

 West Mercia POLICE		POLICY
Security Classification	OFFICIAL	
Disclosable under Freedom of Information Act 2000	Yes	

POLICY TITLE	Lay Observation
REFERENCE NUMBER	WMP094
Version	1.0

POLICY OWNERSHIP	
DIRECTORATE	LOCAL POLICING
BUSINESS AREA	TERRITORIAL POLICING

INITIAL IMPLEMENTATION DATE	August 2020
NEXT REVIEW DATE:	March 2024
RISK RATING	HIGH
EQUALITY ANALYSIS	HIGH

West Mercia Police welcome comments and suggestions from the public and staff about the contents and implementation of this policy.
Please e-mail contactus@westmercia.pnn.police.uk

1.0 POLICY OUTLINE

To provide guidance for members of staff and lay observers accompanying police officers and Police Community Support Officers (PCSO) on patrol duties.

17.0 PURPOSE OF POLICY

The purpose of this policy is to provide information for members of the public who patrol alongside police officers and PCSOs in order to observe their activities. This combined policy and procedure is required to provide transparency in our activities by allowing those who would not normally observe the work of a police officer or PCSO in their daily roles, and to give an understanding of the role in order to build upon the confidence of the public within the communities we serve.

This document is also to provide guidance to staff and volunteers within the organisation who may wish to observe police officers and PCSOs in a role which is different from their own in order to gain an understanding of their role. This policy is written pending the receipt of any Authorised Professional Practice (APP) on this topic.

2.1 Origins/Background information

The Police Service Parliamentary Scheme was intended to inform MPs, through experiencing police service life at a ground floor level, to further brief themselves on policing issues. This to some extent has been further extended to lay observers who can aid in securing public confidence in the police by questioning issues that are particularly pertinent to the local community. The 'Best Use of Stop Search' scheme launched by the Home Office in 2014 made a requirement for Forces participating in the scheme to have a policy/procedure for lay visitors to observe 'stop searches'. This document meets with the scope of these requirements.

17.0 LAY OBSERVERS

The definition of a 'Lay Observer' is wide ranging. It includes any person who is not a member of West Mercia Police, who is accompanying a police officer or PCSO on patrol or engaged in other official police related business.

This policy does not include the carrying of detainees.

A clear direction has been received from the National Vetting Working Group to state that lay observers who patrol with officers and PCSOs in vehicles are likely to overhear private information and attend incidents where personal information is freely available. For this reason, lay observers patrolling with an officer or PCSO will require vetting. Lay observers will be asked to maintain a discrete distance when officers are interacting with members of the public in order to reduce the amount of private information overheard. Full vetting will not be required of Members of Parliament, the Police and Crime Commissioner or Deputy Police and Crime Commissioner. For such elected officials a confidentiality agreement should be signed before the commencement of the observation.

A copy of this agreement is available at [Appendix C\(ii\)](#).

Under no circumstances will observers, who are not employees of West Mercia Police on authorised duties, be carried in police vehicles engaged or likely to become engaged in response duties, safe follow or pursuit duties in excess of posted road speed limits. The Duties to be allocated and the incidents assigned must only be those that are not likely to involve exceeding posted road speed limits. OCC to be made aware of the observer.

Where operations require deployment of a vehicle on to response, safe follow or pursuit duties, then the (non employee) observer will be dropped off at a suitable safe venue such as a roadside garage, shop or other appropriate location and OCC informed as the Observer may need to be collected.

It should be noted that **under no circumstances** should an observer be carried in police vehicles with detainees, unless the detainee is held in a secure cage. This is irrespective of whether there is a pre-arranged agreement or it results from a welfare or safety issue following any incident.

4.0 PRE-ARRANGED VISITS

Operational, political and community relations' considerations make it advantageous for West Mercia Police to allow a wide range of people to patrol as observers with police officers and PCSOs.

Adherence to this document will contribute to reducing the risk of:

- Injury to any observer patrolling with police officers and PCSOs and/or
- Litigation and/or
- Prosecution under health & safety legislation

Obvious examples of persons likely to undertake observations are:

- Members of the public
- Members of staff
- Police and Crime Commissioner and his/her deputy
- Journalists and other media workers
- Staff from partner agencies
- Members of Parliament
- Members of Independent Advisory Groups or other scrutiny groups
- Members of the Police Cadet scheme and
- Advocates of Citizen Academies

There may be occasions where the observers is from partner agencies or has specific skills and the observer may feel that their skills are being called upon in the circumstances which present themselves during the observation. Possibilities are wide ranging but an example could be where a member of a mental health partner agency is observing an officer and through interaction with a person suffering from a mental illness, their skills or expertise is required to deal with the dynamic incident. The officer will need to balance the need of the member of the public, their own duty as a police officer and the risk to all parties concerned. It will ultimately be a decision for the police supervisor to decide whether the observer withdraws from the situation or the observation comes to an end. Such incidents must be

brought to the attention of the local duty Inspector and circumstances and rationales for any decisions need to be fully documented.

