

Essex Independent Custody Visiting Policy

Contents

1. About the PFCC	3
3. Purpose of the Essex ICV Policy	3
4. Essex ICV Scheme - Overview.....	3
Legal framework	4
Organisation and Infrastructure.....	5
5. Essex ICV Volunteer role.....	6
Eligibility.....	6
Recruitment	7
Training and induction.....	9
TACT detainees' visitors	9
Supervision, support and management.....	10
Tenure and role renewal	10
Termination of Agreement.....	10
Essex ICV Team Meetings.....	11
Role of the ICV Coordinator	11
Frequency and Coverage of Visits	11
Feedback on Visits.....	12
Reviewing Performance	12
Dress Code.....	12
Identification and Allocated Equipment	12
Expenses.....	12
Insurance.....	13
Lone Working.....	13
Temporary Absence from the Role	13
6. Holding the Force to Account	13
7. Independent Custody Visiting Association (ICVA)	16
8. Complaints	16
9. Anti-Racism, Equality, Diversity, and Inclusion	17
10. Confidentiality and Data Protection.....	18
11. Monitoring and Review	18
12. Appendices.....	19
Appendix 1. Independent Custody Visitor Role Description.....	19
Appendix 2. Independent Custody Visitor Person Specification	20
Appendix 3. Independent Custody Visitor Memorandum of Understanding.....	21
Appendix 4. Essex ICV and Holding the Police to Account escalation process map.	23

Version Control

Version	5.0
Updated by	Katarzyna Grabka (Independent Custody Visiting and Animal Welfare Scheme Manager)
Date	16 August 2023

Version History

Version Number	Date	Reason for review	Comments
1.0	November 2012		First publication
2.0	September 2013	Following issue of the Code of Practice by the Home Office in March 2013	Changes in relation to Terrorism Act 2000 detainees
3.0	February 2019	Reviewed as part of a general review of PFCC policies	Small changes to reflect new office responsibilities and structure
4.0	May 2021	Reviewed as part of a general review of PFCC policies	Small changes to language only
5.0	August 2023	Reviewed as part of a general review of PFCC policies	<ul style="list-style-type: none"> • Section 1 changed to explain the role of the PFCC. • Section 2 added to explain the purpose of the ICV Policy • Section 3 rewritten to include links to legislation around the ICV role. • Section 4 added to explain the ICV role, training, supervision and management arrangements, and practical information about the role. • Section 5 added following a recommendation from the Independent Custody Visiting Association (ICVA) to include processes on holding the force to account as part of the ICV Scheme. • Section 6 added following a recommendation from ICVA and to explain the role of ICVA in the ICV Scheme. • Section 7 amended to include the reviewed process with links to relevant guidance and procedures. • Section 8 amended to include an anti-racism approach. • Section 9 added to reflect PFCC guidelines around confidentiality and data protection when conducting the role of an ICV. • Section 10 amended to change the policy review frequency from annual to biennial. • Section 11 amended to add the updated ICV role description, updated Memorandum of Understanding (MoU) and ICVA escalation process map.

1. About the PFCC

Police and Crime Commissioners (PCC) were elected for the third time on Thursday 6th May 2021 in 38 force areas across England and Wales, including Essex. In October 2017, the Essex PCC took on responsibility for the governance of the Essex County Fire and Rescue Service, becoming the first Police, Fire and Crime Commissioner (PFCC) in England and Wales. PCCs and PFCCs are publicly elected to hold Chief Constables and their local force to account; effectively making the police and fire and rescue services answerable to the communities they serve. PCCs and PFCCs also ensure community needs are met as effectively as possible and improve local relationships through building confidence and restoring trust. They work in partnership across a range of agencies at a local and national level to ensure there is a unified approach to preventing and reducing crime.

As part of the discharge of their statutory duties, the PFCC must make arrangements for detainees in any custody suite under the control of the Chief Constable to be visited by “independent custody visitors” (ICVs). They must keep those arrangements under review and revise them from time to time as they think fit. This policy sets out how those arrangements work in Essex.

3. Purpose of the Essex ICV Policy

This policy provides guidance for those volunteering with the PFCC in the role of ICV volunteers. It also describes the ICV Scheme in Essex and outlines how the scheme operates and provides feedback to Essex Police regarding findings from ICV visits.

The aim of this policy is to provide a clear and consistent framework for the ICV scheme and its operating processes. In particular it will:

- Provide a clear understanding of how ICV and potential ICV volunteers can add value to the PFCC.
- Provide a clear understanding of how the Essex ICV Scheme operates.
- Outline clear responsibilities and guidance for those employees who manage ICV volunteers.
- Create consistency to ensure all ICV volunteers are treated equally and fairly, and
- Allow ICV volunteers to understand what can be expected from the PFCC as well as what is expected from them.

This policy applies to all current and future ICV volunteers engaged with the PFCC.

Compliance with this policy is mandatory. Failure to comply with this policy may result in termination of the volunteering arrangement.

This policy was written in consultation with ICV volunteers.

This Policy should be read in conjunction with [PFCC Volunteer Policy](#) and Essex ICV Handbook.

4. Essex ICV Scheme - Overview

The Essex Independent Custody Visiting Scheme (hereafter referred to as ‘Essex ICV Scheme’) is a scheme where appointed volunteers from the public visit police custody suites to check on the

treatment of detainees and the conditions in which they are held. It offers protection and confidentiality to both detainees and the police and provides reassurance to the wider public.

The scheme is designed to monitor independently the standards of police custody suites and to safeguard the welfare of people detained within them. The scheme enables appointed volunteers to visit police custody suites at any time of the day or night.

ICV volunteers are not there to investigate or become involved in any of the ongoing investigations which have resulted in the detention of a person. When custody visitors attend police custody suites, they must remain impartial and look, listen, and report on what is seen or said to them by detained people about their experience since arriving in custody. After each visit a report provides a current picture of the custody suite, and any issues that the custody visitor has identified relating to the maintenance standards of the facility, and the rights and welfare of those detained in custody. Systems are in place to ensure that the output from visits is rapidly drawn to the attention of those in a position to respond accordingly. The PFCC is responsible for drawing together issues and identifying trends emerging from visits and addressing these with relevant police representatives but delegates this responsibility to the ICV Scheme Manager. The PFCC has a regular, formal opportunity to raise concerns and issues with the Chief Constable via their fortnightly Performance Meeting.

