

WILTSHIRE CONSTABULARY  
BEST VALUE UNIT



FUNDAMENTAL SERVICE REVIEW REPORT

Provision of Custody Facilities

May 2001

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## EXECUTIVE SUMMARY

- ◆ Many practices and procedures in custody units are determined by the Police and Criminal Evidence Act and the Codes of Practice. This review has not therefore closely examined day to day practices in each of the Force's custody units, but has concentrated instead on the fundamental issues of provision of facilities and appropriate staffing of those facilities.
- ◆ The Force deals with a relatively low number of detainees, commensurate with the low level of crime recorded in the County. It is therefore unable to benefit from the economies of scale that can be achieved in areas where throughput is higher. These limitations are compounded by the distances between the main centres of population, which effectively limit scope for reducing the number of units. Geographical considerations also preclude use of facilities shared with other forces.
- ◆ However, it is recognised that there is potential to move from two custody units in Swindon to one, thereby improving efficiency. In the long term this will occur when the new police station is built in approximately four years time, but in the meantime there is also a case for closing Swindon Central custody facilities for use other than at times of particularly high demand. Some upgrading of Westlea would be necessary if this option is agreed.
- ◆ Workloads in custody units are unpredictable, and peaks and troughs can appear at any time. However, taking figures on an annual basis, there is a distinct pattern of most frequent times for detention and release, but much less variation based on day of the week or month of the year. The existing IT package cannot readily provide figures to show cell occupancy levels by time of day.
- ◆ It is considered that a minimum of five custody sergeants is necessary to staff any 24 hour custody unit, even if detainee numbers are low. Research carried out in the Metropolitan Police area in 1994 suggests that current staffing levels for sergeants in all of Wiltshire's custody units are at the most appropriate level, although the research took little account of assistance provided by detention officers/gaolers.
- ◆ It is not acceptable for the sergeant to operate without assistance, both for reasons of personal safety and proper care of detainees, a view shared by the Police Complaints Authority. In recent years detention officers have taken on a broad range of responsibilities in custody units, effectively limited only by legal constraints.
- ◆ There are private sector companies willing to provide the service currently delivered in house by the Force's detention officers. Indicative costs provided by one company suggest that there is potential for significant savings to be made. One force which has recently outsourced the service in two of its divisions has reported favourably on operation of the contracts.
- ◆ The general view of operational staff is that the detention officers currently provide a very good level of service. There is concern that standards might fall if a private company were to be contracted. There is considerable opposition to the idea from the staff themselves and there would be a morale issue to address if such a decision were taken.
- ◆ At present each division operates custody facilities independently of the others, and each is responsible for recruiting its own staff. Irrespective of any decision on outsourcing there is potential to achieve savings, without compromising standards, by making more flexible use of staff. Alternative approaches include central management of custody units, or employment of a reduced 'core' number of staff but with a reserve pool contracted to work guaranteed minimum hours on an annual basis to cover for absences.
- ◆ The Force does not have an up to date handbook or manual of approved procedures for use by custody staff. A draft report intended to ensure ECHR compliance within custody units has however been prepared independently of this review, and will be considered in the near future by the Custody User Group before being taken to OMG.

- ◆ Medical attention for detainees is delivered through a contract with Wiltshire FME, a consortium of police surgeons. There is evidence to show that this service is being delivered to a much improved standard, both in terms of promptness and reliability, than under the previous arrangements, albeit at a higher cost. However, some doubt is raised as to whether the existing monitoring arrangements will enable the Force to measure performance with accuracy.
- ◆ Recent work has suggested that some medical interventions do not require a surgeon and alternatives have been explored. A pilot scheme will be run in the near future in Swindon with the co-operation of the Ambulance service, whereby paramedics will be based in the police station and be available for certain types of intervention. This review has not attempted to duplicate the work already undertaken.
- ◆ Similarly, a prisoner handling team pilot has recently started in Chippenham. There are many examples of such schemes operating elsewhere, although the Chippenham one is unique in that support staff are being used to interview detainees. The pilot will be evaluated in due course. There is reason to believe that, whatever the result, the success of schemes of this nature is likely to be greater where the volume of detainees is high. Subject to the findings of the evaluation, there could be considerable potential for a prisoner handling team in Swindon.

## **INTRODUCTION**

- 1.1 The Local Government Act 1999 requires best value authorities, including police authorities, to secure continuous improvement in the way in which they exercise their functions, having regard to a combination of economy, efficiency and effectiveness. In order to achieve this improvement they are required to conduct best value reviews of all their functions by 31<sup>st</sup> March 2005.
- 1.2 The required content of best value reviews is outlined by statutory instrument, and Government guidance sets out the approach to reviews. This approach has become known as ‘the four Cs’, namely to:
  - challenge whether each service is needed and/or could be better delivered in some other way;
  - compare performance and processes with those of other organisations to determine best practice;
  - consult with a range of interested parties/stakeholders on their experience and needs relating to the provision of the service; and
  - compete with other providers or potential providers of the service to test whether it could be delivered more effectively through another source.
- 1.3 In Wiltshire, a corporate review of the Force was undertaken prior to implementation of the Act. A five year programme of service reviews was developed, structures and reporting arrangements were put in place and additional staff were recruited to carry out the review work. It was agreed that reviews would be carried out in accordance with a six stage methodology, although adherence to this model should not become rigid.
- 1.4 It was agreed that reports of the review team would contain costed options for change, but that firm recommendations to the Authority would come from Force Forum.
- 1.5 The nucleus of the review team for all best value reviews is the same, but for each individual review a Police Authority Liaison Officer (PALO) and at least one manager from the area under review is added to the team. The review team in this case consisted of: Chief Inspector Roger Warner (Best Value Manager), Inspector Adrian Griffiths (Review Manager), Karen Boyer (Benchmarking & Research Officer), Darren Skidmore (Consultation Officer), Frances Threadingham (Consultation Assistant), Fred Walmsley (Management Services Officer), Matthew Slee (Management Services Assistant), Dawn Young (Accountant), Jerry Howson (Business Benefits Evaluator), William Spiers (PALO), Chief Inspector Ian Hobbs (Criminal Justice), Inspector Andy Shearing (‘A’ Div), Inspector Ian Miller and Sergeant Chris Braham (‘C’ Div) and Inspector Robin Traynor (‘D’ Div).
- 1.6 The cost of conducting this review was £13,058. This figure was arrived at by calculating the hourly rate of individual members of the review team and applying it to the number of hours they devoted to the review. It does not include time spent on general best value issues, the time of people who were interviewed or consulted, or office costs.
- 1.7 Terms of reference for this review are shown at Appendix A. The scope of the review covers major issues such as locations, workloads, staffing levels and standards, but excludes provision of IT systems since the decision had already been taken in principle to acquire the NSPIS custody application, prior to this review.
- 1.8 The review team is grateful to those who have contributed to this review by providing information and views on the subject.

## **2. BACKGROUND**

- 2.1 The Force has ten police stations designated under s35 of the Police and Criminal Evidence Act, but only four that are normally staffed with personnel dedicated to custody duties. These are at Salisbury, Chippenham, Swindon Central and Swindon Westlea. On occasions detainees are taken to other stations but the numbers involved are small.
- 2.2 Management of custody units is a function of divisions. In 'A' Division arrangements have been relatively stable for many years, with one permanently staffed unit at Salisbury. The unit was the subject of significant improvements, including the installation of video cameras, in the recent past and there are no current plans for major change.
- 2.3 Until January this year 'C' Division normally operated with two units, at Trowbridge and Chippenham. The Trowbridge unit had only four cells, limiting its capacity and cost effectiveness, and facilities were well below the level that should be expected of an efficient unit. For these reasons it was decided to close Trowbridge and to transport detainees from West Wiltshire to Chippenham, despite the greater distance involved. This arrangement is temporary as a new divisional headquarters at Melksham, roughly central to the division, will open in 2002, providing a single modern custody unit.
- 2.4 'D' Division has two units which are nominally full time, although in practice Central closes at night unless custody sergeant cover is available at both sites over a 24 hour period. Central is the smaller unit and is conveniently sited adjacent to the Magistrates' Court. However, Westlea is newer and has greater cell capacity. In the medium term it is intended to replace both Swindon stations with a single new station incorporating a large custody unit to serve the whole division. Planning is at an early stage, but the present indications are that the new station might open in early 2005 and the custody unit may be equipped with up to 40 cells.
- 2.5 Historically five custody sergeants have been posted to each unit. Abstractions have been met by re-deploying sergeants from other duties when necessary, although in Swindon this is normally avoided by exercising the option of closing one unit (see above). Since the closure of Trowbridge, 'C' Division also has increased flexibility as six custody sergeants are now posted to Chippenham.
- 2.6 Wiltshire was one of the first forces to start civilianising the gaoler posts, formerly held by constables. The Force now employs a total of 28.62 (FTE) civilian detention officers whose role is only performed by police officers in the event of abstractions, or to provide assistance in the event of unusually high workloads.
- 2.7 A prisoner handling team, including support staff, has recently been recruited in 'C' Division, initially on a pilot basis. Potential benefits include a more streamlined investigation process, an improved standard of court file and increased time spent on patrol by operational officers. The pilot may have implications for working practices in the other divisions in future, but at present it is too early to be evaluated as part this review.

### 3. METHODOLOGY

3.1 The agreed standard methodology for best value reviews requires an EFQM based assessment of the service area at the beginning of each review. In the case of custody units, many procedures are determined by the provisions of the Police and Criminal Evidence Act (PACE) and it was felt that any scope for improvement identified by EFQM might therefore be limited. Further, as each unit is run independently several EFQM reports would be required, representing a considerable investment in terms of the resources of the review team. For these reasons it was decided not to utilise the model for this review, but instead to concentrate on those issues likely to have the most significant impact on future service delivery. These were identified and further explored through application of the 'four Cs'.

#### 3.2 **Challenge**

This part of the review was addressed through application of CIPFA's generic guide to challenge, based on eight questions:

- *What is the purpose of this service? What is its current cost?*

To provide facilities for reception and housing of detained persons during investigations, and facilities to assist the investigation. To ensure that investigations are carried out expeditiously and that persons are not held in detention unlawfully. Costs, using figures supplied by the Finance Department are given at para 4.1

- *Should the service be provided at its present level, or at a higher or lower level or at all and why?*

Minimum level of service provision is dictated by PACE and ECHR.

- *Is there a legislative requirement to provide the service?*

Yes - PACE .

- *Does the legislation require the police service to provide all or some of it?*

Custody and review officers have to be police officers, other facilities could be externally provided.

- *What would be the impact if the service was not provided and why?*

Breach of PACE and inability properly to investigate offences.

- *How else could the service be provided within the Constabulary?*

Number and location of detention centres could be increased or decreased; hours of opening could be altered. Changes could be made to responsibility for managing the service.

- *Does the service need to be delivered on a local basis?*

Travelling distance from the place of arrest to the place where the detainee is housed is relevant to the efficient effective investigation of the offence. This question is considered further at para 4.7.

- *Could an outside provider deliver the service? If so, why?*

Custody officers have to be police officers; detention officers do not. This issue is explored further at para 4.9.

#### 3.3 **Compare**

Comparison was made with a number of other police forces. There are no BVPIs relating to custody services and no reliable means of identifying 'best in class' against which to benchmark. Several forces reviewed custody prior to, or during the course of, this review and of these Hampshire, Northumbria, Essex, Gloucestershire and Dorset supplied information. Other forces were contacted for specific reasons:

- West Mercia have awarded contracts to a private company for the provision of custody assistants in two divisions. Their experience was considered useful to help determine whether a similar decision should be taken in Wiltshire.
- Devon and Cornwall have significantly reduced the number of custody suites within their area and operations are managed from a central unit under the umbrella of Criminal Justice Division.
- Cheshire have recently conducted a full review of their custody facilities and are in the process of centralising and building 3 new custody facilities under a private finance initiative.

### 3.4 **Consult**

A stakeholder analysis exercise was undertaken at an early stage of the review. It was recognised that staff working in the units would have concerns over some of the issues, in particular those that might affect future terms and conditions of employment. The Deputy Chief Constable therefore wrote to all staff individually advising them of the purpose of the review and guaranteeing that they would all have the opportunity to give their views. This opportunity was provided by means of an e mail survey. Operational staff who had recently used a custody unit, Chief Inspectors with line management responsibility and Divisional Commanders were also consulted by e mail. Area co-ordinators for mental health teams were interviewed face to face or by telephone and the Custody User Group was consulted by means of a group discussion, focussing on the main issues arising during the review.

3.5 Consultation with detained persons was considered an important part of this review. A number of possible ways of surveying this group were considered and rejected for various reasons. It was decided that the most satisfactory method would be by issuing each detained person with a questionnaire and a prepaid envelope, on their release from custody. A high return rate was neither expected nor achieved, but a number of replies were received, sufficient to form some conclusions.

### 3.6 **Compete**

Measurement of performance in this area is not covered by clearly defined indicators. The Home Office collates figures for the number of deaths in custody, which may be taken as the ultimate measure of unsatisfactory performance. However the numbers in Wiltshire are extremely small (one death, which actually took place in hospital, in the last three years). The number of complaints relating to treatment in custody is also recorded and figures are included in the report. Comparative data showing the proportion of arrested persons who are charged, reported or cautioned is available, but this tends to measure quality of the arrest rather than that of custody provision.

3.7 Since standards and procedures in relation to custody are to an extent determined by law, a large part of this review has involved consideration of costs and identifying ways of delivering the service more economically. It was considered that the main potential for measurable improvement lies in making better use of staff, or providing the same standard of service more cheaply than at present. In respect of the former, the Management Services Officer examined staff rotas and workloads. Reference is also made to earlier comparative work on costs, undertaken jointly with South Wales Police. In respect of alternative ways of providing the service, approaches were made to a number of companies inviting them to supply indicative costs for the provision of a detention officer service, giving a comparable level of cover to the current one. This work is expanded upon at para 4.9 et seq.

