

Warwickshire Joint Audit and Standards Committee Report Summary

Meeting Date: 13 January 2021

Subject: Standards

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Purpose of the Report:

To provide an update on matters related to standards.

Recommendation:

That the report is noted.

1. Police Complaint Reforms

1.1 On 1st February 2020 the Police (Complaints and Misconduct) Regulations 2020 came into effect. The reforms are aimed at making the police complaints system more responsive, independent and customer focused. It is intended to be less aligned around blame and more around service improvement.

1.2 PCCs were obligated to the basic statutory model which requires the PCC to conduct complaint reviews in cases that do not meet the threshold to be dealt with by the Independent Office of Police Conduct (IOPC). These reviews were previously dealt with as appeals by the Police Force.

1.3 As the numbers are historically low, numbering approximately 30 per year, it would not be cost effective to recruit an OPCC member of staff to complete the reviews. As such, the PCC made the decision to collaborate with the West Midlands PCC and utilise his member of staff to also conduct the Warwickshire reviews. A secondment agreement was consequently put in place for Warwickshire to contribute 0.1 FTE towards the West Midlands OPCC Complaint Reviews Manager post. The Warwickshire OPCC was involved in the recruitment and induction process.

1.4 The complaint reviews consider whether the complaints process was reasonable and proportionate, with recommendations made to the Police Force if the review is upheld. Recommendations might include, organisational learning, review of policy or procedure, or to reinvestigate the complaint if this was not deemed to have been done properly. There may be a number of allegations in the complaint but only some of these may be upheld in the reviews process. Any recommendations are provided to PSD who have 28 days to send a response to the OPCC confirming if the recommendations are accepted. If the recommendations are agreed, then updates are sought every 28 days by the OPCC until the recommendation has been completed.

1.5 From 1st February to 15th December 2020, the Warwickshire OPCC has received 25 reviews, which is in line with the number of appeals received by PSD in the previous appeals system. The reviews can vary in length and take some time to complete. The complaint files may contain a large number of documents and there can be any number of allegations to be considered, with some reviews considering more than 30 separate complaint allegations.

1.6 Some examples of recommendations and learning from reviews include:

- Further clarity to be provided on the PSD response to an allegation.
- Information to be provided for referral to another agency.
- An apology to be offered to the complainant.
- A complaint to be reinvestigated.
- Additional matters raised as part of the review to be considered as a new complaint by PSD.
- Phrasing in the complaint outcome letter to be more customer friendly.
- Learning points for the police to consider, such as ensuring relevant training has taken place.

1.7 A post implementation review is due to take place in January 2021 with the OPCC and PSD to consider how the reviews process is working and any changes to processes that might be necessary going forward now that we have completed a number of reviews.

2. Internal Ethics Committee

2.1 The Professional Standards Department has set up an Internal Ethics Committee, with the inaugural meeting taking place in October 2020. The draft minutes of the meeting have been included with the Committee papers but please note that they are restricted. The second meeting was due to take place in December but was cancelled due to Covid restrictions preventing an in person meeting. Helen Knee is the JASC representative on the Committee.

2.2 Committee members received training on standards, including the Code of Ethics, prior to the October 2020 JASC meeting. Further training will be provided as required.

3. Professional Standards Department Update

3.1 Under the new legislation, there is no longer a requirement to record complaint cases within 10 working days. This is however still a target that PSD try to work to where possible. There can be a number of reasons that lead to a complaint being recorded outside of the 10 day target. These can include, an attempt to resolve the issue outside of the complaint's process but this does not lead to an acceptable resolution or attempts to obtain further information from the individual before allocating the case to a complaint or to be triaged.

3.2 Between 65-70% of complaints are triaged and dealt with outside of schedule 3 (the complaints process). These issues are often low level and the triage system offers the opportunity to put things right and meet the needs of the individual without going through a full complaint investigation. This might be as simple as signposting to another organisation. The new legislation offers the option for the complainant to request that the case is recorded.

3.3 There has been a delay in receiving complaint statistics from the IOPC during 2020 due to some technical issues. The quarter 3 data will be available in January 2021 and provided to the Committee at the March meeting.

4. Complaint Dip Sampling

4.1 Unfortunately, it has not been possible to conduct complaint dip sampling over the last few months but it is hoped this can recommence in the new year.

4.2 It would be helpful to compare the outcomes of complaint dip sampling and the complaint reviews process to establish if there are any patterns or trends that emerge.