

Action plan – new code of Practice ICVA

Code item	Current situation or Action required	Completed
Police authorities must therefore ensure that they have in place robust and effective procedures for establishing and maintaining their independent custody visiting schemes, including the allocation of appropriate resources to this function.	Scheme administrator dedicated to this role. Budget allocated for ICV expenses and training.	Already in place
Overall responsibility for the central administration of the scheme must be given to a nominated officer on the police authority's staff, supported as necessary by other personnel and resources.	Scheme Administrator identified together with Lead Member. Staff, Custody staff and ICVs aware and have contact details	Already in place
At police authority level, groups or panels of volunteers must be organised to visit police stations in the authority's area. Every group needs to have its own co-ordinator locally supported by the authority.	ICVs organised into 3 panels coterminous with Custody areas. Each Panel has an identified co-ordinator. Remind Custody Staff who they are	Already in place Lists identifying all ICVs and the Co-ordinators re-issued May 2010
Police authorities are responsible for recruiting, selecting and appointing independent custody visitors and must ensure these functions are adequately	Recruitment ongoing on website. University of Teesside Volunteer organisation advertise with Students. Redcar Voluntary agency have details.	Already in Place

resourced.	Volunteer manager of Cleveland Police has details and passes them on to volunteers who may be interested.	
Adequate numbers of suitably trained and accredited independent custody visitors must be available at all times.	ICVs trained. Sufficient numbers to carry out the number of visits required without being over burdened or under employed. Recruitment required in Hartlepool	Already in place. Recruitment undertaken, interviews to take place at end of July.
<p>The Recruitment Process Recruitment must be based on clear role descriptions, as well as person specifications setting out the qualities independent custody visitors require to carry out their role effectively.</p> <p>Recruitment must be open, non-discriminatory and well publicised.</p> <p>All selections must be made on the basis of a standard application form with adjustments based on local circumstances.</p> <p>No person shall be appointed as an independent custody visitor without an interview taking place. The selection panel must record the reasons for decisions</p>	<p>National role descriptions and person specs are used.</p> <p>On website, attend local groups, volunteers programme</p> <p>National form used</p> <p>All suitable applicants are interviewed and also observed at initial training day. ICV applicants are all vetted to include close family members.</p>	<p>Already in place</p> <p>Already in place</p> <p>Already in Place</p> <p>Already in place</p>

<p>about appointment or non-appointment. Any appointment is subject to vetting or security clearance for all custody visitors (to an appropriate level as determined by the Home Office, which will be at Developed Vetting (DV) level for those visiting persons detained under the Terrorism Acts). Vetting renewal must be undertaken for all visitors before their appointments are renewed (see paragraph 23 below).</p> <p>13. Any appointment must be made solely on merit and all independent custody visitors must be at least 18 years old and must be from those living or working within the police authority boundary and who have been resident in the UK for at least 2 years prior to the date of application.</p>	<p>Additional vetting for those who may visit detainees held under the Terrorism acts</p> <p>Vetting renewal for those reappointed – vetting for all ICVs will be renewed as they have all recently been reappointed.</p> <p>All ICVs in Cleveland comply with these criteria</p>	<p>Discussion on going with vetting unit. Training for scheme administrator and one member of staff completed re inputting of vetting details on new system. ICVs have completed vetting forms and will all be revetted by end of year at latest.</p> <p>Already in place.</p>
<p>The police authority must seek to ensure that the overall set of independent custody visitors is representative of the local community and provides a suitable balance in terms of age, gender and ethnicity.</p>	<p>Spread across age and gender,</p> <p>Recruitment from BME community – 4th May discussion with BME community at Hartlepool.</p>	<p>Already in place</p> <p>Have spoken to IAG in past with no take up. Arrangements to be made to speak to all IAGs at next meetings.</p>

<p>All reasonable adjustments must be made to accommodate those with a disability, as defined in the Disability Discrimination Act 1995, and those who do not have English as their first language but who are able to communicate effectively so as to be understood, where they are considered suitable candidates.</p>	<p>Circulate papers to all IAGs</p> <p>Disabled parking provided. Meetings where ICVs have a disability attend are held on ground floor. ICV with helping dog carries out visits.</p>	<p>Already in place</p>
<p>Where an applicant has convictions for criminal offences, or has received any formal caution, warning or reprimand, or has failed to disclose any such finding, the specific circumstances must be considered in assessing suitability to become an independent custody visitor. However, past offending is not an automatic barrier to acceptance. The police authority is responsible for all appointments of custody visitors. The chief officer should provide advice to enable the authority to make a decision with regard to the suitability of each applicant. The police authority should be informed by the chief officer as to the reason(s) for</p>	<p>If Convictions are identified then discussions with DCC take place before appointment is agreed</p>	<p>Already in place – procedures will be updated if vetting manager is given delegated authority.</p>

