

Lancashire Police Authority APA Human Rights Action Checklist - Position July 2009

A. Internal Capability and Compliance of Police Authority

Minimum Standard	Good Practice	Desired Outcome	Current position	Suggested Action Lead officer/Timescale
A1. The police authority has a human rights policy	The police authority has a human rights policy which it reviews annually and has a SMART (specific, measurable, attainable, results-oriented and time-based), resourced action plan informed by human rights impact assessments	Compliance with legislation	The Authority does not have a human rights policy.	Complete the APA Action Checklist and use the results to develop a human rights policy which links in with the Equality Scheme. Deputy Chief/Executive & Committee Administrator – March 2010
A2. The police authority has a member and officer who lead on human rights for the police authority	Agree with the force that the authority's lead member(s) and officer(s), and/or any external HRA adviser(s) it appoints, shall have the fullest access (subject to vetting where appropriate) to force personnel and records for the purpose of HRA monitoring	A demonstrable and effective commitment to fulfilment of human rights duties	No lead member or lead officer identified. Currently no access for HR Act monitoring	Lead Member on Diversity to lead on human rights from July 2009. Deputy Chief Executive to be the Lead Officer. Consider with the Constabulary what access would be required to enable the Authority to meet minimum standards and agree with the Constabulary access arrangements , if required. Committee Administrator – March 2010
A3. The police authority has a committee structure which regularly considers human rights, and all committees have human	A committee exists which co-ordinates the police authority's response to human rights and involves key lead members including human resources, professional standards, counter terrorism, performance and	Co-ordinated, consistent and progressive approach to the delivery of the	Some committees consider matters pertaining to human rights without it being branded as such eg	Amended Terms of Reference to be approved by the Authority on 17 July. Police Authority report template to be amended to include reference to HR

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rights written into their terms of reference as a core area of consideration	diversity thereby ensuring that regularly and effective scrutiny of the force is undertaken across all key areas of business, and all appropriate authority committees are fully meeting their duty	human rights duty and functions including effective scrutiny of the force	Professional Standards monitors welfare of detainees in custody. Terms of Reference of all committees have been reviewed in preparation for the Authority's Annual General Meeting on 17 July. Reference has been included to consideration of human rights matters for all relevant committees.	Act implications. Deputy Chief Executive & Committee Administrator – July 2009.
A4. The police authority publishes articles on HRA compliance, on at least an annual basis	Relevant information about force compliance, progress, specific incidents and any action taken is published annually. Where appropriate, in local circumstances, this may include a separate annual report	Co-ordinated, consistent and progressive approach to the delivery of the human rights duty and functions including effective scrutiny of the force	The PA currently publishes information relevant to the Human Rights duty that is not badged as such. From 2009/10, this should be considered and included in the Authority's Annual Report, under a specific human rights heading, if appropriate.	Consider inclusion of information about HRA compliance in Police Authority annual report from 2009/10. Policy & Performance Officer (BAW) during preparation of annual report.
A5. All members, officers and volunteers of the police authority receive appropriate and ongoing	All members, officers and volunteers of the police authority with human rights Responsibilities receive appropriate role specific training. The police authority has	The police authority can be assured that all of those involved	The Deputy Chief Executive has attended a one day training course on	Ensure training on Human Rights is provided for members, staff and volunteers that is appropriate to their roles.

