new themes are agreed.</p> <p>Corporate risks considered when planning future scrutiny activity. 40% of current risks have been considered prior to introduction of healthcheck.</p>
		Ensure the public's views are represented in the PCC's scrutiny work		<p>Engagement with public through summer shows and online survey has provided suggestions for future scrutiny focus.</p> <p>Public views collected for Use of Force deep dive.</p> <p>Quality Assurance Panel have reported on Use of Force, neighbourhood dispute related complaints, Stop and Search and Hate Crime during this quarter.</p>

		Oversight and Implementation of external Inspectorates recommendations		National thematic inspection into Hate Crime released in July. OPCC staff have been liaising closely with Force Hate Crime Lead and are assured that DPP have a proactive action plan to increase awareness and tackle incidents. QAP findings from follow-up dip-sample of Hate Crime in August found the Force had acted upon feedback and improved their recording of responses to Hate Crimes and Incidents. OPCC staff continue to oversee Force's progress against external inspectorate recommendations through access to the action tracker and attendance at governance meetings, where HMICFRS AFIs is a standing agenda item.
Hold the Chief Constable to account for the performance of the Force's officers and staff	17c	Development of a performance framework and structure that allows a greater understanding of the Police and Crime Plan outcomes		Compliance and Performance Manager is undertaking a piece of work to progress this to put measures in place, scheduled to be near completion for the next quarter.
		There are formal governance arrangements in place to hold the Chief Constable to account for the performance of officers and staff		Formal governance arrangements are in place which include the Policing Accountability Board which is a public meeting where the PCC holds the CC to account for Force performance. Additionally there are fortnightly Policing Board meetings which focus on specific areas linked to the Police and Crime Plan. Standing agenda items include Finance and Strategic HR.
		Chief Constable's Professional Development Review		Discussions on the Chief Constable's PDR have ensued however there is some further work to be undertaken in relation to 2019/20 priorities. HMICFRS inspection which has recently taken place will inform priority areas.
Decide the budget, allocating assets and funds to the Chief Constable; and set the precept for the Force area	17d	Inform PCC's decision in respect of 2018/19 precept		Precept set and unanimously agreed by Police & Crime Panel in January 2018
		Setting of Medium term financial plan for 2018/19 - 2023/24		Medium Term Financial Plan set and considered by the Police & Crime Panel in January 2018
		Funding of capital programme to provide force with appropriate assets to deliver effective policing services		Capital programme for 2018/19 set and considered by the Police & Crime Panel as part of the MTFP in January 2018
Appoint the Chief Constable	17e	Appointment of Chief Constable		Mark Collins appointed as Chief Constable from 18th December 2016 for a 5 year fixed term contract
Remove the Chief Constable	17f	Follow process set out in Part 2 of Schedule 8 to the 2011 Act and regulations made under Section 50 of the Police Act 1996(a)		N/A
	17g	Ensure the delivery of Value for Money		Responsibilities and arrangements for striving for Value for Money are embedded throughout the Corporate Governance Framework with both Internal and External Audit seeking assurance that appropriate arrangements are in place to secure economy, efficiency and effectiveness in both the PCCs and CCs use of resources.
		Statutory compliance of estates ensuring fit for purpose for operational use		We have had a transitional period following staff reorganisation, this has meant the compliance processing has been delayed. Compliance by contractors has continued, however the data has been slow to filter through. The compliance percentage will rise to 75% (amber) in the next 2 weeks and within a month it will be over 80% (green). There are thousands of individual items which reflect this score, so the figure alters daily. Next year we intend entering into a Facilities Management contract with compliance targets set to exceed 95%.

Maintain an efficient and effective police force for the police area		Explore opportunities to reduce environmental impact		<p>SOLAR PANELS - We have a photo-voltaic array located on a roof at Police Headquarters, this feeds back into the national grid, for which we have received an annual income.</p> <p>BIOMASS - Our boiler in Police Headquarters provides heat and hot water for the main administration block, accommodation and recreation areas. The biomass is supplied by a local SME and we limit the oil burned, although oil boilers provide resilience and additional energy if required. Following the installation of the biomass boiler, we save on the oil consumed, whilst we receive a renewable heat incentive (RHI) payment from government for using a sustainable green energy source.</p> <p>CARBON FOOTPRINT - As a rural force with many police stations in small villages and towns, we are reliant on oil fired boilers, however we have had a progressive replacement programme to ensure the majority of these are as efficient as possible.</p> <p>WASTE - Although we recycle over half of our waste, during the next year we are focussed on reducing waste and the amount transported to landfill. Our confidential waste is very significant, however as a force we are digitally performing many business functions and achieving paperless activity where possible. However in-line with our retention policy, the paper documentation must be destroyed in the correct manner, thus causing a significant confidential waste demand. The next few years are expected to continue in this manner, however we expect the benefit of the digital processes to reduce confidential waste in the longer term.</p>
		Explore and maximise external funding opportunities		<p>3 grants submitted and approved, accumulating in an income of £314,005 for 17/18 so far.</p> <p>2 bids were identified and led by the OPCC, 1 bid was an all Wales collaborative bid.</p>
		Explore and maximise sponsorship initiative opportunities		<p>A new sponsorship policy and procedure is being developed which will increase the opportunities available to obtain sponsorship.</p>
		Implement and maintain a risk register to identify and mitigate risks to the OPCC and force		<p>Current risk register review is in progress, due for completion in the next quarter. Process for maintaining register will be re-communicated to all staff to become BAU. The top 5 and any new significant changes will be summarised for the Exec Team on a monthly basis for their consideration/discussion.</p>
		Utilise training and development plans for all OPCC staff		<p>Induction packs are provided to all new personnel to ensure all have access to key documents e.g. relevant legislation, office handbook etc. The Force have recently introduced a new performance development system which the OPCC is adopting. This will be utilised to inform training and development plans.</p>
Enter into collaboration agreements with other PCCs, other policing bodies and partners	17h	Explore collaboration opportunities in accordance with the Policing Vision for Wales		<p>The PCC and his statutory officers have attended 2 All Wales visioning days during the last year, which focused on exploring further collaborative opportunities within the All Wales policing context. Progress is monitored by the All Wales Policing Group on a quarterly basis.</p>
		Explore collaboration opportunities with other partners		<p>2 collaboration projects have already been developed with the other 3 Welsh OPCC's and Forces, this has opened up more opportunities for joint project development in the future which will be explored.</p>
		There are formal governance arrangements in place to scrutinise collaboration agreements		<p>Force governance arrangements include Force Collaboration Group - OPCC representation on this Group is Chief Finance Officer and Director of Estates. Policing Board periodically focuses on collaboration - next due December 2018. Furthermore, the All Wales Policing Board receive quarterly updates on the performance of policing collaborative activity in Wales.</p>

Provide a local link between the police and communities, working to translate the legitimate desires and aspirations of the public into action	171		<p>Development The OPCC Engagement and Communications Strategy is currently in draft format. We are developing a new approach to our community engagement and require the Commissioner's approval before we finalise our approach and publish the Strategy. Our Engagement-Comms 2018-19 Programme is currently an action plan of sorts - it details all of our engagement and communications tasks / projects.</p> <p>Implementation We are starting to trial our new approach; planning attendance at already-established community group meetings We continue to engage and communicate with the residents of Dyfed-Powys, working to our Programme of tasks and projects: e.g. - Community Engagement Days; - Public Meetings (with the CC); and - Inputs at established community groups.</p>
		Development and Implementation of OPCC Engagement Strategy and Action Plan	
			<p>The Strategic Equality Plan 2017-2021 is on the OPCC Website.</p> <p>Every year, in the PCC's Annual Report, the Objectives are considered and evidence presented as to how we have met those Objectives.</p> <p>We are developing a Youth Engagement Forum. Our approach has three strands: 1. Strategic Input – The Youth Forum – The Forum is the main, formal link between the young people of Dyfed-Powys and the PCC and will drive the overarching direction of the PCC's youth engagement programme. Forum members will be known as Youth Ambassadors, directly representing the views of their school or community youth group, and will provide a direct link between the PCC and their group on the ground. We are currently recruiting to the Forum. 2. Working in Partnership with Existing Groups - We have already made meaningful links with a number of existing youth groups who are interested in being engagement ambassadors for us and we are looking to build further links throughout the year. 3. Reaching the Hard to Reach - we are particularly interested in working with partners to engage young people who may be missed through the above approach - young offenders and / or vulnerable young people.</p> <p>We are in the process of developing a wider network of Community Ambassadors who will represent various communities across Dyfed-Powys - 'community' as a location and as a 'protected characteristic' group.</p>
		Development and implementation of OPCC Single Equality Plan	
			<p>We need to develop a system of recording the number of such opportunities i.e. every time the Commissioner / his staff meet and engage with local communities, they have the opportunity to inform us of their opinions, and we will bring them back to the office. We will utilise the Intel log so that common themes can be highlighted.</p> <p>We also consult with the local communities on important decisions the Commissioner has to make, such as the Police Precept, and planning is underway for consultation to be undertaken.</p>
		Provide opportunities for local communities to inform and influence decision making	
			<p>The OPCC received a total of 39 community concerns and addressed 38 of those concerns with a response, onward referral etc. within 30 working days. The main areas of concern related to Neighbourhood Disputes, Domestic Abuse, Firearms Revocation, Organisational Dissatisfaction, Response Times, Employment/Vetting and Local/National Concerns.</p>
		Respond to community concerns in a timely manner	

		Engage residents in contributing to assurance and scrutiny activity		<p>Our volunteer base has recently been depleted slightly by 2 ICV resignations (1 moving away from the area and 1 taking up an alternative voluntary role with DPP). Recruitment is nearing completion, with a number of applicants currently going through interviews and vetting.</p> <p>Animal Welfare Visitor numbers are stable (above ideal capacity).</p> <p>Quality Assurance Panel capacity has been increased recently (see decision 83 on 17/7/18). Interviews currently in progress, which may see Panel up to capacity in coming months.</p> <p>Both QAP and ICVs contributed to the Use of Force deep dive fieldwork.</p>
		Provide effective and accessible services for victims and vulnerable people		<p>The OPCC remain engaged with consultations as and when we are presented with the opportunity to do so. Over recent months HM Government released a consultation on 'Transforming the Response to Domestic Abuse' looking to stimulate conversation on how to prevent and tackle domestic abuse. To ensure that Welsh PCC offices were represented fully, a decision was taken that there would be a collective response from the four Welsh PCC offices, co-ordinated by the All Wales Policing Team. To facilitate this the OPCC for Dyfed Powys hosted a thematic session looking into domestic abuse and how this affects the older population. This involved a facilitated session, attended by the Home Office, DEWIS Choice, Aberystwyth University, local specialist sector providers as well as survivors. The outcome of the above was a response being fed into the All Wales team which helped form an all Wales response to the consultation process.</p> <p>As well as the above, the VAWDASV team within Welsh Government also released a consultation on 'Guidance for the Commissioning of VAWDASV Services in Wales'. This document aims to provide clarity and guidance to commissioners of VAWDASV services across Wales, detailing what the Government's expectation would be on those commissioners. The OPCC for Dyfed Powys fed into this consultation, working with specialist and non-specialist service providers to gain their input on this document.</p> <p>Since the completion of this consultation, Welsh Government are now reviewing the feedback received from all those who contributed in order to be able to revise the guidance, where required. The final document is aimed to be released by December and will then form the basis of the guidance for commissioners to use when commissioning services under this umbrella from April 2019. The main area of this being to produce collaborative and regional working arrangements wherever possible.</p> <p>Lastly, the OPCC for Dyfed Powys are currently looking to review the content of our Internet site, particularly the areas relating to the services on offer to victims and vulnerable persons across Dyfed Powys. The aim here is to have a more user friendly resource where more resources can be made available to victims and vulnerable persons, where they can access information on each service. Part of this process involves the creation of 'day in the life of' written pieces which will look at some of the component parts of each service to demystify this for members of the public and to show the valuable work they carry out on a day to day basis. These pieces are now being planned and will be completed by the end of the financial year (2018/19).</p>
Hold Chief Constable to account for the exercise of the functions of the office of Chief Constable and those under his direction and control	17j	As detailed in 17c		
	17k	Publish information in accordance with the Elected Local Bodies Order		OPCC has submitted an entry for OPCC transparency awards (Sept). All requirements for published information checked and updated
		Publish information in an accessible and easy to reach format		Website has been checked, additional information added to make this more user friendly including an accountability and transparency tab

