

For Information	
Public	
Report to:	Strategic Resources and Performance Meeting
Date of Meeting:	19 March 2014
Report of:	Nottinghamshire Police Professional Standards Directorate (PSD)
Report Author:	Detective Superintendent Jackie Alexander, Head of PSD
E-mail:	jackie.alexander@nottinghamshire.pnn.police.uk
Other Contacts:	nicola.thomas@nottinghamshire.pnn.police.uk
Agenda Item:	6

COMPLAINTS AND CONDUCT

1. Purpose of the Report

- 1.1 To provide the Police and Crime Commissioner (PCC) with relevant performance information in respect of public complaints and internal conduct matters and to provide assurance that the force is effectively recording and responding to these matters in accordance with legislation and the Independent Police complaints Commission (IPCC) Statutory Guidance.
- 1.2 To respond to the recommendations of the PCC's Complaints and Conduct Assurance Report based on a review by the Office of the PCC of 36 public complaints between June 2013 and January 2014

2. Recommendations

- 2.1 That the Strategic Resources and Performance meeting notes the report and the responses to the recommendations of the PCC's Complaints and Conduct Assurance Report.

3. Reasons for Recommendations

- 3.1 To provide the PCC with relevant information and oversight in respect of how Nottinghamshire Police's records and responds to public complaint and conduct matters.

4. Summary of Key Points

- 4.1 The force produces monthly performance reports in respect of the timeliness of complaint and conduct investigations and a more comprehensive Performance and Insight Report is produced every quarter focussing on the number and type of complaints and conduct matters recorded; the mode of resolution for those matters; investigation times and outcomes; together with diversity monitoring data. PSD also surveys complainants in respect of their experience of the complaints process, in order to make continual improvements to it. This report to the PCC refers to the most recent

Performance and Insight Report in respect of the 12 months performance to the end of December 2013.

4.2 Public complaints and allegations

The number of recorded public complaints has seen a significant increase with complaint cases almost doubling from 482 in the 12 months to December 2012 to 929 in the comparative period to December 2013. Much of this rise is due to new statutory recording practices introduced in November 2012 with the Police Reform and Social Responsibility Act (PRSRA) requiring that those issues which would previously have been recorded as public 'dissatisfaction' or which were matters of 'direction and control' (e.g. operational management decisions and policing policies rather than an individual's personal actions) are now formally recorded as public complaints. Allowing for the impact of these legislative recording changes the force has seen uplift in recorded complaints of approximately 19%. Accordingly, the number of separate allegations that make up those public complaints has also risen, as have the number of subjects that those complaints have been recorded against.

The IPCC has not, since the introduction of the PRSRA, been able to produce its own quarterly reports which were of benefit for comparative purposes between all forces in England and Wales. Consequently it is not yet known whether other forces have seen the same increase in respect of public complaints, although there is evidence that forces have interpreted the new legislation differently in respect of when complaints do need formally recording. Nottinghamshire PSD have liaised with the IPCC and have been reassured that our application of the recording standards is in line with the statutory guidance, and the IPCC have subsequently written to all forces to emphasise the need for them to take a consistent approach. The IPCC has provided assurances that it will be providing forces with comparative data by the end of this financial year.

Forces are also required to make prompt decisions in respect of the assessment of complaints and to record them within 10 days. Nottinghamshire Police record 96% of all complaints within this time frame.

It should be noted that the number of complaints made by the public can vary not only in respect of their perception of the standards demonstrated by officers, but also in respect of their confidence in the police; confidence in the complaints process; and in the accessibility of that process.

4.3 Diversity monitoring of officers and staff

BME officers are almost as likely as white officers to be subject to a public complaint whereas white staff employees seem more likely to attract a complaint, although actual subject numbers are low. There is a disparity in the age of officers who receive complaints, with cases reducing as officers get older. Both male officers and staff employees prove more likely to receive a complaint than female counterparts.

4.4 Diversity monitoring of public complainants

The data continues to indicate that more BME members of the public (0.8 per 1000 of the population) made a complaint during the recording period than white members of the public (0.5 per 1000) although it is noticeable that the proportion of complainants whose ethnicity is either not stated or not known represents over one-third of all complainants in the period.

BME and white complainants broadly complain about the same types of allegations which predominantly include: other neglect or failure in duty; incivility, impoliteness and intolerance; and other assault. Although the actual volume of complaints is low, allegations arising from the use of stop and search powers are more likely to be made by BME complainants. Individuals from minority ethnic groups are also more likely to complain about discriminatory behaviour and oppressive conduct or harassment. There may be a number of reasons behind these findings including: the quality of interaction during the police encounter; publicity around the use of stop and search; perceptions formed over a number of years; and expectations that some groups feel they will be treated worse than people of other races

In respect of age, people between 25-29 years and 30-44 years continue to be most likely to make a complaint (0.9 and 1.0 per 1000 respectively), followed by those aged between 45-59 years (0.7 per 1000). Those aged less than 25 years or over 60 years are least likely to complain.

In relation to gender, the data continues to illustrate that complainants are more likely to be male rather than female (1.1 versus 0.7 per 1000 population).

4.5 Mode of resolution of complaint allegations

Public complaints are recorded and then assessed in accordance with Home Office and IPCC statutory guidance. While a small number may need referring to the IPCC, the majority will be handled by the force themselves. Where it is assessed by PSD that the complaint, even if proved, would not justify bringing criminal or disciplinary proceedings and also do not involve any infringement of a persons rights under Article 2 or 3 of the European Convention on Human Rights, then it is suitable for 'local resolution' (LR). The ethos of LR investigations is that they should be conducted at a local managerial level rather than in force PSDs, they should be flexible and meet the needs of the complainant, and while not intended for cases that would attract formal discipline procedures, can still lead to management action and formal action under the unsatisfactory performance/capability procedures. Complaints which would, if proved, justify criminal or discipline procedures are normally investigated by the force PSD.

