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JOINT INDEPENDENT AUDIT COMMITTEE

SUBJECT	Handling of complaints and Vetting Code of Practice
REPORT BY	DCC Cooper & Chief Finance Officers
CONTACT OFFICER	T/Supt A Reynolds
SUMMARY AND PURPOSE OF REPORT	
RECOMMENDATION	<i>That the progress update be noted.</i>

A. SUPPORTING INFORMATION

- i. Report on complaints and vetting.
- ii. Report on counter-corruption and whistleblowing.
- iii. Professional Standards Reporting Procedure.

B. FINANCIAL CONSIDERATIONS

None.

C. LEGAL AND HUMAN RIGHTS CONSIDERATIONS

None.

D. PERSONNEL, EQUAL OPPORTUNITIES AND DIVERSITY ISSUES

(including any impact or issues relating to Children and Young People)

None.

E. REVIEW ARRANGEMENTS

None.

F. RISK MANAGEMENT

None.

G. PUBLIC ACCESS TO INFORMATION

None.

JIAC Report

Handling of Complaints and Vetting

1. Complaints

Nottinghamshire Professional Standards Directorate is responsible for dealing with all complaints from members of the public. A complaint is defined as “an expression of dissatisfaction with a police force, expressed by or on behalf of a member of the public”.

Many complaints can be dealt with informally to the satisfaction of the complainant. These complaints are referred to as being dealt with outside of Schedule 3 to the Police Reform Act 2002. Where a complaint is more serious, or it is not possible to deal with the complaint outside of Schedule 3 to the complainant’s satisfaction, the complainant is “recorded” meaning it is given formal status under the Police Reform Act. These complaints are referred to as being dealt with inside Schedule 3, and they must be handled in a more structured way by investigation, or formally handled otherwise than by investigation. Importantly, the complainant has the right of review by an independent body if they are not satisfied with the outcome of the investigation or the complaint handling.

The PSD complaint handling team aims to deal with 70% to 80% of complaints informally outside of Schedule 3. Complainants who have their complaints resolved this way do not have a right of review, however if they are not satisfied with the way in which their complaint has been handled it must be recorded; the complainant then gains the right to review at this stage.

The right of review is generally to the OPCC, however a minority of more serious complaints must be reviewed by the Independent Office for Police Conduct (IOPC).

2. Governance

The primary method of governance for complaints is the review process, whether by the IOPC or the OPCC. A relatively small number of complainants ask for the complaint investigation or handling to be reviewed. The reviewer will scrutinise the complaint to establish whether the complaint handling was reasonable and proportionate.

The OPCC reviewer will make a determination on this point and can make recommendations to the PSD. The IOPC can give directions to the PSD.

In addition to this, the IOPC compile statistics showing how Nottinghamshire Police is performing in terms of its comparator forces and the national picture. Complaints handling data is also scrutinised at monthly meetings attended by the PSD senior leadership.

In Q1 on 2023, 22 complaints were subject to review by the OPCC. 1 complaint was subject to review by the IOPC. In 5 of the cases reviewed by the OPCC, the complaint handling or investigation was found not to be reasonable and proportionate.

3. Current Picture

1323 complaints have been recorded in the calendar year so far. In the 12 months from October 2022 to September 2023 1568 complaints were logged, a 13.6% increase on the same period the previous year. 74% of these complaints were dealt with informally outside of Schedule 3.

Over the 12-month period between October 2022 to September 2023 it took the PSD an average of 14 days to resolve a complaint outside of Schedule 3, 84 days to handle a complaint other than by investigation, and 145 days to complete an investigation. These timescales have all increased compared to the same period the previous year.

IOPC data from Q1 of the financial year shows that the PSD's timeliness of complaints handling and investigation is broadly similar to that of similar forces and the national picture.

4. Future work

The head of PSD will be working with the OPCC to set up a process where complaints about stop and search can be scrutinised by the independent scrutiny panel. This will provide an additional layer of governance and oversight.

5. Vetting

The vetting department deal with the initial vetting of all applicants to Nottinghamshire Police whether they are police officers or police staff. The department also deals with the re-vetting of existing staff or staff who are moving between posts, and contractor vetting for individuals coming onto police premises for work.

The vetting Authorised Professional Practice and Code of Practice underpin all vetting decisions taken by the team. All new members of the team are given training on these documents when they join, and the department has recently been restructured so that there is now a second senior vetting assessor. This allows an additional layer of scrutiny for the decisions made by the vetting assessors and allows the force vetting manager to concentrate on broader strategic issues.

Vetting decisions are audited monthly by the head, or deputy head, of the PSD. A sample of 10 vetting cases where vetting has been refused or granted and where there is a "trace" of adverse material, are prepared and reviewed by the senior officer. This independent scrutiny ensures that the principles of the vetting APP and COP are upheld and that decisions are consistent.

In February 2023 the team switched to a new piece of vetting software, Corevet. This system has now been embedded in the department and allows staff to work more efficiently and a greater range of data is available to managers.

There is a clear appeal process in place where applicants whose vetting is refused can have their case reviewed by a senior officer within the PSD. This process allows another layer of scrutiny and oversight. The system is genuinely independent and fair, and a reasonable number of vetting appeals are upheld.

HMICFRS are currently assessing all UK forces on the efficacy of their vetting processes, using key benchmarks to assess whether vetting departments are compliant with the recommendations of the recent inspection on vetting, misconduct and misogyny. There are 23 recommendations and 5 areas for improvement (AFIs) from this report. Nottinghamshire vetting are shown as “green” for all these recommendations/AFIs with the exception of one “amber” and one “red” grading. The red grading relates to the availability of data on disproportionality in vetting decisions; this can only be remedied by the company that owns the Corevet software.

The vetting team has completed 2084 files since 01/01/23. Of this total, there were 59 cases where vetting was refused. 28 of these refusals resulted in an appeal of which 4 were successful.