## 4. RESULTS

### **Costs**

- 4.1 Custody costs are allocated to divisional budget headings and represent a total of over £1.6 million per year, nearly all of which is accounted for by pay and allowances. Points of note are listed below, in respect of each division.
- 4.2 'A' Division. Overtime for federated ranks working normal duties has declined in recent years, whereas overtime for support staff has increased, and has consistently been higher than in the other divisions, despite the lower numbers of staff employed. The higher level of support staff overtime may be indicative of a deliberate policy to pay overtime rather than re-deploy operational police officers, or it may be because there is less scope than in the other divisions to deploy detention officers flexibly.
- 4.3 'C' Division. In 'C' Division overtime for federated ranks has increased from £4,000 in 1998/9 to £12,000 for just the first 9 months of 2000/1. In part this was due to increased use of overtime for custody sergeants, in order to reduce abstraction of patrol sergeants from their core role. Support staff overtime has also increased although not at the same rate. The recent closure of Trowbridge custody unit and redeployment of some staff to Chippenham may lead to a reduction in these costs.
- 4.4 'D' Division. Overtime for federated ranks has declined and that for support staff is significantly less per member of staff than in the other divisions, probably because the larger staff numbers allow adjustment to staffing rotas to be made in order to cover for abstractions.

A summary of costs in each of the last three years is shown at Appendix B.

- 4.5 During 1999 attempts were made, as part of the work of the ACPO Harmonisation of Business Processes, to process map custody procedures, and to cost each detainee. Wiltshire, South Wales, Northumbria and Greater Manchester Police took part in the exercise. The project was hampered by difficulties in obtaining comparable data from each of the four forces, but found Wiltshire's costs to be the highest. This was perhaps unsurprising given the staffing costs associated with then running five 24 hour custody centres, none of which handled a large volume of detainees. An internal comparison of costs carried out as part of the same project showed Salisbury as having the lowest cost per detainee and Trowbridge, which had the lowest number of detainees, the highest cost.
- 4.6 The most detailed comparisons made in the study were between Wiltshire and South Wales. This showed Wiltshire as having slightly higher staffing levels per custody suite. However when the number of detainees per member of staff was considered, the difference was more pronounced. Over a period of one month each South Wales custody sergeant dealt with 69 detainees, whilst in Wiltshire the figure was 45. For support staff the figures were 75 and 61 respectively.

## Location of Custody Units

- 4.7 This part of the ‘challenge’ is fundamental to the service delivery and possible alternative options were therefore considered at the outset of this review. Three options are available in principle:
- Shared facilities with another Force. This could be achieved with a neighbouring Force utilising a Wiltshire unit, or vice versa. However, geographical considerations are such that there are no large centres of population in close proximity near force borders. The closest would be Chippenham and Bath, but with the Force already committed to the Melksham build, this is not a realistic possibility.
  - A single unit for the Force. This was deemed inappropriate for a number of reasons. The location would have to be fairly central to ensure that travelling times were realistic for all parts of the County. Unfortunately none of the major centres of population are central and so nearly all detainees would have to be transported a significant distance, adding cost and abstraction from patrol time. Further, a purpose built unit might be expected to cost in the region of £3m and the Force already has a planned programme of building work for several years ahead. A persuasive case could not therefore be made for this option at this time.
  - One unit instead of two at Swindon. There is widespread agreement that, in principle, this would be more efficient than the present arrangement, and a move to one unit is likely to take place when the new Swindon Police Station opens, at the latest. There may be merit in closing Central in the meantime and taking all detainees to Westlea. Reservations centre on the limited number of interview rooms and other facilities to support the 22 cells at Westlea. This possibility is considered in more detail at paras 4.35 – 4.43.
- 4.8 There are some disadvantages to the current situation. None of the Force’s units would be classified as large in national terms, as measured by detainee numbers, and costs per detainee are therefore almost certainly higher than average. The building of a single station for Swindon, and the possibility of closing Central will allow for some improvement in the future. The overall conclusion was therefore that the existing, or planned, location of custody units offers the best choice available to the Force.

## **Alternative Service Provider**

- 4.9 There is no requirement for the Force to deliver the service provided by detention officers with its own staff. A number of companies known or believed to have an interest in provision of this service were approached and given basic details of custody locations, present staffing levels, staff job description and detainee numbers. They were asked to supply indicative costs for the provision of a fully outsourced service, although it was stressed that no decision had been taken to invite tenders. Any indicative costs provided would not be considered binding.
- 4.10 Two replies were received, both from companies known to have tendered for contracts with other police forces in the recent past. Company 'A' provided only general details of their experience in related work and the information that costs would be 'circa £16,000 per annum for a fully costed officer plus start up costs ie recruitment and training'. It is known that company 'A' would almost certainly bid if tenders were invited. However, to assist in deciding whether this option should be pursued information used in this report is provided by Company 'B', which offered more detail.

### **Contracting Out in West Mercia**

- 4.11 Review team staff visited Hereford custody unit, in West Mercia, during February. After a review of custody provision approximately 2 years ago, West Mercia sought alternatives for the provision of the custody assistant role, undertaken until that time by police constables. The option of employing support staff was considered, based on FTEs costed at £21,000, to cover a four shift system. However the option of contracting out was preferred, primarily on cost grounds. The pilot started on 2<sup>nd</sup> May 2000 and a contract has since been negotiated for the Worcester Division. Full year costs for each are expected to be £90,000 for the current year, against £126,000 if the in house option had been chosen.
- 4.12 The Hereford contract specified one custody officer to be provided 24 hours a day, 7 days per week. It is for the contractor to decide how many staff they need in order to provide this level of cover and there is a penalty clause of £20 per hour if they fail to provide at any time. To the date of our visit, the clause had not been invoked. The Worcester contract is with the same provider but is more detailed in terms of the level of cover to be provided.
- 4.13 The custody assistants have a detailed job description specifying a list of jobs that they may be required to do. However, the custody sergeant is their immediate supervisor and may require them to perform other tasks. There is no overlap on a custody assistant's shift pattern to allow for handover. This is not deemed necessary, as shift changeover is at a different time to that for sergeants. Consequently, custody assistants do not always work in a designated team with the same sergeant. This is seen by West Mercia as quite healthy, as any problems with personality clashes do not become as serious as they might when a team has to work together all the time. Teamwork is generally seen as good, and working relationships are strong despite the team being more extended than would be the case with smaller dedicated shift teams.
- 4.14 The custody assistants are trained to take fingerprints and photographs but not to use the intoxilyser. They do not search detainees, but this is because West Mercia's force solicitor is of the opinion that it is impossible for a detainee to give fully informed consent to be searched by support staff if they are already in custody. The contractor has a supervisor on the premises at Hereford; he deals with organising the duty roster for custody assistants, staffing problems, and personnel issues. The supervisor sits in on all interviews for new members of staff which helps to ensure that the people selected will fit in with the team, and that standards are maintained.
- 4.15 The custody assistants' shift pattern over any given month will include periods of duty within custody suites and periods on standby for 24 hours. A pager system operates and the individual can be called in at any time. The custody sergeant, who has a list of individuals on call, operates the standby system, with the facility to call the supervisor in the event of a problem. Staff turnover to date has been low and the impression formed by the review team staff was of highly professional individuals who were happy with their conditions of service under the contractor. It should be noted that West Mercia moved from a position where the role was performed by

constables, to one where an outside contractor started work with an entirely new team. In Wiltshire an experienced team of detention officers is already in place, providing a better basis from which to contract out, although, unlike in West Mercia, there would be an issue of staff motivation and morale to address during the process. The Best Value unit holds a copy of the invitation to tender used by West Mercia, including a description of duties required of custody assistants.

#### 4.16 **The Case for Contracting Out**

- Company B would supply detention officer staff to specified levels of cover in each unit. In the event of sickness, leave, or other abstraction it would be their responsibility to continue to provide cover; failure to do so would attract a financial penalty.
- Support functions associated with detention officers, for instance payroll, appraisal, HR issues and provision of uniform, would no longer be the responsibility of the Force. These costs would be included in any tender.
- Operational supervision of detention officers would still be by the custody sergeant.
- Costs would almost certainly be reduced. Company B has prepared detailed figures based on a number of scenarios. The likely saving would be in the region of £100,000 per annum. The saving would be achieved principally by employing a reduced number of detention officers, but managing them as a 'pool'. Shortages at one location would be covered by staff who may normally work at another.
- Comprehensive 5 week training package for new staff covering a wide range of subjects including law, roles, conduct, property, food hygiene, fingerprinting, DNA, first aid, suicide awareness, race issues, control and restraint, shadowing and others.

#### 4.17 **The Case against Contracting Out**

During the course of this review a number of reasons have been offered as to why the service should remain in house. These are explored in more detail in the consultation section of the report (paras 4.65 – 4.78). The main arguments are qualitative rather than quantitative. The service currently provided by detention officers is generally regarded very positively within the Force. There is concern that this high standard of support would decline if staff were to be employed by a private contractor, as they might feel less loyalty to the Force. A number of detention officers have said that they would resign rather than move to the private sector.

4.18 It is recognised that working practice may vary between custody units and shifts, but there is agreement that, in general, a considerable amount of staff goodwill exists at present. Detention officers carry out many ancillary tasks which are not regarded as core duties and which are not formally included in their job descriptions. Examples, not necessarily an exhaustive list, are included at Appendix 'F'. There is a feeling that goodwill would be lost if the service were to be privatised and that detention officers would be less willing to assist with tasks not specified in their job descriptions.

#### 4.19 **Further information**

The document submitted by company 'B' is held by the Best Value unit. It is commercially confidential but it may be viewed by members of Force Forum or the Police Authority if they consider it necessary prior to making a decision about option 2 of this report (paras 5.7 - 5.14).

## Workloads

- 4.20 Workloads have been measured by reference to the number of custody records for each unit, during the calendar year 2000. Figures have been taken from the custody computer system, which has a limited search capability. A detailed check of the data suggests that the most reliable figures for the main custody units were as follows:
- AD 3296
  - CD 4635 (includes CT custody records)
  - DN 4455
  - DS 2799
- In addition, a small number of detainees were taken to other stations: Warminster (104), Amesbury (91), and Devizes (65). A few detainees were taken to Marlborough but these are given AD or DS custody numbers and there is no ready means of ascertaining exact numbers. A small proportion of DN custody records actually relate to persons arrested in C Division's northern sector. The expectation of management in 'C' Division is that, with the introduction of the prisoner handling team in the Division (see para 2.7), arresting officers may bring these detainees to Chippenham in future.
- 4.21 Measurement of workload by reference to time of day, day of the week and month of the year showed that, whilst extreme fluctuations can take place over a short period of time, these tended to average out. For example, the average number of persons detained on Mondays (the quietest day of the week) was approximately 80% of the number on Saturday, the busiest day (see Appendix C). Similarly, there was no clear pattern of seasonal variation. November was the busiest month across the Force as a whole but in 'A' Division it was actually the quietest. The least busy month across the Force was August, although in 'D' Division May and June were quieter. Monthly totals for each of the main custody centres are shown at Appendix 'D'.
- 4.22 A slightly clearer pattern emerged when time of day was taken into account. The custody IT application cannot readily produce figures to show fluctuations in resident population of custody units on an hour by hour basis. It was therefore decided to illustrate fluctuations in workload by showing times for authorisation of detention and release, as these tend to be periods of high activity for staff. A similar pattern emerged for each division, with detentions building from a low point at 08.00 hrs to a peak during late afternoon. After a drop in early evening, numbers increased sharply around midnight before reducing steadily during the night. Release times rose sharply throughout the morning, roughly mirrored detentions during the afternoon, and declined to low levels throughout the night. The figures are summarised in graph form at Appendix E.
- 4.23 These figures do not give the complete picture however. Evidence from staff suggests that the period of least activity on this measure (06.00-09.00) is particularly busy for other reasons, as detainees have to be woken, given breakfast, allowed to wash prior to court, given their rights if they were too drunk when detention was authorised, etc. The inference to be drawn from this information appears to be that, in general, the number of staff required for each unit is relatively constant throughout the working day and week. There may be an exception at Swindon where total staff numbers are higher, possibly allowing scope to reduce staffing levels during the latter part of the night and to increase them at peak times on a Friday and Saturday.

## Staffing

- 4.24 Staffing levels fluctuate slightly. The figures quoted below show the actual numbers employed during the time of this review, since these may prove more reliable than the establishment figure as a guide to current needs and future intentions.
- 4.25 'A' Division has five custody sergeants and five detention officers, who work a similar shift pattern. A further four relief detention officers are available to be called out on a casual basis to cover for shortages. Their experience is necessarily limited and they tend to be utilised for more basic tasks, although steps are being taken to increase their training. In the calendar year 2000 they worked a total of 1012 hours; an average of about five hours each per week. The full time detention officers frequently work overtime to cover for absences, to a greater extent than their colleagues in the other divisions. This is partly because 'D' Division, and until recently 'C' Division, are able to close one unit, if practical, when staff absences are high. The shift pattern at Salisbury provides for overlapping shifts and therefore has no built in flexibility to allow cover for absent staff. Overlaps are in the afternoon and late evening, varying between 1, 2, 3 and 4 hours.
- 4.26 'C' Division operates with six sergeants and eight detention officers. The shift pattern is similar to that in 'A' Division but has the advantage of some built in flexibility, given the higher staff numbers. The Division does not employ relief detention officers. Prior to the closure of Trowbridge custody unit, absences of detention officers were often covered by constables. This practice is now less common.
- 4.27 'D' Division has ten custody sergeants (FTEs) and 15.62 detention officers, again with overlapping shifts. In this case the overlap also occurs at the early morning shift change and varies between 1, 2 and 3 hours. The larger staff numbers allow for greater flexibility, and when absences occur the normal procedure is to close Central at night. As in the other divisions, shift times largely mirror those of the operational shifts.
- 4.28 A number of reasons have been offered to the review team in support of shift overlaps, including:
- a) the need to 'handover' detainees at shift change times;
  - b) detention officers carry out a number of ancillary tasks in addition to their core duties. The overlap provides time in which these can be done;
  - c) shifts mirror those of operational staff and this engenders good teamwork and understanding;
  - d) the overlaps cover busy times; and
  - e) staff are often unable to take meal breaks and the overlap can facilitate this.
- 4.29 The review has found only limited evidence to support current practice:
- a) In respect of handover of detainees, a verbal handover may be desirable but will not normally take more than a few minutes. The need to build handover time into rosters would reduce if sergeants and detention officers changed shifts at slightly different times.
  - b) Similarly, the case for additional time for ancillary tasks is not strong. It is assumed that these tasks can normally be carried out at quieter times and that, if this is not possible because there is no opportunity on a particular day, most of the tasks are not of an urgent nature. Further, although 'ancillary tasks' are referred to throughout this report, most of the examples given appear to be covered by job descriptions. Job descriptions vary slightly depending on date and location of recruitment, but recent examples are shown at Appendix G.
  - c) It has already been noted (para 4.23) that there is no strong case for extra staffing at specific times, except perhaps either side of midnight at weekends.
  - d) The argument for custody teams working with the same operational team is somewhat tenuous in terms of the benefits it delivers. In any case, operational staff from stations other than those housing the custody units do not generally work to the same shift pattern.
- 4.30 A better argument is made in respect of meal breaks. Working time regulations state that when working time exceeds six hours, the employee should be entitled to a break of at least 20 minutes. Current practice varies across the Force, but in general detention officers can take a meal break if this is possible. On busy days it is not. Solutions to this problem have been agreed within

divisions and these have included arrangements whereby staff work throughout their tour but have time off in lieu of meal breaks, or whereby some of the overlap time is taken as a meal break. Attempts to standardise procedures centrally have failed in the past. It is suggested that if divisional staff and management have developed solutions which meet their respective needs, these should be allowed to continue. These may include some overlap of shift times. However, it is also suggested that the present overlaps are longer than is necessary and management should be encouraged to review rotas with a view to achieving greater efficiency.

