

Warwickshire Joint Audit and Standards Committee Report Summary

Meeting Date: 28th September 2021

Subject: Standards

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Purpose of the report:

The purpose of this report is to provide an update on standards matters to the JASC.

Recommendation:

To note the report.

Background:

The standards section of the Committee's Terms of Reference requires the Committee be enabled to have oversight of, and to provide independent review of the effectiveness of the Warwickshire Police and Crime Commissioner's and Chief Constable's adherence to appropriate standards and ethics.

Executive summary

The report provides an overview of PCC, police force and national updates in relation to ethics and standards.

1. Police and Crime Commissioner Update

Complaint Reviews

- 1.1 Since the last report to the JASC, the Office of the Police and Crime Commissioner (OPCC) has received 11 legitimate complaint reviews. Of these reviews, 6 have been completed, with recommendations from 1 upheld and no learning recommendations made. The recommendations from the reviews completed within this period were accepted by the Professional Standards Department (PSD). Some reviews are received outside of the 28 days from the day after the date on the outcome letter sent by PSD. A decision is made on a case by case basis whether to accept these reviews and complainants are offered the opportunity to provide a reason for the delay to inform this decision. Reviews that are deemed out of time and where the decision is made not to accept them will not be included in these statistics.
- 1.2 There have also been 5 further reviews completed since the last meeting that had been received prior to that date. Of those, 2 had recommendations, with no learning recommendations made. The PSD accepted the recommendation from one review, but for the other, accepted 5 of the 6 recommendations. The PSD do not have to accept the recommendations made by the OPCC in the reviews process.
- 1.3 The types of recommendations made include:
- That consideration is given to police officers being referred to the Reflective Practice Review Process.
 - Apologies are given, for example, for the time it took to complete a complaint and for administrative errors.
 - That matters raised in the complaint are reconsidered and responded to outside of the formal complaints process.
 - Inaccurate information recorded on police systems is amended.

Complaint Dip Sampling

1.3 It has not been possible to complete complaint dip sampling since the last meeting. Further sessions will take place and be reported to the January Committee meeting.

1.4 At the July meeting, it was reported that the following questions had been submitted to PSD as a result of the dip sampling sessions. Responses have been provided by the Professional Standards Department as follows:

Question	Response
There is evidence of communications and reports but they cannot be accessed.	ICT issue preventing access to the folder.
The final letter saved on Centurion is an incomplete template. Please could you confirm that the final letter was sent and the right to review provided?	The final letter was sent but the complaint was recorded outside of Schedule 3 so it was not necessary to provide a right of review.

Did the change of IO extend the time it took to complete this investigation?	The change had some effect on the time it took to complete the investigation.
As the complaints were upheld why was there no learning to be taken from them?	The Officer left the organisation before the conclusion of the investigation.
If a criminal investigation is ongoing, how long do you wait before answering a complaint - even if to partially answer?	Initial contact is made with the complainant. If the complaint is sub-judice, the complainant is advised that the complaint will be investigated at the conclusion of the criminal investigation. No time frame is given.
In the initial letter to the complainant the word 'judice' is used without any explanation. Could future letters set out what this means?	The initial letter has now been amended.
Should complaints against staff be on this list?	Police staff are subject to the Police Reform Act so are therefore included on the list of complaints to dip sample.

The feedback has provided satisfactory responses to the questions raised. It is pleasing to see that the dip sampling process has led to a positive change taking place whereby a letter template has been amended to be more customer friendly.

2. Professional Standards Department Update

2.1 Due to the short period since the last meeting, no further quarterly data has been made available to report to the Committee.

2.2 The recently appointed Head of the Professional Standards Department, Superintendent Daf Goddard, met with representatives of the OPCC to discuss the complaint reviews process and how the offices can work together to ensure the smooth running of this process.

2.2 The Police and Crime Commissioner will be meeting with the Head of Professional Standards and representatives of the Department this month for a briefing on current performance.

3. Police Internal Ethics Committee

3.1 A meeting took place on 7th September 2021. Helen Knee attended and will provide a verbal update to the Committee. The meeting minutes will be circulated to Committee Members once available.

4. IOPC Update

4.1 A meeting took place between representatives of the Warwickshire OPCC and the IOPC Oversight Liaison Officer to discuss review cases in Warwickshire. The

meeting provided a useful sounding board to discuss some of the cases and to consider office processes for conducting reviews.

4.2 A regional Practitioner's Forum has been instigated by the IOPC with the first meeting taking place in October. The focus will be on complaint reviews, with the opportunity to identify themes and share best practice in the West Midlands region.

5. National and Regional Updates

5.1 The Association of Police and Crime Commissioner Chief Executives (APACE) has restarted the national Complaints Network, with a meeting taking place in August. The meeting discussed complaint reviews; the holding to account function placed on PCCs in the 2020 legislation; consistent complainants; and police misconduct and tribunals. There is a real desire to work together, sharing ideas and helping each other to understand the legislation and how to implement it. The next meeting will take place in October.