<p>recommending that a volunteer should not be appointed.</p>		
<p>In appointing independent custody visitors, care must be taken to avoid any potential conflict of interest. For example, serving police officers and other serving members of police or police authority staff will be unsuitable for that reason. The same will apply to special constables, justices of the peace and members of the police authority. All other applications must be considered on their merit.</p>	<p>The occupations which may debar an individual from appointment are identified within the literature sent out to potential applicants</p>	<p>Already in place</p>
<p>Independent custody visitors may also act as appropriate adults. However, individuals must not switch between those roles during the course of a visit to the same police station and must declare if they have previously carried out either role with the same detainee.</p> <p>Independent custody visitors may also act as lay observers appointed under the Criminal Justice Act 1991 to inspect the conditions under which prisoners are transported and held.</p>	<p>ICVs are aware of this possibility and also the need to only carry out one role at any time.</p> <p>Custody Visitors are aware of this</p>	<p>Already in place, covered in initial training</p> <p>Already in place, covered in initial training</p>

<p>The police authority must provide each independent custody visitor with a written memorandum of understanding summarising their agreed responsibilities and the legitimate expectations of both parties</p>	<p>Drafted in 2004 not actioned. Amend and agree at Professional standards Panel and then issue</p>	<p>Currently amending and checking with legal services, will be brought to next Professional Stds panel.</p>
<p>The police authority must provide each independent custody visitor with an identity pass as their authority to visit any police station in the force area that is holding detainees on a regular or temporary basis.</p>	<p>All ICVs have current passes Renew lists with Custody Staff</p>	<p>Already in place. Custody staff have current lists of ICVs – reissued in May 2010.</p>
<p>Appointments 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</p>	<p>Appointments are on three year basis and are not confirmed until satisfactory completion of 6mth probation period. Annual appraisal undertaken to ensure ICVs have continuing commitment and ability to continue</p>	<p>Already in place</p>
<p>Procedures for considering possible termination of appointment must follow the principles of natural justice and must</p>	<p>Procedures to be drafted and agreed at Professional Stds Panel and then circulated</p>	<p>Procedure to be drafted and brought to next Professional Stds Panel meeting.</p>

be publicised.		
Procedures must be in place to deal with complaints against independent custody visitors by detainees, police personnel or others. Equally, there must also be a clear mechanism for handling any complaints from visitors.	Procedures to be drafted and agreed at Professional standards Panel and then circulated	Complaints by ICVs are currently dealt with by scheme administrator, any complaints against Scheme administrator would be dealt with by Acting Chief Executive. Formal procedures for dealing with complaints will be drafted and brought to next Professional stds Panel meeting
Independent custody visitors are entitled to be reimbursed for their legitimate expenses incurred in carrying out their role.	ICVs allowance scheme includes and honorarium paid annually for stationery, postage and telephone calls. A car mileage allowance scheme based on Support staff rates is in place as is a carers allowance	Current
The police authority must ensure adequate cover and provision for claims arising from an independent custody visitor's role.	Insurance is in place	Already in place – currently checking with legal services that insurance is appropriate and relevant for all age groups of ICVs
The basic responsibility for initial and ongoing training lies with the police authority and a structured plan with clear objectives must be developed in consultation with the police service and the local independent custody visiting	Initial training provided by ICVA, refresher training on Pace given in November 2008. Diversity and Human rights training annually. Draft and agree training programme	Already in place. Training plan attached to annual report elsewhere on the agenda.

<p>community.</p> <p>The police authority must evaluate the effectiveness of training and the extent to which it is achieving its objectives.</p>		
<p>31. The police authority should liaise with the chief officer about the frequency with which visits should be carried out.</p> <p>32. Visits must be sufficiently regular to support the effectiveness of the system, but not so frequent as to unreasonably interfere with the work of the police.</p> <p>33. The frequency of visits must be monitored against expectations and reported to the police authority at regular intervals. Where insufficient visits are taking place, the causes must be investigated and corrective action taken.</p> <p>34. Consideration must be given to making visits to all police stations where detainees are held even where they are only accommodated for relatively short periods of time.</p>	<p>Agreed weekly visits at Hartlepool and Middlesbrough. Fortnightly rota at Kirkleatham although visits can be every week. This is due to low number of detainees at Redcar.</p> <p>Scheme administrator and co-ordinators monitor regularity of visits and included in the annual report submitted to Professional Standards panel.</p>	<p>Already in place</p>