Publish Information specified by the Secretary of State and information that the PCC considers necessary to enable the people who live in the force area to assess the performance of the PCC and CC

Comply with all reasonable formal requests from the Panel to attend their meetings

171

Publish information in accordance with the Welsh Language Standards		Yr Iaith ar Waith' attended quarterly. Welsh language strategy complete and due to be launched imminently. Top 10 to do list circulated to all staff. Welsh Language Commissioners Successful Practices Seminar and Policy decisions and internal operations workshop both being attended in the next quarter (Nov). Audit tool to monitor compliance with standards to be designed and implemented in coming months
Proactively promote the work of the PCC and CC		<p>Every time the PCC or his staff engage with members of the public, we are raising awareness of the role of the PCC, his office, and the Chief Constable and the Force.</p> <p>We have leaflets we take with us to all events / meetings which explain the role of the PCC, and states what he is not responsible for but what the CC is.</p> <p>Our website clearly explains the role of the PCC. Sections within the website are linked to the Force for further info, which helps explain the relationship between the PCC and CC / DPP.</p> <p>We are consistently trying to develop the methodology we use to promote the role of the PCC / CC, which will appeal to a wider audience than the methodology currently utilised by the team.</p>
Proactively promote and raise awareness of Commissioned Services		<p>During the last quarter the Director of Commissioning has attended regular meetings where the commissioned services are promoted. These include local meetings hosted by Dyfed Powys Police, as well as engaging with regional meetings. These include:</p> <ul style="list-style-type: none"> Regional VAWDASV Board Regional Collaborative Committee Community Safety Partnerships Area Planning Board Local Criminal Justice Board Meeting <p>In addition to the above, during July the PCC held a conference in Police Headquarters, co-ordinated by the Commissioning Team, with the aim of promoting the services currently being commissioned. This conference was targeted at both senior management from Dyfed Powys Police, as well as external partners and local MP's and AM's. Presentations were given by service providers with a brief of outlining the impact that each respective service has on the individuals they support, as well as how this assisted the PCC in achieving the priorities within his Police & Crime Plan. The day was attended by in excess of 60 guests.</p> <p>During September, Dyfed Powys Police hosted an Open Day at Police Headquarters, allowing members of the public access to the HQ site to see the hard work being carried out by a wide range of departments across the Force. Part of this was a display by the OPCC, as well as a commissioned service display. This was attended by Hafan Cymru - providing Independent Domestic Violence Advisor services, New Pathways - offering support to victims of sexual abuse and assault, Goleudy - providing the Force's in house victim and witness support services, as well as support for victims of anti social behaviour and lastly Dyfed Drug and Alcohol Services (DDAS), who attended in their recovery bus.</p> <p>While the weather was against us, the day was well attended by members of the public and was a good platform to be able to show the hard work being carried out by these commissioned services.</p> <p>All of the above were subject to social media posts, including social media posts regarding the Open Day and the Commissioned Services conference.</p>
Quarterly attendance at Police and Crime Panel meetings		PCC has attended all Police and Crime Panel meetings, along with statutory officers - Chief of Staff and Chief Finance Officer.
Provision of documentation to Police and Crime Panel as per their requests		Regular meetings between the Police and Crime Panel and OPCC have ensured that members receive information and documentation in a timely manner in accordance with their requests. The PCC encourages engagement and welcomes PCP representation at other fora such as Policing Accountability Board, Commissioning Board and Joint Audit Committee.

		Regular liaison between OPCC and PCP in support of discharging statutory duties		Regular meetings between the Police and Crime Panel and OPCC have supported the discharging of statutory duties for both parties.
Prepare and issue an annual report	17m	Prepare and issue an annual report to the Panel on the PCC's delivery against the objectives set within the Plan		The 2017/18 Annual Report has been finalised and published.
Monitor all complaints made against officers and staff, whilst having responsibility for complaints against the CC	17n	Handling of complaints against the Chief Constable		It can be seen that the OPCC received a total of 5 complaints, 1 of which resulted in a non-recording decision. The decision on whether or not to record a complaint has been completed within the statutory 10 working days requirement. No appeals to the IOPC were recorded during this quarter in response to CC Complaints.
		Maintain oversight of complaint cases as per requested by individual members of the public		The OPCC currently maintains oversight on a total of 8 cases. These will all be reviewed within the next quarter and any actions that can be completed to progress matters will be done, in order to close these oversight cases.
		Scrutiny of Force complaint handling		No scrutiny of the Force Complaint Handling has taken place during this quarter. However, the subject of Neighbourhood Disputes has been audited at the last QAP and will be considered in more depth during the next quarter again by QAP; as it will be the subject of the next Deep Dive.
		Ensure systems and processes are in place in readiness for the PCC's increased roles in complaints as outlined in Police and Crime Act 2017		It has been agreed that the best way to approach delivery, is to plan to process in two stages. The first stage is to continue to deliver the regulations and all related core products, aiming to have a final set of regulations and statutory guidance completed in early 2019. The second stage will be a six month 'preparation' period for stakeholders from the point the Home Office are able to confirm a laying date until the point that the reforms go 'live.' The earliest the Home Office may get certainty is at the start of 2019, meaning that April 2019 implementation is not feasible, however there is a possibility it could be pushed back further into next year.
PCC must not fetter the operational independence of the police force	18	Development and annual review of Corporate Governance Framework		The annual review and ensuing amendments of the CGF was approved by the PCC and CC at Policing Board in April 2018 following extensive consultation internally and with the Joint Audit Committee. The revised CGF has been published along with an FAQ document to aid use and accessibility of the document.
Access to Information, officers and staff	19	Corporate Governance Framework details information sharing arrangements		The CGF state under Section 3.7: 3.7.1 Both the PCC and the CC are separate data controllers and processors and have duties under the Data Protection Act 1998 (DPA)7 and Freedom of Information Act (FOIA) 3.7.2 For the purposes of the DPA the PCC and the CC remain the data controller for any personal data recorded under their respective control. 3.7.6 In order to enable the PCC to exercise the functions of their office effectively, they will need access to information and officers and staff within their force area. The PCC and CC will share information where appropriate to support each other in exercising their functions. Access to information must not be unreasonably withheld. There is no requirement for an Information Sharing Agreement, however work is currently underway to review processes to ensure both parties are compliant with recent legislative changes under GDPR.
		Handling of information in accordance with Data Protection legislation		Report on OPCC compliance with GDPR was produced and shared with All Wales Group. Action plan is a live document to be monitored and progressed, the nature of the legislation dictates that OPCC will never be fully compliant as this has to be monitored at all times. TIAA auditor meeting with Compliance and Performance Manager is scheduled for October to discuss OPCC compliance and make recommendations.

Delivery of community safety and crime reduction	20a	Development and implementation of Commissioning Strategy and Action Plan		<p>The development of a commissioning strategy and action plan is a key part of the work of the Commissioning team which is being scoped at present, with a view of its completion being prior to the end of the 2018/19 financial year. This work will be fed by the commissioning of a needs assessment to identify the areas of need for commissioning across Dyfed Powys.</p> <p>There is currently a specification being drafted to allow for this work to be commissioned, with a view that it will be awarded prior to the end of the 2018 calendar year. This will then look to feed into the commissioning future for 2019/20 and 2020/21.</p>
		Commissioning of services in support of community safety and crime reduction		<p>Overall the 2018/19 budget for Commissioned Services is forecasted to be slightly underspent for the end of the financial year. This is due to some slight vacancy factors within one of our internally provided services, which has now been resolved.</p> <p>To utilise this underspend the intention is for the Police and Crime Commissioner to commission a piece of research to carry out a needs assessment of the Dyfed Powys area. This will be done with the intention of feeding a commissioning strategy for 2019/20 and 2020/21.</p>
		Evaluation of commissioned services to determine social return on investment		<p>Plans are in place for a full review of the commissioned services to ensure that these offer both an effective service, but also offer a return on investment. This programme of work is due to commence towards the end of 2018 and conclude by mid 2019, where it will produce a report per commissioned service, focusing on how effective the service has been in meeting the aims of the contract, as well as how they have assisted the PCC in meeting the priorities in his Policing Plan.</p> <p>In addition to the above, the PCC's Commissioning Advisory Board meeting has been reviewed and scheduled for November 2018. The intention of this group is now to act as an independent oversight and scrutiny body of the commissioned services, holding each to account on their performance to date and how they have supported the PCC in his ability to meet his Police and Crime plan priorities.</p>
Community Safety Partnerships	20b	N/A in Wales		
Crime and disorder reduction grants	20c	Development and Implementation of a framework for the provision of crime and disorder grants		<p>The OPCC is in the process of developing a new grants process which will allow for the OPCC to provide crime and disorder grants to the community.</p>
		Provision of crime and disorder reduction grants within 2018/19		<p>As mentioned, 3 grants have been approved, 2 grants have been explored and developed and are now awaiting a decision from the Home Office.</p>
		Evaluation of crime and disorder reduction grants to determine social return on investment		<p>An evaluation process will be part of the new grants process to ensure value for money and a return on investment.</p>
Collaboration agreements	20d	As detailed in 17h		

Wider responsibility for the enhancement of the delivery of criminal justice in their area	20e	There are formal governance arrangements in place to support effective scrutiny		<p>To ensure that effective scrutiny of the PCC's expenditure and also the services he commissions, there are two key areas of governance in place.</p> <p>Firstly, the Commissioning Advisory Board sits with the remit of acting as a reviewing body for the PCC and will scrutinise the services being commissioned to ensure that they are effective. This board will comprise of both OPCC staff, as well as members of Independent groups and will sit quarterly, 2 months after the fiscal quarter end to ensure the most up to date data is captured and reported.</p> <p>Secondly, the Police and Crime Commissioner chairs the Local Criminal Justice Board (LCJB), attended by colleagues from OPCC, Dyfed Powys Police, HMCTS, HMPS, WCRC, CPS, Hywel Dda Health Board, Youth Offending Services and the Court Witness Service. The Board bring together these partners to operate collaboratively and to be responsible and accountable for the service provided to victims and witnesses. Service provision is monitored via this Board with a view of a multi-agency approach being taken to resolve issues where needed.</p>
		Monitor the performance of all commissioned services, ensuring they are fit for purpose, provide value for money and a social return on investment		<p>Overall the performance and contract review process for the commissioned services remains effective, with quarterly meetings being held with each of the service providers to discuss performance along with any emerging issues identified by either the OPCC or provider. The exception to this has been the Goleudy service, where there have been issues in data capture from an IT perspective. This has resulted in discussions taking place to ensure that the KPI reporting requirements are both meaningful and obtainable. This work has now concluded and Goleudy are now better placed to provide a more effective and robust performance report. During this process there has been regular meetings between the OPCC and Goleudy, to discuss performance and to allow for areas of concern to be highlighted. This has ensured that there has been oversight of performance.</p> <p>Each performance meetings acts as an ideal opportunity to raise service delivery issues from either the perspective of the PCC or the provider and these are captured in the form of actions. These are then reviewed at each performance review to ensure that they are being progressed and monitored effectively and that actions are not taking unnecessarily long to resolve, and if there are longer timescales with some, that there are genuine reason behind each.</p>
		PCC's contribution to the All Wales Criminal Justice agenda		<p>As Chair of the Local Criminal Justice Board, the PCC submits a written report to the All Wales Criminal Justice Board on a quarterly basis, and actively contributes to discussions at the forum</p>
		PCC's national portfolio responsibilities		<p>PCC's national portfolios include:</p> <ul style="list-style-type: none"> Board member Policing ICT Company Board member digital policing Board members information and intelligence directorate Learning leaders group NPAS board member

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What we did...



