

JIAC report on handling of 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).

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.

Current Picture

322 complaints have been recorded in the calendar year so far. In the 12 months from February 2023 to January 2024, 1526, complaints were logged, a 1.4% increase on the same period the previous year. The number of complaints recorded appears to have plateaued after fairly steep rises from 2021 to 2022 and 2022 to 2023. 74% of these complaints were dealt with informally outside of Schedule 3.

During this 12-month period it took the PSD an average of 15.2 days to resolve a complaint outside of Schedule 3, 73.8 days to handle a complaint other than by investigation, and 147 days to complete an investigation. These timescales have all increased slightly compared to the same period the previous year.

IOPC data

IOPC data from Q3 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.

Nottinghamshire PSD's timeliness in respect of contacting complainants and logging complaints is broadly similar to that of most similar forces and the national picture, at 5.1 days and 4.5 days respectively.

During this period, 3% of complaints were dealt with "subject to special procedures", meaning that the complaints were in the most serious category and there was an indication that an officer/member of staff may have committed a criminal offence or behaved in a way that would justify the bringing of formal disciplinary proceedings.

Of complaints that were dealt with inside of Schedule 3 other than by investigation, in 61% allegations the service provided was found to be acceptable, in 15% of allegations the service was found not to be acceptable, and in 6% of allegations it was not possible to determine whether or not the service was acceptable or unacceptable. 14% of these allegations resulted in no further action and 4% were withdrawn.

Of complaint allegations that were investigated but were not subject to special procedures, 61% were found to be service acceptable, 21% were service unacceptable and 7% were unable to determine service acceptable or unacceptable. 6% were resolved as no further action and 5% were withdrawn.

Of complaint allegations that were investigated and subject to special procedures, 41% were found to have a case to answer and 24% had no case to answer. 4% were withdrawn.

Referrals to IOPC

During this period the force referred 89 cases to the IOPC, below the most similar force average of 105. 7 cases were retained for independent investigation, 56 were returned to force for local investigation, 24 were returned to force with no direction to investigate and 1 was declared invalid.

Complaint reviews

73 complaint investigation/handling reviews were carried out by the OPCC reviewer in this time period. In 15% of cases the investigation/handling was found not to be reasonable or proportionate. This compares to 16% for most similar forces and 21% nationally.

12 complaint investigation/handling reviews were carried out by the IOPC in this time period. In 2 cases the investigation/handling was found not to be reasonable or proportionate.

