



Standards Update

JASC

29 November 2022

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Disclosable under Freedom of Information Act?	Yes / No (If no, state exemption)

1. Purpose of the report

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

2. Recommendation

To note the report.

3. Background

The Terms of Reference for the JASC requires the committee to be enabled to have oversight 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.

4. Executive Summary

The report provides an overview of work in respect of Ethics and Standards, together with updates on local, regional, and national developments.

Ethics and Standards Overview

5. Office of the Police and Crime Commissioner

5.1 OPCC complaint reviews

If a member of the public remains dissatisfied with the way their complaint was handled, or with the outcome, provided by Warwickshire Police's Professional Standards Department (PSD) then they have the right to apply for a review of their complaint. These reviews are conducted by either the Office for the Police and Crime Commissioner, or the Independent Office for Police Conduct (IOPC) in more serious and sensitive cases.

Since the last report to the JASC on 6 July 2022, the OPCC have been conducting these complaint reviews 'in-house' having previously used alternatively arrangements. During this period, a total of 18 applications for a review have been made. Of these, 3 cases are awaiting completion. Of the completed 15 cases, the complaint was upheld in 8 cases, not upheld in 5 cases, and the IOPC identified as the correct review body in 2 cases.

Of the upheld cases, a total of 21 recommendations were made by the OPCC to Warwickshire Police to remedy the dissatisfaction, all of which have been accepted by the force. Of note is that the police service is not under any legal obligation to accept recommendations arising from an OPCC complaint review.

5.2 OPCC complaint review dip-sampling

On 9 November 2022, Helen Knee of the JASC conducted dip-sampling of recently completed complaint reviews that had been conducted by the OPCC. The purpose was to provide assurance regarding the quality of the decision making and the content of the correspondence.

A cross section of complaint reviews were considered, ranging from the death of a cat to the investigation of a fatal road traffic collision. The observations arising from the dip-sampling were positive, in terms of the investment made by the OPCC in conducting considered and evidence-based decisions and adopting an appropriate tone in the correspondence to the member of the public.

5.3 Complaint review internal audit

As previously mentioned, during November / December 2021 an internal audit of the OPCC Complaint Review policies, guidance, processes, and practices was conducted by the Resources Directorate of Warwickshire County Council.

Overall, the opinion of the auditor was that the existing controls provided **Moderate Assurance** that risks are being managed. In the audit report nine recommendations were made to improve the position.

These recommendations have now been completed. Of note is that given the complexity of the subject a Frequently Asked Questions section on complaint reviews has now been placed on the OPCC website.

6. Warwickshire Police - Ethics and Standards update

6.1 Professional Standards Department

On 19 July 2022, a meeting between the Police and Crime Commissioner and the Head of PSD was held where performance and issues of interest were discussed. A further meeting has been scheduled for 7 December 2022, at which themes identified from the complaint reviews will be considered, along with the latest IOPC performance data .

6.2 Police Ethics Committee

On 12 October 2022, a meeting of the Police Ethics Committee was held at which the OPCC were represented. A new Chair of the committee was appointed, namely Associate Professor Catherine Hale from Warwick University Medical School, who has an Ethics and Law background. Two topics were discussed: -

- i. The process adopted for posting police officers to new roles in implementing the force's Empower- people change programme, balancing the need of the individual with those of the organisation in providing an effective and efficient service to the public. The question for the committee was, "Do we post people

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into those sorts of roles against their will, bearing in mind that police officers are Crown servants and do not have a contract?”

- ii. Police officers and staff are required to complete an annual integrity test. An ethical dilemma has arisen regarding the voluntary disclosure of consuming substances that are legally available ‘over the counter’ but which may have levels of controlled drugs. The question for the committee was how this disclosure affects the forces drug testing policy and its consequences.

A further meeting of the Ethics Committee has been scheduled for 12 December 2022, the agenda has yet to be determined.

7. IOPC

7.1 Local update

On 6 October 2022, a meeting was held between the IOPC Oversight Liaison Officer and representatives from the OPCC. Several topics were discussed, including the latest available IOPC performance data Q1 2022/23 for Warwickshire Police.

A summary of the performance is that the force has:-

- Excellent timeliness for contacting complainants
- More complaints than average for service delivery, suggesting that the standard of investigations into crime are the main drivers of complaints.
- An increase in timeliness for outside Schedule 3 complaints. This could be a data issue from system outage or a skew from a small number of cases.
- More investigations and fewer ‘otherwise than investigations’ than the national average.
- A lower proportion of complaint reviews than last year.
- The same percentage of upheld of reviews across both the IOPC and OPCC, representing an improvement on last year.
- Using Reflective Practice Review Process as an outcome for officers more than the national average.

The IOPC have determined that the data will not be publicly published due to issues with data integrity, thereby negating the requirements of the Specified Information Order 2021 (Amended) for Police and Crime Commissioner to publish such information on their websites.

7.2 National update

In November 2022, the IOPC’s Annual Performance Report for 2022/23 is due to be published, at which point the requirements of the SIO will be applicable.