5.0 RESTRICTIONS

Persons under the age of 16 will not be considered for this scheme.

6.0 RISK ASSESSMENT

A Specific risk assessment is attached as [Appendix I](#) and should be reviewed by officers prior to the commencement of an observation along with the usual risk assessments for Patrol and Mobile Patrol. Officers and PCSOs should conduct their usual Dynamic Risk Assessments throughout their patrol. This should consider the observer within this assessment. **Appendices F and G** also gives advice and guidance to officers in relation to observers.

Legal, health and safety responsibilities require that the full procedure should be followed in each case. Divisional Commanders or the Head of Department may deal with each visit request on an individual and local basis and write to prospective individuals as they consider appropriate. ***Suggested letter formats appear in the appendices and are designed to support the process. These formats can be amended to reconcile service and individual requirements.***

7.0 ADMINISTRATION

The provision of documentation with this procedure is to ensure that a standardised approach is taken in relation to each request (Appendices A to E refer). Administration will be locally managed and will be co-ordinated by the Chief Inspector SNT for each area or Chief Inspector Operations within the Force Operations Dept. Responsibility will remain locally to write to the prospective observer (see [Appendix A](#)) and make any necessary arrangements. This will also include responsibility to consider the observer's response and decide, seeking any necessary advice, if a visit is appropriate. The letter at Appendix A should include the application ([Appendix B](#)) and certificate of indemnity (see [Appendix C](#)) to be signed by the observer and returned to the author of the letter. Where the observer is under the age of 18 this certificate of indemnity must also be signed by the observer's parent or legal guardian. Failure to sign the certificate without legitimate reason will result in the application being refused.

If a visit is appropriate local arrangements should be made to identify a suitable police officer or PCSO to accompany the observer, before replying to any request (see [Appendix D](#)).

Where a visit is inappropriate, a letter should be sent (see [Appendix E](#)), giving reasons for refusal. Any appeals against the decision will be a matter for the appropriate Superintendent or Chief Officer.

8.0 SPECIAL SECTIONS: JOURNALISTS, ELECTED OFFICIALS AND OFFICE HOLDERS

Where the prospective observer is a journalist or other member of staff from the media the Corporate Communications function must be informed and in addition to the Indemnity Agreement ([Appendix C](#)) the observer must complete and return a the Declaration by Media Representatives form ([Appendix C\(i\)](#)) prior to their participation.

Approved members of the National Union of Journalists with the correct identification as such will not require vetting. West Mercia Police cannot authorise entry to private premises by media representatives and we will not seek permission from the lawful key holder on behalf of the media. Material, photographs or film acquired during observation cannot be published or broadcast if it would interfere with an individual's rights, particularly the right to a fair trial.

Where the prospective observer is a MP, PCC, Deputy PCC or other elected official or office holder in a nationally recognised public representative position, in addition to the Indemnity Agreement ([Appendix C](#)) the observer must complete and return the Declaration form ([Appendix C\(ii\)](#)) prior to their participation. Such officials will not require vetting. The purpose of this form is to prevent the need for officials in a public office from having to go through the vetting process where their position is such that such vetting and concern about disclosure of private information is a risk. The completion of form C(ii) will suffice in these circumstances to prevent vetting. If uncertain about which officials require vetting, advice should be sought from the local Superintendent or from the vetting department,

9.0 OFFICERS ACCOMPANYING OBSERVERS

Each Divisional Commander should appoint officers or PCSOs on a volunteer basis to accompany observers. It is suggested that the number of accompanying police officers is restricted to a minimum, securing benefits in terms of service quality and ensuring that observers are aware of legal and health and safety issues.

Accompanying officers when first notified of the visit of an observer should be given the Advice Sheet ([Appendix F](#)) when they are responsible for the welfare of an observer.

Prior to any visit the observer should be given and should read the health and safety instruction sheet ([Appendix G](#)). The accompanying officer must then read out the script at the bottom of the sheet (in bold print) to the observer before they both sign it to endorse that this has been done.

Accompanying officers have the right to terminate the visit if the observer ignores instructions or puts themselves or others at risk or in danger.

10.0 OBSERVERS IN POLICE VEHICLES

The officer / PCSO conducting the observation together with their supervisor will decide whether the objectives of the observation would be best achieved through foot

or mobile patrol. Consideration should be given to switching off any in vehicle police radio and using personal radios and earpieces to limit the dissemination of private information to the observer.

The welfare and safety of the observer should be considered a priority at all times.

Under no circumstances will observers, who are not employees of West Mercia police on authorised duties, be carried in police vehicles engaged or likely to become engaged in response duties, safe follow or pursuit duties in excess of posted road speed limits. The Duties to be allocated and the incidents assigned must only be those that are not likely to involve exceeding posted road speed limits. OCC are to be made aware of the observer.