In the 12 month period to end December 2013 1426 complaint allegations were finalised, with 50.9 percent resolved by way of local resolution (LR).

4.6 Average time to locally resolve or locally investigate complaint allegations and conduct matters

It is recognised that successful outcomes for complainants are more likely to be achieved if the matter is addressed in a timely manner. The force has therefore set itself the target of 43 days for 'LR' complaints and 150 days for formal complaint and conduct investigations. While conduct matters are on track (averaging 130 days) LRs remain off target and currently average 65 days to resolve. Complaint investigations average 207 days. The force has put in place a number of checks and measures to address timeliness but barriers include:

- the rise in volume of public complaints
- additional workload from LR appeals that now have to be assessed by the force rather than the IPCC
- the number of serious and complex investigations
- complaint cases that cannot be progressed while the complainant is him or herself subject of criminal proceedings (sub judice)
- time with CPS for charging decisions

Notwithstanding the above, timeliness of LRs and local complaint investigations has improved significantly over the last 12 months. For example, LRs averaged 98 days in the previous 12 month period to end of December 2012 and have thus improved by 33 days. In respect of investigations, 34% of complaint allegations were finalised within 150 days in the period to December 2012, while the figure improved to 51% in the 12 months to December 2013.

The force remains committed to improving the timeliness of all complaint investigations and is exploring new processes which it believes will help improve the current timescales.

4.9 Complaint Allegation Recording and Finalisation

In line with the increase in the number of complaints received, the number of finalised cases and allegations has similarly increased, indicating that resources have managed to respond to the additional demand. In Nottinghamshire the largest proportion of complaints fall into the category of 'other neglect or failure in duty', (42%).

Nottinghamshire has upheld around 19% of all complaint allegations that were formally investigated and finalised in the 12 months to December 13. While there is no current data available to compare this to other forces in that period, this figure is well above the national average of 12% when that data was last made available.

4.10 Outcomes of Complaint and Conduct Cases

40 subjects (24 offices and 16 staff) were linked to complaint and conduct cases which were concluded by way of formal police or HR meetings/hearings in the reporting period. Of these, 4 officers and 7 staff members were dismissed.

4.11 Response to the recommendations of the PCC's Complaints and Conduct Assurance Report

Nottinghamshire PSD welcomes the above report based on a dip-sample audit of 36 cases and notes its findings and recommendations, as below:

- a) *That the Head of Professional Standards provides a response detailing why complaints are not being finalised within the local target timeline and complainants are not been kept regularly informed together with an action plan to include timescales to resolve this area of concern.*

The force is committed to improving timeliness of investigations and a detailed monthly report, based on all finalised reports is produced and features in this report at 4.6 above. The average for LR has reduced to 65 days – a very significant improvement of 33 days on the same period last year. Significant improvements have also been made in respect of local investigations. Conduct matters are progressed well within the average target and the long term trend is stable. These improvements have been made despite the significant increase in the volume of complaints being made. This monthly report – based on all cases finalised in the previous 12 months is shared with the OPCC and provides the more accurate picture of force progress in respect of quantitative data.

The area of more concern is the lack of recorded updates to complainants during the process. Historically, the complaints dealt with by LR, while requiring updates, has not provided a means for officers to record these updates on the force database. This has now been addressed. Additionally, where investigations are complete but not closed (e.g. in an appeal period) the system will still indicate that the complainant has not been updated, even though no updates are required at that time. Complainant updates will continue to be monitored through the Force Standards and Integrity Board.

- b) *For Nottinghamshire Police consider if any training would assist to reduce the number of complaints for the most common categories of complaints.*

Training in respect of standards and conduct is incorporated into initial training and, where trends are identified, is enhanced through themed training during Divisional and Departmental training. In addition, the PSD quarterly newsletter 'Integrity Matters' also identifies any areas of concern and promotes good practise and learning from complaint investigations. Where officers receive three or more public complaints in a 12 month period these are also identified to line managers so that performance and training needs can be assessed and actioned. Individual complaint

investigation s can also result in performance findings, both informal and informal, requiring performance to be addressed.

- c) *That the letter advising complainants of their right of appeal should provide a link directly to the Appealing a Complaint page on Nottinghamshire Police's website. It should also advise how to obtain a form if you do not have access to the internet.*

The letter referred to does already inform complainants of how to obtain the relevant appeal documentation if they do not have access to the internet, and this process is regularly utilised. Work continues with force Corporate Communications to enhance the PSD external website, and a direct link for appeals has been incorporated into that plan. In addition the force is in the process of developing a dedicated 'Integrity Page' on the internet which will provide easily accessible information in one place to the public and increase force transparency in respect of the 'Integrity agenda' e.g. The force gifts and hospitality register, business interests, and outcomes of conduct meetings and hearings.

5. Financial Implications and Budget Provision

- 5.1 There are no direct financial implications or budget provision impact.

6. Human Resources Implications

- 6.1 There are no human resource implications.

7. Equality Implications

- 7.1 There are no specific equality implications in this report. Diversity monitoring forms part of the quarterly management information provided in respect of public complaints.

8. Risk Management

- 8.1 Public complaints provide both risks and opportunities in respect of public confidence. Where complaints identify themes that can be considered risks, these are highlighted and addressed through the force Standards and Integrity Board.

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

- 9.1 Strategic Priority Theme 1: Protect, support and respond to victims, witnesses and vulnerable people

10. Changes in Legislation or other Legal Considerations

- 10.1 Police Reform and Social Responsibility Act 2012 has impacted on volume and process for public complaints.