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human rights training which is regularly reviewed	processes in place – e.g. through standards committees, etc – to ensure members and staff uphold the principles of human rights. Where appropriate, this may include regular assessment through performance development reviews (PDRs)	with its business are aware of their responsibilities	<p>human rights organised by the APA (May 2009)</p> <p>The Joint Authority and Constabulary Equality and Diversity Group has agreed that its Members should attend the APA training on human rights and that remaining Members should be briefed at a future Police Authority Seminar.</p> <p>Members, staff and volunteers also agree to follow various codes of conduct, diversity statements.</p>	<p>Include human rights training in the Members' Learning and Development Plan.</p> <p>Deputy Chief/Executive & Committee Administrator – March 2010.</p>

B. External Focus For Police Authorities

Minimum Standard	Good Practice	Outcome	Current position	Action Lead officer/Timescale
<p>B1. Police authorities ensure that effective training is in place and that appropriate questions are asked on custody visits. Custody visitors are aware of their crucial role in monitoring the rights and entitlements of detainees in custody centres, feed back to the police authority immediate concerns and provide regular report which the authority monitors</p>	<p>A member and an officer be designated to have link responsibilities with the authority's independent custody visitors as part of assessing force HRA compliance in the treatment of detained suspects. The police authority has an effective custody visiting process, in which there is three way communication between the police, the visitors and the authority; it reassures the community about custody; it has transparent accountability in respect of action taken as a result of custody visit recommendations; it has a comprehensive training and development programme for custody visitors; and is able to show how the process of custody visiting is adopted within the strategy of the authority</p>	<p>The police authority and local community can be assured that, within their force area, all custody centres are managed to the highest standard of human rights compliance</p>	<p>Independent Custody Visiting Scheme in place.</p> <p>Lead Members and officer have been appointed.</p> <p>Volunteer training programme is in place. Human Rights is covered as part of diversity training, but not in great detail.</p> <p>ICVs make weekly visits to designated police stations and report on individual visits.</p> <p>Authority monitoring is undertaken by the Professional Standards Committee.</p>	<p>Review and amend ICV training programme as required to ensure all ICVs are aware of HR Act and arrangements to monitor Force compliance.</p> <p>Provide training to Visitors.</p> <p>Review and amend ICV reporting procedures to ensure human rights considerations are included.</p> <p>Committee Administrator and Volunteer Scheme Co-ordinator– December 2009.</p>
<p>B2. If the authority chooses to make use of the work of other organisations in discharging its HRA monitoring duties, it</p>	<p>Stronger partnership working with additional and wider interested stakeholders and partners e.g. local voluntary and community groups which provide an opportunity for regular dialogue between the police and</p>	<p>The police authority can monitor human rights compliance efficiently and</p>	<p>Not undertaken at present.</p> <p>IPCC Section 136 – Place of Safety is</p>	<p>Review in 12 months following implementation.</p> <p>Deputy Chief Executive & Committee Administrator – July 2010.</p>

<p>establishes partnerships with those organisations, including perhaps local authorities, LCJBs, the IPCC and local voluntary groups with human rights interests</p>	<p>stakeholders on human rights issues. This may include events to enable dialogue between the police and interest groups and an opportunity to discuss human rights issues and to raise any concerns</p>	<p>effectively using information from partners, interested stakeholders and the public where appropriate</p>	<p>relevant here.</p>	
<p>B3. The police authority has a communication strategy which demonstrates how the authority will meet its human rights duties</p>	<p>The police authority has a community engagement and communication strategy which is developed in partnership with key local partners in order to join up local human rights practice</p>	<p>The police authority is effectively meeting its obligations to engage and inform all members of the community in relation to human rights</p>	<p>Not specifically badged in the Community Engagement Strategy, but inherent in the development and delivery of the Strategy.</p>	<p>Consideration to be given how HR Act implications can be included in Community Engagement Strategy. Head of Community Engagement – March 2010</p>