Where operations require deployment of a vehicle on to response, safe follow or pursuit duties, then the (non employee) observer will be dropped off at a suitable safe venue such as a roadside garage, shop or other appropriate location and OCC informed as the Observer may need to be collected.

Clearly the arrangements for pre-arranged visits cannot anticipate every eventuality. Therefore accompanying officers should assess any risks and decide on the most appropriate action to be taken in the circumstances at the time.

Special care must be taken when any person being carried are under the age of 18.

11.0 SHORT TERM ATTACHMENTS

Where a West Mercia Police staff member observes an officer or PCSO in a different role to that which they usually perform, accompanying officers should consider this situation carefully and dynamically risk assess any possible hazards or risks likely to occur. Accompanying officers are advised to consult their line managers if in doubt as to the appropriate action to take. The important aim throughout is to ensure that health and safety regulations and legislative duties are complied with, whilst achieving the benefits that such an attachment will bring.

12.0 PROCEDURE

The purpose of this policy/procedure is to give clear guidance to staff engaged in accompanying observers. This will thereby enable such observers to experience police work at an operational level. The scope is confined to those persons taking part who are over 16 years of age. Health and Safety and Legislative requirements will be properly risk assessed when adopting this procedure.

All police officers and PCSOs should be clear on their statutory powers and the legal obligations placed upon them regarding their own conduct. Officers will act to deliver the highest professional standards in their service to the public within their policing principles and standards of professional behaviour as outlined in the Code of Ethics.

You must be able to show that your actions are justified and proportionate in seeking to achieve your aim(s). Additionally, you must always consider whether the proposed action is the least intrusive and damaging option used to achieve the aim(s).

While the purpose of the visit may be primarily to observe you undertaking certain tasks e.g. Stop Search or seizure of alcohol, the officer or PCSO should ensure that their actions are always legal, necessary, justified and proportionate in the circumstances and the threshold level required for the task should not be lowered because of the presence of the observer. The observer should also be made aware that while the observation will ideally include any specific tasks or objectives, this may not be feasible due to the varied nature of operational policing.

You should always clearly document the decision-making processes and outcomes of actions. If you are in doubt you must consult a supervisor.

13.0 IMPLICATIONS OF THE POLICY/PROCEDURE

- Financial. Any financial implications arising out of this procedure will be met locally.
- Training. The general training given to all staff and guidance contained within this policy/procedure should be sufficient to ensure positive outcomes. Although Managers and Supervisors should actively monitor and review its implementation.

14.0 RISK ASSESSMENTS / HEALTH & SAFETY CONSIDERATIONS

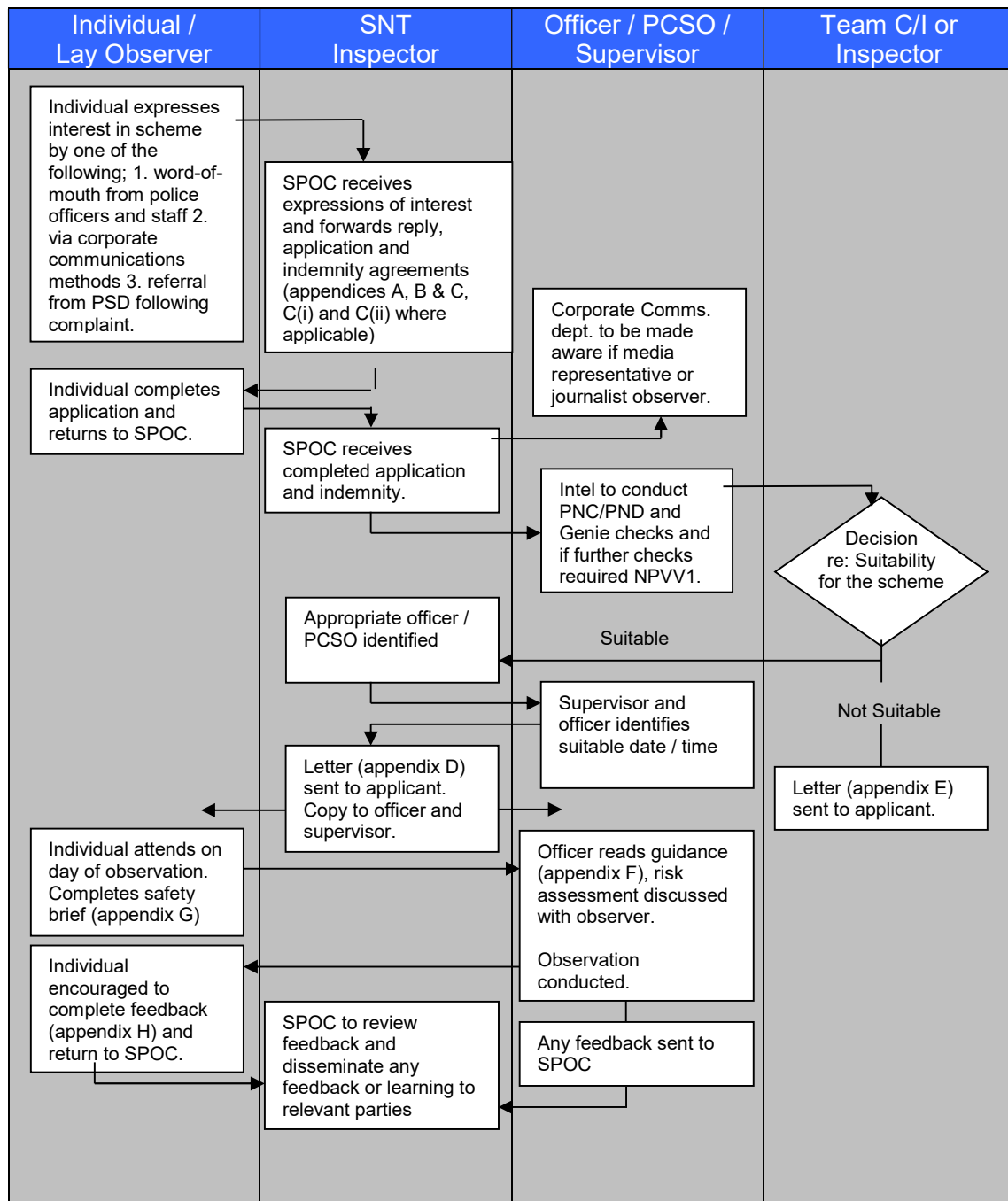
Reference: Force Risk Assessments; [01 – Patrol](#); [02 – Mobile Patrol](#); [30 – Observers](#)
Officers will undertake a dynamic risk assessment based on their assessment of variable environment and subject factors for each incident and encounter. It is not possible to compile a comprehensive risk assessment to cover all potential scenarios but officers should, as a minimum, consider the nature of the incident, the potential for violence, the presence of dangerous items and should be aware of risks posed in the circumstances.

