

For Information	
Public	
Report to:	Joint Audit and Scrutiny Panel
Date of Meeting:	15th November 2019
Report of:	Deputy Chief Constable
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Agenda Item:	12

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Complaint and Misconduct Investigations

1. Purpose of the Report

- 1.1 The purpose of this report is to update the Joint Audit and Scrutiny Panel (JASP) about new and open cases relating to complaints and misconduct investigations over the previous 12 months. It seeks to reassure the Panel that the force is committed to learning from complaints to inform how it delivers a service to the public.

2. Recommendations

- 2.1 It is recommended that the Joint Audit and Scrutiny Panel note the contents of this update report.

3. Reasons for Recommendations

- 3.2 To ensure that the JASP receives assurance that the Force is compliant in its duty to record and investigate complaints and misconduct matters.

4. Summary of Key Points

- 4.1 In order to improve community and victim satisfaction the Force must continue to transform its services and deliver quality policing. A performance measure within the the Police and Crime Plan is to monitor the volume of complaints received and the timeliness of resolving those complaints.
- 4.2 Complaints can be separated into two categories:
- Those amounting to service recovery where no misconduct is identified. The complaint is resolved by local resolution by a dedicated Complaints and Learning Sergeant.
 - Those complaints where there may be an indication that a person serving with the police has breached the Standards of Professional Behaviour. Complaints

of this nature are dealt with by specialist investigators within the Professional Standards Directorate (PSD) by way of local investigation.

4.3 'Local resolution' and 'local investigation' are the terms used in legislation governing how police complaints are dealt with.

4.4 The table below and subsequent information outlines the performance headlines for the 12 months to August 2019 compared with the 12 months to August 2018.

4.5 **Table 1: Performance Headlines Complaint Cases Recorded**

	Sep 17 - Aug 18	Sep 18 - Aug 19	Change	% Change
Complaint Cases Recorded	940	1001	61	6.5%
Complaint cases recorded within 10 working days	92.6%	86.2%	-6.3pp	-
Timeliness of Local Resolutions	49.0	58.6	9.7	19.7%
Timeliness of Local Investigations	119.5	160.7	41.2	34.4%

4.6 The number of complaint cases recorded in the last 12 months has increased by 6.5% compared to the previous 12 months. This increase is within normal bounds and has reduced from 16.5 % in the last reporting period. Complaints categorised as 'neglect or failure in duty' represent 46.1% of all complaints. This is consistent with national statistics and the last reporting period. Closer inspection shows an increase in complaints where matters are not found in favour of the person calling for service. The Complaints and Learning Sergeants are quickly engaging with members of the public affected. Issues are resolved by providing more comprehensive updates on cases and fuller rationales as to why particular decisions have been made. This category of complaint has reduced by nearly 10 % over the last 12 months.

4.7 The timeliness of local resolutions is still ahead of the national average however the average time to finalise complaints has increased in the past 12 months from an average of 56.7 days to an average of 58.6 days. This is due to a number of complaints being pended while they are in sub-judice due to on-going criminal investigations. When that data is removed a complaint is resolved by the Complaints and Learning Sergeant in an average of 28 days.

4.8 The timeliness of local investigations is still above of the national average. It currently takes a PSD investigator 144 days to finalise a case however this statistic is impacted by a small number of lengthy cases that are reliant on the conclusion of misconduct proceedings.

4.9 The Head of Professional Standards provides a quarterly report for the Organisational Risk, Learning, Standards and Integrity Board. Personal and organisational learning is identified from upheld complaints. Where necessary,

policies and procedures are amended. Individual officer performance is addressed ranging from reflective practice and performance review to formal misconduct proceeding in the most serious of cases.

5. Financial Implications and Budget Provision

5.1 There are no financial implications arising from this report.

6. Human Resources Implications

6.1 There are no Human Resources implications arising from this report.

7. Equality Implications

7.1 Equality data is recorded in relation to recording, compliance and monitoring of complaints and misconduct matters.

8. Risk Management

8.1 Any risks associated with the recording and compliance of complaints and misconduct are reported on an exception basis to the Force Organisational, Risk, and Learning Board chaired by the Deputy Chief Constable.

9. Policy Implications and links to the Police and Crime Plan Priorities

9.1 The recording and monitoring of complaints and misconduct matters is linked with the Police and Crime Plan Priority, Transforming Services and Delivering Quality Policing.

10. Changes in Legislation or other Legal Considerations

10.1 There are no changes in legislation in relation to this report.

11. Details of outcome of consultation

11.1 There has been no consultation in relation to this report as it is an update for the JASP.

12. Appendices

12.1 There are no appendices attached to this report.