10.2 Impact of forthcoming Anti-Social Behaviour, Crime and Policing Bill as yet unknown.

11. Details of outcome of consultation

11.1

12. Appendices

12.1 Professional Standards Directorate performance and Insight Report, Key points, Performance to December 2013

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Professional Standards Directorate

Performance & Insight Report

Key Points

Performance to December 2013

Executive Summary

Complaints continue to rise. Analysis indicates an estimated 19 percent rise on the comparative period in the previous year after discounting those complaints solely relating to direction and control and taking account of expressions of dissatisfaction¹.

While caution should be exercised with data disaggregated to location level², examination of figures for the last nine months (April to December 2013) illustrates that officers based on the County appear more likely to attract a complaint than those based in the City or other areas.

At force-level complaints relating to 'Other neglect or failure of duty' make up around 42 percent of all allegations. While other locations have recorded a higher volume of these allegations, Canning Circus, Contact Management and Bassetlaw are the most prolific areas when taking into account the number as a proportion of officers.

In the last year there have been 99 employees that have been the subject of three or more complaint or conduct cases. Both male officers and staff employees again prove more likely to receive a complaint than female colleagues.

Broadly speaking BME members of the public are more likely to make a complaint against the police. The most prevalent age for complainants is those between 25 and 44 years, whilst males again prove more likely to lodge a complaint than their female counterparts.

There are two key timeliness indicators in the handling of complaints. For local resolutions the average time is 65 days (38 percent within target), while the average time to formally investigate a complaint allegation is 207 days (44 percent within target). A similar measure has been adopted for conduct cases. The average investigation time for allegations is 130 days, with 64 percent being finalised within 150 days. Performance for each timeliness measure is broadly stable over the long-term however all continue to be impaired by older cases.

The Force upheld around 19 percent of complaint allegations that were formally investigated in the last year which compares favourably with the national average of 12 percent³, and indicates that a greater proportion of concerns expressed by complainants are being resolved by the Force.

Investigating officers have been reminded of the need to keep complainants and employees regularly informed of progress. There were 15 cases assigned to a PSD investigating officer where no update was recorded as being provided to the complainant; and 15 cases where no update was recorded as being communicated to the subject, in the previous 28-day period from 38 eligible cases⁴. There were also eight conduct cases where no update was recorded as being provided to the officer or staff member in the same period from a total of 20 cases.

In the year to December, 37 different employees were linked to complaint and conduct cases that have been concluded by way of a formal police or Human Resources meeting/hearing. The hearings and meetings led to three officers and seven staff employees being dismissed.

¹ The Police Reform and Social Responsibility Act 2011 (PRSRA) introduced in November 2012. Analysis looked at the period between: 1 January 2013 and 31 December 2013.

² There remains a disjoint between the coding of officer locations within the PSD database and that with the Human Resources database following changes to the force organisational structure. Similar discrepancies may exist for officers in other locations. While specific instances have been manually adjusted the reporting of performance by location should be treated with caution until the location data is accurately mapped to where employees are posted.

³ Source: Police Complaints Information Bulletin (Interim Bulletin) – Nottinghamshire Police, Reporting Period April 2012 to March 2013, published by the Independent Police Complaints Commission.

⁴ This examines live complaint cases where there is a PSD investigating officer (IO) and the IO report is not yet complete. Cases are excluded where: they are subject to an independent IPCC investigation; are being investigated by a division/department other than PSD; are in appeal; or are sub judice (as at 10 February 2014.).

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Section 1 Public Complaints and Allegations Recorded – Force performance

The number of public complaint cases recorded against Nottinghamshire Police employees has continued to increase over the last quarter and data indicates evidence of a rising trajectory.

The direction of travel for complaint allegations is upward over the last year while the number of officers and staff that were subject of a complaint has also increased over this period.

	Current 12 months to Dec-2013	Previous 12 months to Dec-2012	Difference	Long term trend	Short term trend
Complaint cases recorded	929	482	92.7% (447)	▼	◀▶
Allegations recorded	1487	912	63.0% (575)	▼	▶
Subjects recorded	1454	914	59.1% (540)	▼	▶

Source: Professional Standards Directorate data for public complaints to the end of December 2013⁵.

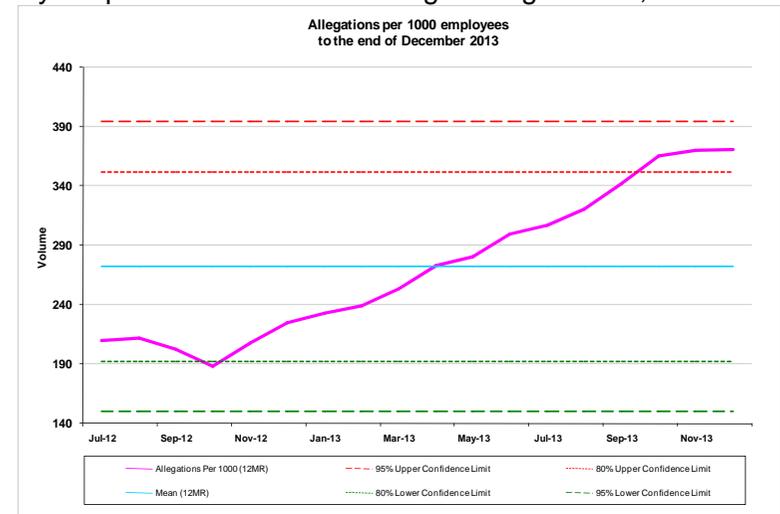
Insight

Actual complaint cases have almost doubled (+93 percent) on the previous year. The number of allegations has increased significantly (+63 percent) and the number of officers and staff subject to a complaint has increased by 59 percent. Given the change in legislation⁶, the short-term trend assessment provides a more reasonable basis for monitoring performance over time, and this suggests that the level of complaints is stabilising.

IPCC data for the first quarter of 2013/14 is not expected to be released until later this calendar year. However published interim data for 2012/13⁷ highlights that Nottinghamshire Police received 254 complaint allegations per 1000 employees compared with both MSG⁸ and national averages of 194 and 228 respectively.