Police officers with observers should not be deployed to the immediate vicinity of an incident involving one or more of the following:

- Hazardous materials
- Chemical, Biological, Radiological, Nuclear (CBRN)
- Terrorism
- Firearms
- Railways
- Deep water
- Building sites.

It may be appropriate to utilise such officers or PCSOs in an ancillary role (e.g cordons, traffic control etc.).

15.0 PROCESS MAP



16.0 CONSULTATION

This policy has been produced by West Mercia Police in consultation with the following:

<i>Business Lead Consulted</i>	<i>Date Consulted</i>
Ch Supt Paul Moxley	Jan 2022

Federation, Unison, Superintendents' Association, Legal Services, Health & Safety, Risk Assessment, Equality Analysis, Programme Team and Data Protection. Critical Friends group.

17.0 DOCUMENT HISTORY

The history and rationale for change to policy will be recorded using the below chart:

Date	Author / Reviewer	Amendment(s) & Rationale	Approval / Adoption
		Previously approved at JNCC meeting	JNCC 27/11/2014
July 2020	J Taylor	Reviewed – Minor changes to accommodate the Cadet programme age range change, reverted to West Mercia Policy v1.0	August 2020
Jan 2021	K Monaghan	Reviewed – No changes	Jan 2021
Jan 2022	K Monaghan	Reviewed – No Changes	Jan 2022
Mar 2023	K Monaghan	Reviewed – No Changes	Mar 2023

18.0 EQUALITY ANALYSIS

The H&S, Risk and Equality Analysis is available on a separate document.

19.0 MONITORING / EVALUATION

The monitoring and review of this policy is the responsibility of the policy owner.

20.0 THE APPENDICES

Appendix A	Initial letter to prospective lay observer. Should be sent along with Appendices B and C
Appendix B	Application for Lay Observation scheme.
Appendix C	Agreement indemnifying the force against any claim or civil action
Appendix C(i)	Media Representatives declaration
Appendix C(ii)	Elected Officials and office holders' declaration
Appendix D	Letter to prospective lay observer confirming acceptance and details of the visit
Appendix E	Letter to prospective lay observer explaining non-acceptance
Appendix F	Guidance notes to accompanying officer
Appendix G	Health and safety Instructions to observer
Appendix H	Feedback monitoring form
Appendix I	Risk Assessment.

APPENDIX A



date

Our Ref: xxxxx
Your Ref: xxxxx

Department or Station Name
Address Line 1
Address Line 2

Direct Dial: xxxxx
Fax: xxxxx

Dear (name of lay observer)

I am very pleased to receive your request to patrol.

As an organisation which prides itself on the quality of service that it provides to the public, West Mercia Police take pleasure in offering you the opportunity to patrol with its police officers and Police Community Support Officers.