Review of data



Face to face public consultation at summer shows



Online public opinion survey



Focus groups with officers and staff



Independent review of incidents

Why we did it...



From April 2017, data on officers' use of force has been published by all Home Office forces

Significant investment in Body Worn Video and Spit and Bite Guards

Evidence that the public are interested in knowing how officers treat individuals



Inspectorate's view that Dyfed-Powys **"needs to enhance external scrutiny to improve its treatment of the public"**

The facts:

The most commonly used types of force are:

Handcuffing



683

Tactical communication



536

Unarmed skills



419

Ground restraint



78

The higher risk types of force are drawn upon less often:

Taser



53

Firearms



27

Irritant spray

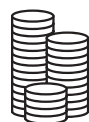


20

Spit and Bite Guard



11



£342,788 invested in Body Worn Video
£3,150 in Spit and Bite Guards

36 out of 40 complaints relating to officers' use of excess force **NOT UPHELD**



61 police officers and staff injured through the use of force, in one 3 month period

90% of the public we spoke to think officers use force appropriately



Our conclusions...

- Use of force is being under-recorded by officers;
- Alcohol, drugs and mental health are the most prevalent impact factors;
- Unarmed skills, handcuffing and ground restraints are the majority of tactics resulting in complaints;
- Public opinion is mainly positive in relation to the police's use of force; and
- Our independent review supported the positive public feedback.

Our top recommendations...

- 1** Introduce unique reference numbers for use of force forms
- 2** Use these to ensure Body Worn Video footage is readily retrievable
- 3** Communicate clear and consistent recording requirements to officers and staff
- 4** Review the current use of force training package
- 5** Set in place audit and supervision arrangements

To visit my website and for more information on Dyfed-Powys Police click on the logos below



Police and Crime
Commissioner for Dyfed-Powys

Deep Dive Scrutiny Report
into
Dyfed-Powys Police's

Use of Force

September 2018

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1.0 Executive Summary

In light of significant public interest and a general requirement to improve the police's use of force, the Office of the Police and Crime Commissioner (OPCC) undertook a 'deep dive' review of the use of force within the Dyfed-Powys area. It found:

- The use of force is being under-recorded by officers;
- Alcohol, drugs and mental health were recorded as the most prevalent impact factors¹;
- Unarmed skills, handcuffing and ground restraints are the majority of tactics giving rise to complaints of excessive force;
- Public feedback was mainly positive in relation to police use of force;
- The Commissioner's Quality Assurance (QA) Panel (independent representatives of the residents of the Dyfed-Powys area) supported the positive public feedback in finding that officers dealt with incidents proportionately and reasonably.

The review did however find some shortcomings in the accurate collection, collation and analysis of data on how force is used by Dyfed-Powys Police officers. The Police and Crime Commissioner therefore recommends that the Force:

Immediately:

1. Introduce Unique Reference Numbers (URNs) for use of force forms as a matter of urgency.
2. URNs must be used to ensure Body Worn Video footage is appropriately tagged and readily retrievable.
3. Communicate clear and consistent recording requirements to officers and staff, including the importance of Body Worn Video footage and justification of the force used.
4. Review and consult with officers on the current use of force training package to ensure this reflects reality as far as possible and includes sufficient coverage of reporting requirements.

As soon as practicable:

5. Set in place audit and supervision arrangements to assess understanding and subsequent compliance with use of force recording requirements.

¹ Issues affecting the individual's behaviour and therefore officers' assessment of the necessity to use force.

6. Review the existing use of force forms with a view to auto-populating fields, reducing the amount of data required and considering how officers' rationale is recorded.
7. Work with the OPCC to educate the public on the necessary, reasonable and proportionate use of force by police officers and their rights relating to the exercise of the power.
8. Ensure officers routinely complete the individual profile of those subjected to force in order to enable appropriate monitoring of potential disproportionate use on different demographic groups.

In the future:

9. Consider the provision of a 'pool' of BWV cameras for those without personal issue to access when there is an operational need.
10. Improve the way in which the Force records officer injuries associated with the use of force. This information should be used to ensure officers are appropriately equipped and protected from sustaining harm in the course of their duties.
11. Continue to work with local health services to develop tailored plans for the appropriate management (including the safest, most effective and appropriate forms of force recommended) of repeat offenders, especially those with protected characteristics.
12. Work with the OPCC to improve public involvement in the scrutiny of police officers' contact with the public.
13. Prioritise a decision on the future records management system, ensuring every effort is made to improve interoperability and improving auto-population of certain fields, thus reducing the volume of separate reporting requirements placed upon officers.
14. Review the concerns of specialist sections to ensure officers are equipped appropriately to undertake their duties effectively.

2.0 Outcome

This review contributes to the following aspects of the Commissioner's Police and Crime Plan²:

- Make best use of our frontline resources to proactively tackle and deal with crime and incidents. (Priority 1: Keeping our communities safe)
- Advocate a reasonable and proportionate response by frontline officers when dealing with people experiencing mental ill health. (Priority 2: Safeguarding the vulnerable)

The review sought to:

1. Seek assurance that Dyfed-Powys Police (DPP) are using their powers of force appropriately;
2. Improve public confidence in Dyfed-Powys Police; and
3. Improve performance in this area (Independent Office for Police Conduct).

Through:

- a) Identifying any trends in terms of the use of force by Dyfed-Powys Police officers and staff;
- b) Highlighting areas of good practice and areas for improvement;
- c) Providing independent oversight of police use of force;
- d) Seeking assurance that officers are appropriately recording all incidents of use of force; and
- e) Informing the public about their rights with regards to the use of force by police officers.

In order to inform this review, representatives of the Office of the Police and Crime Commissioner carried out a variety of research, including:

- Consultation with members of the public through an online survey and attendance at summer shows;
- Focus groups with Dyfed-Powys Police officers and staff to understand their perceptions of the matter;
- Reviewing data and feedback from DPP departments and employees on a variety of issues related to the use of force by officers, including officer welfare and complaints from the public;
- Independent review of incidents where officers had utilised their powers of force, via the Commissioner's QA Panel.

The full schedule of work undertaken to inform this review can be seen in appendix A.

² <http://www.dyfedpowys-pcc.org.uk/en/the-commissioner/the-police-and-crime-plan/>

3.0 Situation

3.1 Background

A number of factors have influenced this review, namely:

- The directive issued by the Home Office for all forces to publish transparency data about their officers' use of force on a quarterly basis from April 2017.
- Significant public interest / media coverage and public challenge about the police's use of force, including the rollout of Taser, Spit and Bite Guards and Body Worn Video (BWV).
- An increase in reports of dissatisfaction recorded by the Public Service Bureau alleging officers used excess force or detainees experiencing injuries upon arrest.
- Incidents of injuries resulting from use of force where BWV had not been activated.
- National media reporting on the disproportionate use of force against black and ethnic minorities.
- No current external scrutiny of the use of force, or assurance that it is being recorded effectively.

The law recognises that police officers attend situations where they may be required to use force in order to keep the peace and uphold the law. Individual officers are responsible for deciding when and what form of force to use. They themselves are answerable to the law in ensuring their decision results in the use of the minimum level of force required to carry out their duties.

The College of Policing Authorised Professional Practice (APP)³ states:

"The Criminal Law Act 1967, the Police and Criminal Evidence Act 1984 and common law apply to all uses of force by the police and require that any use of force should be 'reasonable' in the circumstances. Reasonable in these circumstances means:

- *absolutely necessary for a purpose permitted by law; and*
- *The amount of force used must also be reasonable and proportionate (i.e., the degree of force used must be the minimum required in the circumstances to achieve the lawful objective) otherwise, it is likely that the use of force will be excessive and unlawful."*

³ <https://www.app.college.police.uk/>

3.1.1 Ten Key Principles Governing the Use of Force by the Police Service

(From the College of Policing Authorised Professional Practice)

1. Police officers owe a general duty to protect persons and property, to preserve order, to prevent the commission of offences and, where an offence has been committed, to take measures to bring the offender to justice;
2. Police officers may, consistent with this duty, use force in the exercise of particular statutory powers, for the prevention of crime or in effecting a lawful arrest. They may also do so in self-defence or the defence of others, to stop or prevent an imminent breach of the peace, and to protect property;
3. Police officers shall, as far as possible, apply non-violent methods before resorting to any use of force. They should use force only when other methods have proved ineffective, or when it is honestly and reasonably judged that there is no realistic prospect of achieving the lawful objective identified without force;
4. When force is used it shall be exercised with restraint. It shall be the minimum honestly and reasonably judged to be necessary to attain the lawful objective;
5. Lethal or potentially lethal force should only be used when absolutely necessary in self-defence, or in the defence of others against the threat of death or serious injury;
6. Any decision relating to the use of force which may affect children, or other vulnerable persons, must take into account the implications of such status including, in particular, the potentially greater impact of force on them;
7. Police officers should plan and control operations to minimise, to the greatest extent possible, recourse to lethal force, and to provide for the adoption of a consistent approach to the use of force by all officers. Such planning and control will include the provision to officers of a sufficient range of non-lethal equipment and the availability of adequate medical expertise to respond to harm caused by the use of force;
8. Individual officers are accountable and responsible for any use of force, and must be able to justify their actions in law;
9. In order to promote accountability and best practice all decisions relating to the use of force, and all instances of the use of force, should be

reported and recorded either contemporaneously, or as soon as reasonably practicable;

10. Any decision relating to the use of force by police officers must have regard to the duty of care owed by the relevant police service to each individual police officer in the discharge of his duties. Deployment of police officers in a public order context where force may be used can carry grave risks to their own safety, and so must be the subject of rigorous control for that reason also.

Source: HMIC (2011) *The rules of engagement: A review of the August 2011 disorders*, © Crown copyright.

3.1.2 Recording requirements

Following a National Use of Force Data Review in 2015⁴ and the Shaw Review⁵ of 2016, all forces have been required to record and publicise their use of force data on a quarterly basis from April 2017. The recording requirements are set out within the College of Policing Authorised Professional Practice:

"Forces should collate use of force data electronically (the Home Office is considering mechanisms for annual data returns in this regard). Forces are expected to record all instances of use of force electronically and in such a way that allows for ready retrieval and analysis of this information. In particular, this data should allow for analysis by age, ethnicity and offence and should form part of the custody record or be explicitly referenced in it."

Unlike Stop and Search, where one form is completed for one search of one individual, instances of use of force require that all officers who use force on an individual must complete an electronic form for each incident i.e. if three officers use force on an individual during an incident, each would need to submit a form, resulting in three submissions for the one incident. Any use of force on arrest and in custody must be documented on the individual's detention record as well as on the use of force e-form (an example of which can be found in appendix 2). The e-form contains tick boxes and only allows free text for officers to justify their actions if Taser has been utilised, however guidance states that officers must note their rationale within their pocket books, statements (if applicable) and custody records.

⁴ National Use of Force Data Review Project, National Police Chief's Council, October 2015

<http://www.npcc.police.uk/documents/reports/2016/Use%20of%20Force%20Data%20Report.pdf>

⁵ Review into the Welfare in Detention of Vulnerable Persons: A report to the Home Office by Stephen Shaw, January 2016

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/490782/52532_Shaw_Review_Accessible.pdf

All England and Wales police forces are legally required to collect data relating to the use of force by their officers. This should be published at least quarterly⁶ and must be reported within the Annual Data Return (ADR)⁷ to the Home Office. Guidance from the National Police Chief's Council (NPCC) sets out the level of detail required in the data collection and provides a local template for publication.

3.1.3 Force Governance and Policies

Dyfed-Powys Police officers' use of force is monitored by the Use of Force Governance Group, led by the Superintendent for Specialist Operations. This group is responsible for the oversight, support and improvement of the use and scrutiny of coercive / stop and search powers; highlighting areas of good practice, identifying and taking action where improvements are required and making and communicating necessary changes to relevant policies.

The 'Association of Chief Police Officers' (now the NPCC) Personal Safety Manual module on Use of Force' guides officers on the proportionate, reasonable and justifiable use of force.

Dyfed-Powys Police's BWV⁸ policy specifically sets out the rationale for and how BWV should be used when officers utilise their powers of force, following the principles set out in the College of Policing APP.