Legal framework

The ICV Scheme introduced by the first PCC in 2012 replaced the scheme introduced by the Essex Police Authority on 1 April 2003 (last revised April 2010), which itself replaced the former custody visiting scheme (previously known as the Lay Visiting Scheme) and is based on the Home Office Code of Practice on Independent Custody Visiting published pursuant to [Section 51\(6\)](#) of the [Police Reform Act 2002](#). The scheme was last subject to a significant update in 2013 following the issue of the [Code of Practice on Independent Custody Visiting 2013](#) by the Home Office. Police services, PCCs and Independent Custody Visitors are required to have regard to this code in carrying out their relevant functions.

[The Police and Criminal Evidence Act 1984 \(PACE\)](#) outlines the legislation and standards for dealing with people who come into contact with the police. PACE Codes C ([Code of Practice for the detention, treatment and questioning of persons by Police Officers](#)) and G ([Revised Code of Practice for the statutory power of arrest by Police Officers](#)) set out the expectations and powers placed on the police during and throughout a police investigation. They also set out the rights of any individual suspected of committing a criminal offence.

The scheme is supported by more detailed national standards that expand the relevant procedures and outline established good practice, such as [Authorized Professional Practice \(APP\) for Detention and Custody from College of Policing](#) and [National Strategy for Police Custody 2022 from National Police Chief's Council](#). These national standards should be read in conjunction with this document.

In 2018 the [Independent Custody Visiting Association](#) (ICVA) introduced a voluntary quality assurance framework (QAF) award, which are national awards that recognise the quality of local ICV schemes. As of

July 2023, the Essex ICV Scheme holds a Silver Award.

Organisation and Infrastructure

Overall responsibility for organising and overseeing the delivery of the scheme lies with the PFCC, in consultation with the Chief Constable of Essex Police. The PFCC is responsible for:

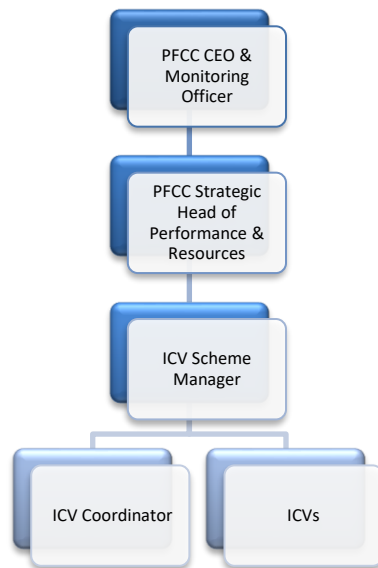
- Publicising the work of the ICV scheme.
- Developing a policy / policies to maintain and enhance the effectiveness of schemes, including the frequency with which visits should be carried out. This policy fulfils this requirement.
- Ensuring the maintenance of appropriate organisational arrangements and visiting patterns.
- The recruitment, approval and training of independent custody visitors.
- Establishing and maintaining effective systems for feeding back to the PFCC on a regular basis the output from visits and putting in place the necessary action to respond to issues as they arise.
- Facilitating meetings of their independent custody visitors to discuss their work and issues arising from it.
- Quality assurance of ICV Report forms.
- Monitoring performance against:
 - The agreed frequency of visits
 - The number of occasions on which detainees refuse to speak to visitors
 - Remedial and rectification of actions taken by the police in response to issues raised by ICVs.

Overall responsibility for the central administration of the scheme is delegated to the Chief Executive of the Essex Police, Fire and Crime Commissioner.

The Independent Custody Visiting and Animal Welfare Scheme Manager (“the ICV Scheme Manager) is appointed to manage the scheme on a day-to-day basis and act as first point of contact for any issue escalation for custody visitors.

An ICV Coordinator is appointed to organise the rota of visits, to act as the first point of contact for custody visitors and support the ICV Manager with administrative tasks relating to day-to-day management of the scheme.

The organisational chart below represents the management of the Essex ICV Scheme:



5. Essex ICV Volunteer role

This section provides an explanation around recruitment, training, and supervision of ICV volunteers. The full [PFCC Volunteer Policy](#) provides a greater explanation of volunteering for the PFCC. ICV volunteers are expected to read the PFCC Volunteer Policy and Essex ICV Handbook in addition to the Essex ICV Policy.

Eligibility

The PFCC may appoint as a custody visitor any person over 18 years of age who lives or works in the Essex policing area and who passes the necessary vetting / security clearance. The PFCC endeavors to ensure that custody visitors recruited to the ICV Scheme are reflective of the composition of the local population. Custody visitors should be able to make unbiased observations in which the community can have confidence and which the police will accept as justified.

Each application will be treated on its merits, but the over-riding factor will be to prevent possible conflicts of interest, and to maintain the independence and integrity of the scheme. Anyone who has been convicted of an offence which could be punishable with imprisonment within the last five years, or who has ever served a term of imprisonment or detention, may not be suitable. All applicants go through police vetting procedures. Applicants will be asked to include details of any convictions, other than those which are spent by reason of the [Rehabilitation of Offenders Act 1974](#), and to consent to police vetting enquiries being made.

Applications will not be considered from people who are or have been:

- An officer or ex-officer of a police force (this may include serving and former members of the Special Constabulary, Police Community Support Officers (PCSOs) and support staff employees); or
- Former members of the Police Authority; or
- Under the age of 18 years (at the time of application).

Other people may be excluded if they have a direct involvement in the criminal justice system such as solicitors, or officers of the Crown Prosecution Service (CPS), Probation Service or Prison service, as they may find that the duties of an independent custody visitor conflict with their professional responsibilities. However, there is no hard and fast rule in such cases and each application should be considered on its individual merits, with regard to the public service principle of being seen to be independent and impartial.

Other possible roles for visitors

ICVs may also act as appropriate adults. However, individuals must not switch between those roles during the course of a visit to the same police station and must declare if they have previously carried out either role with the same detainee. An individual cannot perform both roles (i.e. acting as an appropriate adult and an ICV) simultaneously for the same detainee. Visitors may also act as lay observers appointed under the Criminal Justice Act 1991 to inspect the conditions under which prisoners are transported and held.

Recruitment

The PFCC is responsible for recruiting, selecting and appointing visitors, although this responsibility is delegated to the Chief Executive and Monitoring Officer (in their capacity as the Head of Paid Service) who sub-delegates it through this policy to the ICV Scheme Manager. No person will be appointed as an ICV volunteer without an interview taking place. The selection panel must record the reasons for appointment or non-appointment.