### Staffing Levels

- 4.31 There is no 'correct' level of staffing. The optimum level will depend upon the extent to which managers are prepared to draw on operational staff in order to cover for absences, but it is assumed for these purposes that this should be avoided where possible. It is also assumed that each unit should have at least one dedicated custody sergeant and one detention officer on duty at any one time. The ratio of staff to detainees is currently highest in 'D' Division:

	Annual number of detainees per custody Sergeant	Annual number of detainees per detention Officer	Annual number of detainees per member of staff
A Division	659.2	567.1*	304.6*
C Division	772.5	579.4	331
D Division	725.5	464.5	283.2

\* Figure calculated on the basis of 5.8 detention officers, to make allowance for hours worked by part time staff.

- 4.32 In 1994 a detailed Metropolitan Police review of custody, based on activity sampling, questionnaires and interviews, recommended establishment numbers of sergeants as follows:

Annual Custody Records	Establishment Posts*	Hours worked	Tours per week	Establishment Sergeants
4000	1 x 24 hour post	168	21	5
5250	1 x 24 hour post 1 x 8 hour post	208	26	7
6500	1 x 24 hour post 2 x 8 hour post	248	31	9
7250	1 x 24 hour post 3 x 8 hour post	288	36	10
8750	2 x 24 hour post	336	42	11

\* Establishment posts: Where 1 x 24 hour post is shown, this means one custody officer should be present at all times. Where 8 hour posts are shown this means that the annual number of detainees justifies further custody officers, who should be deployed at the most appropriate times.

On these figures, Wiltshire units require:

- Salisbury: 5 sergeants (justified not by detainee numbers, but by the need to provide minimum staffing)
- Chippenham: approx 6 sergeants
- Westlea: approx 5 - 6 sergeants
- Central: approx 5 sergeants (justified not by detainee numbers, but to provide minimum staffing)
- Combined Swindon unit: 10 sergeants

- 4.33 At the time of the Metropolitan Police review, use of gaolers was patchy. Some divisions had no gaolers, some had 'gaolers' whose duties included van driving and providing relief duties elsewhere in the station. A minority had gaolers whose duties were comparable to Wiltshire's detention officers, and who were described by custody officers as 'worth their weight in gold'. The figures in the table above make no assumption in relation to gaolers and allowance should therefore be made for the work they undertake. Whilst sergeant numbers cannot realistically be reduced below a base of five for any 24 hour unit, if Swindon were to move to one unit there should be scope to save or re-deploy some posts.

4.34 In respect of gaolers, the Metropolitan review took place against a background of a civilian detention officer pilot in two of their divisions. Firm recommendations on numbers were not made, but as a guide 3000 detainees was suggested as a level justifying part time gaolers and 5000 for full time gaolers. Since that time the importance of the role has developed rapidly and the range of tasks now carried out by detention officers is such that the hours covered need at least to equal those of sergeants. Nevertheless, again there would be scope for some savings if the Swindon units were to combine.

## Facilities

- 4.35 Salisbury custody unit has a total of 12 cells, Chippenham 13, Swindon Central 14 and Swindon Westlea 22. There is no nationally recognised guidance as to the optimum number of cells required for a given number of detainees. The Metropolitan Police developed a formula in 1994 for their own use. The formula was based on an average of 6.3 hours in custody per detainee, and took account of the following assumptions:
- arrests are more likely on some days of the week than on others;
  - arrests are more likely at some times of day than at others;
  - ideally, no two detainees should be placed together in the same cell; and
  - whilst periods of detention will vary, some periods are more likely than others.
- The formula was considered to work well for the Metropolitan Police and in fact it is still used. Applied to Wiltshire custody numbers, this would indicate a need for 9 cells at Salisbury, 11 at Chippenham, 11 at Westlea and 8 at Central. If all Swindon detainees were taken to one centre the requirement under the formula would be for just over 14 cells.
- 4.36 Clearly the formula is not intended to guarantee availability of a cell at each station at all times. Further, it operates in a force where, if one custody unit is full, detainees can easily be taken to another unit only a short distance away. Bearing this in mind, additional capacity is necessary in a rural force where distances between custody units are considerable. Average length of time spent in custody in Wiltshire is currently 7 hours per detainee, 11% longer than in the Metropolitan Police, although the average is boosted significantly by a relatively small number of longer detentions. Approximately 69% of detainees are currently released within 6 hours.
- 4.37 The new Melksham station will have 20 cells and the suggested number for the new Swindon station is presently 40. These numbers allow for some resilience and, in the case of Swindon, for future population growth. This review does not have firm evidence to say that these numbers are too high, but it would appear that these facilities, combined with the existing Salisbury suite, should certainly be adequate for the foreseeable future.
- 4.38 During the review management services staff have established that on average the two custody units located in Swindon deal with a total of about 19 detainees per day, 7.5 at Central and 11.5 at Westlea (appendix C). The average period of detention in Swindon is 7.1 hours per detainee. There are 22 cells at Westlea and these figures indicate that cell occupancy levels during the year 2000 stood at 16.4%. At Central the equivalent figure was 16.2%. Whilst peaks and troughs must be catered for, there is clearly some under use of the facilities. One option would be to ‘mothball’ Central, which would result in economies of scale being achieved at Westlea. If all detainees were handled at Westlea, cell occupancy rates there would increase to 26.7%.
- 4.39 Reference has already been made to a prisoner handling unit presently being piloted at Chippenham. It seems reasonable to assume that if this is a success, or even if it is not, the potential for such a unit at Swindon will be much greater, given the higher throughput of detainees. The creation of two prisoner handling teams in close proximity in Swindon would not be an efficient use of resources. By housing all detainees in one location, the option of forming an effective prisoner handling unit would become more readily achievable.
- 4.40 Detainee numbers at Westlea would sometimes exceed the number of cells. Because of the limitations of the present custody IT application it is not possible for this review to predict how often this situation would arise. However, it is possible to say, based on the Metropolitan research, that it should arise no more frequently than it presently does at Chippenham or Salisbury. Peaks in demand would have to be dealt with on a case by case basis, with possible options including some doubling up, opening Central as an overflow, use of Chippenham, or opening Marlborough or Wootton Bassett.
- 4.41 Although Westlea has 22 cells, the unit has other limitations at present. There are only three interview rooms and one charge desk. The custody office is on occasions pressed into use as a charge area for the more compliant detainees, a situation which is clearly unsatisfactory. It is

suggested that it would be possible to create an additional three interview rooms and an additional charge room area. This should assist in the timely reception and final disposal of detainees. Floor plans showing part of the Westlea custody area as it is now, and with a suggested alternative, are produced at Appendix H.

- 4.42 These proposals have been discussed in broad terms with the Buildings Manager, who has given an informal estimate of £26,000 for the necessary work, including fitting out costs. It is reasonable to assume that staffing levels could be reduced if this option were to be pursued. For each sergeant post there would be a saving of £37,120 p.a. at mid point and for each detention officer a saving of £23,120.
- 4.43 Swindon Central currently has the advantage of providing direct access to the Magistrates' Court. It has been suggested that this is a reason why the unit should remain open, at least during court hours. However, in practice this would be a difficulty that the escort service would have to overcome, in conjunction with the court.

## Police Surgeons

- 4.44 Prior to November 1999 the Force experienced difficulty in obtaining a consistent service from the various police surgeons contracted around the County. The problem became so acute that an alternative was sought; this led to the Force fully outsourcing provision of its police surgeon requirement to Wiltshire Forensic Medical Examiners, on a 3 year contract. Wiltshire FME is a company formed by a consortium of police surgeons, headed by Dr Peter Crouch.
- 4.45 Since the start of the contract two substantial pieces of work have been undertaken. In October 2000 District Audit reported on their review of the new arrangements, and in December 2000 Inspector Hill and Sergeant Peach produced a report on possible alternatives to medical provision by police surgeons. It is not considered useful to duplicate the work previously carried out and indeed recommendations from that work are still being progressed. However, a number of points from these reports should be borne in mind:
- In the financial year 1998/9, prior to the new contract, the total cost of medical provision to detainees was £218,500. This represented an average cost of £59 for each of the 3,700 call outs during the year.
  - The fee for the first year of the Wiltshire FME contract was £415,000. The contractor responded to 3,474 calls, costing an average of £119.45 each.
  - Although the cost is significantly higher, the conclusion of the District Audit review, Inspector Hill's report and anecdotal evidence from the current review, all point to a much improved standard of service since the contract began. Additionally, administrative and management costs previously borne by the police are now included in the contract.
  - There is reason to believe that a proportion of the service delivered by police surgeons does not actually require a surgeon. Subject to compliance with PACE, nurses or paramedics could deliver part of the service.
  - Kent police have employed nurses who have been able to deal with 59% of medical interventions. However, for this approach to be cost effective a high volume of detainees per custody unit would be required. It is clear that if a similar arrangement were to operate in Wiltshire, nurses alone would cost almost as much as the Wiltshire FME contract presently does.
  - Instead the Force is pursuing a partnership approach with the Ambulance service, whereby paramedics will be on standby in custody units. They will provide a medical service in certain circumstances, with the agreement of the detainee. It is intended to operate this scheme as a pilot in Swindon in the near future.
- 4.46 Monitoring of the current contract is a responsibility of Wiltshire FME and difficulty has been experienced in obtaining accurate figures in relation to call out. It was highlighted in Inspector Hill's report that the obligations to provide monthly returns on volume and type of work must be met. Part of the original problem was that raw data supplied by custody staff on the form 450 was often incomplete. Additionally, collation of the data by Wiltshire FME was hampered by the lack of any software to assist with the task. Both of these issues have since been addressed.
- 4.47 At present the Chief Inspector, Criminal Justice has an overall responsibility to liaise with the contractors and to monitor performance of the contract. This is achieved principally through discussion with custody staff on the level of service they receive. This review has found no reason to question the integrity of Dr Crouch or to doubt the accuracy of the information he has provided in relation to response times and on the type of work that could be undertaken by nurses or paramedics. However, it is suggested that the Force should be in a position objectively to assess performance of the contract, with accuracy. This will become especially important if a further contract is likely to be negotiated at the end of the current 3 year term.

## **Voluntary Attendance at Police Stations**

- 4.48 This review was asked to comment on the practice whereby persons or suspects who attend police stations on a voluntary basis are interviewed within the custody area. Benchmarking did not reveal a similar practice elsewhere. The issue of voluntary attendance was raised as a question in the Law and Police pages of Police Review dated 2<sup>nd</sup> February 2001.
- 4.49 The answer did not address the question of attendance in the custody unit as distinct from elsewhere in the station, but it included the following points:
- The need to arrest only arises once a firm decision is taken that the person would not be allowed to leave, should they wish to do so.
  - With that proviso, voluntary attendance sits very comfortably with para 3.15 of Code C.
  - If it is decided that a person will not be allowed to leave in order that they may be charged, then they should be arrested at that point.
- 4.50 However, it is suggested that the circumstances in which a suspect might be invited to a police station are, in practice, quite rare. In the case of juveniles the nationally applicable Narey procedures have effectively precluded the practice as fast tracking, facilitated by arrest and early bail dates, is seen as beneficial to both suspect and victim. In other cases, if the suspect is taken to an area of the police station from which they cannot readily leave without being released by a police officer, then the voluntary nature of the attendance could be open to question.
- 4.51 A recent review of arrest policy, post implementation of the Human Rights Act, has been widely publicised by means of an information circular to the Force. The circular encourages a positive arrest policy, both as a means of guaranteeing rights of the detainee and as an aid to the investigative process. This review has found no evidence to challenge that view. There may still be circumstances where voluntary attendance is requested, for example where it is clear there will be no prosecution or where the level of suspicion is insufficient to justify arrest. In these circumstances procedures should be carried out in an area of the police station from which the person can readily leave if they so wish.

## Miscellaneous

4.52 During the review the Management Services Officer or his assistant visited each of the custody centres. They have highlighted a number of points not included elsewhere in this report and these are included below:

- At Salisbury facilities don't meet the standards of the Home Office Design Guide in some areas. Ideally all accommodation should be on one level, but there are two sets of steps in the unit, one of which has to be negotiated to reach the drunk cell. A ramp might be preferable. Secondly, windows should not be accessible to the public; the charge room window does not meet this requirement.
- Following the closure of Trowbridge custody in 'C' Division it was decided to utilise any spare capacity amongst detention officers to assist with transporting Trowbridge detainees. This does not often seem to happen in practice and may need to be promoted more actively.
- Members of the Custody User Group have considerable experience and understanding of issues relevant to custody. A wide variety of important matters are discussed at meetings, but attendance is sometimes poor. If option 4 in this report (central management of custody) is not progressed, there is potential to raise the status of this group as a means of addressing policy issues applicable across divisional boundaries.
- Provision of facilities for ID parades in the Force is poor. The most suitable are at Swindon, but a number of parades are held outside of the Force area (eg Bristol). This Force only requires about 60 parades per year, and it is suggested that provision of a purpose built unit could not be justified on this basis. Further, with the possibility of video ID becoming acceptable as the primary means of identification in future, now would not be a good time to invest in traditional facilities.
- Most detention officers in 'A' and 'C' Divisions are trained to test drugs, but only two are trained in Swindon. This can cause delays in processing detainees, or result in unnecessary use of 47(3) bail.

### 4.53 Powers of Detention Officers

It has been noted that detention officers carry out a broad range of duties. Limitations on extending the role further are twofold:

- (i) Certain decisions, for instance authorisation of detention, are by law for the custody officer. This is for good reason; an important qualification of custody officers is that they must have the knowledge and expertise to make these decisions.
- (ii) In some cases there is an absence of specific authority. Examples include the use of force to put detainees in cells and the right to search them.