One of the attractions of police work is its varied nature. I suspect that many members of the public would think that every day we will be arresting violent criminals or attending serious incidents involving death or serious injuries. While our officers and staff do attend such incidents, the bulk of their duty revolves around helping people and can be described as 'routine'. However, policing can be hazardous. Clearly the welfare of individuals is of great importance to West Mercia Police and we must properly consider legal requirement and health and safety regulations before agreeing to take anybody on patrol.

I should advise you that you could see sights you would not normally expect to encounter, such as aggressive behaviour by members of the public or the scene of a serious collision, where there may be dead or seriously injured people. If you have doubts concerning the effect that attending an incident may have on you, or any other concerns about patrolling with a police officer or PCSO, you should consider whether to go ahead with the patrol or not.

Patrolling may result in you witnessing incidents. As such you should note that you might be called upon to act as a prosecution or defence witness. Information you may become aware of as a lay observer must not be divulged to any other person. This is not only because it may have implications for court proceedings but because those with whom we deal with have a right to expect that we will respect their confidentiality. Should you decide that you wish to take part in a patrol as a lay observer I ask that you read and sign the attached certificate of indemnity and return it to me to the above address. I am afraid that I will be unable to proceed with your request until I have received it.

In order to arrange a visit that is best suited to you I would be grateful if you would indicate the purpose of your visit, what part of our activity you want to see and raise any concerns that you may have regarding the visit. Please also indicate days, dates and times that are convenient. Please also return the attached documents to allow me to process your application. I aim to respond to your application within two weeks.

If I feel that your requested visit is not appropriate I will write to you giving my reasons. It may be that we will make alternative arrangements thereafter. ***Should you not wish to take part in a patrol I will be happy to arrange a visit within a police station. Our aim and focus is to work in partnership and provide an excellent service for our local community, therefore we would welcome any feedback in respect to how you feel we could best improve that service.***

Please do not hesitate to contact me if you have any queries.
(signed)

APPENDIX B



APPLICATION TO BE CONSIDERED FOR THE WEST MERCIA POLICE LAY OBSERVATION SCHEME

1. Applicant

Title (Mr/Mrs/Miss/Ms etc.)..... Last Name

Forenames

Previous Last Name (if applicable)

Date of Birth Place of Birth.....Nationality

Address

.....

How Long at Current Address

If less than 3 years Previous Address

.....

Tel No. Home Daytime

Email Address.....

2. Medical Conditions

Is there any medical condition which you believe could be relevant to your fitness to participate as a Lay Observer? **Yes/No** If yes, please provide details:

.....

.....

3. Next of Kin

Title (Mr/Mrs/Miss/Ms etc.)..... Last Name

Forenames

Previous Last Name (if applicable)

Date of Birth Place of Birth.....Nationality

Address if different from above

.....

4. Any particular objective / reason for application.

.....

.....

.....

5. Preferred police station and times

Police station of choice

Most suitable days and times

Are you considering the Special Constabulary and wish to accompany a Special? Y/N

I certify the above to be true, and enclose a photocopy of photo ID (e.g. passport / driving license)

I confirm the above details are correct and I give my permission for this information to be used to allow a check to be done on my suitability for the Lay Observation scheme and to be retained for policing purposes.

Signed Date

APPENDIX C

**INDEMNITY AGREEMENT**

AGREEMENT between the Chief Constable of West Mercia Police ('the Chief Constable') and the Police and Crime Commissioner for West Mercia Police ('the PCC') of the first part and the undersigned of the second part.

In consideration of my use of West Mercia Police premises, vehicles, river craft, helicopters or other property ('Police Property') and/or in consideration of my being allowed to accompany Police officers or staff on operational and/or non-operational duties on/between

_____*(insert applicable dates)*

I, _____ (*print name*) HEREBY AGREE as follows:

1. To indemnify the Chief Constable and/or the PCC and/or their constables, officers, servants and/or agents against any expense, liability, loss, claim, proceedings, damages or costs arising by statute or common law in so far as caused by my wrongful or negligent act or omission or by my failure to comply with any briefing or instructions given to me, and it will be my sole responsibility to obtain the consent of the occupier before entry of myself upon their premises.
2. To compensate the Chief Constable or the PCC in respect of any loss and/or damage to Police property caused by my wrongful or negligent act or omission or by my failure to comply with any briefing or instructions given to me.
3. This indemnity shall not apply to the extent that any action described in the foregoing paragraphs may arise out of the negligent act or omission of the Chief Constable, or the PCC, or of their officers, agents or servants.
4. That I do not suffer from any known illness or have any propensity to epilepsy, asthma, claustrophobia or any other physical, psychological or psychiatric disease or disorder that may make me vulnerable in any way whatsoever.
5. That I shall not, whether by myself, my servants, agents or any of the media representatives ask any police constable or other member of police staff to obtain on my behalf the consent referred to in paragraph 1 herein nor shall I, whether by myself, my servants, agents or any of the media representatives ask any police constable or other member of police staff for any variation to this Indemnity Agreement unless the same be in writing and signed by the parties to this indemnity agreement.

