

**ORIGINATOR:
BUSINESS CO-ORDINATOR,
OFFICE OF THE PCC FOR SUFFOLK**

DECISION NUMBER: 48-2013

REASON FOR SUBMISSION: FOR DECISION

SUBMITTED TO: POLICE AND CRIME COMMISSIONER

**SUBJECT: THREE YEARLY REVIEW OF INDEPENDENT
CUSTODY VISITOR APPOINTMENTS**

SUMMARY:

1. The Home Office Code of Practice for Custody Visiting requires each Scheme to undertake a reconstitution process every 3 years. The key factors considered in maintaining appointments are:
 - i) The continuing ability and willingness of the individual in question to conduct the role effectively having regard to the role profile for a Custody Visitor;
 - ii) Ensuring that the individual is operating within the Scheme Guidelines, in accordance with the Home Office Code of Practice and other National Standards, and within the spirit of the Scheme.

RECOMMENDATION:

It is recommended that the PCC review the contents of this report and endorse the proposal to renew the appointments of 18 ICVs in Suffolk as of 1 January 2014 for a three year term.

It is also recommended that the PCC endorse the proposal to commence a two term limit for ICVs in Suffolk so that a balanced representation of volunteers can be maintained. This proposal would be implemented as of 31 December 2016.

APPROVAL BY: PCC

The recommendations set out are agreed.

Signature *Tim Pannone*

Date *20/12/2013*

DETAIL OF THE SUBMISSION

1. BACKGROUND

- 1.1 The Home Office Code of Practice for Independent Custody Visiting provides guidance in respect PCC duties in discharging the independent custody visiting function.
- 1.2 In respect of individual appointments to custody visiting schemes, the Home Office provides the following national guidance:

"29. Appointments as an ICV must initially be for three years and must not be confirmed until a six-month probationary period has been satisfactorily completed. Full re-assessments of suitability must take place at regular intervals but no longer than three years apart. The key factors in renewing appointments for further periods must be the continuing ability and willingness of the individuals involved to do the job effectively. Any decision not to renew the appointment must follow the principles of natural justice and must be publicised in the scheme's memorandum of understanding or guidance."

- 1.3 The 20 current Independent Custody Visitor (ICV) appointments to the Scheme in Suffolk are effective until 31 December 2013. The last full review of all appointments to the Scheme was undertaken in 2010.

2. REVIEW OF INDEPENDENT CUSTODY VISITOR APPOINTMENTS IN SUFFOLK

- 2.1 The Office of the Police and Crime Commissioner for Suffolk has commenced the three yearly review process in line with Home Office guidance, being particularly mindful of the designated Role Profile and Person Specification for an Independent Custody Visitor in Suffolk.
- 2.2 Contact was made with all individuals currently appointed to the Scheme to establish if they were willing and able to continue within the role. A letter was circulated to all Suffolk ICVs on 4 December 2013 and 18 of the 20 ICVs have responded stating that they would like to continue after 31 December 2013. Two visitors have decided that this review is a natural time to step down and have confirmed that they do not wish to continue having carried out the role for some time.
- 2.3 The Chief Executive's office also sought feedback from each of the Panel Coordinators with regard to the performance of individuals undertaking visits, their commitment/flexibility to the Scheme and consideration of issues such as effective interaction with detainees. The aim of this was to provide evidence in relation to effectiveness to further inform the decision making process.

3. INDIVIDUAL APPOINTMENTS

- 3.1 A comprehensive overview of the number of visits undertaken by the 18 visitors who wish to continue, their attendance at Panel meetings, training and conferences, together with any key issues to note is provided at Appendix 1 (Confidential appendix NOT FOR PUBLICATION – by virtue of Paragraph 2 of the Local Government Act 1972). Where attendance at training has been highlighted as an issue those re-appointments will be made on the understanding that training requirements over the three year term of appointment are met.
- 3.2 In light of the continued willingness, satisfactory level of performance and positive feedback received, the PCC is recommended to consider renewing the appointments for those 18 ICVs with effect from 1 January 2014.

4. OTHER ISSUES FOR CONSIDERATION

- 4.1 The Home Office Code of Practice for Independent Custody Visiting also states that PCCs must also seek to ensure that the overall Panel of ICVs is representative of the local community and provides a suitable balance in terms of age, gender and ethnicity. This is particularly important to ensure that our broad range of volunteers can help identify whether the organisation has any hidden barriers.
- 4.2 To ensure that a rolling plan of recruitment can be implemented (therefore ensuring that any gaps in representation can be addressed) it is recommended that ICVs should serve a maximum of two terms of office. The PCC would reserve the right, in exceptional circumstances to extend a period of appointment (with the individual's agreement) beyond the six year term so as to retain particular skills within the scheme or to provide continuity.
- 4.3 It is suggested to implement the two term limit as of 31 December 2016 when the next formal reconstitution of the Scheme is to be undertaken. This will ensure that the knowledge / experience of our current volunteers are retained and any impact on the Scheme of losing such experience can be managed prior to 2016.

5. FINANCIAL IMPLICATIONS

- 5.3 All continuing ICVs are required to complete a training module after the reconstitution process in order to ensure that everyone has received the same level of information / support to enable them to undertake their role. The impact of this can be absorbed within the annual budget allocated to support the Independent Custody Visiting Scheme within the PCC's Corporate Budget.

6. OTHER IMPLICATIONS AND RISKS:

- 6.1 The recommendation to apply a two term limit for ICVs poses a risk regarding the potential loss of knowledge / experience of volunteers. By implementing this change in December 2016, such a risk can be managed. This will include steps to replace the two ICVs who have indicated that they will be leaving at the end of this year.

ORIGINATOR CHECKLIST (MUST BE COMPLETED)	PLEASE STATE 'YES' OR 'NO'
Has legal advice been sought on this submission?	NO
Has the PCC's Chief Finance Officer been consulted?	NO
Have equality, diversity and human rights implications been considered including equality analysis, as appropriate?	YES
Have human resource implications been considered?	YES
Is the recommendation consistent with the objectives in the Police and Crime Plan?	YES
Has consultation been undertaken with people or agencies likely to be affected by the recommendation?	YES
Has communications advice been sought on areas of likely media interest and how they might be managed?	NO
In relation to the above, have all relevant issues been highlighted in the 'other implications and risks' section of the submission?	YES

APPROVAL TO SUBMIT TO THE DECISION-MAKER (this approval is required only for submissions to the PCC).

Chief Executive

I am satisfied that relevant advice has been taken into account in the preparation of the report and that this is an appropriate request to be submitted to the PCC.

Signature:



Date **20 December 2013**