In respect of the latter, the present approach is that detention officers do search compliant detainees, with consent. Practice elsewhere varies. Some forces take the view that true consent cannot be given and searching must be by a police officer. Hampshire's policy is that detention officers can search if the custody sergeant 'devolves' his authority to them. It is suggested that the former approach may be unnecessarily strict and that the latter has no legal basis. The situation is unsatisfactory, as properly trained detention officers would be perfectly capable of performing these duties.

4.54 One possible solution to this problem would be for detention officers to be sworn in as special constables. This would raise a number of complex issues. Recent Home Office advice (HOC 12/2000) is that civilian detention officers should not be eligible to be attested as it would give them an advantage over their colleagues. The issue of powers is of interest to at least two Home Office units: the Police Leadership and Powers Unit and the Police Reform Team. At present there are no specific plans to increase powers of detention officers, but a spokesman indicated during the course of this review that the Home Office would be receptive to any representations that might be made by police forces.

### 4.55 ECHR Compliance

No attempt has been made during this review to examine all policies and processes applicable in custody suites. Many procedures are determined by primary legislation and the Codes of Practice. Two specific issues have been raised where decisions need to be taken which may be influenced

by the European Convention for the Protection of Human Rights. Firstly, the question of whether CCTV should be used in cells, as distinct from other areas of custody suites. This is discussed further at para 4.62. Secondly, at least one force has had its practice on provision of paper suits for detainees challenged. It is a common occurrence for clothing to be seized from detainees and for paper suits to be provided as a temporary alternative. It has been suggested that the wearing of paper suits could be regarded as degrading in certain circumstances, in particular when detainees appear before a court. An analogous situation has arisen in Wiltshire with the transfer of detainees, sometimes in handcuffs, to court. In Salisbury this cannot be achieved other than in view of the public and the solution has been for detainees to be transferred instead to Chippenham Magistrates' Court. Current practice on use of paper suits is to be discussed by the Custody User Group in May, following which best practice should be determined.

- 4.56 During 2000 the Force carried out a detailed audit of all its policies and procedures to ensure ECHR compliance. Inspector Josey prepared a report detailing the procedures to be followed in custody units, in most cases confirming existing practices. His report is with the Criminal Justice unit and is due to be considered by the Custody User Group and then by OMG, prior to endorsement as Force policy.

#### **Complaints**

- 4.57 The number of complaints was considered relevant to service provision in custody units, and in particular complaints alleging a breach of the PACE Code of Practice C, on detention and treatment of persons in custody. In the last three calendar years the number of such complaints recorded has fluctuated as follows: 6 in 1998, 39 in 1999 and 19 in 2000. The high figure for 1999 is affected by the number of multiple complainants, where more than one breach of the code is alleged by the same person. In that year the number of actual complainants was 19, with two having complaints substantiated and two informally resolved. In 2000 there were 14 complainants, no complaints were substantiated and two were informally resolved. In the context of an average of about 260 complaints recorded each year, of which about 5 are substantiated and 100 informally resolved, it is suggested that the number relating to detention and treatment of detainees is insufficient to cause concern or to indicate any trend.

#### **4.58 Detainees' Meals**

When restaurant facilities are available in police stations, detainees' meals are collected from the restaurant and taken to custody units, normally by the detention officer. When restaurants are closed, pre-prepared meals are heated by microwave in custody units and supplied direct to detainees. A review of restaurant provision and opening hours in the Force is in progress. Some concern has been expressed that a reduction in opening hours would create additional work for detention officers in terms of meal preparation. In practice it is probably often quicker for detention officers to prepare the microwaved meals than it is to collect them from the restaurant. There is an added advantage in that meals are more likely to be served at the prescribed temperature when prepared in this way. This possibility of reduced opening hours should not therefore be seen as disadvantageous.

## Benchmarking

4.59 Information on provision and management of custody centres from three forces is shown below:

West Mercia	Devon and Cornwall	Cheshire
Has 8 custody units, but will reduce to 6 in the near future and possibly to 4 in the long term	Has 6 dedicated custody units, two in Cornwall and 4 in Devon.	6 dedicated units with a total of 65 cells. 4 'overflow' units with 31 cells. Plan to move to 3 purpose built units, using a Private Finance Initiative.
Custody units are managed by divisions	All units are centrally managed and staffed under the Criminal Justice Dept	Managed divisionally but will move to central control when rationalised
Policy is to use dedicated custody units, to maintain standards and for protection of detainees. Maximum of 30 miles travelling to a custody unit.	Non designated stations used for detainees likely to be detained for less than 6 hours. Travel times to designated stations can be over 45 minutes.	

In each of these forces there has been a move to fewer, specialist, units, for reasons of economy and provision of service to consistent standards.

### Role of Detention Officers

- 4.60
- West Mercia. The Force has contracts with an outside contractor for provision of detention officer services in two of its divisions, and further information on this is provided at para 4.11 of this report.
  - Devon and Cornwall employ civilian custody assistants. They are currently considering whether this service could be outsourced. They also employ an administration officer at each unit, responsible for what would be regarded as 'ancillary duties' in Wiltshire. Detention officers' roles include taking fingerprints and DNA. Salary range is £12279-£14853 plus 20% shift allowance (Wiltshire: £14106-£14841 + 20%). The Force also employs 'annualised detention officers', part-time staff who have a guaranteed number of hours per year which can be worked in various different custody centres as and when required. These staff receive the same salary every month and enhance the flexibility of custody provision as they can be used for busy periods and to cover for absences. They are graded at the same level as full time detention officers but receive a 12.5% shift allowance. Each division has its own trainer and all custody staff have a training day approximately every 6 weeks. Detention officers also have force training on the IT system, Quick Cuff and personal safety.
  - Cheshire uses a mixture of civilian detention officers and police constable gaolers. The outsourcing of detention officer role will be considered as part of the private finance initiative (see para 4.59). The civilian detention officers are trained to take fingerprints but do not do this in practice. The custody sergeant performs administrative tasks such as doctor liaison/register. The only 'ancillary duties' performed by detention officers are food ordering and bedding requirements. Shift overlaps tend to average about 2 hours twice a day. These are used for meal breaks, to catch up on administration work, and 47(3) bail answering tends to be programmed in for these overlaps. There is no formal training course for civilian detention officers; a recent best value review recommended that this should be considered.

### Prisoner Handling Units

- 4.61
- West Mercia. Each division has an 'interview team' made up of police officers. These teams prepare the file and see the enquiry through. Civilian investigators are not used.
  - Devon and Cornwall. Each area has dedicated interview teams working mainly early and late shifts. Problems have been experienced during busy periods but this is something the Force is aware of and is addressing. The interview teams do not deal with supervision of the detainee until booking in has taken place.

- Cheshire. Most divisions have prisoner reception teams, which deal with interviewing for minor offences, fingerprinting and intoxilyser procedure.

### **CCTV in Cells**

4.62 At present CCTV is not installed in cells in Wiltshire. There is debate as to whether this would be regarded as an unnecessary invasion of privacy and non ECHR compliant, or whether it would actually be of benefit to detainees, both on grounds of safety and because recorded information would be available to the defence.

- West Mercia. There is wiring for CCTV in West Mercia's vulnerable cells but a decision on whether to install equipment is still pending. The screens for the CCTV would be located under the custody sergeant's desk so that he/she would be the only person who could view it.
- Devon & Cornwall. CCTV is installed in up to 6 cells at each custody centre. Screens are monitored by custody sergeants and detention officers who have found that the equipment has made it easier to keep track of potentially vulnerable detainees. Devon and Cornwall have conducted an evaluation of the impact of this equipment and have supplied a copy of their report, which is available in the Best Value unit. Use of CCTV for particular categories of detainee was strongly supported in the evaluation, which was the subject of favourable comment by the Police Complaints Authority in their annual report for 1999/2000.
- Cheshire. Throughout the force area only two cells are equipped with CCTV; one of these has been installed as a result of there being a blind spot in the cell, which cannot be seen through the viewing hole. Installation of equipment will be considered as part of the new build projects.

### **Other Benchmarking Information**

4.63 ID Parades. West Mercia use portable screens for parades, which are held in each division. As part of a new build for Worcester an ID suite will be included for all the Force's parades in future. In Devon and Cornwall, most parades are held at Plymouth where there is a dedicated unit. A clerk is employed to run a database of stand ins and to assist with parades and video IDs. Cheshire have no purpose built facilities and often use those of neighbouring Greater Manchester Police or Merseyside for their parades.

4.64 Mobile units. Devon and Cornwall have a 6 and a 5 cell vehicle. These are staffed by a sergeant and one or two detention officers. The vehicles are not equipped with IT so it is necessary to run a manual system and update onto computer subsequently. The Force has also hired vehicles from Reliance Custodial Services in the past. Staffordshire Police have a mobile custody facility which consists of 2 units containing 18 cells, toilets, charge desk, CCTV, a secure data port for local IT, interview rooms, air conditioning and heating. The vehicle is available for hire. Further information is held in the Best Value Unit.

## Consultation

### Detained Persons Survey

4.65 A paper survey was handed to detained persons when they were released from custody units, over a two week period. It was received totally anonymously and returned using a prepaid envelope. The number of respondents was low at 33, but this was not unexpected with the methodology employed. Detainees were asked:

*Whilst in custody, did you feel that you waited a long time to be satisfactorily dealt with?*

**YES 10 NO 22**

The most quoted reasons for having to wait were given as: waiting to be interviewed (5), for an appropriate adult (3) and in a queue of other detainees (3)

*Within a reasonable time were you allowed access to/given access to when requested:*

	Yes	No	Not required
solicitor	17	0	14
doctor	4	2	21
telephone call	9	3	19
toilet	22	0	8
food & drink if appropriate	18	0	14
washing facilities	4	2	23
yard for exercise	3	2	24
visit from a friend/relative	1	2	26
clean, heated, ventilated, lit cell	19	1	8

*Were all your medical and special dietary needs satisfied?*

**YES 19 NO 3**

Asked to give their opinion of the custody staff, 24 respondents either 'strongly agreed' or 'agreed' that they were courteous, with only 2 'disagreeing' or 'strongly disagreeing'. Similar proportions felt that staff were 'helpful', 'informative' and 'caring'. It is suggested that, given the nature of the circumstances in which detainees interact with staff, the results of the survey can only be viewed very positively.

### Custody Staff e-mail Survey Questionnaire

4.66 The survey questionnaire was delivered to all 61 custody staff using the SNAP e-mail package and was anonymously returned by 36 members of staff, 17 (47%) of whom were custody sergeants and 19 (53%) of whom were detention officers.

*Generally, how would you describe the service provided by all the FORCE's custody units? Is the service .....*

Absolute Analysis % Respondents	Base	Grid Table				
		Strongly agree	Agree	Neutral	Disagree	Strongly disagree
<b>Base</b>	<b>208</b>	<b>51</b> <b>24.5%</b>	<b>78</b> <b>37.5%</b>	<b>46</b> <b>22.1%</b>	<b>26</b> <b>12.5%</b>	<b>7</b> <b>3.4%</b>
<b>Old-fashioned</b>	34	-	4 11.8%	10 29.4%	14 41.2%	6 17.6%
<b>Caring</b>	34	8 23.5%	23 67.6%	3 8.8%	-	-
<b>Professional</b>	35	19 54.3%	14 40.0%	2 5.7%	-	-
<b>Inefficient</b>	36	10 27.8%	12 33.3%	10 27.8%	4 11.1%	-
<b>Co-ordinated</b>	35	8 22.9%	13 37.1%	12 34.3%	2 5.7%	-
<b>Consistent</b>	34	6 17.6%	12 35.3%	9 26.5%	6 17.6%	1 2.9%

Thus the staff generally have a very positive view of most aspects of the service, although a majority think it is 'inefficient'. Comments were invited in support of their answers and a total of 30 responses were received. Comments included:

On Professionalism	"All of the Force's custody units provide a professional and efficient service, that no outside agency could match. Each unit has its own running system, but the service remains impeccable throughout".
On caring	"Being a recently appointed DO, my experience is fairly limited, but it is very obviously caring and professional".
On efficiency	"There are no set procedures to cover abstractions other than obtaining cover from patrol sergeants. This means that staff who are not over-familiar with the system are used and this is not efficient."
On co-ordination	"Obviously decisions made by the sergeant re charges and bail are on an individual basis with occasional differences of opinion, but generally they are consistent across the board".

4.67 Other findings included:

- All staff felt that they were able to adequately provide for the welfare of detained persons and visitors at least 'most times'. The most common reasons for failures were 'not enough staff' (21 responses) and 'poor physical facilities ie number of cells, reception areas' (19 responses), 'inadequate medical care/facilities' and 'inefficient procedures/IT systems' (12 responses each).
- 75% of respondents thought user groups were an aid to working relationships within and outside the Force.
- 33% of respondents thought they had not received all the training necessary for their role and a further 11% weren't sure. Three mentioned the need for on the job training by an experienced custody officer, but there was no general agreement on specific areas where further training was required.
- 30% of staff felt they 'always' had appropriate support and guidance from management and a further 50% did 'sometimes'. Just under 20% said they received this 'rarely' or 'never'. Where critical comments were made these mainly related to lack of appreciation or praise.
- Most staff said they 'regularly' undertake tasks outside of their job description. The most commonly quoted response was that job descriptions state 'any other task as requested by the supervisor' and this is what they do.
- High value was placed on the working relationship between sergeant and detention officer, with 89% agreeing that 'the most efficient and effective custody unit will demonstrate close working relationships and team working'.

4.68 Views were sought on the option to contract out the service presently provided by detention officers. Thirty three respondents said they would not be happy to work for or with a private company, three said they didn't know and none said they would be happy. Asked to comment on the statement "Contracting out the detention officer's role will help IMPROVE the service provided by the custody unit", 83.3% 'strongly disagreed' and 16.7% 'disagreed'.

4.68 The main reasons given for being against contracting out part of the service were as follows:

- The current good working relationships and teamwork between custody sergeants and detention officers would be lost.
- Services by private contractors in the past have proved to be poor, both in the Wiltshire Constabulary and elsewhere.
- There would be a loss of the knowledge and experience that current detention officers bring to the job.
- There would be a loss of consistency and control as the detention officers would not be part of the Force's staff.
- For varying reasons there was concern that the units would not be as efficient.