Recruitment is based on a clear role description and person specification (see Appendices 1 and 2). The recruitment process is open, non-discriminatory, and well publicised with selection based on a standard application form at the first stage and, if shortlisted, a subsequent interview. All appointments are made on merit and due regard is paid to ensuring that, overall, the visitors are representative of the local community and provide a suitable balance in terms of age, gender, and ethnicity. Visitors must be over 18 years of age and have resided in the UK for at least three years prior to application, living or working within the PFCC's police area. Applicants will be asked to provide proof of ID and proof of address as part of the recruitment process.

The PFCC seeks to ensure that all visitors are persons whom the public would perceive to be independent. They will also take care to avoid the appointment of a visitor where there could be, or could be perceived to be, a conflict of interest. For example, serving police officers, police or PFCC staff, special constables, justices of the peace, and members of police and crime panels would all be considered unsuitable. Where persons in these categories have left or retired from relevant duties, they may be suitable for appointment, taking into consideration factors such as the geographical location where they would be carrying out visits and the length of time since they left the relevant employment.

Reasonable adjustments will be made to accommodate suitable candidates who have a disability as defined by the [Equality Act 2010](#) including those who do not have English as their first language, but who are able to communicate effectively so as to be understood. All visits with detainees will be carried out in English, as will all documentation.

Two references are requested from applicants and all applicants must successfully complete the vetting process prior to acceptance. Vetting will be conducted by the Vetting Department within Essex Police where applicants are verified via background security checks. Applicants will be asked to complete a

vetting form online. No applicant will start the ICV role before the security check results are back. ICV volunteers will be vetted to NPPV Level 2 (Full). More information on the vetting process can be found at [Essex Police Vetting FAQ](#). Once relevant documents have been sent to vetting, all scanned and original documents held in the PFCC will be destroyed. The Scheme Manager will receive notification of a pass or fail of vetting.

Essex Police reserves the right not to disclose the reason for any applicant failing the vetting process. Applicants who fail the vetting process will not be able to volunteer with the PFCC under the ICV Scheme.

All volunteers will be informed of the date of expiry of their vetting and will be asked to resubmit the necessary forms in good time when re-vetting is required. Essex ICV volunteers are required to complete re-vetting every three years.

Where an applicant has convictions for criminal offences or has received a formal warning, or reprimand, or has failed to disclose such a finding, the specific circumstances must be considered when assessing the suitability of the applicant to become a visitor. A previous conviction is not a barrier to appointment and, although the PFCC is responsible for the appointment of visitors, the Chief Constable should provide advice on the suitability of an applicant. The PFCC should be informed by the Chief Constable of the reasons for recommending that an applicant should not be appointed.

Conditions of Service

Appointments are made by the PFCC and will, subject to a satisfactory review after an initial six-month probationary period, be made for a period of three years with the option of reappointment at the discretion of the ICV Scheme Manager. At the successful conclusion of the probationary period, full Independent Custody Visitor status will be granted. Full re-assessments of suitability must take place at regular intervals not more than three years apart. The key factors for renewing a visitor's appointment for further periods will include their continuing ability and willingness to perform the role effectively.

Volunteers are not employees and have no employment status except under health and safety legislation but will be expected to conduct themselves in accordance with certain principles and procedures applicable to all who represent the PFCC in any form. These include, but are not limited to, the [PFCC's values](#), [General Data Protection Regulation \(GDPR\)](#) legislation, security protocols, and [the Nolan principles of public life](#).

The participation of the volunteer does not create a contract of employment, but volunteers will be required to sign a memorandum of understanding (Appendix 3) detailing the relationship between themselves and the PFCC, the agreed responsibilities and legitimate expectations of both parties.

Either party may cancel the relationship at any time.

Any task undertaken by the PFCC volunteer is intended to be additional or supplementary to work currently undertaken by paid employees and staff members of the PFCC. They should not be used as pre-planned substitutes or alternatives to fill a role normally performed by full and part-time staff.

All PFCC employees are expected to interact positively and constructively with volunteers and vice versa.

Training and induction

ICVs need to have sound knowledge and understanding of detainees' rights and police responsibilities. ICVs are required to complete a two-day training event hosted by the Scheme Manager. Successful applicants will be offered a place on the next available training course. Training is essential for ICV volunteers and will ensure that volunteers are familiar with what is expected from them as well as outline guidance and procedures to follow when volunteering with the PFCC.

By the end of the training applicants are asked to sign a memorandum of understanding.

New ICVs must complete a probationary assessment after 6 months of being appointed. They will be allocated a designated ICV Mentor (a more experienced ICV volunteer) with whom they will complete their visits during their probationary period. Successful volunteers will then be appointed for a further two and a half years.

Essex ICVs are also expected to take part in any additional training opportunities offered by the Scheme Manager. The Essex ICV Scheme is a member of the Independent Custody Visiting Association (ICVA) and has access to additional training materials, driven by national needs and any changes. The PFCC will continually evaluate the effectiveness of the training and the extent to which it is achieving its objectives.

TACT detainees' visitors

There is an additional training package for visitors who visit Terrorism Act 2000 (TACT) detainees.

[Section 117 of the Coroners and Justice Act 2009](#) introduced two changes to legislation which are intended to strengthen the independent monitoring of the detention and treatment of suspected terrorist detainees. These two changes amend:

- [Section 51 of the Police Reform Act 2002](#) to ensure that the arrangements made by PCCs for custody visitors include a requirement that reports about visits made to suspected terrorist detainees are submitted to the [Independent Reviewer of Terrorism Legislation \(IRTL\)](#) as well as to the PCC / PFCC. The amendments also allow ICVs to listen and view audio and video recordings of interviews with suspected terrorist detainees, subject to any restrictions on such access.
- [Section 36 of the Terrorism Act 2006](#) under which the IRTL is appointed and tasked with the annual review of the operation of the [Terrorism Act 2000 \(TACT\)](#) and the [Terrorism Act 2006, Part 1](#). As amended, that provision states that the IRTL may in particular consider the treatment of terrorist suspects detained under a warrant of further detention under Schedule 8 to TACT.

ICVs accredited to visit TACT detainees will need to have successfully completed 18 months of PACE custody visits before they can be considered for TACT detainee visits. Custody visitors who visit TACT detainees must have Security Check (SC) level clearance and have undertaken specific training for visiting TACT detainees.

