

Warwickshire Joint Audit and Standards Committee Report Summary

Meeting Date: 16 March 2022

Subject: Standards

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Purpose of the report:

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

Recommendation:

To note the report.

Background:

The Terms of Reference for the JASC require that the committee are enabled to have oversight of, and to provide independent review, of the effectiveness of the adherence to appropriate standards and ethics by Warwickshire Police, the Police and Crime Commissioner, and the Chief Constable.

Executive summary

The report provides an overview of the Office of the Police and Crime Commissioner and Warwickshire Police in respect of Ethics and Standards, together with updates on local, regional, and national developments.

1. Police and Crime Commissioner

1.1 OPCC Structure

Since the last report to the JASC on the 19 January 2022, the Office of the Police and Crime Commissioner (OPCC) has continued to transition to a new structure. This includes awaiting the appointment of a second Assurance and Scrutiny Officer, with responsibility for managing this area of Standards. This position is currently being advertised, following an earlier recruitment process that was unsuccessful in achieving its aim.

In the interim period whilst the new structure is being fully established, David Patterson (OPCC Assurance and Scrutiny Officer) has consumed this added responsibility into his existing role.

1.2 Complaint Reviews

As previously reported at the last meeting of the JASC, as part of the OPCC restructure the existing Section 22 Police Act 1996 agreement with the West Midlands OPCC to share the Complaints Review Manager (CRM) function with the Warwickshire OPCC will cease at end of March 2022.

The intention is that under the new OPCC structure all complaint reviews will be conducted 'in-house' by the two OPCC Assurance and Scrutiny Officers.

Any complaint reviews that exceed the capacity of the services of the CRM during this transitional period are presently conducted by an independent company under contract to the OPCC. Whilst the contract has only recently been agreed, two complaint reviews have already been completed under this arrangement with a third currently in progress. There remains a small accumulation of three complaint reviews requiring completion, the oldest dated 22 December 2021, which will be allocated to the company concerned in due course.

Since the last report to the JASC, the OPCC has received two legitimate requests for a complaint review. Three complaint reviews have been completed, one of which confirmed the Professional Standards Department (PSD) determination that the service provided was not acceptable and that individual learning for the officer concerned was the correct outcome. The other two completed complaint reviews were not 'upheld', nor was any learning or recommendations identified.

1.3 Complaint Dip-Sampling

With the OPCC restructure, compounded with the requirement for vetting clearance to be refreshed, it has not been possible to complete any complaint dip-sampling. Arrangements are in hand to remedy this position.

1.4 Complaint Review Internal Audit

During November / December 2021 an internal audit of the OPCC's complaint review policies, processes and practices was conducted by the Resources Directorate of Warwickshire County Council.

A final report has subsequently been produced with the key finding that, ‘Overall, the opinion of the auditor was that the existing controls provided **Moderate Assurance** that risks are being managed.

Of the nine areas for improvement that were identified from the review, two have been completed including the publication of the latest OPCC Complaints Policy on the OPCC website. It can be found at: [Policy-Complaints-Dec2022.pdf \(warwickshire-pcc.gov.uk\)](https://warwickshire-pcc.gov.uk/Policy-Complaints-Dec2022.pdf).

The other seven recommendations are being progressed in accordance with their target dates for completion.

2. Professional Standards Department Update

A meeting between the Police and Crime Commissioner and the Head of PSD has been scheduled for 23 March 2022, to discuss current issues of concerns and consider PSD’s performance metrics.

3. Police Ethics Committee

A meeting of the Police Ethics Committee has been scheduled for 28 March 2022, at which the OPCC will be represented. Details of the agenda are awaited. The Ethics Committee sits every quarter and further dates for 2022 are to be determined.

4. IOPC

4.1 Local Update

A meeting between representatives of the OPCC and the IOPC Oversight Liaison Officer has been scheduled for 7 March 2022, to discuss Warwickshire’s complaint reviews. The meeting has previously provided a useful forum to discuss specific cases and to consider the OPCC’s processes and practices.

4.2 National Update

The Elected Local Policing Bodies (Specified Information) (Amendment) Order 2021 requires the Police and Crime Commissioner to publish on their websites the Independent Office for Police Conduct (IOPC) annual statistics report, and the most recent quarterly complaints data for their particular force. The data and reports are to be published within one month of publication by the IOPC.

At the same time of publishing by the Commissioner, a narrative must also be provided setting out how the Commissioner is ‘holding to account’ the Chief Constable for the complaint handling performance of the police force, together with an assessment of the Commissioner’s own performance in carrying out certain statutory complaint handling functions.

As previously reported at the last meeting of the JASC, the Commissioner’s response to this report has been published on the OPCC website in accordance with the legislation and within the proscribed time frame.

In respect of the IOPC quarterly complaints data, the IOPC have notified police forces that the Q2 2021/22 complaints data is undergoing corrective action to ensure that it is accurate and that this should be accomplished in the coming weeks. As soon as this work has been completed it will be shared with the police forces concerned. Unfortunately, this remedial work has delayed collection of the Q3 data and to avoid the requirement for submission of both Q3 and Q4 data in quick succession it will be collected at the same time in April 2022.