Single-use Spit and Bite Guards (SBGs) are the most recent form of force made available to officers and are breathable, mesh material which covers the face and head in order to reduce injuries and the spreading of communicable diseases to officers and subjects. Only frontline officers and custody staff who are in regular contact with the public and who have successfully completed Personal Safety Training have been issued with an SBG. Dyfed-Powys Police issued a Standard Operating Procedure for the deployment of SBGs in May 2018.

Whilst officers have the autonomy to decide when to use force, especially where there is an immediate threat to life or high risk situation, the use of firearms and Taser require authority via the Force Incident Manager (Inspector and above). If a situation becomes protracted or escalates, the decision is escalated to the Tactical Firearms Commander (Chief Inspector) and ratified by the Force Gold Commander (Superintendent and above).

⁶ Dyfed-Powys' use of force data can be found here: <https://www.dyfed-powys.police.uk/en/accessing-information/lists-and-registers/use-of-force/>

⁷ The ADR is the dataset Home Office constabularies are legally required to supply as it has been requested by the Home Secretary through the 1996 Police Act.

⁸ Version 7.0 accessed from Dyfed-Powys Police Intranet on 01/08/18

3.1.4 HMI CFRS recommendations

Her Majesty's Inspectorate of Constabulary Fire and Rescue Services (HMI CFRS) said within their PEEL: Police Legitimacy 2017 (including leadership) report⁹:

"Dyfed-Powys Police needs to enhance external scrutiny to improve its treatment of the public."

This report also referred to their recent custody inspection¹⁰ where they found that force used in custody was not always used as a last resort, or recorded effectively. The resulting report from the custody inspection recommended that the Force should strengthen its approach to the use of force by ensuring accurate recording and robust monitoring.

During the six months up to 30th June 2018¹¹, officers recorded that 11.6% of all force was used in custody blocks (236 records). During the same period, 3,038 detainees were held in custody. During the period April 2017 to June 2018, 8 formal complaints of use of excessive force in custody were recorded. One is yet to be finalised, however the remaining 7 were discontinued (1), withdrawn (1) or not upheld (5).

It must be noted that comparing use of force submissions with other data must not be relied upon as an exact calculation of the level of recording compliance due to the way in which force is reported (i.e. one form per officer, which may highlight multiple types of force used on the same individual in more than one location). However, an assumption is made (from the understanding that the majority of arrests will require some use of force e.g. compliant handcuffing, and some force will not result in arrest) that the arrests and custody throughput data provides an indication of the minimum volume of use of force records one should expect to see.

The Commissioner's Independent Custody Visitors (ICVs)¹² were asked to review the use of force used and recorded on detainees they visited. During the period of this review, of the 17 detainees they visited¹³, ICVs found:

⁹ <https://www.justiceinspectorates.gov.uk/hmicfrs/wp-content/uploads/peel-police-legitimacy-2017-dyfed-powys.pdf>

¹⁰ Report on an unannounced inspection visit to police custody suites in Dyfed-Powys by HM Inspectorate of Prisons and HMI CFRS, 6-17 November 2017. Published 06/03/18: <https://www.justiceinspectorates.gov.uk/hmiprisonswp-content/uploads/sites/4/2018/03/Dyfed-Powys-Police-Web-2017.pdf>

¹¹ Data sourced from DPP's Use of Force Submissions performance reports, 01/01/18-31/03/18 and 01/04/18-30/06/18.

¹² Volunteers who visit police custody areas unannounced to check on the wellbeing of detainees and to ensure that their rights are upheld.

¹³ Between 30/07/18 and 07/09/18.

Type of force	Instances*
None reported	11
Force reported but not recorded	3
Handcuff	4
Restraint	1
Cell procedure**	1

**The total number of instances exceeds the number of detainees as more than one type of force may have been used on one detainee.*

***A method used by a team of officers to safely locate a violent detainee in their cell, allowing them to withdraw without suffering personal injury.*

For the three instances where force was reported but not recorded, ICVs stated that one incident had been reported verbally to the Custody Sergeant; one had not been recorded on the front of the arresting officer's sheet but had been on the risk assessment; and one report of force being used on arrest but there was no recorded evidence of this. This inconsistency concurs with the perceptions of the workforce - officers stated that custody staff were good at reminding officers to complete their use of force forms; however there was apparent confusion and frustration regarding the recording of force used in custody. One custody officer stated they had been trained to record every hands-on experience with every detainee, but felt this was impractical, especially where the detainee required rousing for regular welfare checks e.g. every 30 minutes.

Concerns were raised that the requirements had not been disseminated appropriately as not every use of force in custody was recorded by everyone involved. It was suggested that something be built into the custody system to trigger a message reminding the officers to record their involvement, a function which apparently was in operation previously but has been removed during system updates¹⁴.

¹⁴ Source: 'Use of Force in [DP] Police Custody' report by a Police Sergeant in February 2017.

3.2 Current performance

As outlined in the recording requirements section, each officer is required to submit a form for each use of force encounter, therefore the data collated by the Force does not represent the number of incidents or number of individuals subjected to force, but reflects the number of forms submitted by officers.

3.2.1 Performance issues

It is widely accepted across DPP staff and officers that the use of force is being under-recorded. There appears to be operational inconsistency in the understanding of what constitutes reportable use of force; and subsequently differing opinions on when a use of force form is required; particularly with regards to compliant handcuffing.

There are signs of improved compliance to recording the use of force, with the number of use of force forms submitted rising from 152 in January 2018 to 399 in June 2018. Recent improvements in the accessibility of use of force forms have enabled officers to complete and submit from their Mobile Data Terminals (MDTs) rather than having to return to a station to complete on a computer. This, coupled with ongoing efforts to raise awareness of the requirement to record may be influencing the improving situation.

Officers generally understood the contribution the recording of use of force made to improving transparency and accountability, but some were unaware where the forms went on submission, what happened to them and why they had been introduced. Others understood the national mandate, but questioned the necessity to record so many different levels of force, especially low level methods. One supervisor highlighted that the need to identify 'impact factors' which may influence the necessity to use force was a positive element of the form as they had witnessed improvements in officers identifying when issues such as alcohol or drugs and mental health may be involved.

It was evident from discussions with officers and staff that there are effective lines of communication between departments, for example, when an accident or incident is identified (either via an accident report being submitted or an incident on the Daily State Record); this is reviewed by the Health and Safety Team and communicated to relevant departments for information / further investigation.

Whilst it was acknowledged that the requirement for each officer to submit a form for each incident is appropriate, as it allows each individual to report on their own involvement, concern was raised that the resulting data is misleading as it does not reflect the number of incidents where force was used. Some officers suggested a function to add multiple people to use of force incident records could be explored, as this was currently available in other systems.

Others suggested use of force be incorporated into another existing form, in order to reduce the number of forms required.

Whilst those spoken to understood that they should be completing forms and found them straightforward, the overwhelming view was that they presented an additional administrative burden in addition to numerous other reporting and recording requirements.

Some expressed frustration that systems did not “talk to each other”, resulting in possible duplication or avoidance of the use of certain techniques to reduce the required paperwork. The absence of links between some systems results in some areas being unable to easily extract data related to the use of force, for example, Health and Safety, Occupational Health, Mental Health and Body Worn Video. Officers recognised that the forms also generate additional work for management and support staff.

It must be noted that officers expressed on more than one occasion the breadth of administration required when dealing with different incidents, many of this being required to be completed before officers are permitted to leave their shift. Whilst the advent of mobile devices has undoubtedly enabled officers to spend more time out of the station, their administrative duties continue to be extensive. The use of force e-form (example within Appendix B), is an example of the lengthy administration faced by officers after responding to calls for help. It is therefore not surprising that some requirements are easily missed, forgotten or delayed.

3.2.1.1 Profiles of subjects

Where individual profiles of the subjects were completed, the majority of force is used on males between the ages of 25 and 34 years old, and the vast majority of subjects were white (91.1%), however it must be acknowledged that the individual profile appears to not always be recorded¹⁵.

Ethnicity	Use of force submissions
White	935
Asian	2
Black	4
Chinese / other	7
Unknown	56

¹⁵ Data sourced from Dyfed-Powys Police's Use of Force performance profile Apr-Jun 2018.

3.2.1.2 Location

During the three months leading up to 30th June 2018, the most common locations for the use of force were public / private settings and custody blocks, as shown in the table below¹⁶.

Location	Number of times recorded	% recorded
Public / private settings (street / highway, open ground, dwelling, public transport)	849	68.3
Custody block	140	11.3
Police vehicle (with or without handling cage)	110	8.8
Health setting (hospital, mental health setting, ambulance)	55	4.4
Other	39	3.1
Police station (excl. custody block)	22	1.8
Licensed premises	21	1.7
Retail premises	7	0.6

3.2.1.3 Impact factors

Alcohol, drugs and mental health were recorded as the most prevalent impact factors within use of force submissions.

"The difficulty with [Mental Health issues] and the use of force is that each individual is unique; there is no specific one size fits all approach to managing these situations".

This view was shared by a representative from the Independent Advisory Group (IAG)¹⁷ in making the case for officers to exercise caution, as well as being equipped with relevant background information on individuals in order to make an assessment on how to deal with the individual to avoid escalation. It was acknowledged that the police are in a difficult position when attending those with

¹⁶ Data sourced from Dyfed-Powys Police's Use of Force performance profile Apr-Jun 2018.

¹⁷The [Independent Advisory Group \(IAG\)](#) is a critical friend to the Police Service and the OPCC. It is a forum where independent advisors can give independent advice about specific issues identified by the Police and the OPCC.

unknown mental health issues, as obtaining this information was not always straightforward. There have been examples of good practice regarding the use of force within the police's management of the initial contact, where plans are created over time for repeat offenders who suffer from mental ill-health, on the best way to approach and handle them. However this is not reported to be undertaken consistently across the force area. This approach is echoed within the Mental Health Units (Use of Force) Bill currently going through parliament, which if passed, will mandate that mental health units must provide training for their staff which includes (amongst others):

- How to involve patients in the planning, development and delivery of care and treatment in the mental health unit; and
- [Awareness of] the impact of any use of force on a patient's mental and physical health and development.

The vast amount of training provided to officers and staff regarding mental health and the use of force was acknowledged by the IAG Member, however it was felt more needed to be done to ensure it is consistently and robustly applied. This was supported by the views from officers, who explained understanding the most appropriate way to approach the use of force on someone experiencing mental ill-health was a concern for some. They noted their use of "gut instinct" rather than a thorough understanding of specific tailored process to follow when attending complex situations. Officers expressed frustration that the Mental Health Triage Team¹⁸ and health services were not always available to provide advice when required.

Representatives of the IAG raised the matter of stop and search, considering this was an exercise of force by police officers and therefore should be considered within discussions regarding the use of force. Whilst stop and search remains a separate matter and therefore not included within the scope of this review, it is overseen by the use of force governance group and scrutinised in a similar vein.

The key consideration highlighted by representatives from the IAG was for the officers to understand the individual, as they felt the initial approach could result in unnecessary escalation, for example, insensitive use of gender terminology which may cause offence, resulting in aggression, thus requiring force to be used which otherwise may have been avoided.

¹⁸The Mental Health Triage Team is a partnership between Dyfed-Powys Police and Hywel Dda University Health Board, where officers and mental health practitioners work together to provide tailored advice to colleagues and appropriate support to individuals. Initially operating 4 days a week, the scheme was extended to 7 days a week from May 2018: <https://www.dyfed-powys.police.uk/en/newsroom/press-releases/a-police-and-health-project-helping-people-in-mental-distress-is-being-extended/>

3.2.1.4 Type of Force

The most commonly utilised types of force recorded were handcuffing, tactical communications (e.g. commands and warnings), unarmed skills (such as pressure points and take downs) and ground restraint (restricting the individual's movement whilst they are on the floor) respectively. Subjects were recorded as exhibiting a form of physical resistance in almost half of all forms submitted. Following their introduction in April 2018, Spit and Bite Guards had reportedly been utilised on 11 occasions (up to 30th June 2018). The following table depicts the different types of force utilised¹⁹.