<p>Visits must be undertaken by pairs of independent custody visitors working together</p>	<p>This has always been the case in Cleveland</p>	<p>Already in place</p>
<p>36. Independent custody visitors must be admitted to the custody area immediately. Delay is only permitted when immediate access may place the visitors in danger. A full explanation must be given to the visitors as to why access is being delayed and that explanation must be recorded by the visitors in their report.</p> <p>37. Independent custody visitors must have access to all parts of the custody area and to associated facilities such as food preparation areas and medical rooms. However, it is not part of their role to attend police interviews with detainees. Custody visitors will be allowed access to CCTV cameras to ensure that they are operational.</p> <p>38. Police staff must be alert to any specific health or safety risks independent custody visitors might face and must advise them appropriately at the commencement of the visit.</p>	<p>ICVs and Custody staff are aware of this – if a problem occurs which is not resolved at the time then the scheme administrator is contacted and resolves with the Inspector. ICVs have been asked to ensure that they make a not of this on the report but also should ask to see a senior officer at the time if possible so that the issue is resolved immediately. Any issue are also reported at the next available panel meeting where Custody staff are usually in attendance.</p> <p>Include in Refresher training need to include on report form and also to seek assistance of a senior officer if available.</p> <p>ICVs and Custody staff aware of this</p>	<p>Already in place</p> <p>Included on refresher training delivered on 2nd July 2010</p> <p>Already in place</p>

<p>39. The custody officer or a member of custody staff must accompany independent custody visitors during visits <i>(but see paragraph 46)</i>.</p>	<p>ICVs and Custody staff are aware of the need to be within sight but out of hearing</p>	<p>Already in place</p>
<p>Access to Detainees 40. Subject to the exceptions referred to in paragraph 43, independent custody visitors must be allowed access to any person detained at the police station. However, detainees may only be spoken to with their consent, and the escorting officer is responsible for establishing whether they wish to speak to the independent custody visitors, which may be established by self-introduction by the independent custody visitors themselves (in the presence of the escorting officer) or by the escorting officer.</p> <p>41. Juveniles may be spoken to with their own consent.</p> <p>42. If, for whatever reason, a detainee is not in a position to give consent, the escorting officer must allow the visit unless any of the circumstances set out in</p>	<p>Initial training and refresher training covers this. Custody staff introduce ICVs</p> <p>Look at introduction wording to try to increase uptake of numbers seeking visit</p> <p>ICVs and custody staff are aware of this and need to note on report forms</p>	<p>Already in place</p> <p>Work on going with reliance and Custody Inspector to ensure that any changes are implemented with the safety of the ICVs paramount.</p> <p>Already in place and covered in refresher training July 2010</p>

<p>paragraph 43 apply.</p> <p>43. The custody officer may limit or deny independent custody visitors' access to a specific detainee only if authorised by an officer of or above the rank of inspector and where either:</p> <ul style="list-style-type: none">i) after a thorough risk assessment has been carried out the officer reasonably believes that to be necessary for the visitors' safety, orii) if the officer reasonably believes that such access could interfere with the process of justice. <p>44. Where any of the circumstances referred to in paragraph 43 apply, consideration should be given to allowing the visitors some limited form of access to the detainee, such as speaking to them through the cell hatch.</p> <p>45. Any decision to deny or limit access must be recorded in the detainee's custody record (together with the relevant authorisation) and by the independent</p>		
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<p>custody visitors in their report of the visit.</p>		
<p>Discussions with Detainees 46. Discussions between detainees and independent custody visitors must, wherever practicable, take place in the sight, but out of the hearing, of the escorting officer.</p> <p>47. Discussions must focus on checking whether detainees have been offered their rights and entitlements under PACE, their health and wellbeing, and the relevant safer detention guidelines and confirming whether the conditions of detention are adequate.</p> <p>48. Independent custody visitors must remain impartial and must not seek to involve themselves in any way in the process of investigation. If a detainee seeks to make admissions or otherwise discuss an alleged offence, the visitor must tell them that the relevant contents of the visit will be made known to the</p>	<p>Initial and refresher training covers this. Reliance training also covers this.</p> <p>Arrange training to cover the questions and format of questions jointly with Police and Reliance</p> <p>Initial and refresher training covers this. Reliance training also covers this.</p> <p>Initial and refresher training covers this.</p>	<p>Already in place and included in refresher training July 2010.</p> <p>Included in refresher training July 2010</p> <p>See Above</p> <p>See above</p>