The selection of ICVs for TACT detainee visits will draw on the existing structures whereby ICVs are associated with the scheme administered by the PFCC and carry out visits only in the Essex Police area.

Selection, performance management and de-selection of custody visitors to undertake TACT visits is the responsibility of the PFCC.

Supervision, support and management

The Scheme Manager / Coordinator will be responsible for the day-to-day management and support of volunteers. With their consent, and in line with the General Data Protection Regulation (GDPR), each volunteer will have a separate personnel file on the PFCC's shared drive consisting of their application form, interview notes, volunteer agreements, ID and PAC TAG agreements, and next of kin information. Access to these files is restricted to members of the Essex ICV team. A record of training received will be placed on a separate spreadsheet along with any other external work completed by volunteers. Volunteer information will be kept on file for a maximum of 12 months following a volunteer withdrawing from the service.

ICV volunteers must make themselves available to take on a minimum of three visits per month, attend supervision at least once a year, and attend a minimum of one volunteer group meeting annually. Each volunteer should be familiar with the best point of contact during both office hours and in an emergency. Should a volunteer not be meeting the expectations of the service, or be acting in a manner that might damage the reputation of the office, it is expected that this will be addressed directly with the volunteer in question and a mutually agreed resolution and way forward decided. Where appropriate, the PFCC may initiate termination of the agreement.

Tenure and role renewal

Custody visitors are appointed for a total three-year period which can be renewed. Every three years, regular supervision (which takes place annually) will be replaced by re-assessment. Upon successful performance and positive feedback from both sides, the ICV will be offered a re-appointment for a further three years. Before renewing the appointment of an individual ICV, the PFCC must ensure that appropriate vetting or security clearance remains valid until the end of the period of appointment.

Termination of Agreement

The Memorandum of Understanding can be terminated at any time and by either party.

The ICV Scheme Manager / Coordinator will offer an exit interview to any volunteer who decides to leave their role. This interview will be an opportunity to give feedback and hand back any equipment given.

The Scheme Manager in consultation with the Chief Executive also has the power to terminate an ICV volunteer's appointment due to misconduct or poor performance. For example, where a visitor:

- has not made any visits within a six-month period; or
- fails to meet their rostered custody visits during the year, or
- fails to attend either a training session or team meeting in a 12-month period, or
- abuses their position whilst visiting custody, or
- does not comply with the requirement to keep any acquired information confidential, or
- fails to meet the appropriate criteria, or
- has their vetting status withdrawn or fails subsequent re-vetting.

Should any of the above be true and no justifiable reason for this has been notified to the Scheme

Coordinator / Manager, the scheme manager may notify the individual in writing that their appointment is to be referred to the PFCC's Chief Executive for consideration.

A visitor has the right to appeal against termination of their appointment and the procedure is set out in Section 17 of the [PFCC Volunteer Policy](#).

Essex ICV Team Meetings

The ICV Scheme Manager will ensure that visitors have opportunities to meet together to discuss their work. Visitors will meet every three months and a member of the Essex Police Criminal Justice Command Team will be invited to attend. Regular meetings are an opportunity to raise any concerns raised from the visits, discuss any changes to the scheme and to meet fellow visitors to share the best practice. ICVs are expected to attend at least one team meeting per year.

In addition, the PFCC will hold an annual PFCC Volunteer Appreciation Event as a thank you for all the work and support volunteers provide.

Role of the ICV Coordinator

An ICV Coordinator is appointed by the PFCC Chief Executive and ICV Scheme Manager from the pool of active ICVs to support the ICV Scheme Manager. The ICV Coordinator is an experienced visitor whose role is to act as a first point of contact for ICVs. They are also responsible for providing monthly visit schedules for all visitors and help with minor administrative tasks to support the ICV Manager in day-to-day scheme management such as supporting ICV Manager with arranging group meetings in line with scheme guidelines.

The Scheme Manager meets with the ICV Coordinator on a regular basis (at least twice a year) to discuss any problems arising from the rota, including missed custody visits, and to discuss overall performance of the scheme.

Frequency and Coverage of Visits

The PFCC expects ICVs to visit all custody suites. Each suite should be visited three times per month at varying times and on various days.

Custody visitors carry out a minimum of three visits per month and complete and submit a written report to the PFCC after each visit, while still at the police station. Visits must be undertaken in pairs for health and safety reasons and generally last no more than two hours, although there are no specific rules regarding how long visits should take. It is important that visitors can compare different custody suites and the standards within them, so volunteers visit more than one suite in their local geographical cluster and at varying times of the day and week wherever possible. To be effective and uphold the integrity of the scheme, they must be unannounced and must not develop a regular pattern.

Each ICV, at the end of their Induction training, will receive a complete set of documents explaining the role including the Essex ICV Handbook, which provides an outline of the visiting procedure at police custody stations.

It must be acknowledged that, for the scheme to be effective, it is essential that visitors and police staff develop and maintain professional working relationships based on mutual respect and understanding of each other's legitimate roles.

Feedback on Visits

The ICV Scheme Manager / Coordinator is responsible for drawing together issues and identifying trends emerging from visits in their area and addressing these with relevant police supervisors, with whom there should be regular formal meetings.

The ICV Scheme Manager has the facility to raise concerns and issues with a designated senior officer who should be of Assistant Chief Constable / Commander rank with force-wide responsibilities.

The ICV Scheme Manager also produces regular reports for the PFCC and Essex Police summarising the output from the ICV Scheme and the way in which concerns have or have not been addressed. These reports will form the basis of an annual report on the scheme submitted to the PFCC.

Reviewing Performance

The PFCC will assess how effectively the scheme's arrangements are working. Key aspects of the process are reviewing the quality of reports, the frequency with which visits take place and the number of occasions on which detainees refuse to speak to visitors.

Any major revisions to the scheme will be agreed by the PFCC via a decision report.

Dress Code

ICV volunteers will not be required to wear a uniform for their role. Smart / casual clothes will be appropriate when visiting custody suites. Each volunteer is responsible for their appearance, ensuring that they look clean and tidy and suitable footwear is worn. Should this not be applicable to specific events, volunteers should be notified well in advance.

Identification and Allocated Equipment

Volunteers, once vetted, will be provided with an Essex Police ID card issued via Essex Police HQ Photographic Department. ID badges are always to be worn on police premises. ICV volunteers will also be issued with security (PAC) tags to give access to custody suites within Essex Police stations.