Type of force	Number of times recorded
Handcuffing (including compliant and non-compliant)	683
Tactical communications	536
Unarmed skills	419
Ground restraint	78
Taser*	53
Other / improvised	45
Limb / body restraints	29
Firearms* / AEP²⁰	27
Irritant spray used	20
Spit & bite guard	11
Baton / shield	3

* Taser and firearms use includes all types of deployment (including aimed but not discharged).

DPP's Use of Force Group continue to work with the Information Technology department to develop a system to record each occasion that a method of entry tactic has been used.

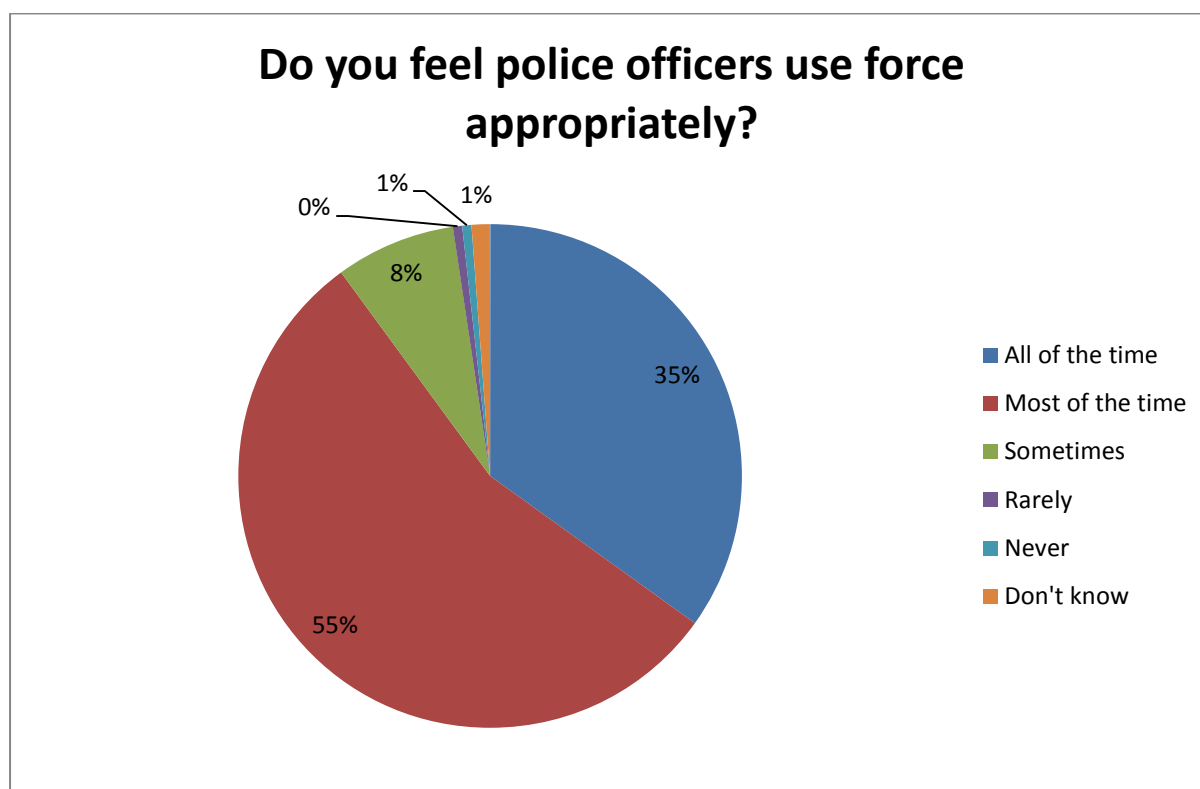
These figures are supported by the Commissioner's Quality Assurance Panel²¹ and surveyed members of the public²². The Panel were of the opinion that

¹⁹ Data sourced from Dyfed-Powys Police's Use of Force performance profile Apr-Jun 2018.

²⁰ Attenuating energy projectiles – non-lethal "rubber bullets".

officers were extremely restrained, dealing with incidents proportionately and reasonably, demonstrating respect for, and upholding the dignity of, the individuals involved in the cases they have reviewed. The vast majority of the public (90%) stated they thought officers used force appropriately, as depicted in figure 2.

Figure 2. Public response: “Do you feel police officers use force appropriately?”



Overall, public feedback was mainly positive, with participants expressing their support for officers' actions and a number calling for more force to be used:

“People don't treat police with enough respect.”

“People only record situations once it has been escalated, which makes the officers look bad. Use what's needed.”

“Law is too strict - police should use more force.”

Others recognised the need for force to be used proportionately:

²¹ Consisting of volunteer residents from across the Dyfed-Powys area, the Panel reviews the quality of police contact with the public in a transparent and independent manner. Of the five incidents reviewed, one involved a spit and bite guard, two involved the use of irritant spray and all involved restraints and handcuffing.

²² Via the Pembrokeshire County Show, Dyfed-Powys Police Open Day and an online survey (number of respondents = 169).

"Every situation is different."

"Depends on the individuals. If it re-occurring person may use more force as they know what they are like."

"They use force when they have to."

But there are occasions where this may not be the case:

"Sometimes force is used on the wrong people."

"Too much force is used sometimes. But they don't have the full picture - weapon. Better to be safe than sorry."

Some participants also acknowledged that they may not have enough experience or understanding to provide an informed opinion:

"From what I've seen."

"Some individuals need to be dealt with more frequently...watch a lot of TV."

"Lawful use is lawful. Not sure so can't answer."

When asked if they understand their rights in relation to the police's powers to use force, almost two thirds (62%) of respondents (n=164) stated they had good or some knowledge; as displayed in the table below.

Level of understanding	Good	Some	Little	No
Percentage	27.4%	34.1%	25%	13.4%

Some of the comments shared included:

"Only know from watching the telly"

"Don't intend on getting arrested"

3.2.2 Assaults and injuries to officers and staff

61 officers and staff reported injuries through their use of force submissions within the April-June reporting period. The majority reported minor injuries, however two officers recorded severe injuries and 31 were spat at. This data is collated from what officers declare on their use of force form, which does not detail whether the injury was sustained prior to, or as a result of, the officer's use of force. Officers are able to attend the Occupational Health Unit and must

report injuries or near misses through the Health and Safety Department. Both departments' data, in their current format, does not include the use of force as a reportable section; therefore it is extremely difficult to draw any meaningful conclusions about the rate of reportable incidents relating to the use of force. Any injury data quoted is taken from the Force's performance profiles, which collate the use of force form submissions where officers tick a relevant box relating to the level of injury sustained by the officer or suspect.

The new Assault on Emergency Workers (Offences) Act²³ doubles the maximum sentence for those who assault officers during the course of their duties. Accurate and thorough reporting of injuries sustained during the exercise of duties is therefore imperative; not only to secure successful convictions where appropriate, but to ensure the wellbeing of officers is safeguarded.

3.2.3 Audit and review arrangements

There are currently no formal requirements for use of force forms to be submitted to line managers for review, nor is there a defined audit schedule; however some reviews do happen, in particular after significant incidents. All incidents where Taser or firearms have been deployed are reviewed by the Force, unless the deployment is via the Joint Firearms Unit²⁴, where specialist supervisors conduct reviews of all firearms deployments.

A number of occurrences are recorded as 'out of force area/other'. These are due to Dyfed-Powys officers attending incidents in other force areas, such as via pre-planned collaborative responses to events. Forms are submitted to the officer's 'home' force, irrespective of the location of the incident, therefore these may still be counted and reviewed by Dyfed-Powys Police.

Whilst Taser, dog and firearms cases are routinely reviewed after every deployment and there is an (informal) expectation that supervisors should dip-sample their staff's use of force submissions, there was a view expressed that all use of force forms should be submitted via supervisors for review and feedback.

Supervisor reviews of Taser forms had reportedly demonstrated good understanding of justifying their actions under relevant legal powers, but less of an understanding of the policies that govern their actions. Through review with the supervisor, officers were able to verbalise their rationale and knowledge of policy, which in turn should result in improved future documentation.

²³ Which received Royal Assent on 13th September 2018

²⁴ The Joint Firearms Unit (JFU) is a collaboration between Dyfed-Powys, Gwent and South Wales Police Forces. Officers are seconded into the unit to respond to incidents across the 3 force areas.

Opinions were mixed on whether forms should be reviewed by supervisors or not. One group of officers advocated that they should be challenged in order to ensure the 'system' is effective. Another stated that they didn't feel they needed to be supported as their actions are their own responsibility.

3.2.4 Body Worn Video (BWV)

Chief Officers reported at their 2018 roadshows to staff that there were currently 811 cameras and 68 head cameras²⁵ issued. They highlighted that 19,000 items of footage (all types) had been uploaded and not tagged, for example, only 10% (51 items) of footage had been tagged as stop and search during a period where 516 stop searches had been recorded. There is currently no tagging category for use of force footage, therefore it is extremely difficult to assess the rate of BWV use and make a comparison with use of force form submissions. During the period of this review it was reported that progress was being made to introduce unique reference numbers to use of force submissions, which should provide some solution. Footage is automatically deleted from Evidence.com²⁶ after 31 days, unless marked as evidential, restricted or potential complaint. This limited retention period presents an area of concern, as footage may have been deleted after just 1 month if the recording officer did not foresee a complaint, which individuals have up to 12 months to submit.

Officers expressed that they felt better protected by the availability of Body Worn Video; however the uploading of footage could be unpredictable. One colleague reported an incident where they docked their camera at 2300 hours one evening to upload 55 minutes of footage and returned to work at 0900 hours the next day to find the upload had not completed. This resulted in the upload being cancelled as the camera was needed for the next shift. The significance of this piece of footage is unknown; however it highlights a concern which may be replicated across users. Other users suggested that the speed of upload is no longer a problem, as high speed links have been installed in stations via a £1.5m investment in the Wide Area Network.

Central staff acknowledged that the lack of available BWV evidence presented difficulties and delays, for example in resolving complaint / litigation cases. The issue however was not perceived to be due to problems with uploading. Whilst the lack of footage was not insurmountable, the result was longer and more complex investigations as they required evidence from a number of sources in order to "paint the picture" which could have been provided easily from BWV footage. One example was provided where footage was available for the lead up to an altercation, but the camera had been accidentally turned off as a result of

²⁵ Head cameras are only issued to firearms officers, who also have body cameras.

²⁶ Cloud-based secure storage facility.

the scuffle between the officer and suspect. Whilst it was more complicated to resolve the case due to the absence of footage of the moment in question, the available footage remained to be useful in showing the behaviour of both parties in the lead up.

Whilst centrally-based staff and operational officers differed in their opinions on the suitability of the uploading facilities, both parties did agree that BWV was not being activated as much as it could and should be. Officers acknowledged that they were still “getting to grips” with the technology and often forgot to activate the cameras when in heated or reactive situations. Officers seemed more likely to activate when going on a planned deployment or to vulnerable persons.

Some specialist sections explained they had raised concerns regarding the recording notification²⁷ affecting their duties. For example, officers were concerned that the flashing light / beeping may compromise their location when searching for a suspect or during observation. It was reported that officers had requested that the function be disabled, on the understanding that they would inform those present that they were recording. Officers stated they had been informed this was not possible, although were aware that it had been done in other areas.

BWV cameras have been personally issued to designated roles, predominantly to frontline Constables, Sergeants and PCSOs. Currently officers above the rank of Sergeant do not have access to cameras. It was suggested by more senior officers that a small ‘pool’ of cameras may be beneficial for when senior officers are required to attend certain incidents, to record their decision making and perspective of incidents, for example when on Gold Command duty. However the issue of footage storage must be addressed prior to considering this.

3.2.5 Ethical considerations and complaints

With the prevalence of social media, more police-based television shows and greater public awareness of their rights, the potential for misrepresentation and misconception is far greater. Officers feel the need to justify and explain themselves to bystanders, acutely aware that they are likely to be being filmed on live social media feeds, which may have only captured part of the incident.

