



**WEST YORKSHIRE
POLICE**

Force Headquarters
Laburnum Road
Wakefield
WF1 3QP

Tel: [REDACTED]

Chief Officer Team

[REDACTED]

[REDACTED]

Date: 7th July 2015

1 JUL 2015

Assistant Coroner Burke
Her Majesty's Coroner
City Courts
The Tyrls
Bradford.
BD1 1 LA

Dear Assistant Coroner Burke

**Re: Nicholas Gary Stocks, deceased
Report to Prevent Further Deaths
Paragraph 7, Schedule 5 of the Coroners and Justice Act 2009 and Regulation 28 and 29
of the Coroners (Investigations) Regulations 2013**

You wrote to the Chief Constable, in May 2015, following your inquest into the death of Nicholas Gary Stocks that occurred on 28th September 2012. I am writing on behalf of Temporary Chief Constable Collins to address your Regulation 28 notice.

I note there are three matters of concern raised in relation to West Yorkshire Police. I have replicated these below with my response detailed below each item.

(1) I am concerned that the system that was in place to ensure that matters of concern identified by Officers of West Yorkshire Police who attend the scene of Road Traffic Collision in November 2011 were not fully reported to Kirklees Council. I would ask you to review the system presently in place to ensure that all future reports are made and fully reported.

For many years there has been a procedure in place between WYP and the Local Authorities for reporting damage caused to street furniture and defects in the public highway. There are specific forms (known locally as B2D and PO15) for this purpose that all staff within the organisation have access to. These are currently sent either via post or direct to the relevant department via email.

I have taken this opportunity to review our reporting processes in regard to reports made to all five local authorities within our area. This review will involve ensuring that the postal/email addresses automated by our current systems are up to date and that there is the facility to send reports to a generic mailbox which is monitored by several people rather than an individual thereby ensuring the reports are received and dealt with in a timely manner.

I am currently in liaison with the five local authorities to ensure that the contact details we hold, both email and telephone, will direct the information/report to the correct department to enable an appropriate response. Furthermore, I will ensure that contact telephone numbers for the

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local authorities are preloaded onto our Force Communications system, thereby ensuring the correct numbers are easily accessible to the communications staff. These contact numbers should cover "24/7" and allow the operator to speak to a representative. It is understood that it is not appropriate to leave a message on an answerphone or send an email in urgent cases.

I will ensure that a Force wide communication is circulated to ensure that staff are reminded of the importance of submitting this information in a timely manner and that it is *mandatory* after the attendance at a road traffic collision where defects are identified. This will also be entered into Force Policy on dealing with collisions.

In addition, where there is an obvious safety risk and the repairs/remedial action is required urgently contact will be made by communications staff via telephone to the local authority for the area. The operator will endorse on the police log the name of the person they spoke to, the details supplied and the estimated time of arrival indicated by the authority.

All officers will be reminded of the need to conduct a thorough risk assessment of the location prior to leaving the scene and will not resume until either; i) it is deemed safe to do so, or, ii) the local authority has attended, or, iii) the local authority have assessed the risk against their protocols or, iv) remedial works have been implemented to remove any risk to the safety of other road users.

This will be endorsed on the log by the communications staff. The log will not be closed unless the following questions are answered

- 1) Have you undertaken a risk assessment of the scene?
- 2) If so is it safe to leave?
- 3) Has damage been caused to the road or street furniture or are there any other defects that have contributed to the collision?
- 4) If so, has a form B2D or PO15 been submitted?

My representative has met with Kirklees Council and can confirm that I now have up to date contact telephone numbers enabling my communications staff to speak to someone directly "24/7". This has been updated on our Force Communications systems. It has been agreed that if the matter is urgent the authority will attend the scene within an hour. For non urgent cases the matter will be reported via the email system as detailed above.

I propose that the above actions will be completed by the end of August 2015.

(2) On the afternoon of the 27th September 2012 following the earlier road traffic incident, a Police Officer identified the need for a repair to the Give Way sign which had been demolished. The Police Officer in attendance would have been able to also identify that the road markings at the scene were no longer visible and therefore any road user who was travelling along Dry Hill Lane would have had no visible signs or road markings on the approaching Give Way junction. In essence the Officer would have been able to undertake a risk assessment and identify the level of urgency for remedial repair works to be undertaken.

I would invite West Yorkshire Police to liaise with the relevant department of Kirklees Council and undertake a review and consider whose responsibility it should be to undertake a risk assessment at the scene of a road traffic collision in order to determine the level of urgency of remedial work which is required to be carried out so as to ensure the safety of road users and to develop a system so as to ensure that risk assessment process is implemented and carried out.

I have liaised with Kirklees Council and have agreed that responsibility for this risk assessment is shared as follows: For incidents that the Police attend it will be for the attending officer to carry out the risk assessment and decide the urgency of any remedial action required. If the officer decides that the defect is so dangerous as to require immediate action then they should communicate this to the council via their control room and remain with the defect until the council attend. Once the council staff do attend the officer should explain their concerns. It will

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then be for the council staff member to carry out their own risk assessment as to the action they should take. At this point that the council would assume responsibility for the defect.

As detailed at point 1) all officers will be reminded of the need to conduct a thorough risk assessment of the location prior to leaving the scene and will not leave the scene until either its deemed safe to do so, or the local authority has attended, or the local authority have assesses the risk against their protocols or remedial works have been implemented to remove any risk to the safety of other road users. This will be endorsed on the log by the communications staff. The log will not be closed unless the following questions are answered

- 1) Have you undertaken a risk assessment of the scene?
- 2) If so is it safe to leave?
- 3) Has damage been caused to the road or street furniture or are there any other defects that have contributed to the collision?
- 4) If so, has a form B2D or PO15 been submitted?

As detailed at point 1) an up to date contact number from Kirklees Council has been obtained enabling communications staff to speak to someone directly "24/7". This has been updated on our Force Communications system. It has been agreed that the authority will assess the risk based on their own internal processes and determine from the information given what level of response is required. If the matter is deemed urgent they will attend the scene within an hour.

(3) I would also ask you to liaise with the relevant departments of Kirklees Council in order to carry out investigations to determine which departments of Kirklees Council was contacted on the afternoon of 27th September 2012 to report the damage to the give way sign. I heard evidence that Kirklees Council Customer Services, the relevant department which should have been contacted, and who are contactable between the hours of 8.00 and 18 hours. Outside of these hours an answer machine message provides an emergency contact number. If the control room unit had contacted the customer service centre then this telephone line should have been manned and a response received rather than sending an email which was acknowledged by an automated response. I wish to ensure that firstly West Yorkshire Police have the relevant contact number which needs to be used in the future and secondly if the Customer Service centre at Kirklees Council was contacted it clearly was not manned at the appropriate time, I wish to ensure this is rectified.

On the afternoon of 27th Sept 2012 the West Yorkshire Communications operator rang the Highways Customer Service number. From call logs it has been established that the operator was on hold for 3 minutes 51 seconds prior to sending an email.

I can confirm that we now have up to date contact numbers for Kirklees Council enabling staff to speak to someone directly "24/7". Our Force Communications system has been duly updated. I am assured by Kirklees Council that this phone will always have an operator.

I sincerely hope that you will be satisfied and reassured by my response to the points you raised.

Yours sincerely




**Assistant Chief Constable
Protective Services Ops**

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