The Scheme Manager / Coordinator will ensure the return and destruction of security identification and the collection of the PAC tag when the volunteer leaves their role.

All equipment given to ICV volunteers should be signed for prior to allocation, expressing that the equipment must be used appropriately and only in the discharge of their volunteering responsibilities. Equipment remains the property of Essex Police at all times.

ICV Volunteers will be provided with information relating to safety and security including wearing their ID badges in public, unauthorised access to police buildings and the process to follow should their ID or PAC tags be lost or stolen. This will be included in their induction packs.

Expenses

Visitors are appointed on a voluntary basis and as such there is no facility for financial remuneration. However, the PFCC has a duty to reimburse volunteers for travel expenses incurred in the normal undertaking of their voluntary role. Volunteers must provide a copy of a VAT fuel receipt and receipts for other expenses to accompany each claim. Expense claims must be submitted using the appropriate form. The full expenses claim process (including travel expenses allowance) will be explained as part of the ICV induction process and is included in the [PFCC Volunteer Policy](#).

Insurance

All staff and volunteers are covered by the PFCC's public liability insurance whilst completing their duties in respect of any legal liability for injury or damage to property.

ICV visitors are required to make their own arrangements with their vehicle insurers to ensure they are appropriately covered for volunteer work.

Lone Working

Given the nature of the role, ICV volunteers are not allowed to work alone. In accordance with ICVA regulations, ICV volunteers are required to write up a report after each visit which should be a true and unbiased reflection from two visitors.

Temporary Absence from the Role

The PFCC understands that other commitments and circumstances may require volunteers to take temporary absence from the role. It is requested that volunteers inform the Scheme Manager / Coordinator of any planned absence and hand back their Essex Police property (ID badge and PAC tag) should the absence extend beyond three months. Where there is an expectation that the volunteer may return, these items can be securely stored until the volunteer returns to their role.

6. Holding the Force to Account

The work of the Essex ICV Scheme provides reassurance to the public that detainees' rights and entitlements are being observed. It also provides a scrutiny role of Essex Police to ensure policing is always carried out within the legal rights and there is no room for abuse of power, overuse of force or detainee's neglect.

The Essex ICV Scheme has adapted an issue escalation process map from ICVA. The escalation process map can be seen in Appendix 4. In essence, the Essex ICV Scheme identifies four levels of the issues and concerns escalation process:

ICV Visit - Level (1)

During custody visits, ICVs will check that rights and entitlements have been explained to detainees, PACE and the Codes of Practice are being complied with, the length of time detainees have been in custody, and any apparent delays in accessing legal advice or appropriate adults. ICVs also check the condition of cells, the kitchen for supplies of food and cleanliness, that CCTV is working, that there are sufficient supplies in the stock room, and that the faith room is clean and has appropriately stored religious items.

ICVs will identify and resolve the majority of issues highlighted during the visit itself. The initial identification of any issues by the ICVs and the subsequent resolution is the first level of resolving any issues / concerns raised. These issues are frequently small requests that can be resolved immediately. For example, detainees may ask for a blanket, ask what the time is, ask for information or request refreshments. ICVs can raise these issues with custody staff for resolution during the visit. Whilst these issues may seem small, they are important to detainees and help preserve their dignity and wellbeing.

ICVs can ask the escorting officer during their visit to rectify issues as they arise, for example, food or drink for the detainee or problems with the custody accommodation. If consent from the detainee has been granted, ICVs are encouraged to check the detainee's custody record to inform any concerns they may have. ICVs might check that reviews have been completed to timescales and that the detainees have been informed of the outcome. ICVs can speak with the custody sergeant at the end of a visit to discuss their concerns, if necessary.

ICVs are also likely to find work that should be praised during their visit. Positive feedback is also part of the general ICV visit outcome result and should be reported accordingly.

ICV Manager - Level (2)

On some occasions, issues and concerns raised directly at the time of the custody visit need to be escalated to the ICV Manager. On such occasions, there is a process in place to ensure all ICVs are aware of the methods used to bring the issue / concern to the attention of the ICV Manager. In Essex, ICVs are encouraged to contact the ICV Coordinator or ICV Manager (via telephone or email) to discuss any concerns they may have which they feel were not resolved at the time of their visit. The ICV Manager will then decide the best way forward to address the concern raised.

All visit reports are logged and safely stored on the PFCC's shared drive. The ICV Manager, along with the ICV Coordinator, will scrutinise ICV reports to identify problems and / or reoccurring issues. The ICV Manager collates all reports and sends monthly reports to the Essex Police Custody Inspector and Essex Police Criminal Justice Command Team for action. A list of issues raised is logged and monitored on a regular basis. Monthly meetings with Essex Police Criminal Justice Command and Essex Police Custody Team are held to follow up on any urgent issues or those not yet resolved. The Essex ICV Manager also attends the quarterly Criminal Justice Strategic Development Board which provides an opportunity to raise any concerns and issues as well as to be involved with any new strategic developments in the force involving ICV.

The Essex ICV Scheme belongs to the Eastern Region ICV Group, of whom regular meetings take place. The Eastern Region provides an opportunity to highlight any reoccurring or common issues across the region, provides peer support, and guidance on resolving issues which need escalation to either the local PCC or to ICVA.

An Annual Report is also produced, written by the ICV Manager, to ensure high standards and levels of practice are being observed and to maintain high levels of trust between the police and the members of

the public by providing transparency to the public and ensuring correct processes are being followed.

These meetings and reports provide various opportunities for the ICV Manager to escalate issues / concerns further and to resolve them with the relevant department of the force or to seek guidance from other ICV Schemes in the region to find the best way forward.

PFCC - Level (3)

Any issue or concern not resolved will be escalated in the first instance to the Strategic Head of Performance and Resources at the PFCC. Should the issues remain unresolved, they will be further escalated to the PFCC's Chief Executive and then to the PFCC.

The PFCC has a statutory duty to make arrangements for an ICV Scheme to be in place and be effective. Whilst the Chief Executive has nominated the ICV Manager to take responsibility for the day-to-day running of the scheme, the PFCC retains overall responsibility. In particular, the Code of Practice requires regular, formal opportunities for the PFCC to raise concerns and issues with a designated senior officer with force-wide responsibility – normally Assistant Chief Constable (ACC) / Commander rank or above.