- There is a concern that the ancillary tasks that detention officers currently provide will not be carried out by employees under a private contract.
- Private companies are seen as existing solely for profit and as treating their staff less well or not paying a fair wage.

### Operational Staff Survey

4.70 This survey was sent by e-mail to 617 operational officers who have used the custody service in the last three months. A total of 205 replies were received; 39% of responses were from ‘C’ Division, 33% were from ‘A’ Division and 28% were from ‘D’ Division. Staff were asked: *Generally, how well would you describe the service provided by all the Force’s Custody units?*

Responses to this question were almost as favourable as those given by custody staff themselves (see para 4.66), and on efficiency they were more favourable. 80% of respondents felt the service provided is professional. Many responses were given to support answers given to this question. The most common themes were:

- Fifty eight commented on the time spent waiting with detainees in custody for various reasons, including poor procedures, paperwork, lack of staff and closure of some units making others busier
- Ten commented on lack of facilities, including IT.
- Fifty five said that the quality of staff varies, which can make the service inconsistent.
- Eighteen respondents commented on the professionalism of the custody staff, thirteen said that they are helpful, eleven people said that they are efficient, and six commented on how caring they are towards detainees.

4.71 Asked whether custody staff are able to adequately provide for the welfare of detained persons and visitors, there was a divisional split, with ‘C’ Division faring less well than the other two:

	Yes	Most Times	No
‘A’ Division	50.7%	43.3%	6%
‘C’ Division	16.5%	65.8%	17.7%
‘D’ Division	42.1%	45.6%	12.3%

The most common reasons offered for answering ‘most times’ or ‘no’ were not enough staff (107 replies), poor physical facilities (74), problems with geographical location of custody units (62) and inefficient procedures/IT systems (54).

4.72 Other points from the survey of operational staff included:

- 95.5% said they experience significant delays in processing their detainees, at least sometimes. Reasons, in order of frequency, included the unit being very busy, waiting for a solicitor, waiting for a doctor and waiting for an interview room.
- Most respondents thought that improvements could be made to the current service and 125 offered suggestions. The most common themes were included in a quote from one individual: “1. Full computerisation of booking in procedure. 2. DOs to undertake all processing. 3. Re-open CT custody unit until CM up and running. 4. Improve availability of social services staff to act as appropriate adults. 5. More than one custody sergeant on duty at peak times.”
- Approximately 40% said that detention officers undertake tasks that a police officer would normally do, including fingerprinting, photographing and general processing. The extent of this depended on the individual detention officer and on how busy they were.
- As in the survey of custody staff, most felt that close working relationships were important with one respondent commenting “There is a marked difference when a DO and custody sergeant know each other and work well together than when you get those who don’t.”

4.73 Staff were asked “Would you be happy to work with detention officers employed by a private company?” 28.4% of respondents said ‘yes’, 49% said ‘no’ and 22.5% said ‘don’t know’. Most disagreed with the statement that contracting out would improve the service. Reasons included:

- companies would be primarily interested in profit;

- police contracts are poorly written and managed;
- professional standards, including dress, personal hygiene and pride in work, would drop;
- custody sergeants would lose control of their staff;
- potential high turnover of staff; and
- the present spirit of co-operation would be eroded.

Those who supported the idea of contracting out thought that, provided proper training were given, the service would continue to run smoothly. Some thought that more detention officers would be employed, resulting in shorter waiting times.

### **Mental Health Units**

4.74 Area co-ordinators for mental health teams were interviewed either in person or by telephone and the main points made are listed below:

- Training. Although not a serious weakness, officers could benefit from better training on how to recognise and deal with a mentally ill person.
- Police Surgeons. It is felt that there is some lack of understanding by police surgeons of the role of approved social workers when dealing with s136 of then Mental Health Act.
- Protocol and Procedures. Feedback was very positive. The use of custody units as places of safety was not welcomed, but it was accepted that there is presently no alternative.
- Facilities. Interview facilities at police stations were considered poor, although it was accepted that “a custody unit is a custody unit.”
- Attitude of police staff. Comments were very favourable.

### **Divisional Commanders and Chief Inspectors**

4.75 Surveys were sent to the three divisional commanders and three chief inspectors with line management responsibility for custody units. Two replies were received and a third gave views during a discussion with the consultation officer. Given the small number it is difficult to generalise on the views offered, but the list below includes points which have not been made elsewhere in the consultation exercise, or where an alternative view was offered:

- Working practices have not changed for many years. More emphasis should be placed on the role of custody units in the investigative process, for example on intelligence.
- Delays could be reduced by freeing up custody officers’ time, for example intoxilyser training for more staff, prisoner handling teams, better use of 47(3) bail and better liaison with operations staff to decide timing of elective arrests.
- There was some support for one unit for Swindon at Westlea, but on condition that proper consideration is given to the number of cells, interview rooms and charging facilities. Central should be kept ‘mothballed’ for use when needed.
- There was no support for central rather than divisional management of custody units.

### **Custody User Group**

4.76 The Force Consultation Officer attended the Custody User Group meeting on 16th February 2001. Consultation covered three main topics:

#### (i) Option to contract out the role of the detention officers (DOs)

There was no support for this option from the group. Most of the concerns raised have been mentioned in the preceding paragraphs on the custody and operational staff surveys, but additional points made by the User Group are shown below:

- This is a “crucial service, not like a cleaning or canteen contract”. A reduction in standard of service delivery “may result in a death in custody.”
- DOs “carry sergeants.....or look after them,” supporting them during periods of high pressure and turnover.
- Sergeants’ jobs could become more difficult if they have to work with different DOs and have to “supervise DOs who do not know the protocol” at that particular station or shift.
- Not only do DOs undertake tasks in custody outside their job description, they also contribute to running of ID parades and passing on intelligence. A private sector DO would “just work to the book.”
- Anecdotal evidence was offered of poor performance by one private contractor.

- Wiltshire FME would be likely to take a negative view of having to deal with a private company.

(ii) Possible closure, but not dismantling, of Swindon Central Custody Unit

- It was felt amongst the group that one custody unit in Swindon would be the best way to deliver the service, but that Westlea is not big enough in terms of cells, interview rooms and charging area. Arresting officers could experience delay through additional time for booking in and waiting for interview rooms to become available.

(iii) How can the custody process be improved?

- It was felt by the group that overall control and direction of the custody function within the Force should be driven forward by a single Superintendent. The current divisional structure did not provide the most effective means of delivering a Force wide service.
- It was noted that there is a lack of certain medical equipment, such as ‘crash kits’, within custody units. This is a recommendation made by the Association of Police Surgeons (APS) and subsequently Wiltshire FME. It was hoped that this type of equipment will become available in the future and the requirement is currently being assessed by a Criminal Justice Unit (HQ) officer.
- It was also noted that not all custody units were able to provide appropriately equipped designated medical rooms, also a recommendation of the APS and the Audit Commission.

**Lay Visitors**

4.77 Lay visitors were not individually consulted during the review, as co-ordinators of the scheme submit reports on a regular basis to the Police Authority. The Clerk to the Authority recently presented an annual report summarising their views and noted that “...apart from one or two minor issues, the treatment of detainees and the conditions of their detention has raised no serious problems. Indeed, many detainees have commented positively on their treatment. Custody staff remain supportive, positive and courteous and this is appreciated by lay visitors.” The issues referred to were principally of an administrative nature. The only reported criticisms from detainees concerned wrist marks caused by handcuffs, and the amount of time spent waiting to be interviewed or waiting for a solicitor.

**Additional Consultation**

4.78 The Best Value Manager has been in regular contact with the UNISON Branch Secretary during the course of this review. Discussions have included the nature of the principal options offered by the review, and individual reports prepared by members of the Best Value Unit have been supplied.

## 5. OPTIONS FOR CHANGE

### OPTION 1

- 5.1 The review has examined the service provided by the four existing custody centres. At the present time 'C' Division is commencing the building of a new police station, complete with divisional custody facilities, at Melksham. The Salisbury suite has been improved, is needed given geographic considerations, and meets current demands. Swindon has two custody centres in relatively close proximity, one of which, Westlea, is under utilised.

**Option:** To cease using Swindon Central in normal circumstances and operate a single custody unit located at Westlea for 'D' Division detainees

### 5.2 Advantages

- Potential to reduce costs significantly.
- Improve the utilisation of facilities at Westlea.
- Provide potential to adapt redundant cell facilities at Swindon Central for alternative use, or to retain as an overflow facility.

### Disadvantages

- Cost of making alterations to custody unit facilities at Westlea.
- Additional transport time for some detainees.

### 5.3 Cost

Possible alterations to the facilities within the custody unit located at Westlea have been discussed only in very broad terms with the Buildings Manager. It has therefore been possible to give only an outline estimate of cost. For the actual building alterations the figure would be in the area of £18,000. There would be further fitting out costs which it is estimated would amount to approximately £8,000, giving a total estimated cost of £26,000 for this option.

- 5.4 The total staffing levels for the two units in Swindon are 10 FTE sergeant posts and 15.62 detention officer posts. There is an overlap of staff at Westlea for 19% of the time and at Central there is an overlap for 10.7% of the time. With the two units combining, coupled with a review of the shift patterns, it should be possible to reduce the level of staff required to effectively manage a single unit. Whilst it is not a direct objective of this report to identify a definitive shift pattern, the potential savings to be achieved by getting the right level of staff at the right time are not to be underestimated.

For each sergeant post that is saved there is a cost reduction of £37,443 (mid point)

For each detention officer post the reduction would be £20,240-£23,120 (mid point).

Thus the saving of one sergeant post would provide for the cost of alterations to the Westlea unit, within a year.

### 5.5 Additional Considerations

The prospect of a new purpose built custody unit in four years' time does present the opportunity to do nothing with this option, but the potential savings in the meantime must be borne in mind.

### 5.6 Measurement

This option provides the opportunity for measurable financial savings to be achieved. Any savings made would be for the full life of a single custody unit in the division and should not be treated as a one off figure. In addition any reduction or increase in the average time spent in custody will provide a measure by which this option can subsequently be evaluated.

## OPTION 2

5.7 This review has identified that there is a need to challenge the present situation whereby the Force directly employs detention officers across its various custody units. This service could be provided by the private sector, at a reduced cost. Best value is not a cost cutting exercise per se. The process should develop continuous improvements for the area under review, by reference to a combination of economy, effectiveness and efficiency.

5.8 **Option: To outsource the role of detention officer.**

As part of the review process a number of companies were surveyed to establish if there was any interest in their providing detention officer services for the force. Two companies expressed an interest in supplying this service should the Police Authority decide to proceed, and figures supplied are based on those supplied by Company B (see para 4.9).

5.9 **Advantages**

- Potential to reduce costs.
- Potential to increase flexibility of staffing arrangements.
- Transfers the risk for supply of service to the organisation supplying the detention staff.
- Reduction of work associated with employment of detention officers (HR, Finance, Training etc)

**Disadvantages**

- Potential to disrupt what is held to be effective service delivered at present.
- Risk of drop in standard of service provision.

5.10 **Cost**

At present staffing levels and salaries, detention officers cost £653,198 per year. This figure is the total cost at mid point for existing members of staff, including national insurance, pension and unsociable rate. It does not include overtime, which in the year 2000/1 came to just over £30,000, nor is any allowance made for other costs such as uniform, pay/sickness administration, recruitment etc. If option 1, and/or 3 or 4, is accepted the number of detention officers may reduce. If this were the case then obviously there would be a corresponding reduction in these costs.

The initial provisional costing figures supplied by Company B suggest an annual saving of over £100,000 on our present costs (see box 1 overleaf for further details). Whilst it is assumed that the TUPE provisions would be likely to apply, a comparison of indicative costs per employee, provided by Company B, is given below:

Company B		Wiltshire Constabulary	
Salary (incl bank holiday)	17,082	Salary (mid point)	14475
NIC	1,549	Unsocial	4704*
Pension	1,281	NIC	1236
		Pension	2704
		Overtime	1070**
Total	19,912	Total	24,189

\*This figure represents 32.5% of salary, which is the rate received by 22 ring fenced detention officers. Four receive 20%, three 16%.

\*\*Average per FTE during the year 2000/1.

5.11 Should the Police Authority proceed with this option then the tendering process will reveal what, if any, financial saving can be achieved. The costs associated with the tendering process and the subsequent monitoring arrangements must be given due consideration. It should be noted that at the beginning of this review staff were assured that, in the event of any tender process being entered into, they would be given the opportunity to take part by way of an in house bid.

## 5.12 Risk

Clearly the option to outsource the detention officers is not without risk. The effective handling of detained persons within the custody units around the Force is a core policing function. A failure to deal with it effectively would have a major impact upon the overall performance of the Force. The review has found the present service is provided to a good standard and the consultation process has revealed scepticism as to whether a private contractor could deliver a comparable service. Should the contractor not be able to perform to the required standard then the Force would suffer the direct consequence of that failure. The Force would not be able to transfer its responsibilities under PACE to the contractor.

- 5.13 An additional risk that needs to be considered is that any future contract negotiation with the supplier of custody service provision may produce a large increase in cost. Any contract should be for a period of time sufficient to ensure that costs do not quickly escalate. Invitations to tender and contractual terms would have to be drafted to very tight specifications. In the event of failure by the contractor resulting in the Force terminating the contract, then the consequent problems of establishing a new in-house team of detention officers must be kept in mind.

## 5.14 Measurement

The main measurement for this option would be cost reduction. The consultation process has established a good base line with regard to the present level of service received from custody staff. A repeat of this process, post implementation, would provide a measure of perceived improvements in service levels from the main stakeholders. Whilst it is the custody sergeant who has responsibility for the detainees and their subsequent disposal, any reduction or increase in detention times could also be used as a measure for this option. There are no BVPIs that relate directly to the role of the detention officer.

### Box 1: Basis for cost comparisons

No comparison should be regarded as exact: costs may increase or decrease in the event of a tender process. The former may be regarded as more likely if the invitation to tender specifies contractual duties for custody assistants not foreseen by company B. Indicative costs provided by company B were based on salaries at 31<sup>st</sup> January 2001.

Wiltshire Constabulary employs 28.62 detention officers at a budgeted cost of £653,000 at mid point for the current year. Overtime costs for detention officers in the year 2000/1 were £30,000, giving a total of **£683,000**.

Comparison 1: Company B to supply staff providing cover equivalent to 5 posts at AD, 7 posts at CD and 10 posts at a centralised DN. Total annual cost: **£571,000. Saving £112,000**.

