



Force Policy

Document title: Critical Incident Policy

Document Reference: 06/047

Owner: Head of Department, Operational Support

Review Date: February 2023

Next Review Date: February 2025

This Force policy is suitable for public disclosure under the Freedom of Information Act 2000

This document sets out principles to help guide decision making and in some parts may be quite prescriptive. However, it is vital that officers and staff have the freedom to innovate, exercise discretion and take risk based decisions centred on the needs of the victim and the merits of each case.

There may be occasions when a member of staff is considered to have acted outside of the content of this document but if they have done so with honesty, integrity and professionalism, to make the best decision for the community we serve, they will be trusted and supported. On the occasions when this is the case, the rationale for it must be properly recorded.

This document should be read in conjunction with the Force Policy Statement.

INDEX	
Page no	Heading
2	<u>Introduction</u>
2	<u>Procedures</u>
2	<u>Definition of a critical incident</u>
2	<u>Keywords</u>
2	<u>Identification of a Critical Incident</u>
3	<u>Notification of Critical Incidents</u>
3	<u>Declaring a Critical Incident</u>
4	<u>Command and Control</u>
4	<u>Tier 1 – BCU/Departmental Response</u>
4	<u>Tier 2 – Cross BCU Response</u>
4	<u>Tier 3 – Force Response</u>
5	<u>Gold Groups</u>
5	<u>Incident Assessment</u>
5	<u>Management Plan</u>
6	<u>Chief Officers Responsibility</u>
6	<u>Media</u>
6	<u>Critical Incident Managers</u>
6	<u>Record Keeping</u>
6	<u>Loss of Public Confidence</u>
7	<u>Closure</u>
7	<u>Incident Debriefing</u>
7	<u>Public Enquiries</u>

Introduction

The aim of this policy is that Derbyshire Constabulary fulfils its obligations in the management and prevention of incidents of a critical nature.

Derbyshire Constabulary constantly seeks the consent of the people it serves. Success in this will partly depend on the effectiveness of police responses to critical incidents. Efforts taken to manage and also to prevent such incidents happening are pivotal in increasing trust and confidence in the community.

The force will endeavour to prevent incidents from becoming critical and where an incident has become critical we will seek to rectify this as swiftly as possible and reduce public concern. The document provides a framework enabling staff to deal consistently and effectively with critical incidents at the earliest opportunity.

This is so far both external incidents and incidents occurring within the force e.g. Dispute Resolution, staff recruitment, retention and progression.

This policy should be read alongside the APP Guidance on Critical Incident Management (accessible via the Intranet link to the APP under the Decision Making heading). It has been adopted as best practice by the force and as such gives more detailed advice that will be of use to the practitioner. It is the basis for this policy.

Procedures

The definition of a critical incident is;

Any incident where the effectiveness of the police response is likely to have a significant impact on the confidence of the victim, their family and/or the community.

The definition is deliberately broad and should ensure that potential critical incidents are not missed.

It recognises the fundamental significance of community confidence and trust in the police response to critical incidents.

It applies equally to potential internal critical incidents.

Keywords

Effectiveness – this is a measure of the professionalism, competence and integrity evident in the police response to an incident.

Significant Impact – ‘significant’ should be interpreted as being particular to each incident but critically relates to the impact on the individual, family or community.

Confidence – this is a reference to long term confidence in policing – victims, families and communities.

Likely - All incidents that the police deal with could have a significant impact on confidence, but are they likely to?

Identification of a Critical Incident

Identification of these incidents will only be made by reference to the above definition.

Critical incident management therefore starts with the early identification of any incident that has the

potential to escalate, or has already escalated into critical incident, while the incident is still ongoing.

If small critical incidents are not identified early, they can escalate into a large scale incident that could have a long term impact on community confidence.

Early action will be taken to rectify issues that may affect the quality of the force response before they have a significant impact on public confidence.

In order to readily identify incidents that could escalate it is important that officers and staff have the support of Team Leaders on a 24/7 basis. Reactive Inspectors and the Force Incident Manager (FIM) are on duty 24/7, with support of CIMs and Gold Commanders also being available 24/7 (mix of office based and on-call). Police Constables, Police and Community Support Officers and Call Handlers should have the confidence to contact any of these at any time of the day to discuss concerns.

Commanders will want to know: -

- What they are dealing with;
- What might develop;
- What the impact of the incident and/or the police response might be;

Internal critical incidents – Police officers and staff who work together may also be recognised as a community in their own right. A team may consider themselves to be a family (but at the same time contain, or be part of, a number of other separate and distinct communities, such as special interest groups, federation or union groups.

Certain incidents may have a significant impact on the confidence of these internal communities. These are known as internal critical incidents and can include bullying, discrimination, corruption, or other inappropriate behaviour, as well as death or serious injury of a colleague. Extensive organisational upheavals, such as force restructure or a review of pay and conditions, may also be considered as critical incidents.