The PFCC may need to meet with the Chief Constable in response to ad hoc events. For example, an ICV may highlight a serious issue – one that may have a high impact on a detainee or may be serious or high profile (for example, extreme use of force or a potential human rights violation). In this instance, the ICV Manager may highlight the issue directly to the PFCC who can, in turn, contact the Chief Constable to discuss the issue. Alternatively, other forces may contact the PFCC / Essex Police if an incident occurs in police custody even if an ICV was not present. This could be a death in custody, a near miss or other high impact incident.

In summary, the PFCC should hold the Chief Constable to account in response to:

- Regular reports as required by the Code of Practice,
- Ongoing / thematic issues that are not or cannot be resolved by the ICV Manager and their force contacts,
- Where an ICV reports on a high impact or serious issue, and
- When the force reports a high impact or serious issue has occurred in custody.

ICVA - Level (4)

When the Essex ICV Scheme identifies a problem which is difficult to deal with, it may be that one scheme is not alone with the challenges they are facing. In this scenario, an escalation of the issue to ICVA can take place. ICVA may be able to introduce the Essex ICV scheme to other schemes who have solved similar problems or raise the issue with national bodies who may be able to help. ICVA can help in several ways. These include, but are not limited to:

- Escalating a problem to national bodies such as the Home Office, inspectorates, Independent Office for Police Conduct (IOPC) or Association of Police and Crime Commissioners (APCC) to seek help and advice.
- Asking advice from the National Preventive Mechanism and from colleagues in other areas of detention.
- Escalating a problem to a national police body such as the Police Federation or National Police Chiefs' Council to ask for advice or seek to resolve the problem.
- Putting you in touch with other areas that have solved similar problems.
- Taking your problem away to work on as a project or to take forward with the National Expert Forum or Board of Directors.
- Asking for legal advice from human rights experts.

This escalation process provides a clear understanding of how the concerns raised by ICVs are being addressed and resolved. This process is also part of the ICV induction training so all new ICVs understand what is expected of them and how the concerns raised are being responded to.

7. Independent Custody Visiting Association (ICVA)

The Independent Custody Visiting Association (ICVA) is funded by the Home Office and Police and Crime Commissioners. ICVA supports ICV schemes across the country to deliver effective oversight of police custody to ensure a safe environment and to deliver public reassurance.

ICVA's suite of training materials equips ICVs with in-depth knowledge of latest best practices required to fulfil their role, from interpersonal communication skills to the Police and Criminal Evidence Act (PACE). ICVA represents ICVs in the National Preventative Mechanism (NPM), alongside Independent Custody Visitors Scotland and the Northern Ireland Policing Board Independent Custody Visiting Scheme. The Essex Police, Fire and Crime Commissioner's Office is a member of ICVA and has achieved Silver Accreditation through its Quality Assurance Framework.

The ICV Manager shares quarterly statistics with ICVA and includes examples of good practice and / or highlights areas of local concern. The ICV Manager may contact ICVA to raise any substantial concerns that occur locally for advice, support, and comparison with other schemes. ICVA can approach the Home Office, NPCC and other national organisations to articulate problems and resolve issues.

8. Complaints

The PFCC hopes each and every volunteer finds their volunteering experience rewarding and positive. However, if a volunteer feels that there is something that does not meet their expectations, there is a complaint procedure in place which volunteers can access via the ICV scheme manager.

Should a complaint be made against an ICV, the scheme manager or coordinator will address the complaint using the [PFCC Complaints and Expressions of Dissatisfaction Policy](#) or Section 16 of

[PFCC Volunteer Policy](#) as a guide depending on the nature of the complaint.

Complaints by visitors against detainees or police officers and police staff must be made at the time to the custody officer regarding the detainees and to the custody officer or duty officer as appropriate regarding police officers and police staff. Any complaints will be recorded by the ICV on the visiting form.

9. Anti-Racism, Equality, Diversity, and Inclusion

The PFCC and Essex Police are committed to compliance with relevant equality legislation including the [Equality Act 2010](#) in order to create environments where:

- Unlawful discrimination, harassment or bullying is not tolerated.
- People are treated fairly, and according to their needs.
- There is equality of access to all opportunities.

The Police, Fire and Crime Commissioner for Essex is firmly committed to promoting equality of opportunity for all local people and communities. They aim to ensure that, in their organisational structures, decision-making processes, ways of working, communicating and managing, diversity is welcomed and embraced.

The PFCC shall treat all individuals, regardless of age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation with dignity and respect. They shall provide a working environment which is free from harassment, bullying, victimisation or discrimination.

In all our contacts with members of the community the principles of respect, dignity and fairness will be upheld. Staff and volunteers of the PFCC will demonstrate their commitment to this statement by ensuring that all policies and procedures reflect these aims and by challenging any behaviour which fails to uphold these principles. The PFCC extends this commitment to cover all aspects of diversity.

It is important that this commitment is upheld by everyone working and volunteering with the PFCC. In line with this, the Essex ICV Scheme commits to treating everyone with the same attention, courtesy, dignity, and respect regardless of age, disability, race, sex, gender identity, religion or belief, sexual orientation, marriage, or civil partnership status, pregnancy, or maternity status. It is expected that ICVs will effectively challenge and report any issues regarding discriminatory language or behavior seen in custody to the appropriate managing body for investigation, escalation, or management action. ICVs commit to ensuring that police custody has equitable treatment for all that are detained there. ICVs commit to ensuring that their own practices are inclusive, and that detainees are treated respectfully regardless of any protected characteristic.

The PFCC aims to reach out to, represent, and value our diverse communities across Essex. This will be reflected in our recruitment and support of our volunteers, through means such as using a variety of channels for advertising vacancies, being mindful of volunteers' backgrounds and

offering appropriate support and flexibility. We will be mindful of reflecting our diverse community within our volunteers and will monitor and record self-reported diversity information.

Racism and discrimination of any sort have no place in our society. We all have a personal and professional duty to know where racism and discrimination persists and to call it out if we see it. We must address these issues together, as colleagues and as citizens, to make society fairer for everybody. Essex ICVs have a unique position in terms of ensuring equitable and respectful treatment in an often hidden, and high-pressure area of policing. It is intended that all should view anti-racism as a key component of monitoring police custody and volunteer functions and to ensure that the Essex ICV Scheme and all of those who come into contact with the scheme and its volunteers are clear on the PFCC's anti-racism commitment. In line with this, the PFCC will continue to train volunteers in anti-racism and equitable treatment for detainees.