Comparison 2: Company B to supply staff providing cover equivalent to 5 posts at each of the existing four units, each of which would have one D.O. on duty at any one time. Total annual cost: **£522,000. Saving £161,000**.

- A 'like for like' comparison based on 28.62 FTEs would not be valid. Company B's method of operating relies on pooling of staff, so agreed levels of cover can be provided with fewer FTEs.
- Company B's costing outcome includes salary, NIC, pension, health care, mileage, replacement staff training, contract management, contract support, pager, insurance, payroll, staff transfer costs.
- Company B offer 'potential for added value' in the form of certification as DO, NVQ accreditation, continuation training, quality/IIP costs. This would amount to an additional £10,000 per year.
- Hidden costs presently incurred by the Force include occasional cover for absence by police officers, sickness monitoring, advertising and recruitment, training, payroll, uniform.
- Costs which the Force would potentially have to bear include those associated with the tender process and contract monitoring.

### OPTION 3

5.15 All of the custody units around the Force operate on a variable shift pattern. These tend to correspond with the shift patterns worked by the operational shifts. These shifts do not necessarily align with the daily peaks of demand that occur within the custody units. It would be possible for a more flexible approach to be taken to the deployment of detention officers. If option 2 is not proceeded with, then in order to provide for continuous improvement there is a need to be more effective in the provision of detention officer cover across the force.

5.16 **Option:**

- a) To extend the relief detention officer scheme across the Force into all custody units.**
- b) To employ part time detention officers at some or all custody units at times of peak demand.**
- c) To employ relief detention officers on an annualised basis. These persons to provide relief cover to any custody unit requiring additional resources.**

Dealing with **a)** above, in 2000 the relief detention officers supplied some 1012 hours of duty to the 'A' Division custody unit. The cost of this service was £8868. The overtime payments to the 'A' Division detention officers for 2000 was £7521.

5.17 **Advantages**

- System increases the flexibility of deployment of staff.
- Reduction in overtime and abstraction of operational police officers.

**Disadvantages**

- Need to increase levels of training.
- Potential difficulties in finding suitable applicants for these posts.
- No guarantee of availability of relief detention officers at required times.

5.18 The cost of relief detention officers is £7.28p per hour. The full time detention officer costs £12.02 per hour, which will increase if there is a requirement to pay the relevant overtime rate. Therefore any increase in the working hours of the relief detention officers would potentially reduce overtime payments to the detention officers. If they were being used in addition to the detention officers then it would be as a requirement to meet an identified demand.

5.19 With regard to **b)** above, the review has identified that the present shift pattern operated within the units around the force does not in general reflect the actual peak demands of work within the units. The peak demands may not warrant extra staff for a full tour of duty; for instance they may be only applicable to four hours each morning, or either side of midnight for example. If as a result of a local review of staffing levels and the overlaps it is identified that there can be a reduction from some full time posts to part time posts then this may produce a more effective use of resources.

5.20 **Advantages**

- Potential to reduce overall staffing costs.
- Provides additional resources at times of predicted peak demand.
- Will provide additional resources at times of unexpected demand.
- Will reduce the risks of recruiting problems as identified in 3a) above.

**Disadvantages**

- Possible increase in training costs.
- Possible difficulty in recruitment.

5.21 While it would be normal for any part-time detention officer to work fixed hours, this option would permit, subject to their contract, these hours being amended to suit unusual demand levels. If fewer full time staff were required, then savings would be made. A full time detention officer's staffing cost is £20,240-£23,120 (mid point) per year. A part-time detention officer working 20

hours a week would have a staffing cost of £11,318 per year. The potential staffing cost saving for the replacement of a full time member of staff by a part-time detention officer is £8,900-£11,900. There would be a need to ensure that any part-time staff had the same level of training as a full time detention officer.

5.22 With regard to c) benchmarking has revealed that Devon and Cornwall operate a scheme whereby they employ a number of detention officers on an annualised basis. These part-time staff are guaranteed a set number of hours work each year. They will work at any of the custody units as required. These staff provide Devon and Cornwall with an increased level of flexibility with regard to its ability to cover for peaks in demand and any staff abstractions from the regular detention officers.

5.23 **Advantages**

- Reduction in overtime payments caused by staff abstractions.
- Enhances ability to cope with sudden increase in demand.
- Annualised staff not dedicated to one specific custody unit and are therefore more flexible.
- Would allow the Force to employ only a 'core' of full time detention officers at each unit, without having to allow for resilience.

**Disadvantages**

- Increase in training costs.
- Travelling costs and/or supply of vehicle for use by annualised staff.
- Administration of the scheme, including ensuring availability of annualised staff.

5.24 The use of annualised detention officers would greatly increase the flexibility of the custody unit managers with regard to the coverage for staff shortages. As these detention officers are not dedicated to a specific custody unit, shortfalls of staff can be dealt with easily. If this option is pursued there will be a need to ensure that all of the annualised detention officers receive the same level of training as that given to the regular detention officers. In addition they will need to be familiar with all of the custody units around the Force. There would be an unknown cost with regard to the monitoring of hours worked by the annualised detention officers. The cost of this option would depend upon the number of hours they are contracted to work.

5.25 **Measurement**

For this option the review has revealed a gap between staff deployment and the peaks in demand. A measure of closing this gap would be a reduction in the time that a detainee is in custody. Staffing levels and costs would also provide a measure as to the achievement of the aim of reducing the gap between the present and desired level of service. The consultation process has revealed a good base level as to the satisfaction levels from a wide range of stakeholders. Part of the implementation process should measure changes in these satisfaction levels.

## OPTION 4

5.26 At present strategic and Force wide policy issues relating to custody are the responsibility of Operations Support, based at Headquarters. The divisions have responsibility for the day to day running of the units and staffing issues. Devon and Cornwall custody units are run as a headquarters support function. This means that the centre deals with both strategic and local management issues.

**Option: To centralise the strategic and local management of custody units under Headquarters Operations Support.**

### 5.27 Advantages

- Provide force wide standard operating procedures.
- Potential to increase flexibility with regard to the deployment of staff.
- Potential to reduce the administrative burden in divisions.

### Disadvantages

- May reduce local flexibility with regard to local custody issues.
- Lengthens the chain of command between ground level and management.
- Increase in mileage and/or the requirement to supply a vehicle for staff moving between different custody units.

5.28 Management of custody units presently results in duplication of administrative roles. For example on each division someone is spending part of their time dealing with duty rosters, staff appraisals etc. A centralised administrator for these functions would provide for an opportunity for these administrative functions to be more co-ordinated. A centralised unit would also provide the opportunity for more flexibility with regard to the deployment of custody staff. Staff could be moved to different custody units during times of absences, potentially reducing overtime costs. Specialist Operations already move staff in this way to cover for staff shortages at a number of locations around the County. If this option were to be pursued then the issue of mileage and/or the supply of a vehicle to allow staff to move between the custody units would have to be addressed. This cannot be costed at this time. A centrally based administrator for the custody units would, at a W4 rate, have a cost of £15,954 per year.

### 5.29 Measurement

Centralisation and the increased flexibility of staff deployment can be costed in such areas as the reduction of overtime payments. As with previous options, customer satisfaction levels will provide good measurement with regard to service improvements.

## **OPTION 5**

- 5.30 The review has looked at the provision of service supplied by the police surgeons in custody units. This service was subject of a District Audit report in October 2000. This stated that the service provided by Wiltshire FME Ltd had a high satisfaction level from custody staff. This finding has been confirmed during the review via the consultation process. However it is not clear whether, should the standard of service decline, the Force has the appropriate mechanisms in place to measure performance.

**Option:** To rigorously monitor the existing Wiltshire FME Ltd contract.

### 5.35 **Advantages**

- Will assist in the identification of future requirements with regard medical services to custody units.
- Will provide evidence of contract compliance.
- In the event of the paramedic trial and amendments to PACE having a positive outcome it will provide a strong basis for future contract negotiation.

### **Disadvantages**

- Additional burden on staff

- 5.36 It is clear that the Force is becoming a leader with regard to the identification of alternative medical provision within custody units. Kent have utilised the services of nurses within some of their units, but at a high financial cost. The paramedic option being progressed by this Force has the potential of being a cost effective alternative. Although this is at an early stage for evaluation purposes, there will be a need to ensure that full reliance can be placed on the information recorded on the form 450 under the existing contract. Unless this is done the Force will be at a disadvantage when the contract is considered for renewal in 18 months time. In addition, subject to amendments to PACE, we need to work in partnership with the police surgeons and ambulance service to obtain a cost-effective level of medical services to the custody units.

### 5.37 **Measurement**

The present Wiltshire FME Ltd contract cost £416,000 last year. Any future reduction in this cost balanced against the cost of paramedic service provision will provide a measurable outcome for this option.

## 6. MANAGEMENT ISSUES

- 6.1 This part of the report draws attention to issues which have not been addressed in depth and are not listed as fundamental options at section 5. However they may merit consideration and progression. These matters may impact on any or all of the three divisions and Headquarters. For that reason, where it is decided to action points in this section, responsibility for implementation must be made clear.
- 6.2 Staff Rotas. The review has found that there are overlaps between shift times at each of the custody centres and that some of the reasons offered for this do not appear to be strong. In all divisions the rationale for the existing staff rotas should be examined, with a view to reducing overlaps. Possible benefits include the potential to utilise staff more flexibly.
- 6.3 Staffing Levels. Irrespective of any decision taken under option 4 of this report, there may be merit in divisions reducing the number of full time detention officer posts and catering for absences by employing ‘annualised detention officers’, a system operated by Devon and Cornwall (para 4.60). This would probably not be a realistic option for ‘A’ Division.
- 6.4 CCTV. The Force may wish to adopt a policy on the installation of CCTV cameras in cells, at least for certain categories of detainee. The experience of Devon and Cornwall (para 4.62) could be a useful starting point for any decision either on the principle or the practical benefits of CCTV.
- 6.5 Training. Custody sergeants receive specialist training for their role, but detention officers do not. Whilst at present the majority say they have been adequately trained, this may be a reflection of the many years practical experience that most of them have, rather than any training actually provided. There are plans for new detention officers to receive limited training in future, but a more comprehensive package may be merited, given the range of duties they perform.
- 6.6 ECHR Compliance. Reference has been made (para 4.56) to a report intended to ensure that procedures in custody units meet the requirements of the European Convention. It would be advantageous for the Force to have written procedures in place, based on consideration of all the issues, albeit there can be no guarantee as to what interpretation courts may place on the Convention in the future.
- 6.7 Administration Officer. Frequent reference has been made to ancillary tasks performed by detention officers. This review has not measured the extent of these with any accuracy. However, if options which result in loss of permanent detention officer posts are pursued, there may be a case for employment of an administration officer to carry out most of these tasks, at least in Swindon, and perhaps on a part time basis in Chippenham.

## Terms of Reference

**Review of:** Provision of Custody Facilities

**Brief for the review:** Scope  
To examine the functions carried out in custody units with a view to determining options for improvements in standards of service delivery and/or efficiency, and value for money. Areas initially identified include the reception of prisoners and invitees, arrangements for their welfare, detention, processing and departure from the unit. This list should not be regarded as exhaustive.  
To review the locations, facilities, throughputs and staffing levels of the Force's custody units  
To identify current standards of performance by reference to departmental targets, relevant PIs, and other known standards.  
To review the roles of staff working within the custody units, taking into account training and legal issues  
This review should take account of any issues raised by the Human Rights Act which may impact on our custody procedures  
To identify options for change and to present them to the Best Value Board.

Exclusion: This review will not examine provision of IT for custody units, since the decision has already been taken to acquire the NSPIS custody application.

### Stakeholders

The following stakeholders have been identified:

Police Surgeons  
Operational Officers  
Complaints & Discipline Department  
Divisional Commanders  
Criminal Justice Units  
Youth Offending Teams  
Social Services  
Detainee  
Detainee's family  
Solicitors  
Crown Prosecution Service  
Magistrates Court  
Prisoner escort contractors  
Community Liaison Group  
Lay visitors  
Staff and line managers working in custody units

### Critical success factors

Compliance with statutory duties  
Delivering the service to clear standards (covering both cost and quality), by the most economic, efficient and effective means available

