

For Information	
Public	
Report to:	Joint Audit and Scrutiny Panel
Date of Meeting:	29th May 2019
Report of:	Deputy Chief Constable
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Agenda Item:	14

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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

- 2.2 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 In December 2018 the Force obtained the posting of two full time Complaints and Learning Sergeants. The Sergeant's role is to resolve all complaints suitable for local resolution and ensure personal and organisational learning is identified and delivered.

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

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

	Apr 17 - Mar 18	Apr 18 - Mar 19	Change	% Change
Complaint Cases Recorded	868	1011	143	16.5%
Complaint cases recorded within 10 working days	94.8%	87.8%	-7.0pp	-
Timeliness of Local Resolutions	45.5	57.5	11.9	26.1%
Timeliness of Local Investigations	115.4	123.4	8.0	6.9%

4.10 The number of complaint cases recorded in the last 12 months has increased by 16.5% compared to the previous 12 months. This increase is within normal bounds. Complaints categorised as 'neglect or failure in duty' represent 46.2% of all complaints. This is consistent with national statistics. Closer inspection shows an increase in complaints where the public are dissatisfied when low disputes such as anti-social behaviour, neighbour issues or driving matters are not found in their favour. A lack of impartiality or bias seems to be an increasing theme of complaint for those subjects of a criminal investigation. The Complaints and Learning Sergeants 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. Complaints categorised as 'neglect or failure in duty' represented 55.4 % of all complaints in the previous 12 months which is an indicator that the force is learning to provide better quality updates to the public.

4.11 The legislation governing complaints requires a decision to record a complaint, or otherwise, to be made within 10 days. Nottinghamshire Police's performance in this area fell over the Christmas period to 60 % however this has now improved to 92.2% for the month of March.

4.13 The timeliness of local resolutions is still ahead of the national average by 15 days however the average time to finalise complaints has increased in the past 12 months from an average of 46.3 days to an average of 56.7 days.

Performance is expected to improve with the dedicated Complaints and Learning Sergeants now in post. On average it takes these sergeants 34 days to finalise a complaint.

- 4.14 The timeliness of local investigations is still above of the national average. It currently takes a PSD investigator 123.4 days to finalise a case compared to the national average of 155 days.

5. Financial Implications and Budget Provision

- 5.1 There are no financial implications arising from this report.

6. Human Resources Implications

- 6.1 No HR implications

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.