The latest PSD data for the year to December 2013 reinforces the pattern. As per the chart opposite, the long-term trend has seen possible deterioration in the last 12 months. That said, the short-term trend indicates that the number of allegations per 1000 employees is broadly stable over the last 3 months.

As discussed in previous reports, there has been a notable jump in complaints following the introduction of the new legislation. All expressions of dissatisfaction by members of the public about the conduct of a person serving with



⁵ Professional Standards Directorate data for public complaints recorded to the end of December 2013, extracted on 5 February 2014. PSD data is a snapshot at a given point in time and data is subject to change.

⁶ The Police Reform and Social Responsibility Act 2011 (PRsRA) introduced in November 2012.

⁷ Police Complaints Information Bulletin – Interim Bulletin – Nottinghamshire Police, Reporting Period April 2012 to March 2013, published by the Independent Police Complaints Commission. The interim bulletin does not reflect changes introduced by the Police Reform and Social Responsibility Act 2011 (PRsRA).

⁸ This reflects the previous Most Similar Group of forces for Nottinghamshire which includes: Lancashire; Leicestershire; Northamptonshire; Northumbria; South Wales; South Yorkshire; and Staffordshire.

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Nottinghamshire Police are now recorded as complaints⁹. In particular, this includes direction and control matters, which are conduct issues relating to policy and strategy of the force¹⁰ rather than the personal conduct of officers or staff.

While the available information suggests that Nottinghamshire is out of kilter with the national landscape, no comparative data has been made available to the Force since inception of the new legislation. There is therefore, no accurate data to show whether the increase in complaints is a problem shared by other forces. However, there is anecdotal evidence that other forces are continuing to deal with issues of dissatisfaction via other methods, rather than recording them as public complaints and using the local resolution process. The IPCC similarly have concerns in respect of how forces are now recording and have written a letter to all forces to clarify the position in relation to the Statutory Guidance.

Nonetheless, there does appear to be a rise in the total combined number of complaints and dissatisfaction cases recorded by Nottinghamshire Police since the new legislation was introduced which is not necessarily a direct result of the legislation itself. Analysis of cases recorded since the legislation came into effect¹¹ identifies that even when excluding those complaints solely relating to direction and control in that period, the remaining cases represent around a 19 percent rise on the comparative period in the previous year.

As indicated in previous quarterly reports, there may be several possible reasons behind the growth: the force adopted a policy of attendance to all incidents of crime from December 2011; a greater proportion of officers are now in front-line positions; there have been reductions in the employee base; and there has been a change in the initial assessment process with the force now properly recording allegations rather than grouping some together.

It should be noted that the number of complaints made by the public can vary depending on the standards demonstrated by officers, general public confidence in their police, and a confidence in the complaints procedures. It is therefore difficult to assess whether a rise and an above average number of complaints is a negative indication of professional standards, or a sign of confidence in the actions likely to be taken by a force when making a complaint.

Police forces are expected to record complaints within ten working days. The IPCC data confirms that the Force continues to improve this aspect to be better than both the MSG and national average. Latest Professional Standards Directorate (PSD) data reinforces that Nottinghamshire Police has sustained a similar level, recording 96 percent of complaint cases within ten working days for the 12 months to December 2013, up from 93 percent for the same period in the previous year.

The Complainant Customer Satisfaction survey has now been running for almost two years. While there is insufficient data available to undertake long-term trend analysis there are a few statistically significant differences when examining the most recent surveys and those from an earlier period, including:

- Perception of both the timescale and the quality of investigations remains low however there is a positive trajectory. In terms of timescale there has been a real improvement, in that proportionally more people stated their overall view of the timescale of the investigation was good compared with complainants from the earlier period (46 percent versus 29 percent)¹².

⁹ Prior to introduction of the new legislation expressions of dissatisfaction were recorded separately to complaints.

¹⁰ This includes allegations in relation to operational policing policies, organisational decisions, general policing standards and operational management decisions.

¹¹ For the period between: 1 January 2013 and 31 December 2013 inclusive.

¹² Good includes those respondents that stated excellent, very good or good. Poor includes those respondents that stated either poor or very poor. Net good is the difference between the percentage good and the percentage poor.

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- The satisfaction measures appear to be moving in the right direction. For example, although those complainants that were very or fairly satisfied with the overall service has remained broadly stable there has been a genuine increase in complainants that are very satisfied (from around 9 percent to 22 percent).
- Encouragingly one-quarter of complainants said that their opinion was now better than before, and this represents a significant improvement compared with the earlier period.
- The proportion of complainants who claimed they were not informed of the outcome when asked how their complaint was resolved appears to have increased over time. This may be a concern given that the Force aspires to update complainants every 28 days. The most recent data indicates that 15 percent of people were not informed of the outcome, compared with around 5 percent for the earlier period.

Professional Standards has also launched an online survey that is open to all employees. The Directorate is holding focus groups on divisions and in departments in an effort to improve the way it communicates with officers and staff. As only small numbers are able to attend, all employees are also being given the opportunity to provide PSD with anonymous feedback in respect of performance so that, where required, Professional Standards can improve how it operates and interacts with employees.

Actions

Location	Current Actions
PSD	It is proposed that further analysis of the data from the PSD customer satisfaction questionnaire, as well as analysis of the online employee survey, be brought to the June 2014 Standards and Integrity meeting.

Section 2 Diversity Monitoring of Officers and Staff receiving public complaints

BME officers are almost as equally as likely as white officers to be subject to a public complaint whereas white staff employees seem more likely to attract a complaint, although actual BME subjects are low. There remains some disparity in the age of officers who receive complaints, with cases reducing as officers get older. Both male officers and staff employees prove more likely to receive a complaint than female counterparts.