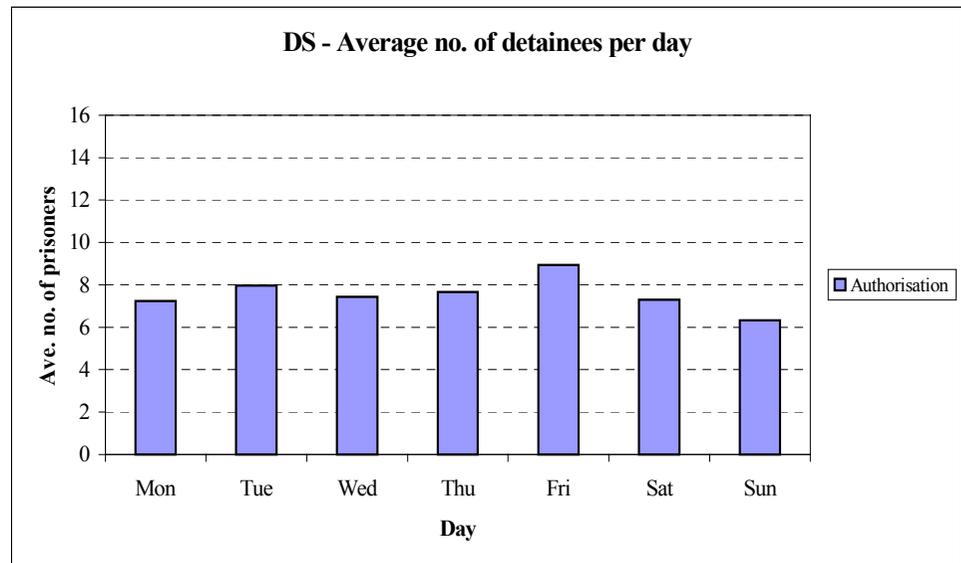
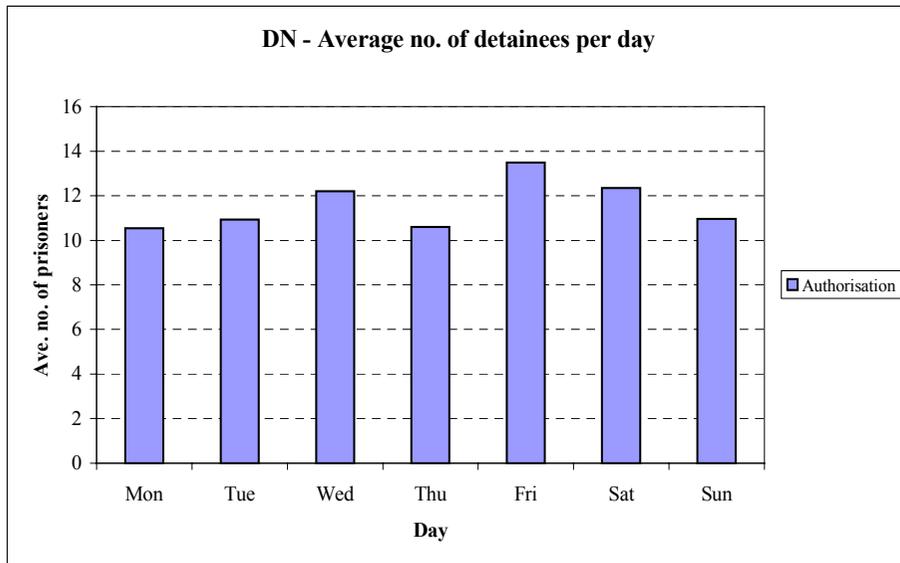
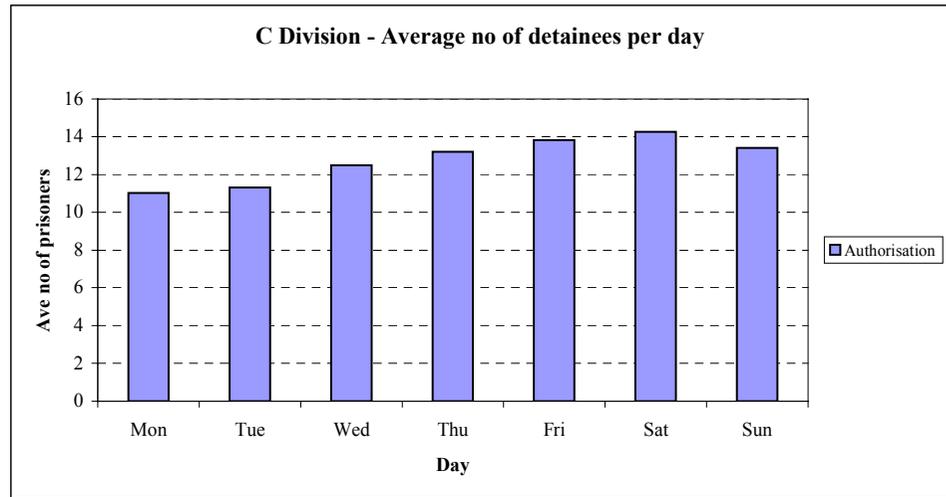
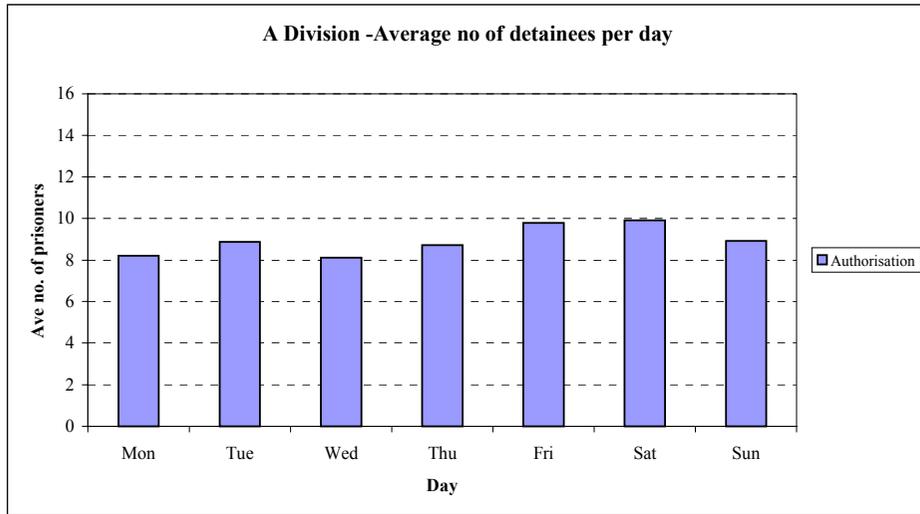
- Methodology:** The review will use the Seven Stage Fundamental Service Review Process. At the end of stage one, the Best Value Review Team (including the departmental liaison managers, and the PALO) will take part in an initial meeting to make plans in respect of the project, consultation, process mapping, EFQM, benchmarking, and initial high level challenge to the service, taking account of legislative requirements. Further meetings of the review team will take place as necessary, to assess progress and to agree issues for further work. When the individual specialists have completed their work a further meeting will be held to discuss the main options for inclusion in the final report. The results of the review will be passed to the business benefits evaluator and accountant to produce costed options for change. The final report will be presented to the Best Value Board.
- The review team:** Overall responsibility - Chief Inspector Warner (Best Value Manager)  
Review co-ordinator - Inspector Griffiths (Best Value Review Manager)  
Service liaison managers – Chief Inspector Hobbs, Chief Inspector Saunders, Inspector Shearing, Sgt Clark.  
PALO – Mr Spiers  
Other BV Team members
- Time-scales:** A report on this review, with options for change, should be prepared by 31<sup>st</sup> March 2001.

<b><u>Custody 1998/99</u></b>	AD502	CD502	CT502	DD502	Total
Pay	244871	227815.4	268613.5	615911.9	1357212
Allowances	46934.74	41640.08	52559.37	103235.8	244370
Training	141.39	161.08	357.85	136.23	796.55
Recruitment	404.94	12.14			417.08
Unplanned Maintenance	191.98			7.73	199.71
Travel	748.23	131.1	129.82	1697.3	2706.45
Furniture	322.65				322.65
Equipment	12.59			26.12	38.71
Laundry	392.82			348.65	741.47
Printing, Stationery, Office Expenses					0
Postage					0
Subsistence	199.41	103.47	76.59	149.94	529.41
Maintenance of Prisoners	14.96			1272.37	1287.33
Telephones				3.26	3.26
Identity Parades				850.56	850.56
Misc				176.18	176.18
<b>Total</b>	<b>294234.7</b>	<b>269863.2</b>	<b>321737.2</b>	<b>723816.1</b>	<b>1609651</b>
<b><u>Custody 1999/2000</u></b>	AD502	CD502	CT502	DD502	Total
Pay	284188.3	257526.1	224223	616505.4	1382443
Allowances	48516.04	47671.95	43252.98	102111.1	241552.1
Training	49.19	174.06	58.8	153.96	436.01
Recruitment					0
Unplanned Maintenance	29.29				29.29
Travel	1946.71	969.02	1235.38	1257.72	5408.83
Furniture	582.29				582.29
Equipment	141.68			756.2	897.88
Laundry	64.19				64.19
Printing, Stationery, Office Expenses	45.08			7.21	52.29
Postage	7.07				7.07
Subsistence	1934.04	1472.61	1205.88	2136.51	6749.04
Maintenance of Prisoners	1676.94			2098.08	3775.02
Telephones					0
Identity Parades					0
Misc				28.87	28.87
<b>Total</b>	<b>339180.8</b>	<b>307813.8</b>	<b>269976.1</b>	<b>725055.1</b>	<b>1642026</b>
<b><u>Custody 2000/2001 (9 months)</u></b>	AD502	CD502	CT502	DD502	Total
Pay	213635.8	204684.3	139481.7	468142.1	1025944
Allowances	40923.58	31145.36	25883.89	79500.19	177453
Training	182.46	10.68		127.12	320.26
Recruitment					0
Unplanned Maintenance	15			77.68	92.68
Travel	432.25	70.84	369.52	333.15	1205.76
Furniture	1075.15				1075.15
Equipment	98.87			434.21	533.08
Laundry				3600.45	3600.45
Printing, Stationery, Office Expenses	1.99			99.95	101.94
Postage	3.1				3.1
Subsistence	704.94	186.06	161.97	517.65	1570.62
Maintenance of Prisoners	59.34			250.91	310.25
Telephones				31.29	31.29
Electronic Comms				81.2	
Identity Parades					0

Misc	-55				-55
Total	257077.5	236097.2	165897.1	553195.9	1212186

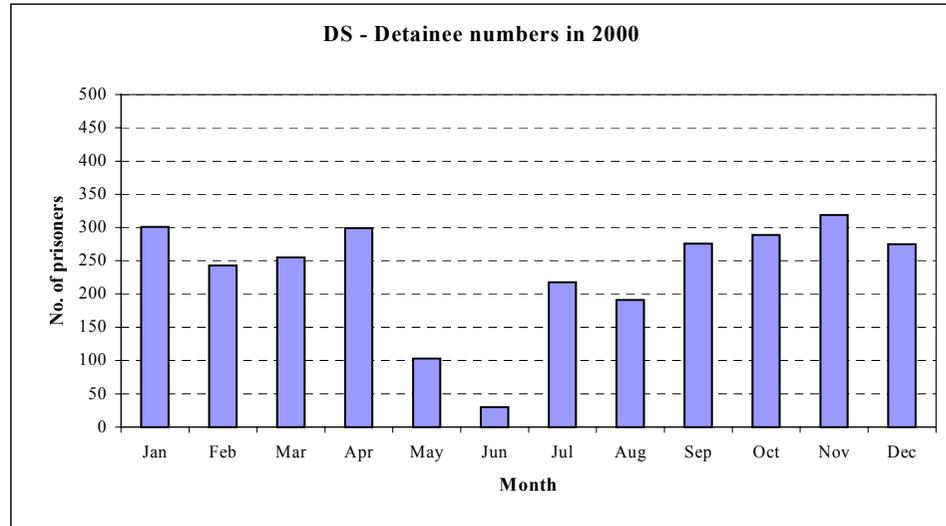
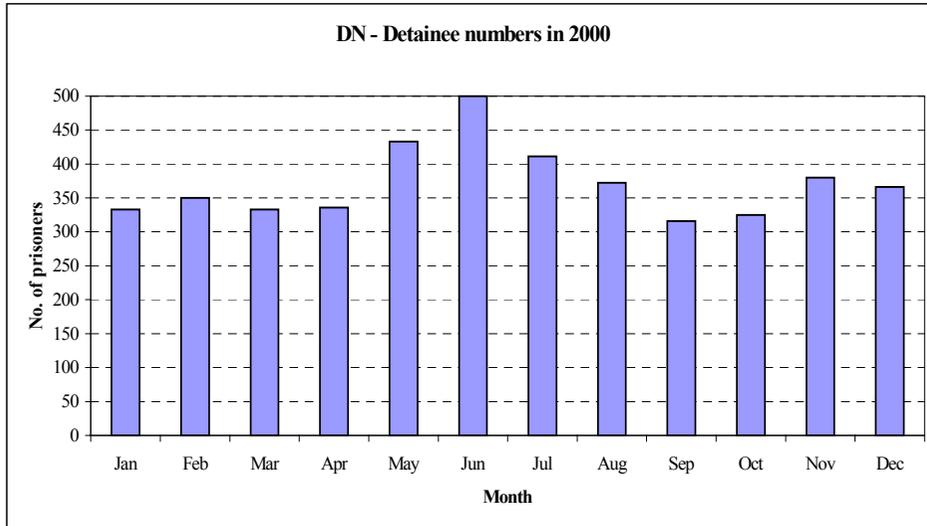
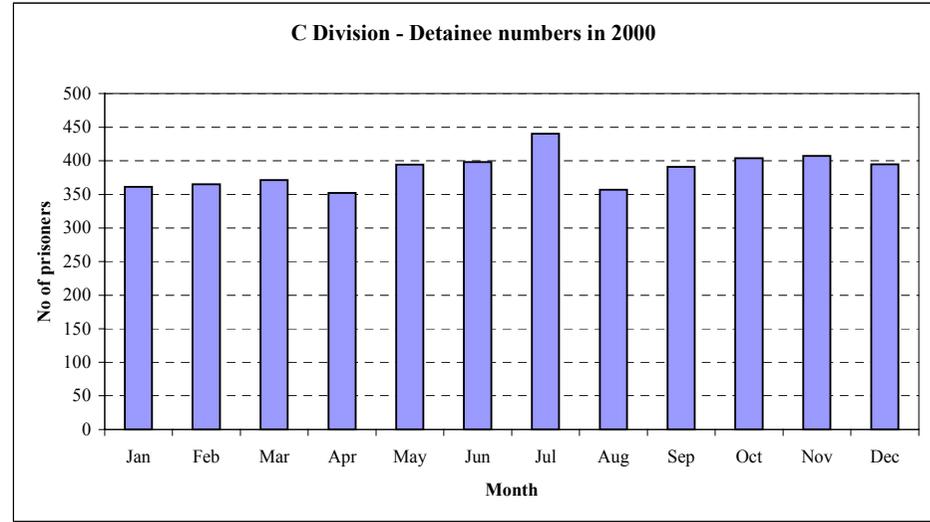
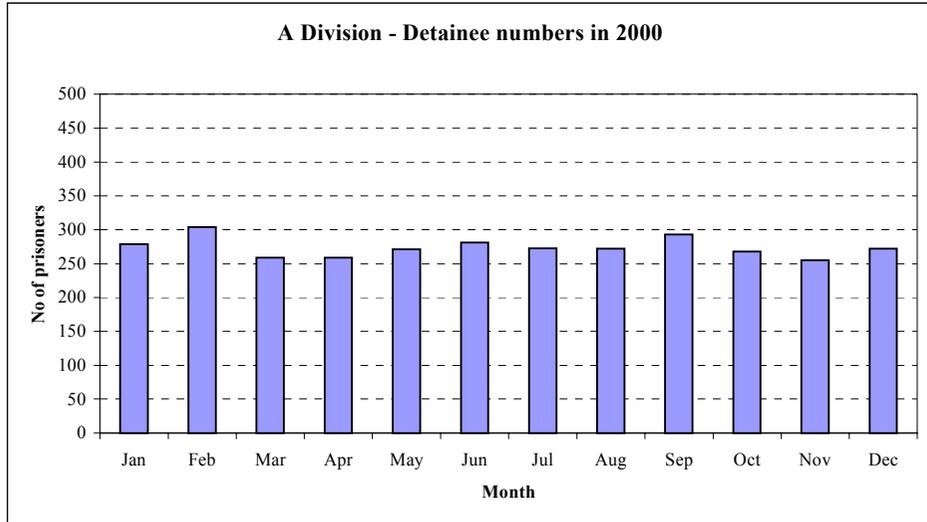
Average number of detainees by day of the week , calendar year 2000.