Signed: _____ Dated: _____

Please Print Name: _____

Organisation: _____ Position: _____

On behalf of West Mercia Police:

Signed: _____ Dated: _____

Please Print Name: _____

APPENDIX C (i)**DECLARATION BY MEDIA REPRESENTATIVES**

You are reminded that under European Convention on Human Rights:

- that entering private property without permission could interfere with a person's rights;
- that taking film or photographs on private property without permission could interfere with a person's rights;
- that the broadcasting or publishing of any material, photographs or film of an individual, their family and private life, their home or correspondence could interfere with a person's rights.

You are reminded that no material, photographs or film must be published or broadcast that would interfere with an individual's rights, particularly the right to a fair trial.

Lawful entry on to private premises by media representative/s cannot be authorised by WEST MERCIA POLICE. Entry on to private premises is a matter between media representative/s and the adult householder, owner or lawful keyholder and not WEST MERCIA POLICE. Police will not seek permission on behalf of the media.

If police visit private property whilst media representative/s are with them it is the responsibility of the media representative/s to seek permission from the owner to enter the property before doing so. If permission is not obtained for any reason or is refused by the owner then the media representative/s must not enter. Consent should be in a form which is capable of proof, i.e. in writing, filmed or taped verbal comment.

Media representative/s should be mindful of trespass. If they are asked by the adult householder, owner or lawful keyholder to leave private premises, they should do so immediately.

WEST MERCIA POLICE reserves the right to request a media representative/s to leave premises; for example, where preservation of a scene of crime is necessary, or where police officers believe consent to enter was not obtained or consent has been withdrawn, or for any other reason at the discretion of the senior officer present.

WEST MERCIA POLICE cannot confer the rights to media representative/s to film, record or interview scenes or individuals. Media representative/s are reminded that any material created or obtained by them, including their written notes, photographs, sound, film or other recordings may become subject to the laws relating to disclosure.

News gatherers/Production Teams need to be aware of these laws; for example, the possibility of an Application under Schedule 1 to the Police and Criminal Evidence Act 1984 for a Judge's Order that material be disclosed to Police.

Signed: _____ Dated: _____

Please Print Name: _____

Organisation: _____ Position: _____

On behalf of West Mercia Police:

Signed: _____ Dated: _____

Please Print Name: _____

OFFICIAL SECRETS ACT

**Appendix C(ii)****DECLARATION FOR ELECTED OFFICIALS AND OFFICE HOLDERS**

I acknowledge that information which comes into my possession by virtue of my observation of a Police Officer or PCSO must not be disclosed without proper authority. In particular, my attention has been drawn to the provisions of Section 4(1) and (2) of the Official Secrets Act 1989, which are set out below. I understand that the expression Crown Servant referred to therein includes any constable and any other person employed or appointed in or for the purposes of any police force.

OFFICIAL SECRETS ACT 1989

4.(1) A person who is or has been a Crown Servant or government contractor is guilty of an offence if without lawful authority he discloses any information, document or other article to which this section applies and which is or has been in his possession by virtue of his position as such.

(2) This section applies to any information, document or other article,

(a) The disclosure of which

(1) Results in the commission of an offence; or

(2) Facilitates an escape from legal custody or the doing of any act prejudicial to the safekeeping of persons in legal custody; or

(3) Impedes the prevention or detection of offences or the apprehension or prosecution of suspected offenders; or

(b) which is such that its unauthorised disclosure would be likely to have any of those effects.

8. (1) Where a Crown Servant or government contractor by virtue of his position as such, has in his possession or under his control, any document or other article which it would be an offence under any of the foregoing provisions of this Act for him to disclose without lawful authority, he is guilty of an offence if

(a) being a Crown servant, he retains the document or article contrary to his official duty; or

(b) being a government contractor, he fails to comply with an official direction for the return or disposal of the document or article

Or if he fails to take such care to prevent the unauthorised disclosure of the document or article as a person in his position may reasonably be expected to take.

SignatureName in full.....

Position (delete as applicable)

Police and Crime Commissioner / Deputy Police and Crime Commissioner / Member of Parliament / Other elected official (explain).....

Witnesses Signature..... Name.....Date

APPENDIX D



NOTICE OF ACCEPTANCE

date

Our Ref: xxxxx
Your Ref: xxxxx

Department or Station Name
Address Line 1
Address Line 2

Direct Dial: xxxxx
Fax: xxxxx

Dear (name of the lay observer)

Thank you for your recent application to take part in a patrol with West Mercia Police.

I am pleased to offer you a visit on *(date)*, when you will be patrolling with *(police officer)* in the *(name)* area. Your visit will begin at *(time)* and finish at *(time)*. Obviously you may conclude the visit earlier if you wish. You will receive a safety briefing at the start of the observation. Please bring along photographic identification (e.g. passport or driving licence).