<p>custody officer and may be disclosed in legal proceedings.</p>		
<p>49. If an independent custody visitor realises they know or are known by a detainee, they must declare this and consider whether to withdraw from the visit.</p>	<p>Initial and refresher training covers this.</p>	<p>See above</p>
<p>50. Independent custody visitors must not pass messages to or from detainees or offer to perform other tasks on their behalf. If they are asked to do so they must immediately inform the custody officer.</p>	<p>Initial and refresher training covers this.</p>	<p>See above</p>
<p>51. If a detainee indicates they may harm themselves or any other person, this must immediately be brought to the attention of custody staff.</p>	<p>Initial and refresher training covers this. Reliance training also covers this.</p>	<p>See above</p>
<p>52. Subject to obtaining the detainee's consent to examine their custody record, the independent custody visitors should check its contents against what they have been told by the detainee. Visitors may also have access to other relevant documentation, which relates to a</p>	<p>Initial and refresher training covers this. Reliance training also covers this.</p>	<p>See above</p>

<p>detainee e.g. risk assessment. All such information must be treated confidentially.</p> <p>53. If a detainee is for any reason incapable of deciding whether to allow access to their custody record, the presumption must be in favour of allowing the independent custody visitors to examine it.</p>	<p>Initial and refresher training covers this. Reliance training also covers this.</p>	<p>See above</p>
<p>Dealing with Issues and Complaints</p> <p>55. Where a detainee makes a complaint or raises an issue about their general treatment or conditions, independent custody visitors must (subject to the detainee's consent) take this up as soon as possible with police staff in order to seek a resolution. The same applies to similar issues identified by visitors in the course of their attendance.</p> <p>56. If a detainee makes a complaint of misconduct by a specific police officer, they must be advised to address it to the duty officer in charge of the police station.</p>	<p>Initial and refresher training covers this. Reliance training also covers this.</p>	<p>Already in place and included in refresher training July 2010</p>

<p>Effective Working Relationships 57. For independent custody visiting to be effective, it is essential that visitors and police staff develop and maintain professional working relationships based on mutual respect and understanding of each others' legitimate roles.</p>	<p>Initial and refresher training covers this. Reliance training also covers this. Scheme administrator is also invited to have an input on training of new staff</p>	<p>Already in place</p>
<p>Reporting on a Visit</p> <p>At the end of each visit, and while they are still at the police station, independent custody visitors must complete a report of their findings to include conditions and facilities, rights and entitlements and health and well being. One copy of the report must remain at the station for the attention of the officer in charge. Copies must go to the police authority and other parties as determined locally.</p> <p>Report forms must include an undertaking not to reveal the names of persons visited or other confidential information obtained in the course of a</p>	<p>Initial and refresher training covers this.</p> <p>Initial and refresher training covers this. Report form includes such a statement</p>	<p>Already in place and included in refresher training July 2010</p> <p>See above</p>

visit.		
<p>Feedback</p> <p>Systems must be in place to ensure that the output from visits is drawn rapidly to the attention of those in a position to make the appropriate response.</p> <p>The police authority is responsible for drawing together issues and identifying trends emerging from visits in their area and addressing these with relevant police supervisors.</p> <p>The police authority must have a regular and formal opportunity to raise concerns and issues with a designated senior officer with force-wide responsibilities. It will usually be appropriate for that officer to be of Assistant Chief Constable/Commander rank. Regular reports shall be provided by the administrator of the scheme to the police authority. These reports must be discussed at police authority meetings as appropriate and reflected in an entry</p>	<p>Copies of report forms left in Custody area and also posted to scheme administrator. If issue ICV will also telephone the Scheme administrator.</p> <p>Scheme administrator collates report forms and looks for trends. These are also identified at panel meetings and discussed with Custody staff</p> <p>If issues raised which cannot be resolved locally then access to DCC. Regular reports to professional standards but Lead Member of CPA for Custody visiting attends all Panel Meetings, briefings and training</p>	<p>Already in place</p> <p>Already in place</p> <p>Already in place</p>

<p>about independent custody visiting in the police authority's own annual report.</p>		
<p>Sharing Experience</p> <p>The police authority must ensure that independent custody visitors have regular opportunities to meet together to discuss their work.</p>	<p>Quarterly Panel meetings and half yearly joint meetings</p>	<p>Already in place</p>
<p>Reviewing Performance</p> <p>Police authorities must take steps to assess how effectively their independent custody visiting arrangements are working. Key aspects of that process will be reviewing the quality of reports, the frequency with which visits take place and the number of occasions on which detainees refuse to speak to visitors.</p>	<p>Scheme administrator reviews regularly.</p>	<p>Already in place</p>