Officer Ethnicity	Number of Officers that are subject of a Complaint Case 12 mths to Dec-2013	Percentage subject of a Complaint Case	Complaints per 1000 Officers	Officer Ethnicity Distribution
BME	48	3.6%	453	4.2%
White (*)	1021	76.7%	419	95.4%
Not Stated (*)	263	19.7%	23909	0.4%
Force Total	1332	100.0%	522	100.0%

Staff Ethnicity	Number of Staff that are subject of a Complaint Case 12 mths to Dec-2013	Percentage subject of a Complaint Case	Complaints per 1000 Staff	Staff Ethnicity Distribution
BME	2	1.7%	18	4.1%
White	95	78.5%	44	77.1%
Not Stated	24	19.8%	45	18.8%
Force Total	121	100.0%	43	100.0%

(*) indicates a statistically significant difference between the percentage that are subject to a complaint and the distribution within Force

Figure 1 - Diversity Monitoring of Officers and Staff Receiving Public Complaints (by Ethnicity)

Officer Age	Number of Officers that are subject of a Complaint Case 12 mths to Dec-2013	Percentage subject of a Complaint Case	Complaints per 1000 Officers	Officer Age Distribution
24 or under (*)	22	1.7%	112	7.7%
25-29	164	12.3%	612	10.5%
30-34	249	18.7%	538	18.1%
35-39	239	17.9%	557	16.8%
40-44	216	16.2%	469	18.1%
45-49 (*)	221	16.6%	442	19.6%
50-54 (*)	66	5.0%	316	8.2%
55 or over	8	0.6%	296	1.1%
Unknown	147	11.0%	0	0.0%
Force Total	1332	100.0%	522	100.0%

Staff Age	Number of Staff that are subject of a Complaint Case 12 mths to Dec-2013	Percentage subject of a Complaint Case	Complaints per 1000 Staff	Staff Age Distribution
24 or under	10	8.3%	29	12.2%
25-29	17	14.0%	52	11.6%
30-34	10	8.3%	33	10.7%
35-39	15	12.4%	56	9.6%
40-44	11	9.1%	31	12.6%
45-49	14	11.6%	40	12.5%
50-54	11	9.1%	32	12.2%
55 or over	22	18.2%	42	18.6%
Unknown	11	9.1%	0	0.0%
Force Total	121	100.0%	43	100.0%

Figure 2 - Diversity Monitoring of Officers and Staff Receiving Public Complaints (by Age)

Officer Gender	Number of Officers that are subject of a Complaint Case 12 mths to Dec-2013	Percentage subject of a Complaint Case	Complaints per 1000 Officers	Officer Gender Distribution
Female (*)	240	18.0%	322	29.2%
Male	974	73.1%	539	70.8%
Unknown	118	8.9%	0	0.0%
Force Total	1332	100.0%	522	100.0%

Staff Gender	Number of Staff that are subject of a Complaint Case 12 mths to Dec-2013	Percentage subject of a Complaint Case	Complaints per 1000 Staff	Staff Gender Distribution
Female (*)	59	48.8%	36	58.6%
Male (*)	62	51.2%	53	41.4%
Unknown	0	0.0%	0	0.0%
Force Total	121	100.0%	43	100.0%

Figure 3 - Diversity Monitoring of Officers and Staff Receiving Public Complaints (by Gender)

Insight

BME officers are almost as equally as likely as white officers to be subject to a public complaint, with 419 white officers per 1000 receiving a complaint compared to 453 BME officers, a ratio of 1.08. There is however a high number of subjects whose ethnicity is either not known or not stated. BME staff members continue to be less likely than white colleagues to receive a complaint although again the numbers are small.

Some disparity in the ages of officers who receive complaints does continue, with complaint cases reducing as officers get older. Compared to the average of 522 per 1000 officers, the number of those 24 years or under remains substantially low (112). The numbers of complaints per 1000 officers peaks between 25-34 years of age and then reduces from the age of 35 through to 54. Given the small numbers involved, less evident conclusions can be drawn from the police staff data in respect of age although the peak appears to be the 35-39 age range.

Male officers again prove more likely than women to receive a complaint in the reporting period with 539 per 1000 male officers, compared to 322 per 1000 female officers. Similarly, male staff members were more likely than female staff to receive a complaint – 53 per 1000, compared to 36 per 1000 females, although again the numbers are small.

The data raises interesting differences in respect of the ethnicity, age and gender of officers and staff that are subject to a complaint. Again, there can be many complex reasons and it does not automatically indicate that the differences are linked to a difference in the professional standard of policing delivered. For example, some members of the public may be more or less likely to complain about an officer dependent on that officer's ethnicity or gender.

Whilst no specific trend information is available, the data illustrates some volatility. Previous statistics have suggested that BME officers may have been either more likely, or equally likely, as white colleagues in attracting public complaints, although it should be noted that in over 19 percent of instances the ethnicity of those officers subject to a complaint is either not known or not stated. The proportion of police staff not declaring their ethnicity within the Human Resources data is a similar level to that highlighted last quarter, and this mainly relates to data for Community Protection, Partnerships and Regional employees.

The data also confirms a clear disparity by gender and some disparity by age, in respect of the likelihood of attracting a public complaint. Both may also be linked to the proportion of officers and staff in front-line positions, which are more likely to result in direct public contact, which is where the largest proportion of complaints arises from.

Actions

Location	Current Actions
PSD	Further analysis should be commissioned in due course in respect of understanding the disparity in respect of age and gender. It may be useful to compare this data to that available in respect of the wider public satisfaction surveys commissioned by the force.

Section 3 Diversity Monitoring of members of public making complaints

Broadly speaking BME members of the public are more likely than white citizens to make a complaint against the police. The most prevalent age group for complainants is those between the ages of 25 and 44 years, whilst males again prove more likely to lodge a complaint than their female counterparts¹³.

