

**ORIGINATOR:
BUSINESS CO-ORDINATOR
(CUSTODY VISITORS),
OFFICE OF THE PCC FOR SUFFOLK**

DECISION NUMBER: 32-2022

REASON FOR SUBMISSION: FOR DECISION

SUBMITTED TO: CHIEF EXECUTIVE

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 an Independent Custody Visitor (ICV);
 - 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.

RECOMMENDATIONS:

It is recommended that the Chief Executive:

- (i) review the contents of this report and endorse the proposal to continue the appointments of 15 ICVs in Suffolk as of 1 January 2023 for a three-year term.
- (ii) approves the proposed changes to the operation of the Scheme in relation to number of panel meetings held and addition of a 'notice period' to the Scheme Guidelines and Memorandum of Understanding.

APPROVAL BY: CHIEF EXECUTIVE

The recommendations set out are agreed.

Signature

A handwritten signature in black ink, consisting of a stylized 'A' followed by a long horizontal stroke with a small upward curve at the end.

Date 14 December
2022

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 current ICV appointments to the Scheme in Suffolk are effective until 31 December 2022. The last full review of all appointments to the Scheme was undertaken in December 2019.
- 1.4 The PCC’s Scheme of Governance and Consent (at section 3 - Delegations) sets out the ‘Functions designated/delegated to the Chief Executive of the Office of the PCC’ which includes the administration of the Independent Custody Visiting Scheme and any other volunteer schemes including the appointment, suspension and removal of custody visitors and other volunteers. This report is therefore submitted to the Chief Executive for consideration.

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 processes 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 There were several ICV resignations during the 2020-2021 period, but as visiting processes were adapted due to the Covid pandemic and remote visiting arrangements implemented, not as many volunteers were needed and no recruitment took place. In September 2021 a recruitment campaign was undertaken for new volunteers for both panels which resulted in several applications being received. Numerous appointments have therefore been made during 2022 and initial training supported.
- 2.3 There are currently 16 volunteers, one of which has given notice that they will be stepping down from 31 December 2022. Therefore 15 are being considered for continued appointment.
- In November 2022 letters were circulated to ten of the volunteers to establish if they wished to continue in the role for a further three-year period. All ten have confirmed in writing that they would like to continue after December 2022.
 - One visitor is currently taking a break from the Scheme for personal reasons, and it has been agreed that the position will be reviewed separately at the end of the year.
 - Four volunteers are new to the Scheme (between July and November 2022) and in their initial six-month probationary period.

- 2.4 The Scheme Manager is currently in the process of recruiting more volunteers for the Bury St Edmunds panel and arranging interviews for January 2023. Additional recruitment for the Martlesham Panel is likely for early 2023. Any new appointments would be made subject to a probationary period and ultimately serving until 31 December 2025.

3. **INDIVIDUAL APPOINTMENTS**

- 3.1 A review of the number of visits and calls made by the 15 visitors who wish to continue, their attendance at Panel meetings and training has been undertaken. Feedback from the Panel Co-ordinators has also been sought about the performance of individuals, their commitment/flexibility to the Scheme and consideration of issues such as effective interaction with detainees and this is included in Appendix 1 (Confidential appendix - NOT FOR PUBLICATION). Visiting arrangements varied during 2020-2022 due to the Covid pandemic so the number of visits was fewer than in previous years, but telephone calls were made to ensure continuation of monitoring arrangements. Volunteers quickly and positively adapted to the changes required. Meetings and training were also carried out virtually during that period.

- 3.2 The Suffolk PCC Independent Custody Visiting Scheme Guidelines state:

3.5 **Appointment and Accreditation**

ICVs can serve a maximum of two terms (six years). However, they are welcome to re-apply following a three-year break.

The PCC reserves the right, in exceptional circumstances, to extend a period of appointment (with the individual's agreement) beyond the six-year term. This may be done to retain particular skills within the scheme or to provide continuity.

- 3.3 There are three volunteers across the Scheme that have served for longer than two terms. All three are serving members of the Martlesham Panel. Given that over half (four of the seven panel members) are new volunteers, it is recommended that the three experienced members of the panel are retained for a further three-year term to ensure continuity and support the training and development of new panel members.
- 3.4 In light of the continued willingness and flexibility of the volunteers, satisfactory levels of performance and positive feedback received, the Chief Executive is recommended to consider renewing the appointments for all 15 ICVs with effect from 1 January 2023.

4. **PROPOSED CHANGES TO THE OPERATION OF THE SCHEME**

- 4.1 Independent Custody Visitors meet on a regular basis as a panel to discuss matters arising with the Scheme Manager and Police Inspector. These meetings have been held on a quarterly basis with volunteers supporting the minute taking. Following discussions with volunteers it has been agreed that the Scheme Manager will support the minute taking of those meetings moving forward. Given the additional work this involves it is proposed that the number of meetings per year will be reduced to three instead of four for each panel.
- 4.2 Where volunteers leave the Scheme with very little notice this impacts on the other team members and means that the Panel Co-ordinators must make alternative arrangements to cover the visit rota. It is therefore proposed that the Scheme Guidelines and Memorandum of Understanding be updated to ask volunteers to provide a reasonable 'notice period' (unless there are exceptional circumstances) and finish the current rota period if possible.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications associated with consideration of the recommendations contained within this report.

6. OTHER IMPLICATIONS AND RISKS

- 6.1 There are no other implications or risks associated with consideration of the recommendations contained within this report.

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
Have all relevant ethical factors been taken into consideration in developing this submission?	YES