When a complaint alleging excess use of force is recorded by the Professional Standards Department, their first port of call is any use of force form submissions and corresponding BWV relating to the incident. Anecdotal evidence suggests that these are not always present. Where use of force report forms and

²⁷ Cameras flash and beep at regular intervals to remind those present that it is recording.

BWV were readily available, complaints were often resolved in a much timelier manner.

The Force's Professional Standards Department recorded 55 complaint allegations relating to use of force between 1st April 2017 and 30th June 2018. Six of these allegations were deemed to be serious assaults.

Of the 55 allegations, 40 non-serious assaults had so far been finalised. One allegation resulted in a special requirements investigation where it was found there was no case to answer. 36 were not upheld or had been discontinued and just three required local resolution, as there was no indication criminal or disciplinary proceedings would be justified or that there was any infringement of the complainant's human rights. Two of the cases related to handcuffing which caused bruising, with the outcome of the reason for the course of action being explained to the complainants. The third incident had CCTV footage which supported that the suspect was aggressive towards the officer and that their ensuing response was reasonable. This complainant did not engage in the local resolution process. A full breakdown of these statistics can be found in appendix 3. The high proportion of complaints against officers' use of force which were not upheld supports the QA Panel's view that officers are conducting themselves appropriately.

Upon consideration of the summary of each of the allegations, it appears that the majority of complainants claim that they were subjected to excessive force through unarmed skills (strikes, pressure points and takedowns) (30 allegations), handcuffing (11 allegations) and ground restraints (8 allegations).

When considering a damages claim, Dyfed-Powys Police's Legal Department review whether the officers in question had exercised legitimate use of police powers. For this reason, access to all recorded information surrounding the alleged incident will be imperative for an informed conclusion to be drawn. Over the last 6 financial years, the Legal Department have dealt with 15 civil claims relating to the use of force, nine of which were in the 2013/14 financial year. Five cases resulted in a settlement being achieved, 7 were repudiated, two withdrawn and one struck out at court. The Department are currently dealing with four live cases.

Services commissioned by the PCC²⁸ were asked whether they had received any reports from their service users regarding use of force by police officers. Of the 8 services questioned, four responded that they were unaware of any concerns regarding the police use of force. One service highlighted a significant incident in a police custody suite where the service user's fingers had been trapped in the

²⁸Directly from specialist providers to help prevent crime and support the vulnerable
<http://www.dyfedpowys-pcc.org.uk/en/your-neighbourhood/services-available-to-you/>

cell door. This incident received significant media coverage and the resulting investigation / legal case continues.

3.2.6 Financial commitments

In line with many other police forces, Dyfed-Powys has recently introduced spit and bite guards, investing a total of £3,150 to equip their frontline officers.

The total capital spend on the Body Worn Video Project was £342,788 across a two year period. Whilst BWV is not solely used to monitor officers' use of force, it is a significant investment which has the potential to support officers in justifying their actions and answering any allegations of excess force being used.

These recent investments are in addition to the ongoing expenditure on equipment and training associated with the use of force, which is subsumed within the wider operational budget.

3.2.7 Workforce knowledge and confidence

The majority of those who contributed within focus groups suggested they were comfortable to use their powers of force:

"It's part of the job"

"If you can justify your actions, there's no problem in using them"

However, it appears from the discussions that officer' backgrounds (i.e. length in service or rank) and the circumstances of the situation faced may result in differing actions. Some officers raised concern that they were putting themselves at greater risk by attempting to deal with situations without using force (or a lesser form). One colleague shared their experience of suffering a joint dislocation when they were reluctant to use force and reflected that the outcome may have been different had they more readily utilised a more forceful approach.

3.2.8 Training

All operational staff (Police officers, Police Community Support Officers and Detention Officers) are expected to complete annual Personal Safety Training refreshers²⁹. In extenuating circumstances, officers may be allowed up to a

²⁹ Firearms officers' refreshers are completed every 6 months.

further 6 months to complete the training, however after 18 months officers should not be deployed operationally. Information from the Force's personnel records shows that 91%³⁰ of officers have completed and passed the refresher training within the last 12 months.

It was suggested that additional or more in-depth training may be suitable for newer officers in order to increase their confidence in using their powers of force. This is being progressed, with plans to incorporate the administrative requirements within new recruits' use of force lessons and final scenario assessments. This was supported by colleagues within focus groups, who suggested that the writing up of the use of force form, especially understanding impact factors, should be covered within their training.

Many felt there was a disconnect between training and reality, with the restraints demonstrated in training being ineffective in reality. Some officers gave the examples of when one individual required four officers to restrain them, or large scale events where low level force may be used in quick succession with lots of individuals in order to guide or control masses. One suggestion was received that officers should be able to work towards a basic self-defence qualification, perhaps via martial arts in order to learn more (effective) techniques. Officers within one of the focus groups were unanimous in expressing their views that use of force training should be more often, more intensive and more realistic. It was suggested that real life footage of use of force scenarios be utilised to support training. It was reported by the training department that the training package is under continual review, with feedback from injuries and near-misses used to inform additional considerations. The training department also explained that trainers found it difficult to secure feedback from course participants; therefore the above suggestions may be of use for future course developments.

³⁰ 1087 of 1175 officers completed the training, 14 were failed. These figures do not include new recruits.

4.0 Consequences

The lack of unique reference number, combined with there being no specific use of force categorisation tag within the BWV storage software means that evidence of encounters where force has been used are extremely difficult to locate. The implications of this may include:

- Resources
 - Extensive use of staff and officer time 'trawling' through records in an attempt to locate relevant footage.
 - Complaints and claims taking longer to resolve due to the inability to locate evidential footage.
- Financial
 - Potential for more successful 'excess force' damages claims due to officers being unable to disprove claims without records and footage.
 - Poor realisation of benefits from the significant investment in BWV.
- IT storage and Data Protection
 - Inappropriate retention / deletion of footage due to potential for inappropriate tagging.
 - Difficulty in handling subject access requests due to difficulties in identifying correct individuals in footage without corresponding written records.
- Public confidence and staff wellbeing
 - Lack of transparency may reduce subjects' trust and confidence in the police.
 - Difficulty in implementing effective supervision and audit dip-sampling to reflect on effectiveness of approaches.
 - Lack of trust in the accuracy of recording may negatively impact on officer and staff wellbeing.
 - Possibility that as compliance increases, the perception will be that force is being used more than it is as the data currently only represents the number of forms submitted and not the number of incidents.

It is evident from the Force's performance profiles of use of force that it is difficult to extract meaningful and consistent data from use of force form submissions. The impression formed from discussions with Dyfed-Powys Police officers and staff was that the use of force forms were introduced for statistic gathering in order to satisfy Home Office reporting requirements. It was concerning that despite repeated central communications, there appears to be operational inconsistency in the understanding of what constituted reportable use of force; and subsequently differing opinions on when a use of force form is required.

Limitations in the current forms do not prompt officers to justify their actions when force is used, however guidance prompts officers to note their rationale separately in their pocket books. By separating rationale from data, it is more difficult for those reviewing records to come to rounded, informed opinions on whether the officer acted in line with the Force's values.

Body Worn Video footage allows reviewers to reflect on how situations escalate and the behaviour of all involved. Feedback from the Commissioner's Quality Assurance Panel expresses how beneficial it was to be able to consider the footage, enabling them to provide the Commissioner with assurance that, of the records reviewed, officers used their powers of force with great restraint, respect and dignity. It must be noted however, that the availability of footage was restricted due to the technical issues highlighted earlier in this report.

The data generated through officers' form submissions does not appear to be linked to other systems in force, nor is it utilised effectively to provide insights into how, when, where or why force is being used and the implications of this. It is therefore difficult to evidence that Dyfed-Powys Police are utilising the available data to review possible disproportionate use or inform their future approaches to public interaction and officer safety.

Without unique reference numbers, all of the data considered refers to the number of reports and not the number of subjects, incidents, officers or locations. This fundamental flaw results in the Force being unable to accurately assess officers' compliance with recording requirements or effectively profile how and where force is being used and upon whom. This in turn compromises the integrity of the data, collated for the purpose of improving public accountability.

5.0 Actions

Upon consideration of the information gathered through this review, the Police and Crime Commissioner requests that the Chief Constable consider the following recommendations.

Immediately:

1. Introduce Unique Reference Numbers (URNs) for use of force forms as a matter of urgency.
2. URNs must be used to ensure Body Worn Video footage is appropriately tagged and readily retrievable.
3. Communicate clear and consistent recording requirements to officers and staff, including the importance of Body Worn Video footage and justification of the force used.
4. Review and consult with officers on the current use of force training package to ensure this reflects reality as far as possible and includes sufficient coverage of reporting requirements.

As soon as practicable:

5. Set in place audit and supervision arrangements to assess understanding and subsequent compliance with use of force recording requirements.
6. Review the existing use of force forms with a view to auto-populating fields, reducing the amount of data required and considering how officers' rationale is recorded.
7. Work with the OPCC to educate the public on the necessary, reasonable and proportionate use of force by police officers and their rights relating to the exercise of the power.
8. Ensure officers routinely complete the individual profile of those subjected to force in order to enable appropriate monitoring of potential disproportionate use on different demographic groups.

In the future:

9. Consider the provision of a 'pool' of BWV cameras for those without personal issue to access when there is an operational need.
10. Improve the way in which the Force records officer injuries associated with the use of force. This information should be used to ensure officers are appropriately equipped and protected from sustaining harm in the course of their duties.
11. Continue to work with local health services to develop tailored plans for the appropriate management (including the safest, most effective and appropriate forms of force recommended) of repeat offenders, especially those with protected characteristics.

12. Work with the OPCC to improve public involvement in the scrutiny of police officers' contact with the public.
13. Prioritise a decision on the future records management system, ensuring every effort is made to improve interoperability and improving auto-population of certain fields, thus reducing the volume of separate reporting requirements placed upon officers.
14. Review the concerns of specialist sections to ensure officers are equipped appropriately to undertake their duties effectively.

6.0 Review

6.1 Aims

This body of work sought to:

1. Provide assurance to the public that Dyfed-Powys Police are using their powers of force appropriately;
2. Improve public confidence in Dyfed-Powys Police; and
3. Improve performance in this area (Independent Office for Police Conduct).

Through:

- a) Identifying any trends in terms of the use of force by Dyfed-Powys officers and staff;
- b) Highlighting areas of good practice and areas for improvement;
- c) Providing independent oversight of police use of force and assurance of Dyfed-Powys Police's monitoring;
- d) Seeking assurance that officers are appropriately recording all incidents of use of force; and
- e) Informing the public about their rights with regards to the use of force by police officers.

6.2 Conclusion

The impression formed through this review was that the "DPP way" is to police by consent, described by some officers as utilising a "nicely-nice" approach. This surely is to be promoted as a manifestation of the Peelian Principles³¹ in action.

That said, current reporting does not provide an accurate breakdown of how often force is used. The under-reporting by officers has made it difficult to draw conclusions in support of the aims and objectives of the review.

Further work is required to enable the Force to accurately collect, collate and analyse data relating to use of force and ensure corresponding evidence is appropriately connected.

In light of this, the Commissioner is committed to monitoring the Chief Constable's progress against the recommendations set out within this report through monthly reviews of progress, and will ensure his Quality Assurance Panel undertake further dip-samples of use of force footage with the aim of providing greater assurance to the public.

³¹ Set out in the 'General Instructions' that were issued to every new police officer from 1829, they state that "co-operation of the public... diminishes proportionately the necessity of the use of physical force..." and "use physical force only when the exercise of persuasion, advice and warning is found to be insufficient..."

Arrangements are already being made for the Force and OPCC to undertake joint engagement with the public to ensure that they understand police powers surrounding the use of force and their rights in relation to these.

It anticipated that in the near future, Dyfed-Powys Police officers will report and record every use of force, which is duly audited by supervisors and dip-sampled regularly by the Commissioner's Panel. The resulting data should then be analysed and published in a way that members of the public can clearly understand what methods of force are used, how often and on whom; in order that they may make their own judgements on their confidence that their service will treat them reasonably, proportionately and justly.