Notification of Critical Incidents

Key to critical incident management is the early notification of incidents that have escalated or have the potential to escalate into critical incidents. Therefore, all officers or members of police staff dealing with an incident (which will include call handlers and first attending officers) must continually ask themselves: -

- What am I dealing with?
- What might it develop into?
- What impact might this incident have?

Where, in the officer or staff member's opinion, an incident is, or has the potential to escalate into a critical incident, it is essential that early advice is taken from a Team Leader, Reactive Inspector, or the FIM. They in turn should consider notifying the duty Critical Incident Manager (CIM).

Senior officers must not discourage officers or police staff from reporting incidents because the next one may be a critical incident with significant implications for the force.

Notification should not stop or prevent the reporting officer or member of police staff from continuing to provide an ongoing police response in line with the policy or procedure relevant to the incident.

It will always be the case that where a specific type incident (e.g. homicide) is identified, it should, in the first instance, be managed in line with the relevant policy or procedure.

Declaring a critical incident

When a duty CIM officer, or duty Senior Investigating Officer (SIO), is notified of an incident that may be, or has the potential to escalate into a critical incident they must decide whether the report is valid and whether the current deployment will deliver an effective police response. The CIM must ensure that the basis for the decision is recorded on the force command and control incident log.

As soon as practicable the CIM, or duty SIO, will then notify the duty Gold Commander of the incident.

The duty Gold Commander will then decide whether to declare the incident as a critical incident.

The decision to declare it critical will be based on at least one objective reason why the effectiveness of the police response is likely to have a significant impact on public confidence. The fact that the incident has been declared critical together with the reasons for this must be recorded on the force command and control incident log.

As soon as practicable after receiving the report of such an incident the Gold Commander will notify a Chief Officer.

The duty Chief Officer is then responsible for sanctioning or not sanctioning the decision to declare the incident as critical. The Chief Officer will also nominate an officer to be in charge of the incident. This ensures critical incidents are only declared when necessary and appropriate and that the response is proportionate. The rationale for the decision will be recorded on the force command and control incident log.

Command and Control

It is essential that critical incidents are led through unambiguous command and control that clearly outlines the roles and accountability of the personnel involved.

The force will use a three tiered response to allow command structures to be scaled up or down to meet changing circumstances

Tier 1 – BCU/Departmental Response

This will include incidents within the capability of one BCU/Department and where actions and risk are limited to that area.

Command Structure

Gold: BCU Commander/Head of Department (*or as nominated*)
Silver: Members of the Senior Command Team Designated by Gold
Bronze: Members of the BCU and support departments designated by Silver as strategy owners

Tier 2 – Cross-BCU Response

This will include incidents that impact on more than one BCU or Department. It will also include a series of linked incidents that have occurred in more than one BCU but where there is limited potential for the actions and risks to spread further.

Command Structure

Gold: Lead senior officer of at least superintendent rank, agreed or designated by force command (*or as nominated*)
Silver: A member of the Senior Command Team from one of the BCUs involved, designated by Gold

Bronze: Members of any BCU and support departments involved, designated by Silver as strategy owners

Tier 3 – Force Response

This will include incidents with a force, cross-force or national dimension and where there is a significant threat to public confidence and the reputation of the forces involved. Management of the incident will require substantial activity by a significant proportion of the lead force's BCUs.

Command Structure

Gold:	Chief Officer (<i>or as nominated</i>)
Silver:	Designated by Chief Officer
Bronze:	Members of any BCU and support departments involved, designated by Silver as strategy owners

Gold Groups

A Gold Group will provide the Gold Commander with consultation and decision support. It will help to ensure co-ordination in multi-agency type incidents and provide links with the local community and other legitimately interested parties as appropriate.

Gold Groups should include communities who may not appear to be directly affected but could be indirectly. Consideration should be given to the early involvement of members of the Force Independent Advisory Group (IAG). Members of this group are drawn from a wide range of communities and each has varied interests and expertise that could help to manage a critical incident. Contact details are held within FCR.

The principal function of a Gold Group will be strategic i.e. they provide impartial support advice and analysis. The specific function, membership and content of a Gold Group will vary for each incident. The Gold Commander must ensure that a sound framework for discussion is maintained during meetings, which are likely to be complex and highly charged. All Gold Group meetings must be documented and are subject to disclosure under the Criminal Procedure and Investigations Act 1996, unless public interest immunity applies.

The Gold Commander is ultimately responsible for any strategic decisions affecting the police response.

Incident Assessment

Following the appointment of a Gold Commander, the reasons(s) why an incident has escalated into a critical incident will be assessed. This will identify what remedial action is needed to recover the effectiveness of the police response and to rebuild the confidence of the victim, their family and the community.