For detailed information on the PFCC's policies on Equality and Diversity, please visit the PFCC website www.essex.pfcc.police.uk/contact-us/equality-and-diversity-information/

10. Confidentiality and Data Protection

The PFCC expects all ICVs to abide by the PFCC's corporate confidentiality and data protection policies and procedures, which will be explained during ICV induction training. This includes during the use of social media and any contact with the press.

11. Monitoring and Review

This policy will be subject to monitoring and review by the owner to ensure it remains accurate and compliant with both legislation and national / local drivers.

This policy will be subject to at least biennial review by the owner to ensure it remains fit for purpose.

Policy Author: Katarzyna Grabka (Independent Custody Visiting and Animal Welfare Scheme Manager)


Policy Owner: Pippa Brent-Isherwood (Chief Executive and Monitoring Officer)

Policy review undertaken by Katarzyna Grabka, August 2023

Date of next review: August 2025

12. Appendices

Appendix 1. Independent Custody Visitor Role Description




ROLE DESCRIPTION
ESSEX INDEPENDENT CUSTODY VISITOR

Key duties and responsibilities:

1. To arrange visits with other Independent Custody Visitors (ICVs), in accordance with the rota and other arrangements made by the Essex ICV Coordinator of the local team of ICVs.
2. To keep the Essex ICV Manager and the ICV Coordinator and/or other ICVs informed of any problems or changes which may affect your ability to carry out the visiting rota as soon as practicable.
3. To carry out visits to designated custody suites in line with the PFCC scheme, Home Office guidelines, national standards and your induction training. To record those visits on forms provided by the PFCC office and hand them over to custody staff upon departure.
4. To check on the conditions in which detainees are kept, particularly their health, well-being, rights, and entitlements, with reference to the Home Office PACE Code C. This will include:
 - o Clarifying and checking any concerns raised by the detainee, consulting the custody record where appropriate.
 - o Discussing with the Custody staff any concerns and requests arising from the custody visit and bringing to the Custody Sergeants attention any matters requiring immediate attention.
 - o Completing the Independent Custody Visitor Report Forms, ensuring that relevant information is recorded correctly, clearly, and concisely.
 - o To notify the ICV Coordinator of issues that need to be escalated and brought to the attention of the ICV Scheme Manager.
 - o Consult the detainee's custody record (where appropriate) to clarify and check any immediate concerns raised by the detainee.
5. To complete and submit expense claims at least once every 3 months (quarterly). Please note that the mileage rate payable is in line with HMRC guidance for volunteers.
6. To attend continuous professional development training events with an expectation that one training event, including ICVA regional and national events, should be attended in every rolling 12-month period.
7. To attend team meetings of Independent Custody Visitors (at least one per year) and supervision meeting which is arranged on annual basis.
8. To carry out the duties of an Independent Custody Visitor having due regard to the health and safety requirements of the Independent Custody Visiting Scheme.
9. To notify the ICV Coordinator of any changes to your contact details as soon as practicable or any changes which may affect your ability to carry out your role impartially.
10. Not to disclose details about any detainee you have spoken to, to any person, except those concerned with their detention.
11. Not to disclose details of any person you have met in custody on social media, to the press or any other media outlet.

*Police, Fire and Crime Commissioner for Essex, 1st Floor, Kelvedon Park, Rivenhall, Witham, Essex, CM8 3NB
email: ICV.scheme@essex.police.uk | Telephone: 01245 291 600 | website: www.essex.pfcc.police.uk*

Appendix 2. Independent Custody Visitor Person Specification

ROLE SPECIFICATION ESSEX INDEPENDENT CUSTODY VISITOR		
<u>Essential Criteria</u>		<u>Measure By</u>
1. Must be at least 18 years of age		Application
2. Must live or work in the police area of Essex		Application
3. To be able to demonstrate sufficient time and flexibility to carry out the role of custody visiting.		Interview
4. To be able to work with colleagues as part of the team to meet the Police, Fire and Crime Commissioner's custody visiting scheme statutory requirements.		Interview
5. To be able to communicate well both orally and in writing.		Application/Interview
6. To be able to communicate effectively with people from a variety of backgrounds in line with equal opportunities.		Interview
7. To demonstrate an independent and impartial view in relation to all parties involved in the custody visiting process.		Interview
8. To be able to maintain confidentiality.		Interview
<u>Desirable Criteria</u>		
1. Some knowledge of the independent custody visiting.		Interview
2. Ability to demonstrate an ability to complete forms clearly and concisely.		Application/Training
3. To demonstrate mobility in relation to undertaking visits.		Interview/Training/Risk assessment

*Police, Fire and Crime Commissioner for Essex, 1st Floor, Kelvedon Park, Rivenhall, Witham, Essex, CM8 3NB
email: ICV.scheme@essex.police.uk | Telephone: 01245 291 600 | website: www.essex.pfcc.police.uk*

Appendix 3. Independent Custody Visitor Memorandum of Understanding



INDEPENDENT CUSTODY VISITING SCHEME MEMORANDUM OF UNDERSTANDING

On appointment, or reappointment, all Independent Custody Visitors are required to sign the Memorandum of Understanding which summarises their agreed responsibilities and the Police, Fire and Crime Commissioner's expectations of what is expected of each Custody Visitor.

The Police Fire and Crime Commissioner's Office may revise the Memorandum of Understanding from time to time as required.

1. APPOINTMENTS

Appointments are subject to a six-month trial period (which may be extended if required). Subject to continuing satisfactory performance, suitability and successful re-assessment every three years, the Police, Fire and Commissioner's Office will appoint the Independent Custody Visitor.

2. SUPERVISIONS

All Independent Custody Visitors are required to participate in the Annual Performance Review process undertaken by the Scheme Manager. The supervisions are held to monitor the performance of each Independent Custody Visitor and to assess their willingness and ability to continue. They are also a good opportunity to identify any training or development needs the ICV might wish to take part in.

3. CHANGE OF CIRCUMSTANCES

You are required to notify the Coordinator or Scheme Manager of any change in circumstances which will affect your position as an Independent Custody Visitor e.g. if you are arrested and charged with a criminal offence, or become a magistrate, special constable, or police officer, or undertake any other work which may present you with a conflict of interest.

4. EXPENSES

Your work as an Independent Custody Visitor is entirely voluntary but certain reasonably incurred expenses, including travel, may be claimed. Expense claims made on the appropriate form should be submitted monthly with necessary supporting receipts.