Appendix A – Deep Dive Schedule

Theme	Use of Force
Rationale	
Changes to police use of force rules, concerns over independent scrutiny of Stop and Search, reports of dissatisfaction regarding injury on arrest and new NPCC transparency scheme requires use of force statistics to be published.	
Intended Outcomes	
<ol style="list-style-type: none"> 1. Provide assurance to the public that Dyfed-Powys Police are using their powers of force appropriately 2. Improve public confidence in Dyfed-Powys Police 3. Improve performance in this area (IOPC) 	
Identified Objectives	
<ol style="list-style-type: none"> a) Quickly identifying any trends in terms of the use of force by Dyfed-Powys officers and staff b) Highlighting areas of good practice and areas for improvement c) Providing independent oversight of police use of force and assurance on DPP's monitoring of it d) Seeking assurance that officers are appropriately recording all incidents of use of force e) Informing the public about their rights with regards to the use of force by police officers 	
Scope / Actions	
<ol style="list-style-type: none"> 1. Establish public understanding & feelings regarding the Police's use of force via consultation at summer shows. 2. Consult with diverse community groups to understand their perceptions of the subject via focus groups. 3. Consult with commissioned services to understand any use of force issues being raised by their users. 4. Obtain feedback from Occupational Health re. Employee welfare issues relating to use of force. 5. Review Force's use of force records (forms and BWV) via the Quality Assurance Panel. 6. Review any estates implications regarding the matter e.g. custody space / storage of equipment etc. 7. Incorporate question for Custody & Animal Welfare Visitors to discuss with detainees. 	

8. Raise the matter with the IAG to establish any diversity considerations.
9. Review complaints data to identify any trends / upheld cases / litigation claims etc.
10. Collate costs of all relevant use of force related project expenditure e.g. BWV, Taser, spit hoods, restraints etc.
11. Analyse historic inappropriate use of force (complaint investigations / near misses etc.) to understand location, root cause and how this shapes future incidents e.g. intelligence that suspect has a history of resisting / force being used etc.?
12. Liaise with IID to understand compliance with BWV activation policy i.e. is it being activated when it should?
13. Review Use of Force element of Force Management Statement.
14. Conduct internal focus groups – one for H&S, training, PSD, legal and any other departments with connect to Use of Force and another for operational officers and staff to understand their views and experiences.

Timescales

PICK	07/06/18
Desktop review	22/06/18
SAND	29/06/18
Fieldwork	31/08/18
Draft report to OPCC Executive	19/09/18
Final report to Policing Board	09/10/18
Public report to Police and Crime Panel	16/11/18
Follow up review	December 2018

Appendix B – Example of Use of Force e-Form

Staff Details

Officer surname	Holmes
Officer forename	Sherlock
Employee number	80000
Rank	Constable
Detective	No
Gender	Male
Date of birth	1970-01-01T00:00:00.000+01:00
Age	48
Officer service start date	2000-01-01T00:00:00.000Z
Length of service	More than 15 years
Officer safety training start date	2017-01-01T00:00:00.000Z
Length of time since personal safety training	13-23 months
On which district are you currently based?	Carmarthenshire

Incident Level Characteristics

Custody number available	Yes
Custody number	CH-000000-2018
Incident location	Street / Highway, Licensed Premises, Police vehicle
On which district was this use of force carried out?	Carmarthenshire
Primary conduct of subject /	Passive resistance
Were you assaulted by the subject?	Yes
Were you assaulted with a weapon?	Bladed weapon / object

Were you threatened with a weapon?	<i>No – but information or intelligence indicated a weapon may be present</i>	
Were you spat at?	<i>Yes</i>	
Impact factors	<i>Alcohol, Drugs</i>	
Reason for using force	<i>Protect self, Protect public, Protect subject</i>	
What main duty were you undertaking at the time of the	<i>Mobile patrol</i>	
Were you single crewed at the time of the incident where you had to use	<i>Yes</i>	
Are you a specially trained Taser	<i>Yes</i>	
Were you carrying Taser at the time of the incident?	<i>Yes</i>	
Was Taser available at the scene?	<i>Yes</i>	
Tactics	Tactic Firearm Body Map Taser Tactic effective Tactic order Compliant	<i>Handcuffs</i> <i>No</i> <i>No</i> <i>No</i> <i>No</i> <i>1st</i> <i>Non-compliant</i>
Tactics	Tactic Firearm Body Map Taser Tactic effective Tactic order Compliant	<i>Unarmed skills (including pressure points, strikes, restraints and takedowns)</i> <i>No</i> <i>No</i> <i>No</i> <i>No</i> <i>2nd</i>

Tactics	Tactic	<i>Irritant</i>
		<i>spray –</i>
	Firearm	<i>PAVA</i>
	Body Map	<i>drawn</i>
	Taser	<i>No</i>
	Tactic effective	<i>No</i>
	Tactic order	<i>No</i>
Order validated	<i>Yes</i>	
Order other validated	<i>Yes</i>	

Officer Injuries

Were you physically injured during this incident?	<i>Yes</i>
Do you believe the injury you received was as a direct result of the subject INTENTIONALLY attempting to assault you?	<i>Yes</i>
Injury detail	<i>Minor</i>
Was medical assistance provided?	<i>Yes</i>

Subject Details

Person details known?	<i>Yes</i>
Title	<i>Mr</i>
Forename(s)	<i>Joe</i>
Surname	<i>Bloggs</i>
Additional names?	<i>No</i>
Address	House number <i>18</i> Address line 1 <i>High St.</i> Town <i>Aberystwyth</i> County <i>Carmarthenshire</i> Postcode <i>SA12 3RE</i> Country <i>United Kingdom</i>

Date of birth known?	Yes
Date of birth	01-01-1990
Age	28
Gender	Male
Officer-defined ethnicity	White - North European
Self-defined ethnicity	W1 White - British
Has marks/scars etc?	Yes
Marks/scars	Type Distribution Location Notes
Language of Choice	English
Additional details	Is the subject physically disabled? (officer perceived) No Does the subject have mental health issues? (officer perceived) Yes

Subject Injuries

To the best of your knowledge and at the time of completing this form, did the subject receive injuries as a result of your use of force?	Yes
To the best of your knowledge and at the time of completing this form, what level of injury did this subject receive from this incident, relevant specifically to your use of force?	Minor
Was medical assistance offered?	Yes
Was medical assistance provided?	Yes
What subsequently happened to the subject (select all that apply)?	Arrested

Location

Description	outside Tesco Carmarthen
-------------	--------------------------

Address	House name	<i>Tesco</i>
	Address line 1	<i>High St.</i>
	Town	<i>Aberystwyth</i>
	County	<i>Carmarthenshire</i>
	Postcode	<i>Unknown</i>
Grid reference	<i>242981,219457</i>	

Photos

Include Photo(s)	<i>Yes</i>
Photo taken outside of this form?	<i>No</i>

Storm details

Storm reference	<i>DP-20180816-001</i>	
Storm suffix	<i>001</i>	
Storm date	<i>16-08-2018</i>	
Officer	Surname	<i>Holmes</i>
	Forename	<i>Sherlock</i>
	Collar number	<i>00</i>
	Rank	<i>PS</i>
	District	
Body Worn Video Active	<i>Yes</i>	

Form completion

Completed?	<i>Yes</i>
Completed date/time	<i>16-08-2018 15:28</i>

Appendix C – Professional Standards – Complaint Allegation Outcomes

	Disapplication - by Force	Discontinued - by Force	Local Resolution - by Division	Not Upheld - by Division	Not Upheld - by PSD	Special Requirements / No case to Answer	Withdrawn - by Force	Grand Total
2017								
Jun				1	2	1		4
Jul		1		1	1		1	5
Aug						2	1	3
Sep	1	1		1			1	4
Oct							1	1
Nov				2		1		3
Dec					1			1
2018								
Jan						2		2
Feb						1		1
Mar				1		2		3
Apr			1					1
May	1	1		1	1			4
Jun		1		3	2		1	7
Jul							1	1
Grand Total	2	4	3	11	13	1	6	40



Eich cyf/Your ref :

Ein cyf/Our ref :

Gofynnwch am/Please ask for :

Dear Mr Llywellyn,

Deep Dive into the Use of Force within Dyfed Powys Police- Author Claire Bryant OPCC

This letter is sent to formally acknowledge the aforementioned piece of work which was commissioned by your office, and presented to the force at the recent Policing Board.

The report has been reviewed by the Superintendent for Operations, he accepts the recommendations and has subsequently identified the following actions.

The actions have been grouped together in based on the anticipated implementation time, this will make it easier to review.

Recommendations which are being dealt with immediately:

1. Introduce Unique Reference Numbers (URNs) for use of force forms as a matter of urgency.
Force Response –This work is already in hand and the work has been authorised to amend pronto.
2. URNs must be used to ensure Body Worn Video footage is appropriately tagged and readily retrievable
Force Response –This work is already in hand and authorisation has been given to amend pronto.
3. There is a need to communicate clear and consistent recording requirements to officers and staff, including the importance of Body Worn Video footage and justification of the force used.
Force Response– A force communication strategy is being developed.

Prif Gwnstabl • Mr. Mark Collins • Chief Constable

4. Review and consult with officers on the current use of force training package to ensure this reflects reality as far as possible and includes sufficient coverage of reporting requirements.
5. *Force Response- A review of the JRFT & OST training has commenced and this will incorporate the points raised.*

Recommendations which will be dealt with as soon as practicable:

6. Set in place audit and supervision arrangements to assess understanding and subsequent compliance with use of force recording requirements.

Force Response – Once actions 1 & 2 have been achieved, a process similar to that used to record stop and search will be instigated.

7. Review the existing use of force forms with a view to auto-populating fields, reducing the amount of data required and considering how officers' rationale is recorded.

Force Response–The use of force forms will be reviewed and will be amended to include a place to record the officers rational.

8. Work with the OPCC to educate the public on the necessary, reasonable and proportionate use of force by police officers and their rights relating to the exercise of the power.

Force Response – This will be undertaken by the "use of force group" which is attended by an OPCC representative.

9. Ensure officers routinely complete the individual profile of those subjected to force in order to enable appropriate monitoring of potential disproportionate use on different demographic groups.

Force Response – This will be reviewed as part of the work to address action 6.

10. Consider the provision of a 'pool' of BWV cameras for those without personal issue to access when there is an operational need.

Force Response – There is a scoping exercise underway to assess the viability of this recommendation. Future action will be based on the outcome of this review.

The following are being considered by the force in order that we can identify appropriate opportunities to address the recommendations.

10.Improve the way in which the Force records officer injuries associated with the use of force. This information should be used to ensure officers are appropriately equipped and protected from sustaining harm in the course of their duties.

11.Continue to work with local health services to develop tailored plans for the appropriate management (including the safest, most effective and appropriate forms of force recommended) of repeat offenders, especially those with protected characteristics.

12.Work with the OPCC to improve public involvement in the scrutiny of police officers' contact with the public.

13.Prioritise a decision on the future records management system, ensuring every effort is made to improve interoperability and improving auto-population of certain fields, thus reducing the volume of separate reporting requirements placed upon officers.

14.Review the concerns of specialist sections to ensure officers are equipped appropriately to undertake their duties effectively.

The actions detailed above will be the responsibility of the Superintendent for Operations, who will be accountable to the Use of Force Group. The Force's progress will be reviewed in accordance with the timeframe set at the last policing board.

Regards,

Mark Collins
Chief Constable

DYFED-POWYS POLICE AND CRIME PANEL 16/11/18

DECISIONS TAKEN BY THE COMMISSIONER

Recommendations / key decisions required:

To consider the decisions made by the Commissioner and make such report or recommendations as the Panel thinks fit.

Reasons:

The Panel has a statutory duty to do this

Report Author:

Robert Edgecombe

Designation:

Legal Services Manager

Tel No.

01267 224018

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rjedgeco@carmarthenshire.gov.uk

EXECUTIVE SUMMARY
DYFED – POWYS POLICE AND CRIME PANEL
16/11/18

DECISIONS TAKEN BY THE COMMISSIONER

Section 28(6) of the Police Reform and Social Responsibility Act 2011 requires the Panel to review or scrutinise decisions made and actions taken by the Police and Crime Commissioner in connection with the discharge of his functions and make reports and recommendations to the Commissioner in relation to the discharge of those functions.