This assessment will be based on all the immediately available information, such as decision logs, briefings from officers in the case and family liaison officers.

Management Plan

The Gold Commander will complete a focused and thorough review of the available information. This will help to identify the strengths and weaknesses of the force response and determine a management plan for the future progress of the incident.

Not all incidents will require specific action to be taken to recover the effectiveness of the police response; it may simply be a case of ensuring that the ongoing response is managed competently.

Where it is identified that action must be taken to improve the quality of the police response and/or to restore public confidence, the Gold Commander must develop a management plan.

An important aspect of the review will be to consider whether the incident is currently allocated to the most appropriate officer, to formally consider the demands on the Senior Investigating Officer and who is best placed to meet those demands so that appropriate appointments are made.

Allocation to the most appropriate officer is key to ensuring an effective police response. Every incident should be assessed and allocated according to the needs of the incident. The allocation

should not be based solely on rank, seniority or availability of resources.

Chief Officers Responsibility

Chief Officers are responsible for consideration of informing, as appropriate, the Office of the Police and Crime Commissioner, the Independent Office for Police Conduct (IOPC) and other key stakeholders.

Media

During a critical incident the Gold Commander and the Force Corporate Communications section are responsible for the initial formulation of a media strategy. It may however be necessary for a chief officer to take responsibility for the media response and to be the face of the force.

Critical Incident Managers

CIM Officers should use the acronym **S A F E R** to quickly identify action that is required to ensure and safeguard success in what could be a complex and dynamic environment.

Scenes of Crime – well defined and well managed
Actions – fast track and intelligence led, to arrest offender(s)
Family – supported and supportive of investigation
Evidence – comprehensive and relentless search for witness and evidence
Records – Accurate and contemporaneous, clearly stating decisions and rationale

Record Keeping

Any officer with responsibility for managing a critical incident must ensure that all actions and decisions are recorded in a clear and auditable manner. This includes ensuring that the first officers at incidents and call takers have recorded their actions and decisions appropriately.

In addition, as soon as a critical incident is formally declared, the incident commander should start a decision log or police file to record all actions, strategies and decisions, along with their rationale.

All such records will be held and processed in accordance with the Force Management of Police Information (MOPI) Policy.

Loss of public confidence

A loss of public confidence in the police can be notified to a force in a number of ways. These include: -

- Letters from victims, their families, community leaders or third parties acting on behalf of the victim or their families;
- Verbal communication to front line officers and staff expressing general concerns;
- Articles appearing in the media or documentaries on television or radio;
- Campaigns or protests by groups representing (with or without consent) the victim, their family or the community.

Failure to respond competently and diplomatically to these reports will compound the situation and can lead to another critical incident.

The possibility of a loss of confidence will therefore be monitored by Gold Command for the duration of each critical incident.

Where a loss of public confidence has occurred, the initial objective must be to restore confidence in the ability of the police to provide an effective and quality police response.

In addition, the chief officers must also consider the longer term impact that a loss of public confidence will have on community engagement. It may be appropriate to consider whether additional resources for neighbourhood policing are necessary and to involve Independent Advisory Groups (IAG) in rebuilding relationships with community groups.

Closure

All critical incidents will remain open until formally closed by a chief officer. The decisions when to conclude or scale down an investigation or operation and the reasons for doing so will always be recorded. A full explanation will be given to the victim, their family or the community.

Incident Debriefing

All police officers and staff involved in a critical incident must be debriefed on operational and welfare issues. Thus both good and bad practice can be identified and included in future training, planning and risk management. In addition, officers and staff can be referred to appropriate staff associations or occupational health representatives for support and advice.

Public Enquiries

Where a public enquiry is to be held the Head of Force Communications will co-ordinate matters to ensure that the force is able to respond in a positive, proactive and candid manner.