Please wear flat shoes or boots and bring a jacket or anorak suitable for wet weather conditions. Please also bring a mobile phone (fully charged). I ask that you contact me on *(telephone number)* to confirm that you will be attending.

Yours sincerely,

APPENDIX E**NOTICE OF NON-ACCEPTANCE**

date

Our Ref: xxxxx
Your Ref: xxxxx

Department or Station Name
Address Line 1
Address Line 2

Direct Dial: xxxxx
Fax: xxxxx

Dear (name of the lay observer)

Thank you for your recent application to take part in a patrol with West Mercia Police.

Unfortunately I am unable to invite you to attend as a Lay Observer on this occasion. As you will understand we have many applications for the scheme and are unable to allow every request.

I would encourage you to reapply after six months as we may be in a position to offer you an opportunity at that time.

Thanks again for taking an interest in the scheme.

Yours sincerely,

APPENDIX F**ADVICE TO ACCOMPANYING POLICE OFFICER / PCSO****Introduction**

At various times Officers are expected to take people on visits to demonstrate the type of activities undertaken by West Mercia Police. These visits have long been seen as a valuable opportunity to educate and inform members of the public, personnel from other emergency services and colleagues from other departments within the Force. West Mercia Police wholeheartedly support this activity.

Over the years questions have been asked about the Health and Safety implications and the responsibilities of the accompanying officers. This document has been designed to reassure officers regarding their liabilities and to clarify the boundaries as to what types of activities the observer can or cannot become involved in during the visit.

It should be noted that those under the age of 16 will not be considered as lay observers.

Liability

Where an officer is acting within the performance or purported performance of his functions, the Chief Constable will be vicariously liable for his actions pursuant to section 88 of the Police Act 1996. Section 3 of the Health and Safety at Work Act also applies. Nevertheless, whilst a lay observer is in their care, the officer will be responsible for undertaking on the spot assessment of any hazards as they present themselves and taking appropriate action. The officer as a minimum will be expected to take reasonable care of the observer and instruct them clearly and courteously on what action they must take.

Conduct of the Visit

Observers can expect to observe any operational activity the officer is involved in provided they are legally permitted to do so, for example, consideration should be given when entering private premises as observers do not have the same legal powers to enter as police officers. At the beginning of the visit the accompanying officer must:

1. Give the lay observer a letter explaining the standards that are expected of them during the visit. The accompanying officer **must** read the instructions written at the bottom of the instruction letter to the observer. The observer must sign to acknowledge that they have been given these instructions.
2. At the start of their duty inform the Control Room that they are working with an observer either on foot or in a vehicle.

The observer should be aware that at any point during the patrol period, an operational need may arise whereby the patrol period has to end prematurely. This should only be as an exception. It will be the responsibility of the accompanying officer to make arrangements for the observer to be returned back to the police station should this occur. If the lay observer ignores your instructions or acts in a manner that jeopardises their or any other persons safety you have the right to end the visit.

Vetted observers can be driven in police vehicles and proceed to emergency calls as long as normal safety rules are applied.

The lay observer may have to remain in the vehicle if the accompanying officer considers it may be unsafe to leave it. This decision will be dependent on a number of factors, such as:

- the activity being undertaken
- the perceived level of risk
- environmental considerations
- the personality of the individual lay observer

Attending Incident Scenes

Observers should be placed in the safest location at incident scenes. When the vehicle is parked in the fend off position to protect the scene, the observer should be directed to a suitable location away from on-coming traffic and, preferably, any distressing sights, and told to remain there. When there are lots of hazards at the scene such as broken glass, twisted metal and substances on the road, and the traffic vehicle is parked in a reasonably safe location, it may be better to leave the observer in a stationary vehicle. Whenever an observer is in a vehicle, consideration should be given to switching off the police radio in the vehicle to prevent overhearing personal information. You are to decline deployments which, through local knowledge, you are aware could put the observer at risk of harm.

Under no circumstances will observers, who are not employees of WMP on authorised duties, be carried in police vehicles engaged or likely to become engaged in response duties, safe follow or pursuit duties in excess of posted road speed limits. The Duties to be allocated and the incidents assigned must only be those that are not likely to involve exceeding posted road speed limits. OCC to be made aware of the observer.

Where operations require deployment of a vehicle on to response, safe follow or pursuit duties, then the (non employee) observer will be dropped off at a suitable safe venue such as a roadside garage, shop or other appropriate location and OCC informed as the Observer may need to be collected. The observer must be in possession of a mobile phone so communication can be made in this eventuality.

Observers should also be discouraged from undertaking any activity where there is significant potential for them to harm themselves e.g. heavy lifting or clearing debris from an overturned lorry.

Roadside Checks

When the accompanying officer is undertaking activity that involves standing on the roadside they should stand away from the kerb where they could still get a good view. When the officer causes a vehicle to stop the lay observer should be told to maintain a position out of the way of on-coming traffic.