Any such reports or recommendations must be published by the Panel.

DETAILED REPORT ATTACHED ?

YES

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Host Authority File	LS-0511/39	County Hall, Carmarthen

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Decisions made by the Commissioner (including those made at Policing Board) 16th of August – 12th of October 2018

Title & Summary	Date
<p>Policing Education Qualifications Framework</p> <p>The Chief Constable and the Police and Crime Commissioner awarded a five year contract to the University of South Wales for the provision of a Policing Education Qualifications Framework.</p>	July 24
<p>Insurance Contract</p> <p>The Commissioner, in consultation with the Chief Constable, supported a decision to award seven lots to Risk Management Partners, the existing insurers, for a period of three years.</p>	Aug 14
<p>Welsh Language Strategy</p> <p>The Commissioner and the Chief Constable approved the joint Force and OPCC Welsh language strategy.</p>	Aug 14
<p>Review of Commissioning Board Terms of Reference</p> <p>A detailed review was undertaken of the Commissioning Board Terms of Reference originally set up in March 2017. It is proposed that moving forward the Commissioning Advisory Board will act as the reviewing body for the Dyfed-Powys Police and Crime Commissioner in relation to the awarding of grant funding or the tendering for services, and that the Board will focus on scrutinising the business case review and holding service providers to accounts.</p>	Aug 16
<p>Joint internship with Open University (2)</p> <p>This decision follows on from decision 80 where an error in calculation was made which stated that the OPCC would be required to make a contribution of £1,200. The actual contribution required will be £1,500 with Santander also funding £1,500.</p>	Sept 6

<p>Proposal for Goleudy to manage medium risk victims of domestic abuse</p> <p>The Commissioner agreed to a proposal to fund one additional full time equivalent Victim and Witness Support Officer with an additional increase of 11.1 hours per week of another. In addition, funding to be granted for the increase of 7.4 hours per week of a Victim Care Officer, this will increase to a full-time post.</p> <p>This provision will ensure sustainability and stability for the service and will offer a wraparound service to victims of Domestic Abuse. The additional funding will be £38,578.63 per annum, with additional years increasing to a maximum of £41,808.33 based on the pay scale annual increases for these posts.</p>	Sept 10
<p>CWVYS Grant Agreement</p> <p>The Commissioner decided to fund a 12 month pilot project with the Council for Wales of Voluntary Youth Services to fund 4 youth workers across 2 designated areas in Dyfed-Powys. The contribution required for the 12 month pilot equates to £33,000 and started in November 2017.</p>	Sept 18
<p>Carmarthenshire Custody Suite and Llanelli Police Station</p> <p>The PCC approved a decision to appoint Willmott Dixon as the main contractor for the construction of the new Carmarthenshire Custody Suite and Llanelli Police Station via the SCAPE framework.</p>	Oct 12
<p>Kidwelly Police Station</p> <p>The Commissioner, in consultation with the Chief Constable, agreed to relocating policing services from Kidwelly Police Station to the Mid and West Wales Fire Service Station in Kidwelly.</p>	Oct 12
<p>Donation to Crimestoppers County Lines Campaign</p> <p>The Commissioner approved a contribution of £1050 from the Forfeiture budget towards the Crimestoppers charity's 'County Lines' campaign.</p>	Nov 6

Operation Ulysses Evaluation

Nov 6

The Commissioner approved a contribution of £5000 toward the evaluation of Operation Ulysses in selected Llanelli wards by the University of South Wales. Operation Ulysses was a drug enforcement operation targeting drug dealing and use in Llanelli.

Donation to 2 Wish Upon a Star

Nov 6

The Commissioner approved a donation of £150 to support running costs for the 2 Wish Upon a Star charity which provides support to parents after losing a child or young adult. Dyfed-Powys Police often refer victims onto the service.

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DYFED-POWYS POLICE AND CRIME PANEL 16/11/18

PANEL PRIORITY 2 HOW THE POLICE AND CRIME COMMISSIONER HOLDS THE CHIEF CONSTABLE TO ACCOUNT

Recommendations / key decisions required:

To note the proceedings of the most recent meetings of the Police Accountability Board

Reasons:

The Members of the Panel have identified scrutiny of how the Police and Crime Commissioner holds the Chief Constable to account as one of their priorities for 2018-2019.

Report Author:

Cllr. William Powell

Robert Edgecombe

Designation:

Panel Champion

Lead officer

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EXECUTIVE SUMMARY
DYFED – POWYS POLICE AND CRIME PANEL
16/11/18

PANEL PRIORITY 2
HOW THE POLICE AND CRIME COMMISSIONER HOLDS
THE CHIEF CONSTABLE TO ACCOUNT

The Police Reform and Social Responsibility Act 2011 ('the 2011 Act') places a statutory duty upon Police and Crime Commissioners to hold the Chief Constable to account.

The 2011 Act also places a statutory duty upon Police and Crime Panels to scrutinise the performance of that function by the Commissioner and monitor its effectiveness.

The Dyfed-Powys Police and Crime Panel has identified this function as one of their priorities for 2018-2019 and nominated Councillor William Powell to act as the lead member (or Panel Champion) in respect of it.

One of the main ways that the Commissioner holds the Chief Constable to account is by means of regular public meetings of the 'Police Accountability Board', which are held at various locations around the force area.

The last two meetings of the Police Accountability Board were;

1. Ceredigion on the 6th August 2018. and
2. Pembrokeshire on the 5th November 2018

Councillor Powell and Professor Roffe attended these meetings as observers and their notes of the proceedings are attached.

DETAILED REPORT ATTACHED ?

YES

Section 100D Local Government Act, 1972 – Access to Information

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Note of Meeting

Dyfed Powys Police Accountability Board.

Penmorfa, Aberaeron, Ceredigion.

6 August 2018

William Powell and Ian Roffe.

Context.

1. As Panel members we observed the Board Meeting, but were not participants. The meeting had a small number of participants. From the Police there were the CC, DCC, Director of Resources, Staff Officer and Media Officer. From the OPCC, the meeting was chaired by the Commissioner, who was accompanied by the CEO, the Director of Finance and an administrator. The previous Accountability Board had been hosted by Crickhowell High School, Powys and was attended by several students and others. Reference was made at the outset to the absence of the wider public, but there was no evidence of the meeting having been significantly promoted.

Key Question: Accountability.

2. As Panel Members a key question for us was the accountability exercised by the Commissioner on Police activities. During the 3 hour meeting, the Commissioner asked detailed questions of fact and meaning on a wide range of operational policing matters. His background formerly as a police analyst was clearly beneficial in focusing onto relevant issues. There was a lot of good practice reported which the Commissioner recognised and explained that he wanted to focus into areas of improvement. This was agreed and formed the track for the meeting.

3. Overall, the meeting was very focused onto performance over Q2, with the Commissioner taking the lead in all questioning. The dynamics between the OPCC and the Police were very good. There was clear transparency and an openness from the Police and OPSS to share developments and current issues. Responses went beyond the factual into interpretation and how this influences current policing practices.

4. The Commissioner clearly exercised an accountability function during the course of the meeting. The inter-personal dynamics were positive and transparent.

5. At the end of the session held 'in public,' Panel members were invited to make any observations or ask any questions, ahead of leaving the room for those items that were to be considered 'in camera.' It was more of a courtesy, given the nature of our presence at the meeting, rather than an opportunity to open up major issues. It had been previously observed by that there was limited information given as to the reason for the final items being exempt. This is an area where the Panel should seek procedural clarity, in terms of the criteria that apply.

Information for PCC Panel Members.

5. This note is not intended as a full report, but the following features should be of interest to PCC members. Sir Tom Winsor (HMIC) had recently visited the Force and met with the Senior Officer Team. The Commissioner had also had met him over dinner. The meeting went well and was considered a useful briefing on policing the largest area in England and Wales. Sir Tom was reported to have appreciated the challenges.

6. There was a direct enquiry by the Commissioner on police sickness absences - a topic raised by the Panel at its last meeting. The DCC reported that there were 3 groupings with high sickness and he was making managerial enquiries on supporting these areas. A mental health specialist has been appointed that would be beneficial for future action.

7. Police overtime issues were explained in the context of budget control. The options here were constrained. Summer incomers meant the need for more policing. There were also potential issues regarding

restricting overtime later in the year. Reference was also made to concerns regarding the potential for additional pressure to be experienced by the Police service in the coming months, in the event of a 'no deal' Brexit. The very same issue was covered by the BBC on Tuesday, 7th August, following discussions with the National Crime Agency (NCA) and the National Police Chiefs Council (NPCC.)

8. Police Staff costs will be controlled for the remainder of the FY by reducing the number of police intake in September from 22 down to 16.

9. Public Order Section 35 orders (these relate to dispersal orders to individuals and groups). The recent RWAS Show was discussed and the DCC reported that these orders are now used very often to disperse individuals and nip trouble in the bud. For policing in Tenby during this summer, it was explained that communications between door staff, PCSOs and police were a priority again with the intention of identifying potential trouble before it escalated.

ENDS

DYFED-POWYS POLICE AND CRIME PANEL 16/11/18

PANEL PRIORITY 3

SCRUTINY OF THE POLICE AND CRIME PLAN – CALL FOR EVIDENCE FROM CARMARTHENSHIRE COUNTY COUNCIL

Recommendations / key decisions required:

To note the evidence from Councillor Cefin Campbell, Executive Board Member for Community Safety

Reasons:

The Members of the Panel have identified scrutiny of the Police and Crime Plan as one of their priorities for 2018-2019. In particular Members wished to satisfy themselves that the Well-Being of Future Generations Act Plan for Carmarthenshire and the Police and Crime Plan for Dyfed-Powys were consistent with each other and served to promote collaborative working between public services throughout the County.

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EXECUTIVE SUMMARY
DYFED – POWYS POLICE AND CRIME PANEL
16/11/18

PANEL PRIORITY 3
SCRUTINY OF THE POLICE AND CRIME PLAN – CALL FOR
EVIDENCE FROM CARMARTHENSHIRE COUNTY COUNCIL

The Police Reform and Social Responsibility Act 2011 ('the 2011 Act') places a statutory duty upon Police and Crime Commissioners to publish a Police and Crime Plan setting out their priorities. The 2011 Act also places a statutory duty upon Police and Crime Panels to scrutinise such Plans and monitor their effectiveness.

The Dyfed-Powys Police and Crime Panel has identified this function as one of their priorities for 2018-2019 and nominated their Vice-chairman, Professor Ian Roffe to act as the lead member (or Panel Champion) in respect of it.

The Panel wishes to satisfy itself that the Well-being of Future Generations Act Plan for Carmarthenshire and the Police and Crime Plan for Dyfed-Powys are consistent with each other and promote collaborative working between public services across the County.

As part of this process the Panel has invited Councillor Cefin Campbell, Executive Board Member for Community Safety to attend the meeting for the purpose of setting out the Council's views on this issue and in particular on;

1. Whether he considers there is any need to review the Police and Crime Plan in light of the changing nature of the threats to our communities
 2. Whether he considers there is any need to review the plan in order to better align it with the well-being plan for Carmarthenshire to ensure the needs of Carmarthenshire residents are addressed as effectively as possible
 3. Whether he considers there is any need to change how the Police, Council and other public sector stakeholders collaborate in Carmarthenshire in order to assist in effective delivery of the Police and Crime Plan
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4. Whether he considers there is any need to review the Commissioners Rural Crime strategy in order to better align it with the well-being plan for Carmarthenshire
 5. Whether he considers there is any need to review the rural crime strategy in light of the changing nature of the threats to our communities

6. Whether he would like to see any changes in relation to the Commissioner's approach to the management of the Police estate, including on the question of the location/relocation of police stations.

DETAILED REPORT ATTACHED?

NO

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Host Authority File	LS-0511/39	County Hall Carmarthen

Agenda Item 13

By virtue of paragraph(s) 12 of Part 4 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

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