Part 1 Human Rights

<p>1. What is the policy or procedure title, what is its purpose or objective and who will be affected by it?</p>
<p>Critical Incident Policy. This policy provides a framework to proportionately and effectively prevent incidents from becoming critical but where they do to deal with it at the earliest opportunity thus reducing the impact upon those involved. The policy is intended to be read alongside the more comprehensive content on APP.</p>
<p>2. Will the policy or procedure restrict anyone’s Convention rights?</p>
<p>The actions directed by the policy have the potential to engage some of the rights and will be also used to protect the same rights of some.</p>
<p>If the answer to Q2 was Yes proceed to Q3. If the answer to Q2 was No proceed to Part 2, Equality Impact Assessment. However, be alert to any possibility that your policy or procedure may restrict someone’s Convention rights, things may change and you may need to reassess.</p>
<p>3. What Convention rights are restricted? Are they absolute rights or limited rights?</p>
<p>Article 2 – Right to life Article 5 – Right to Liberty and Security Article 6 – Right to a Fair Trial Article 7 – No punishment without law Article 8 – Respect for private and family life, home and correspondence Article 14 – Protection from discrimination in respect of these rights and freedoms</p> <p>Both absolute and limited rights.</p>
<p>4. What is the legal basis for the restriction?</p>
<p>Equality Act 2010 Human Rights Act 1998</p>
<p>5. What is the legitimate aim for the restriction?</p>
<p>To manage and prevent incidents happening or escalating in order to maintain public safety, trust and confidence in the community. The policy deals with the response to the critical incident itself. Built into the document are specifics on the measures to be taken to attend to the diverse needs of persons affected.</p>
<p>6. Are the actions that restrict the right proportionate? Are you sure you are not using a sledgehammer to crack a nut?</p>
<p>Yes</p>
<p>7. Are the actions that restrict the right fair, non-discriminatory and least intrusive?</p>
<p>Yes</p>
<p>8. Does the policy or procedure specify that a record of any decisions that affect someone’s rights are documented?</p>
<p>Yes, all decisions will be recorded on the Command and Control Log. The responsibilities for decisions at all levels are described in the policy with more comprehensive best practice being available via the APP Guidance on Critical Incident Management.</p>

Part 2 - Equality Impact Assessment

This form should be completed electronically and on completion forwarded to the equality unit mailbox.

This Equality Impact Assessment form must be used to inform your decision making when reviewing or developing new policies/guidance/procedure/ working practices. It should remain a live document and be reviewed at key milestones during development or at least yearly.

The General Duty

The general duty is set out in section 149 of the Equality Act 2010. In summary, those subject to the Equality Duty must have DUE REGARD to the need to:

- eliminate unlawful discrimination, harassment and victimisation, between those who share a protected characteristic and those who do not;
- advance equality of opportunity between those who share a protected characteristic and those who do not;
- foster good relations between those who share a protected characteristic and those who do not.

Authors have a statutory requirement to have DUE REGARD to the relevant protected characteristics shown below, whilst taking a common sense approach

- age
- disability
- gender reassignment
- marriage & civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex (gender)
- sexual orientation

Name of the document, project or working practice:	Policy/Ref No:
Critical Incident Policy	

1. Briefly describe the intention of the document, project or working practice?

To provide a framework for dealing with incidents or events where the effectiveness of the police response is likely to have a significant impact on the confidence of the victim, their family and/or the community.

2. Does this document, project or working practice have a direct impact on people who :-				
a. Work for Derbyshire Constabulary (including specials and volunteers)	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
b. Reside or visit Derbyshire	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
3. How does this policy affect the following protected groups?				
Include what relevant quantitative and qualitative data you have. This may include national/local research, surveys, reports, complaints and meetings. Please list any evidence in the boxes below.				
Protected Characteristic	Positive Impact or Benefits	Negative Impact or Risks	Where impact/risk identified, what, if anything can be done?	
Age:	N/A	N/A	N/A	
Disability (physical, sensory, learning)	N/A	N/A	N/A	
Transgender (person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex)	N/A	N/A	N/A	
Race (Black, Asian, Chinese & Other, Mixed Race, White, Gypsy/ Travellers, Asylum Seekers)	N/A	N/A	N/A	
Religion/Belief Religion/Belief (Religion means any religion and a reference to religion includes a reference to a lack of religion. Belief means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief)	N/A	N/A	N/A	
Sex (Gender)	N/A	N/A	N/A	
Sexual orientation (lesbian, gay man, bisexuals, heterosexual)	N/A	N/A	N/A	
Pregnancy and Maternity	N/A	N/A	N/A	
Marriage and Civil Partnership	N/A	N/A	N/A	

4. Is there any further engagement or consultation required to support the above?			
No If No go to 7	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/> If Yes please contact the Equality Unit – Compliance and Inclusion Officer (75 04865) for advice on who to consult with.
5. Who have you consulted with and what was their feedback? Was their feedback adopted? (If not why not?)			
6. Action Plan			
This EIA will be reviewed on a yearly basis to monitor the impact on protected characteristics. Following consultation and feedback what action will you take?			
Action	Timescale	Action Owner	

7. Quality Assurance -

This assessment requires the signature of the EIA author. It should then be forwarded to the Equality Unit.

I am satisfied this assessment demonstrates compliance with the General Duties under the Equality Act 2010 , and that due regard has been given to the need to;-

- Eliminate unlawful discrimination
- Advance equality of opportunity
- Foster good relations

EIA Author: Supt Clark	Date: 06/02/2021	Department: OSD
Head of Equality:	Date:	
This EIA will be retained until the next review date:		

Part 3 - Consultation

1. What departments, individuals and organisations have been consulted in the development of this policy or procedure? At the very least you should consult with the below. It may also be beneficial in some cases to consult with the Force Staff Network co-ordinator and Legal Services.

Name	Department / Organisation	Date
Police Federation		
Unison		
Data Protection		