5. MISCONDUCT

By signing this Memorandum of Understanding, you are agreeing to have regard to and abide by the standards and policies of the Police, Fire and Commissioner's Office and to adhere to the Code of Practice and National Standards for the duration of your appointment as an Independent Custody Visitor.

6. VISITING IN PAIRS

You are required to make custody visits in pairs at all times. Police custody staff have been advised that they should not allow anyone who is unaccompanied to make a custody visit. You can only make a custody visit when accompanied by another accredited Independent Custody Visitor. No more than two people should make a custody visit together.

7. NUMBER OF VISITS

The scheme requires that ICVs attend three visits per month on average but this may change dependent on changes made by the Police, Fire and Commissioner's Office, ICV availability, custody closures or if covering other team members.

8. MEETINGS AND TRAINING

The Independent Custody Visiting Panel meets an average of four times a year and members are required to attend at least one per year. Training dates will also be offered which team members are encouraged to attend.

9. IMPARTIALITY AND CONFIDENTIALITY

You must not involve yourself in individual cases or give advice to detainees. You must maintain the confidentiality and / or any personal details of both detainees and other Independent Custody Visitors.

10. DOCUMENTATION

You are required to complete a short report for every custody visit made (even when there is nobody in custody) and ensure this report has been scanned to the ICV inbox in your presence or handed over to custody staff with clear instruction for forwarding it to the ICV inbox at the earliest convenience whilst following ICV reporting and ICV completed report handing over procedures.

11. PERSONAL DETAILS

You are required to inform the Co-ordinator and Scheme Manager promptly of any change of address or contact details (email address and phone number). You also understand that being an ICV means that your contact details will be shared with the rest of the ICV team in order to arrange custody visits. By signing this form, you confirm you are happy for your contact details to be passed on to fellow ICVs as well as being part of the ICV Team WhatsApp group.

12. QUERIES

Queries on any aspect of the scheme should be made initially to the main ICV inbox on ICV.Scheme@essex.police.uk (shared inbox) or to the Scheme Manager on Katarzyna.grabka@essex.police.uk

UNDERTAKING

In signing this Memorandum of Understanding I undertake to be bound by its terms and consent to be bound by the Office of the Police Fire and Crime Commissioner's Independent Custody Visiting Scheme Guidelines.

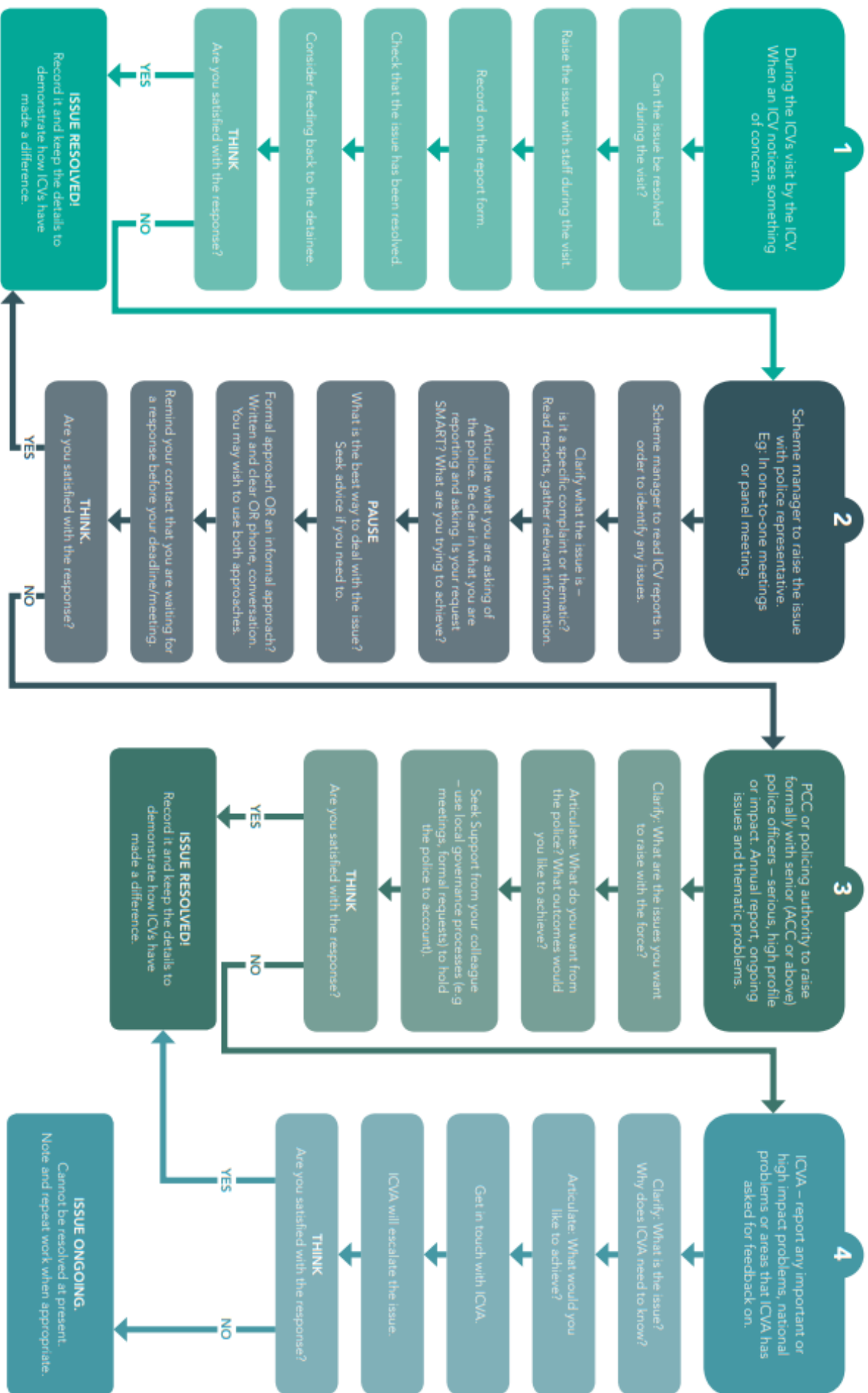
Name: _____ (Block Capitals)

Signature: _____

Date: _____

Independent Custody Visiting and Holding The Police to Account.

Start by Choosing the Appropriate Level of Accountability



Appendix 4. Essex ICV and Holding the Police to Account escalation process map.