People stopped for minor offences may feel that their privacy is being impinged upon if an observer is present. Observers should therefore maintain a discrete distance when **any police officer** is dealing with an offender.

If the officer gets involved in a confrontational or potentially hazardous situation the observer should be told to remain a safe distance away or stay in (or return to) a police vehicle.
If the officer is in any doubt about a potentially hazardous situation they are to instruct the observer to remain in the vehicle.

First Aid

Observers should be dissuaded from administering first aid to any injured party unless they are trained and competent and in possession of the relevant protective equipment.

Detainees

It should be noted that **under no circumstances** should observers be carried in police vehicles with detainees, unless the detainee is held in a secure cage. This is irrespective of whether there is a pre-arranged agreement or it results from a welfare or safety issue following any incident.

Health and Welfare Assistance

The Force's Welfare Officer will offer their services to any observer who may suffer any reaction to incidents attended during their visit. In cases when the accompanying officer feels that the observer has attended a potentially distressing or traumatic incident during the visit they should inform them of the Welfare Services we can offer and how they can access them. The officer should also update the Welfare Officer where necessary.

APPENDIX G

**LAY OBSERVATION - HEALTH AND SAFETY INSTRUCTIONS**

In order to make your visit as safe and enjoyable as possible there are certain rules you **must** observe:

1. Listen carefully and follow the instructions of your accompanying officer at all times. He/she is highly skilled and thoroughly trained and will take care of you to the best of his/her ability.
2. Stay with the officer /PCSO or in the vehicle at all times unless your accompanying officer expressly instructs you otherwise.
3. Whilst observing work, please maintain a discrete distance between yourself and any member of the public. If a member of the public becomes agitated or aggressive, return to a safe distance or to the police vehicle immediately and lock the door. This will enable the officer to deal with the situation without worrying about your safety.
4. Please do not attempt to administer first aid to anyone unless you are competent to deal with the injuries and you have the necessary protective equipment such as gloves on your person.
5. In the unlikely event that you become involved in incident where the officer becomes incapacitated, try to remain calm. If you can safely go and summon help, do so immediately. Do not return to the officer unless it is safe to do so. Try to find a safe place to stand, in the vicinity, away from on-coming traffic and wait for emergency assistance to arrive.
6. **Do not touch anything** at such scenes unless permitted to do so by your officer / PCSO. Be very careful what you touch as you may come into contact with potentially hazardous materials and substances. Also be aware that items, including debris, at such incident scenes may be valuable evidence.
7. You may place yourself in the position of being called as a witness to a particular incident, either by the defence or the prosecution.
8. Police have statutory powers to enter private premises in certain circumstances. If you enter private premises without the authority of the occupier, or fail to leave when asked to by the occupier you may become a trespasser.

To be read aloud by the Accompanying Officer:

1. (If applicable) in your initial application you will have included any reasons for not being fit to patrol with the police force. Are there any changes to the information that you gave at that time?
2. Whilst on a visit with West Mercia Police we have certain obligations towards your welfare. Are there any factors that might affect the conduct of this visit?.....

*(If there is any doubt that the visit should go ahead consult a supervisor)

3. When on patrol please act on my instructions.

4. Only alight from a vehicle if I say it is safe to do so

5. If you have any problem concerning the visit, or if any problems arise during the visit, please advise me immediately.

6. Please keep you mobile telephone on you at all times. The number for the telephone you have today is This is recorded so we can contact you in the event of you being estranged from the officer / PCSO under observation.

Declaration

I have read the above notice and am willing to abide by the conditions:

Lay Observer - SignedDate

Accompanying Officer - SignedDate.....
(rank/number/name)

APPENDIX H**LAY OBSERVATION - FEEDBACK**

Following your recent Lay Observation with West Mercia Police, we would be grateful if you could take a few moments to complete this feedback monitoring form. We are keen to listen to your thoughts in order that we can adjust the way we manage not only the Lay Observation scheme, but also policing generally.

1. How well prepared do you feel you were for the observation?

Not at all				Indifferent						Very
1	2	3	4	5	6	7	8	9	10	

2. What could we have done to prepare you better for your observation?

.....

.....

.....

.....

3. What objectives did you hope to achieve by participating in the lay Observation?

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.....

.....

4. How well do you feel you achieved your objectives?

Not at all				Indifferent						Very
1	2	3	4	5	6	7	8	9	10	

5. What could have been done to achieve your objectives further?

.....

.....

.....

.....

6. Overall how positively would you rate your experience?

Not at all				Indifferent						Very
1	2	3	4	5	6	7	8	9	10	

7. What could we have done differently to achieve a 10?

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.....

.....

.....

8. Please provide two (more if you wish) sentences which best describe your experience?

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9. Please add any further comments that you feel are relevant.

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Thank you for taking the time to provide this feedback.

Appendix I – Risk Assessment

A Specific risk assessment can be found [here](#).