Complainant Ethnicity	Percentage (number) of Complainants 12 months to Dec-2013	Percentage (number) of Complainants 12 months to Dec-2012	Complainants per 1000 population 12 months to Dec-2013	Complainants per 1000 population 12 months to Dec-2012	Long term trend	Short term trend	Population Distribution (2011 Census)
BME	10.1% (96)	14.2% (71)	0.8	0.6	↔	△	11.2%
White (*)	50.5% (482)	56.3% (281)	0.5	0.3	▽	↔	88.8%
Not Stated	39.5% (377)	29.5% (147)	0.0	0.0	N/A	N/A	0.0%
Force Total	100.0% (955)	100.0% (499)	0.9	0.5	▽	↔	100.0%

(*) indicates a statistically significant difference between the percentage of complainants and the population distribution

Figure 4 - Diversity Monitoring Of Members of Public Making Complaints (by Ethnicity)

Complainant Age	Percentage (number) of Complainants 12 months to Dec-2013	Percentage (number) of Complainants 12 months to Dec-2012	Complainants per 1000 population 12 months to Dec-2013	Complainants per 1000 population 12 months to Dec-2012	Long term trend	Short term trend	Population Distribution (2011 Census)
15 or under	0.1% (1)	0.2% (1)	0.0	0.0	↔	↔	18.1%
16-24 (*)	8.0% (76)	6.0% (30)	0.5	0.2	▽	▽	13.7%
25-29	6.4% (61)	8.4% (42)	0.9	0.6	▽	▽	6.4%
30-44	22.0% (210)	26.5% (132)	1.0	0.6	▽	↔	19.8%
45-59 (*)	16.4% (157)	17.8% (89)	0.7	0.4	▽	↔	19.6%
60-64 (*)	2.1% (20)	3.2% (16)	0.3	0.2	▽	↔	6.0%
65-74 (*)	2.4% (23)	3.0% (15)	0.2	0.2	↔	↔	8.7%
75+	0.3% (3)	0.6% (3)	0.0	0.0	↔	↔	7.6%
Unknown	42.3% (404)	34.3% (171)	0.0	0.0	N/A	N/A	0.0%
Force Total	100.0% (955)	100.0% (499)	0.9	0.5	▽	↔	100.0%

Figure 5 - Diversity Monitoring Of Members of Public Making Complaints (by Age)

Complainant Gender	Percentage (number) of Complainants 12 months to Dec-2013	Percentage (number) of Complainants 12 months to Dec-2012	Complainants per 1000 population 12 months to Dec-2013	Complainants per 1000 population 12 months to Dec-2012	Long term trend	Short term trend	Population Distribution (2011 Census)
Female (*)	37.9% (362)	33.5% (167)	0.7	0.3	▽	↔	50.5%
Male (*)	60.1% (574)	63.7% (318)	1.1	0.6	▽	↔	49.5%
Other / Unknown	2.0% (19)	2.8% (14)	0.0	0.0	N/A	N/A	0.0%
Force Total	100.0% (955)	100.0% (499)	0.9	0.5	▽	↔	100.0%

Figure 6 - Diversity Monitoring Of Members of Public Making Complaints (by Gender)

¹³ Population data is based on the 2011 Census Population Estimates published by the ONS on 11 December 2012.

Insight

The data continues to indicate that more BME members of the public (0.8 per 1000 of the population) made a complaint during the recording period than white members of the public (0.5 per 1000) although it is noticeable that the proportion of complainants whose ethnicity is either not stated or not known represents over one-third of all complainants in the period. Again focusing on the short-term trend analysis, because of the change in legislation, shows potential evidence that the number of complainants per 1000 population from BME members of the public is reducing, whereas it is stable for white citizens. The percentages of BME and white complainants as a proportion of all complainants are broadly the same as per the last quarterly report¹⁴.

Further analysis of BME complainants¹⁵ by an internal task and finish group confirmed that members of the BME public are more likely than white individuals to make a complaint allegation. Other findings from the analysis highlighted that:

- While Black Caribbean and Asian Pakistani minority ethnic groups make up around half of the BME complainants in the period examined, Black Caribbean residents appear to be more than twice as likely to complain as those from the Asian Pakistani community.
- The trend for complainants not declaring their ethnicity appears to be rising. There has been a substantial increase in the volume of complainants whose ethnicity is unknown since the introduction of legislative changes from 22 November 2012¹⁶. The proportion of complainants whose ethnicity is unknown potentially distorts the analysis and skews the proportionality ratio. To enable a more accurate picture to be obtained it is essential that there is a drive to improve recording of self-classified ethnicity for complainants.
- Irrespective of ethnicity, men are typically twice as likely as women to complain. However both BME male and BME female individuals are similarly more likely to make a complaint than their white counterparts. This suggests that gender is not a strong influencing factor as to why people from minority ethnic groups are more likely to make a complaint against the police.
- BME and white complainants broadly complain about the same types of allegations which predominantly include: other neglect or failure in duty; incivility, impoliteness and intolerance; and other assault. Although the actual volume of complaints is low, allegations arising from the use of stop and search powers are more likely to be made by BME complainants. Individuals from minority ethnic groups are also more liable to complain about discriminatory behaviour and oppressive conduct or harassment. There may be a number of reasons behind these findings including: the quality of interaction during the police encounter; publicity around the use of stop and search; perceptions formed over a number of years; and expectations that some groups feel they will be treated worse than people of other races¹⁷.

¹⁴ In the previous quarterly report, covering the 12 months to September 2013, the proportion of BME complainants was 11.6 percent and white complainants was 47.0 percent.

¹⁵ Report titled: *Analysis of Complainants from Minority Ethnic Groups*; published in October 2013. The analysis covered complainants in the three-year period to the end of June 2013 and was discussed at the DCC's Standards and Integrity Board Meeting on 29 October 2013.

¹⁶ As a result of the Police Reform and Social Responsibility Act 2011 all expressions of dissatisfaction by members of the public about the conduct of a person serving with Nottinghamshire Police are now recorded as complaints. This includes direction and control matters, which are conduct issues relating to policy and strategy of the force rather than the personal conduct of officers or staff.