C. Internal Force Capability and Compliance Of Chief Officer

Minimum Standard	Good Practice	Outcome	Current position	Action Lead officer/Timescale
<p>C1. As part of the police authority's regular monitoring and challenge of force reports on force data, ensure that human rights compliance is tested against relevant areas, including:</p> <ul style="list-style-type: none"> • training; • discipline; • grievance; and • complaints 	<p>The police authority ensures that the force produces update reports on relevant internal force data in relation to human rights on a frequent basis, and ensures the quality of the data by:</p> <ul style="list-style-type: none"> • regularly engaging in the dip sampling of data; • observing relevant training; • taking up membership of internal force monitoring meetings; and • devising a process with force professional standards department (PSD) to enable analysis of the causes of any increase in the total number of complaints against officers. 	<p>The police authority is proactive and regularly engaged in ensuring that human rights issues are effectively adhered to and promoted effectively with in their force; and the chief officer is aware of the police authority's commitment to ensuring the improvement of force performance in relation to human rights compliance</p>	<p>Human Resources Committee monitors training, grievances and complaints data.</p> <p>Member attendance on some Constabulary training courses is currently being explored.</p> <p>Professional Standards Committee monitors complaints and discipline, and undertakes dip sampling of complaints.</p>	<p>Consider with Constabulary how human rights matters are monitored as part of the work of Human Resources and Professional Standards Committees in relation to the identified areas and consider what changes need to be made.</p> <p>Deputy Chief/Executive, Monitoring Officer & Committee Administrator – March 2010.</p>
<p>C2. The police authority should monitor force staff awareness of human rights and assess the effectiveness of human rights training which might include utilising force staff/cultural surveys and monitoring changes in attitudes over time</p>	<p>The police authority is involved at all stages of the development and analysis of force staff/ cultural surveys, including the planning and question setting, the evaluation of results, the setting and the ongoing monitoring and challenge of force implementation of any subsequent recommendations</p>	<p>The police authority is fully aware of staff attitudes to human rights, and where appropriate can recommend interventions and monitor progress</p>	<p>The PA has in the past received feedback on Force staff surveys as part of the development of Policing Plan. The Deputy Chief Executive is a member of the Steering Group for</p>	<p>Human Resources Committee to be responsible for monitoring this area of business.</p> <p>Police Authority to continue involvement in Cultural Survey Steering Group.</p> <p>Deputy Chief Executive – March 2010/ongoing</p>

			the current cultural survey.	
<p>C3. The police authority should consider, where relevant and based on local circumstances, whether it is appropriate to include targets in relation to human rights in each chief officer's PDR objectives</p>	<p>The police authority ensures that the force introduces an appropriate human rights objective for all relevant officers and staff PDRs. The results of these PDRs should be regularly scrutinised by the authority in order to assess force awareness and compliance with human rights, as well as to monitor force implementation of any subsequent recommendations</p>	<p>The police authority is fully aware of staff compliance with human rights, and where appropriate can recommend interventions and monitor progress</p>	<p>Consideration of human rights matters is part of day to day business for chief police officers eg giving authority for operations which will infringe individuals' human rights.</p> <p>The Chief Constable's PDR objectives and targets are set by HMIC. For the other ACPO officers they are set by the Deputy Chief Constable. The Appointments and Remuneration Committee has to agree the objectives for all officers involved in the bonus scheme.</p> <p>Human Rights targets have not specifically been considered Appointments and Remuneration Committee in previous years.</p> <p>The committee was informed of the duty</p>	<p>Appointments and Remuneration Committee to consider whether human rights targets should be set in future years.</p> <p>Deputy Chief Executive, July 2009</p>