Appendix C



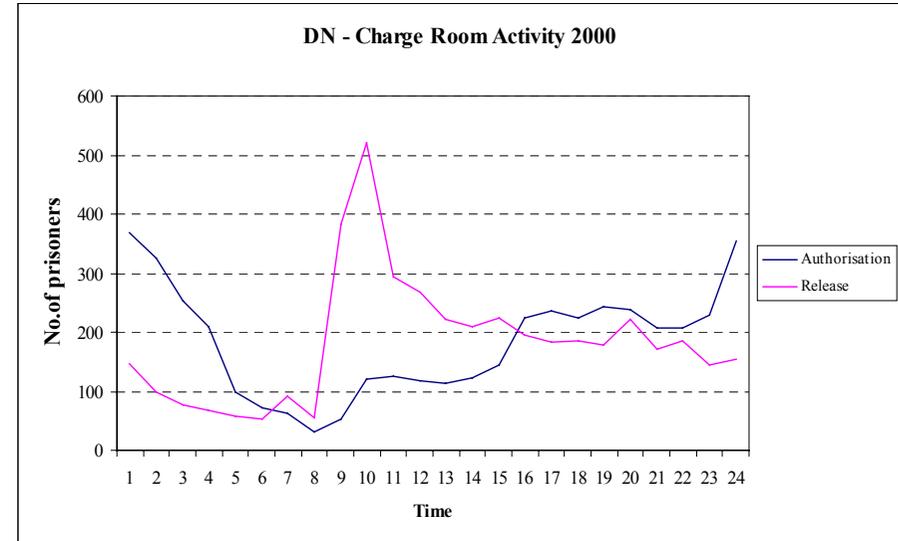
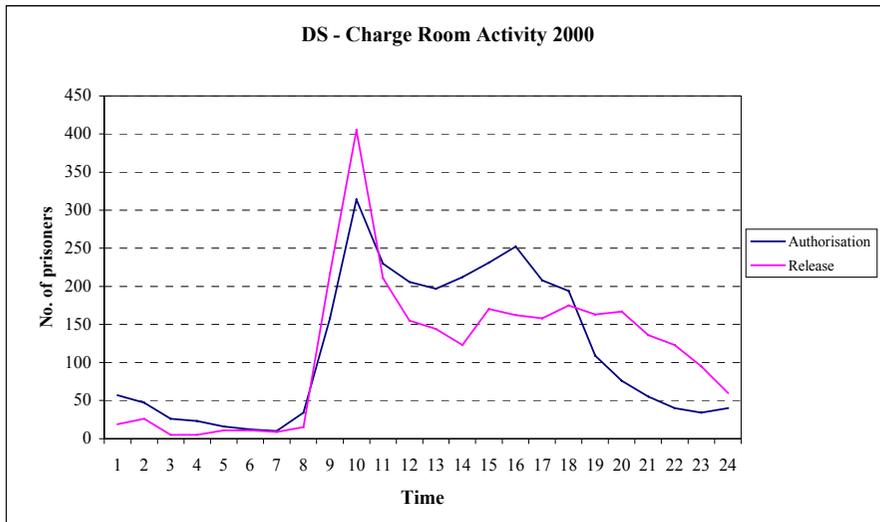
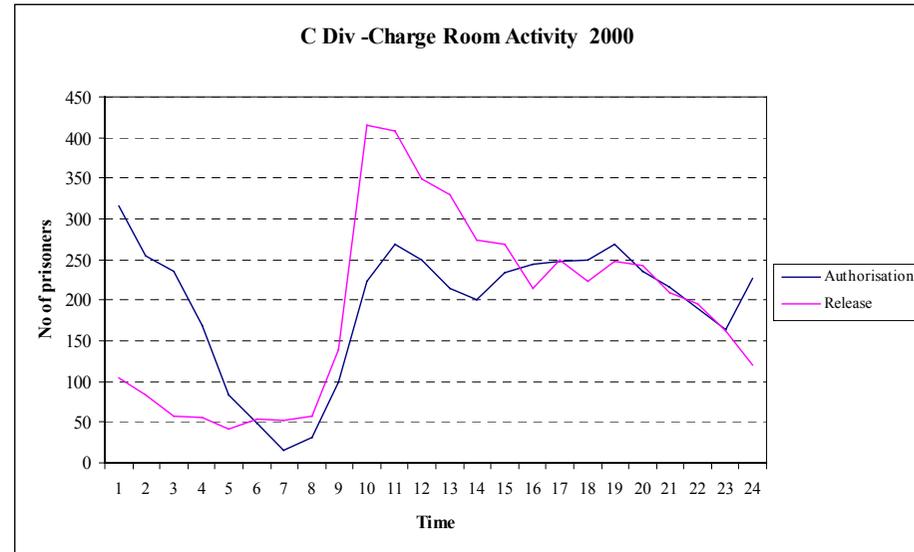
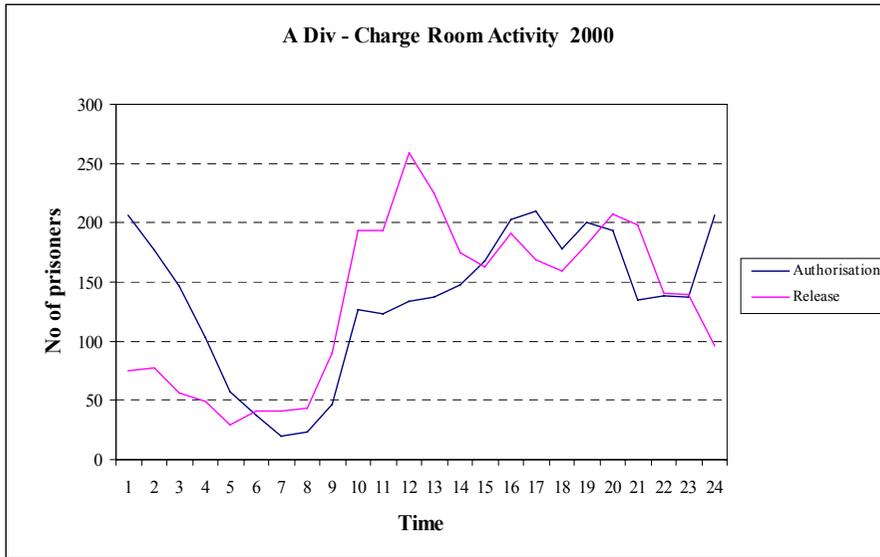
**Monthly total number of detainees, calendar year 2000.**

**Appendix D**



Charge room activity: detention and release times, calendar year 2000.

Appendix E



## **Ancillary Duties of Detention Officers**

## **Appendix F**

The list below has been compiled from information supplied by staff at Swindon. It shows tasks performed by detention officers which are not specified in their job descriptions and which have been referred to in this report as ancillary duties.

- Checking trays and routing paperwork
- Archiving enquiries
- Tidiness of the unit
- Arranging and collecting items of equipment
- Filing bail sheets and custody records
- Maintaining s47(3) filing system
- Replies to time in custody requests
- Replies to custody record copy requests
- Make up custody records
- Check and restock all rooms for equipment
- Check and restock RSA hospital bag
- General filing
- PROD machine tapes to CCO
- Fax OSU Narey file dates
- Fax Reliance
- Arrange Despatch

## JOB DESCRIPTION, recently used in 'C' Division

Appendix G

<b>Job Title:</b> Detention Officer	<b>Report To:</b> Custody Sgt
<b>Job Holder:</b>	<b>Job Number:</b> 5506
	<b>Date:</b> January 2000

### JOB PURPOSE

To undertake custodial, administrative and other 'detained person' welfare duties in accordance with legislation and Force Policy to ensure the efficient operation of the Custody Unit.

### ORGANISATION CHART

**Chief Inspector West Wiltshire**

**Inspector Support**

**Custody Sgt**

**Detention Officers**

### KNOWLEDGE, SKILLS AND EXPERIENCE REQUIRED

#### On Appointment

Excellent communication, listening and interpersonal skills.  
Ability to deal with different agencies including Social Services, Courts, Solicitors, Police Surgeons etc.  
Administrative skills.  
Basic computer/keyboard skills.  
Ability to maintain a high standard of cleanliness and hygiene in the Custody Unit.  
Ability to work with minimum supervision.

#### After Training

Knowledge of Police procedures in relation to Custody.  
Knowledge of 'detained person' handling as laid down by legislation.  
Ability to undertake fingerprinting, photographing and DNA procedures.  
Ability to attend court to give evidence if necessary.  
Basic skills in First Aid and self-defence.  
Knowledge of the computerised systems in use within the Custody Unit.

### DIMENSIONS

#### Financial

The postholder is responsible for handling cash and personal property belonging to the 'detained persons'.

#### Non-Financial

4500/5000 'detained persons' in 'C' Division.  
Supervision of visitors to prisoners in 'C' Division.  
Completion of numerous records and forms.

<b>KEY RESULT AREAS</b> <b>(3-4 word answers)</b>	<b>PRINCIPAL ACCOUNTABILITIES</b> <b>What needs to be done?</b>	<b>Why it needs to be done?</b>
Compliance with legislation and regulations in relation to detained persons.	To identify the needs of the 'detained persons' and to provide meals, bedding, ablutions, welfare and medical requirements including suicidal or mental health problems.	As required by the Police and Criminal Evidence Act 1984, and the Codes of Practice.
Administration of documentation and records.	To prepare and maintain all the necessary records and documents pertaining to each 'detained persons' detention in Custody, in order to protect the evidential value and ensure compliance with legislation and regulations.	As required by the Police and Criminal Evidence Act 1984, and the Codes of Practice
Liaison with outside agencies.	To liaise with appropriate parties/ agencies in order to ensure that all procedures in Custody are carried out as quickly as possible to ensure that no 'detained person' is kept in Custody any longer than is necessary.	As required by the Police and Criminal Evidence Act 1984, and the Codes of Practice
Maintenance of Security.	To be vigilant at all times when dealing with welfare tasks for 'detained persons' or with any person who enters or leaves the Custody Unit or when making security checks of the Police Station in order to maintain a secure and safe environment.	For the safety of <u>all</u> persons within the Custody Unit and Police Station.
Escort of Prisoners.	As instructed by Custody Sgt, assist in the escort of prisoners and to drive police vehicles as authorised.	To transport prisoners between the Custody Unit and other sites.

#### **OTHER INFORMATION**

Detention Officers can be called upon to give evidence and write statements of evidence when witnessing detained persons actions.

Detention Officers may deal with detained persons who may have infectious diseases such as Aids and Hepatitis.

Flexibility is required as there may be occasions when Detention Officers are required to work at other Custody Units in the Division.

**JOB DESCRIPTION, recently used in 'D' Division**

<b>Job Title:</b> Detention Officer	<b>Report To:</b> Custody Sgt
<b>Job Holder:</b>	<b>Job Number:</b> Various (5509)
<b>Grade:</b> W5	<b>Date:</b> July 1999

**JOB PURPOSE**

To undertake custodial, administrative and other 'detained person' welfare duties in accordance with legislation and Force Policy to ensure the efficient operation of the Custody Unit.

**ORGANISATION CHART**

Chief Inspector Operations  
Inspector Custody  
Custody Sergeant  
Detention Officers

**KNOWLEDGE, SKILLS AND EXPERIENCE REQUIRED**

**On Appointment**

**Knowledge**

Knowledge of Police procedures in relation to Custody is preferable.  
Knowledge of 'detained person' handling as laid down by legislation.

**Skills**

Full Driving Licence.  
Excellent communication, listening and interpersonal skills.  
Basic computer/keyboard skills, knowledge of Microsoft useful.  
Ability to maintain a high standard of cleanliness and hygiene in the Custody Unit.  
Ability to work with minimum supervision.  
Knowledge of First Aid and self defence an advantage.

**Experience**

Previous administrative experience necessary.

**After Training**

**Knowledge**

Police procedures in relation to custody and 'detained person' handling as laid down by legislation to include PACE.

**Skills**

Ability to deal effectively with different agencies including Social Services, Courts, Solicitors, Police Surgeons etc.  
Basic First Aid skills and basic self defence skills  
Increased computer skills to enable effective use of the Force's electronic mail system on Microsoft Outlook.  
Use of Police Radio.

**Experience**

Ability to undertake Fingerprinting and DNA procedures.  
Awareness of general Health and Safety issues within the working environment

**DIMENSIONS****Financial**

The postholder is responsible for handling cash and personal property belonging to the 'detained persons'.

7,500 'detained persons' in 'D' Division.

**Non Financial**

Handling telephone enquiries.

Use of Police radios when necessary.

Maintain records in relation to bail check, custody check sheets, search records relating to persons, premises and vehicles.

Supervision of visits to prisoners.

Maintain Police Surgeon documentation.

Continuity statements - particularly in relation to the posting of blood samples.

'At Risk' forms to be completed if prisoner is suicidal or dangerous.

<b>KEY RESULT AREAS</b>  <b>3 –4 words maximum</b>	<b>PRINCIPAL ACCOUNTABILITIES</b>  <b>What needs to be done</b>	<b>Why it needs to be done</b>
Compliance with legislation and regulations in relation to detained persons.	To identify the needs of the 'detained persons' and to provide meals, bedding, ablutions, welfare and medical requirements including suicidal or mental health problems.	To ensure that acceptable standards of 'care' are met
Administration of documentation and records.	To prepare and maintain all the necessary records and documents pertaining to each 'detained persons' detention in Custody in order to protect the evidential value and ensure compliance with legislation and regulations.	To ensure Force Guidelines are met.
Liaison with outside agencies.	To liaise with appropriate parties/agencies in order to ensure that all procedures in Custody are carried out as quickly as possible to ensure that no 'detained person' is kept in Custody any longer than is necessary.	To enable the Division to run an efficient and effective Unit.
Maintenance of Security	To be vigilant at all times when dealing with welfare tasks for 'detained persons' or with any person who enters or leaves the Custody unit or when making security checks of the Police Station in order to maintain a secure and safe environment.	To maximise safety and security of staff, detained and the public.

**OTHER INFORMATION**

Detention Officers can be called upon to give evidence and write statements of evidence when witnessing detained persons actions.

Detention Officers may deal with detained persons who may have infectious diseases such as Aids and Hepatitis.

Flexibility is required as there may be occasions when Detention Officers are required to work at other Custody Units in the Division.