¹⁷ *The 2008-2009 Citizenship Survey, Race Religion and Equalities Topic Report*, National Centre for Social Research, published September 2010; and *Race, Religion and Equalities: A report on the 2009-10 Citizenship Survey*.

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In respect of age, people between 25-29 years and 30-44 years continue to be most likely to make a complaint (0.9 and 1.0 per 1000 respectively), followed by those aged between 45-59 years (0.7 per 1000). Those aged less than 25 years or over 60 years are least likely to complain. Two groups: 16-24; and 25-29, have seen possible evidence of an increase in complainants per 1000 population when looking at the short-term trend.

In relation to gender, the data continues to illustrate that complainants are more likely to be male rather than female (1.1 versus 0.7 per 1000 population). The short-term direction of travel for female and male complainants appears to be stable with percentages for both groups broadly unchanged over the last quarter.

As with officer data, interesting differences are observed in respect of the ethnicity, age and gender of complainants. Again, there can be many complex reasons and it does not automatically indicate that the differences are linked to a difference in the professional standard of policing received. For example, the age, gender and ethnicity of members of the public having direct contact with officers and staff may be disproportionate to the general population distribution; equally there may be a general difference dependent on age and gender to make 'formal' complaints to organisations per se.

Actions

Location	Current Actions
PSD	The analysis undertaken by the task and finish group proposed a number of recommendations including: <ul style="list-style-type: none">• Professional Standards should raise awareness among investigating officers of the importance of recording the complainant's self-classified ethnicity, for example, through the Professional Standards & Integrity Board, intranet, training, briefings etc. The issue was highlighted to employees through the PSD December Newsletter; and• Under the umbrella of the Public Engagement Strategy, the Force should explore opportunities to engage with community groups in order to better educate community leaders and similar facilitators or groups in terms of supporting those members of the public that wish to make a complaint against the police.

Section 4 Mode of Resolution of Complaint Allegations

The latest performance data identifies the current mode of resolution for complaint allegations, depending on the location of the investigating officer (IO). A complaint allegation can be dealt with in a number of ways. It may be dealt with through local resolution, investigated, withdrawn, discontinued, or the force may disapply or apply to disapply the complaint¹⁸.

Force-wide 1426 complaint allegations were finalised in the 12 months to December 2013, with 50.9 percent resolved by way of local resolution (LR)¹⁹. This is in excess of the current force-level target of 40 percent for local resolution, although it is lower than that for the last quarter. Nottinghamshire is performing above the national average and is in line with the MSG average²⁰.

Location (Investigating Officer for the Complaint Case)	Allegations finalised 12 months to Dec-2013	Finalised by				% to LR (Target 60%)				% to LPI (Division)			
		LR	LPI (Division)	LPI (PSD)	PSD Investigation	12 months to Dec-2013	12 months to Dec-2012	Long term trend	Short term trend	12 months to Dec-2013	12 months to Dec-2012	Long term trend	Short term trend
City	325	208	50	0	42	64.0%	42.0% (86 of 205)	▲	◀▶	15.4%	44.4% (91 of 205)	▼	◀▶
County	537	353	92	0	44	65.7%	46.5% (92 of 198)	▲	△	17.1%	37.4% (74 of 198)	▼	▼
Other Departments	245	129	37	0	50	52.7%	48.9% (46 of 94)	▶	▶	15.1%	29.8% (28 of 94)	▼	▼
Total (excl. PSD)	1107	690	179	0	136	62.3%	45.1% (224 of 497)	▲	▶	16.2%	38.8% (193 of 497)	▼	▼
Professional Standards	319	36	9	0	226	11.3%	7.5% (17 of 228)	▶	▶	2.8%	10.1% (23 of 228)	▼	▶
Force Total	1426	726	188	0	362	50.9%	33.2% (241 of 725)	▲	▶	13.2%	29.8% (216 of 725)	▼	▼

Insight

On the City Division 325 complaint allegations were finalised with 64.0 percent by way of LR, above the 60 percent divisional target. This is a rise in local resolutions compare with the previous quarter and improvement on the same period last year. Five of the City Neighbourhood Policing Areas (NPA) each resolved over 60 percent of all their complaint allegations by way of LR, with a combined total of 155 out of 226

¹⁸ **Disapplication (formerly Dispensation):** In some cases there may be reasons not to take a complaint forward. Examples may include complaints where there is insufficient information, or complaints which are repetitious, vexatious, oppressive, or an abuse of the complaint procedures. In such cases a police force can either disapply the complaint or apply to the IPCC to disapply the complaint. If this is granted, it means that no action needs to be taken with regard to the complaint. In other cases, where the matter of complaint was sub judice, the force does not need IPCC consent to disapply the complaint once the criminal proceedings have concluded, providing reasonable efforts have been made to pursue the complaint.

Discontinuance: In some instances police forces may find it impractical to conclude an investigation. This could occur if a complainant refuses to co-operate, if the complaint is repetitious or refers to an abuse of procedure, or if the complainant agrees to local resolution. In such cases the police force can apply to the IPCC to discontinue the investigation.

¹⁹ The local resolution process is the preferred mode of resolution for complaints which the appropriate authority is satisfied that the conduct which is being complained about (even if proved) would not justify bringing criminal or disciplinary proceedings. It is recognised by the IPCC as an appropriate alternative to formal investigation and is a way of solving, explaining, clearing up or settling the matter directly with the complainant in a timely manner. Under the Police Reform and Social Responsibility Act 2011 (PRsRA), which came into effect from 22 November 2012, it is no longer a requirement to obtain the consent of the complainant for local resolution. A complainant will however have the right of appeal against the outcome of the local resolution.

