



FOI request ref 371/2011

"Please kindly accept this amended FOI Act request in place of the original which contains a number of bad typographical errors.

Freedom of Information Act (FOI) request:

Preamble.

In March 2003 Avon & Somerset Constabulary found Dyfed Powys Police 'institutionally incompetent' with regards to their inadequate police investigations. The two Dyfed Powys senior police officers directly involved in the inadequate/corrupt investigations, DCS Thomas and Superintendent John Daniels, were permitted to retire following the serving of disciplinary notices and therefore did not even participate in the disciplinary investigation even though they both had not explained why their investigations were so inept in the light of their high rank and 30 years experience. This is a totally ridiculous, and unacceptable procedure which only served to undermine public confidence in Dyfed Powys Police Force, especially when considering the character of these two police officers whom have been known to me for over 30 years and the subject of a number of complaints over their conduct when detective constables. It was therefore unsurprising to learn of the findings of the Avon & Somerset Constabulary.

Under the FOI I would like to know:

What procedures have Dyfed Powys Police Force installed in order to ensure that such failings are eliminated and therefore are not possible to reoccur in the future? What procedures have Dyfed Powys Police Force initiated in order to ensure that when police officers are served with discipline notices, they are not allowed the easy cop out option of taking early retirement in order to avoid any investigation which could result in a disciplinary action being taken against them?

I also note that the former Chief Constable, Mr Terry Grange was allowed to slink off after his totally highly irregular and inappropriate conduct in office. Has Dyfed

Powys Police Force set a precedent for their inept officers to simply walk away from any substantial suggestion of misconduct in public office?

You will undoubtedly recall Mr Grange's appalling lack of respect for his office, and the public that he assumedly purported to serve : Mr Grange was a chief constable whom, amongst other matters, used his force credit card to wine and dine a woman he was having an affair with, and also sent her emails containing "inappropriate comments and sexual innuendos" from his office computer! (should he not have been serving and protecting the public during office hours and beyond?) Mr Grange also shared hotel rooms with this woman, buying meals and wine which he paid for with the Dyfed Powys Police Force corporate credit which is against Dyfed Powys Police Force policy. He also totally showed an unprecedented disrespect for the public trust placed in him through missing at least one important meeting to spend time with his lady friend whom was, as I understand, also employed at Dyfed Powys Police Force HQ.

Under the FOI, I would wish to know what new procedures are now in place in order to ensure that there can be no further abuse of public funds, which of course is fraud/theft, and in order to ensure that staff who are employed to work in police HQ, do in fact work there during the required hours.*

**The criminal penalties for white collar crimes vary. Most of the laws authorize a monetary fine, a prison sentence or a combination of the two. Could it be that Dyfed Powys Police Force are setting a precedent that such penalties are not application to former Chief Constables?"*

Question One

"What procedures have Dyfed Powys Police Force installed in order to ensure that such failings are eliminated and therefore are not possible to reoccur in the future? What procedures have Dyfed Powys Police Force initiated in order to ensure that when police officers are served with discipline notices, they are not allowed the easy cop out option of taking early retirement in order to avoid any investigation which could result in a disciplinary action being taken against them?

I also note that the former Chief Constable, Mr Terry Grange was allow to slink off after his totally highly irregular and inappropriate conduct in office. Has Dyfed Powys Police Force set a precedent for their inept officers to simply walk away from any substantial suggestion of misconduct in public office?"

Response

Dyfed Powys Police are not aware of any specific developments that have been undertaken in respect to this matter.

However the Force can confirm that as a matter of course Dyfed Powys Police continually develops in-line with national best practice and continued professional development. Similarly to other forces Dyfed Powys Police is subject to the requirements set out in legislation in regard to the suspension of officers and retirement.

Freedom of Information Act 2000 - section 16 (Duty to provide Advice and assistance)

The following links may be of interest to you:

There are a number of pieces of legislation in place that cover the issues of misconduct, suspensions and retirement. A number of links are provided below:

The Police (Conduct) Regulations 2008 – see Regulation 10, which deals with suspension and the conditions to be satisfied. Regulation 10 also requires that consideration be made to temporary redeployment to alternative duties or an alternative location as an alternative to suspension.

www.legislation.gov.uk/uksi/2008/2864/contents/made

Home Office Guidance – Police Officer Misconduct, Unsatisfactory Performance and Attendance Management Procedures:

www.nypolfed.org.uk/assets/uploads/PDFs/hoguide.pdf

Home Office guidance on police unsatisfactory performance and misconduct procedures:

www.homeoffice.gov.uk/about-us/corporate-publications-strategy/home-office-circulars/circulars-2008/026-2008/