			at its meeting on 10 June 2009. It decided to comply with the minimum standard in future years. Its Terms of Reference have been amended accordingly.	
C4. The police authority has audited force policies for human rights compliance, or has monitored force impact assessment processes on relevant policies to ensure that human rights issues are effectively considered	The police authority is involved in the force impact assessment monitoring process, including sitting on internal force equality and human rights impact assessment meetings, and undertakes regular dip sampling of force impact assessments	The police authority is able to endorse a public facing impact assessment annual report demonstrating that human rights have been considered in the developing of all force policies	This is not done at present, although the Authority and Constabulary are establishing procedures to enable the Authority to have oversight of Constabulary policies and equality impact assessments.	To be addressed as part of the Authority's oversight of Constabulary's policies and equality impact assessment processes. Deputy Chief Executive, March 2010
C5. The police authority monitors force data management and retention policies and practices which cover IT and forensics including CCTV, forensics, surveillance and intelligence, etc	The police authority ensures that force IT and forensics policies and procedures are compliant with human rights by receiving quarterly reports and by: <ul style="list-style-type: none"> • regularly engaging in the dip sampling of data; • observing relevant training; and • taking up membership of internal force monitoring meetings 	The police authority is satisfied that force IT and forensics policies/ practices are compliant with the HRA	This is not done at present	Discuss with the Constabulary the possibility of monitoring appropriate policies through the Protective Services Panel and the Resources Committee. Deputy Chief Executive Committee Administrator March 2010

D. Operational Force Compliance

Minimum Standard	Good Practice	Outcome	Current position	Action Lead officer/Timescale
<p>D1. The police authority (using information from external bodies where appropriate) receives, monitors and challenges regular reports on relevant external force activity, including:</p> <ul style="list-style-type: none"> • public order – e.g. number of charges/convictions per arrest, use of horses and dogs, etc; • use of force – e.g. firearms, pava spray and Tasers, etc; • covert policing – e.g. surveillance, interception of communications and use of informants, etc; and • search and seizure – e.g. requests for search warrants and scrutiny/management of Stop and Search powers. 	<p>The police authority ensures that the force produces frequent update reports on all relevant operational force activity and ensures the quality of the data by:</p> <ul style="list-style-type: none"> • regularly engaging in the dip sampling of data; • observing relevant training; • attending relevant internal force meetings; • reviewing all intelligence policies, procedures and protocols; and • developing a strategic police authority policy on the management of intelligence 	<p>The police authority is proactive and regularly engaged in ensuring that human rights compliance is effectively delivered within communities</p>	<p>A number of these areas are currently monitored by Professional Standards Committee through the complaints analysis.</p>	<p>Explore with Constabulary appropriate arrangements for oversight to meet the minimum standard</p> <p>Chief/Deputy Executive, & Committee Administrator, March 2010</p>
<p>D2. The police authority monitors force and, where relevant, key partner data in relation to victim, witness, suspect and perpetrator survey data, in order to ensure that the authority is satisfied that force practice is compliant with human rights</p>	<p>The police authority develops a specific engagement strategy with the aim of gauging the experience of victims, witnesses, suspects and perpetrators. This could include surveys, focus groups and one-to-one interviews, and should be developed in partnership with LCJB partners, victim support and the National Association for the Care and Resettlement</p>	<p>The police authority is satisfied that those who come into contact with the police, for whatever reason, receive a fair and equitable service</p>	<p>Force service user data is currently monitored by the Planning and Performance Review Committee but not specifically with regard to human rights. Partner data is</p>	<p>Explore with Constabulary appropriate arrangements for oversight to meet the minimum standard</p> <p>Chief/Deputy Executive, & Committee Administrator, March 2010</p>

	of Offenders (NACRO)	which is compliant with the HRA	not considered.	
D3. The police authority monitors force compliance with human rights in relation to public order incidents, and oversees implementation of appropriate recommendations	<p>The police authority receives regular reports on public incidents and where appropriate makes and then monitors the implementation of recommendations.</p> <p>Following the experience of NIPB, consideration should be given to appointing a suitably qualified human rights assessor. He or she would be able to observe and report on force HRA compliance during operations and public order incidents, and could also be involved in the preparation of an annual human rights report. Such an observer could be recruited as part of a regional collaboration</p>	Increased community trust and confidence following independent assessment of force operational practice	This is not monitored at present on a consistent basis, although the PA has received ad hoc reports on specific issues in the past.	<p>Explore with Constabulary appropriate arrangements for oversight to meet the minimum standard</p> <p>Chief/Deputy Executive, & Committee Administrator, March 2010</p>