The Police Regulations 2003 - Section 14 which relates to retirement:

www.legislation.gov.uk/uksi/2003/527/contents/made

www.legislation.gov.uk/uksi/2003/527/regulation/14/made

See also Determinations Annex D – Regulation 14 (Page 10) in respect to the Police Regulations 2003. This allows for the retirement of suspended officers with the consent of the Chief Constable.

www.homeoffice.gov.uk/about-us/corporate-publications-strategy/home-office-circulars/circulars-2003/023-2003/620812?view=Binary

www.homeoffice.gov.uk/about-us/corporate-publications-strategy/home-office-circulars/circulars-2003/023-2003/

The Police (Conduct) Regulations 1999 Section 5 covers the issue of suspension:

www.legislation.gov.uk/ukxi/1999/730/regulation/5/made

Roles and Statutory Responsibilities of the Dyfed Powys Police Authority, including appointing and dismissing senior officers (Section 11 Police Act 1996):

www.dyfedpowyspoliceauthority.co.uk/en/who-we-are/roles

The Police Act 1996 - Section 11

www.legislation.gov.uk/ukpga/1996/16/section/11

The Police Act 1996 - Section 42 and Section 42A

www.legislation.gov.uk/ukpga/1996/16/section/42

www.legislation.gov.uk/ukpga/1996/16/section/42A

www.legislation.gov.uk/ukpga/1996/16/contents

Question Two

“Under the FOI, I would wish to know what new procedures are now in place in order to ensure that there can be no further abuse of public funds, which of course is fraud/theft, and in order to ensure that staff who are employed to work in police HQ, do in fact work there during the required hours.”*

Response

In respect to ‘public funds’ and in terms of credit cards the Force Finance Department have confirmed the following.

The force has replaced force credit cards with welsh procurement cards which allow for more transparency over expenditure in terms of management information available. Expenditure is therefore subject to greater scrutiny. All transactions are required to be authorised by line management. The procurement card policy does not allow for private expenditure to be incurred and the more transparent management information allows for this to be policed.

In respect to attendance management enquiries reveal that there is no information held by the Force that answers your request. However you may wish to submit your request to the Dyfed Powys Police Authority, the contact details of which are included below, however if you would like me to transfer your request to the Police Authority please let me know.

Dyfed Powys Police Authority

Address: Dyfed Powys Police Authority
PO Box 99
Llangunnor
Carmarthen
SA31 2PF

e-mail: police.authority@dyfed-powys.pnn.police.uk

Fax: 01267 226448

Website: www.dyfedpowyspoliceauthority.co.uk

Freedom of Information Act – Section 16 – Duty to Provide Advice and Assistance

Under Section 16 the following information may be of assistance to you:

In respect to attendance management the Force has in place an “Attendance Management Policy and Procedure for Police Officers”, a copy of which is attached and an Attendance Management Policy and Procedure for Police Staff which is accessible via the below website link:

Dyfed Powys Police Attendance Management Policy and Procedure for Police Staff (including Sick Pay):

www.dyfed-powys.police.uk/sites/default/files/documents/PoliciesProcedures/AttendanceManagementPoliceStaff.pdf

In addition the Force has in place a Flexitime Scheme – a copy of which is attached

Dyfed Powys Police Authority – Anti Fraud and Corruption Policy

www.dyfedpowyspoliceauthority.co.uk/en/our-policies-and-procedures/anti-fraud-policy

www.dyfedpowyspoliceauthority.co.uk/~dppauthority/sites/default/files/documents/our_policies_and_procedures/anti_fraud_policy/antifraudcorruptionpolicy29-11-04.pdf

Dyfed Powys Police Authority – relationship between the Authority and the Force

www.dyfedpowyspoliceauthority.co.uk/en/our-policies-and-procedures/force-authority-protocol

www.dyfedpowyspoliceauthority.co.uk/~dppauthority/sites/default/files/documents/our_policies_and_procedures/force_authority_protocol/forceauthorityprotocol.pdf

Home Office Guidance on Attendance management:

www.homeoffice.gov.uk/about-us/corporate-publications-strategy/home-office-circulars/circulars-2008/026-2008/621911?view=Binary

Home Office guidance on police unsatisfactory performance and misconduct procedures:

www.homeoffice.gov.uk/about-us/corporate-publications-strategy/home-office-circulars/circulars-2008/026-2008/