²⁰ Source: Police Complaints: Statistics for England and Wales 2011/12, published by the Independent Police Complaints Commission (IPCC Research and Statistics Series: Paper 25).

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allegations being locally resolved. Canning Circus, City Centre, and Sherwood & Hyson Green have all seen an improvement in the proportion of allegations being locally resolved when looking at the long-term trend.

It is a similar picture for the County Division, where 537 allegations were finalised, with 65.7 percent of these by way of LR which is above the divisional target and a marked increase on the same period to December 2012. Seven County Neighbourhood Policing Areas each achieved the divisional target with a combined total of 334 out of 502 allegations being locally resolved across the areas. There is evidence of possible improvement in Mansfield, Bassetlaw, Gedling and Broxtowe.

In respect of other departments, 245 allegations were finalised (excluding Professional Standards), with 52.7 percent of these being locally resolved. This is short of the divisional target, although encouragingly it is an increase compared with the previous quarter. While Contact Management exceeded the divisional target, Crime & Justice was just under target, locally resolving more than half of all allegations. Operational Support has seen little progress over the last year, locally resolving 49.3 percent of allegations. Professional Standards (PSD) finalised 319 allegations, 11.3 percent by way of LR – although it should be noted that PSD investigations are rarely suitable for this mode of resolution and thus they are not working to a force LR target.

Although some caution should be observed when examining the data at NPA level given the low volumes in some areas, at divisional/departments level the long-term trend shows improvement in terms of the proportion of allegations locally resolved by City and County divisions, while that for Other Departments is stable.

New regulations are now effective²¹ and the local proportionate investigation²² is only available for complaints received prior to 22 November 2012. The percentage of allegations concluded by local proportionate investigation (LPI) has reduced over the last quarter reflecting that LPI is no longer available as a mode of resolution. Although an LPI has been replaced by a local resolution investigation (LRI), allegations resolved under this mode will be classed as a local resolution rather than an investigation. The proportion of complaints processed under local resolution has seen a rise as expected: more than two-thirds of finalised allegations, that were received post the new legislation, were locally resolved. This may negatively impact on timeliness measures for both local resolutions and investigations. The changes in legal and statutory guidance and definitions of LRI and LPI mean that it is not be feasible to compare performance between the two modes of resolution. It is also understood that the IPCC has found that forces are now assessing issues as suitable for local resolution, rather than correctly dealing with these as conduct matters.

The IPCC annual data 2011/12²³ indicates that Nottinghamshire Police resolved 35 percent of all allegations received by way of local resolution, against a national average of 27 percent. This compares favourably with the national average and is in line with the MSG average of 35 percent. IPCC annual data for 2012/13 is not expected to be released until later in 2014.

²¹ *The Police Reform and Social Responsibility Act 2011, that became effective from 22 November 2012, introduced changes to the local resolution process. Nottinghamshire Police has introduced the local resolution investigation (LRI) for situations where the complainant contests the use of local resolution but where the appropriate authority is satisfied that the conduct which is being complained about (even if proved) would not justify bringing criminal or disciplinary proceedings. Allegations resolved as an LRI are classed as a local resolution and are included in corresponding performance measures. LRI is a Nottinghamshire Police definition.*

²² *Nottinghamshire Police carried out a local proportionate investigation where the conduct that was being complained about (even if proved) would not justify bringing criminal or disciplinary proceedings but where the complainant did not agree to the local resolution process.*

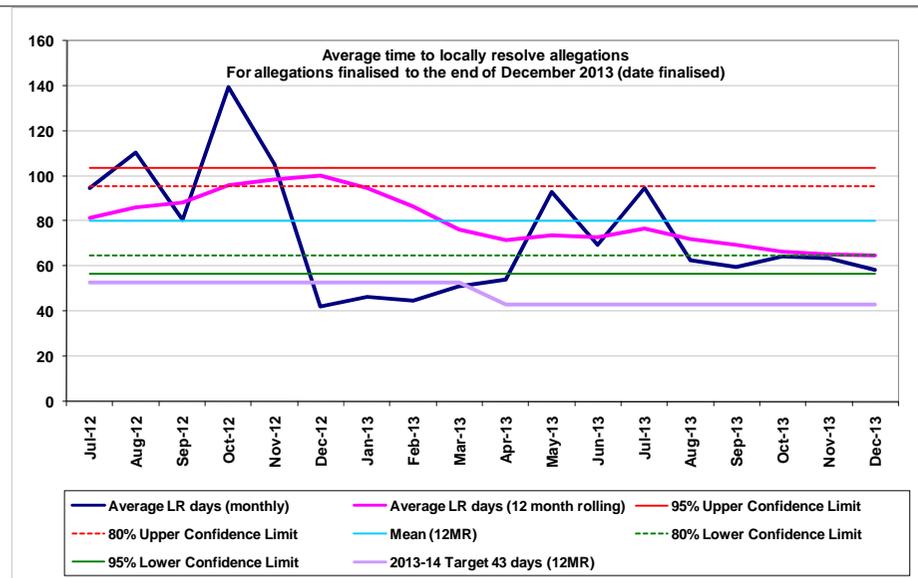
²³ *Source: Police Complaints: Statistics for England and Wales 2011/12, published by the Independent Police Complaints Commission (IPCC Research and Statistics Series: Paper 25).*

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Actions	
Location	Current Actions
PSD	Continued training and support to be provided by PSD in respect of successfully achieving Local Resolution.
PSD	Areas performing below target should seek to learn from those performing more favourably in respect of local resolution.

Section 5 Average Time To Locally Resolve Complaint Allegations

Recognising the need to drive performance in this area, the 2013/18 Policing Plan includes a performance indicator to focus on the timeliness of local resolutions (LR). The overall force target for 2013-14 is 43 days. Accepting that there will always be some local resolutions that will take well above 28 days to resolve, but that most should be able to be dealt with very swiftly, the general target to locally resolve allegations is 28 days.



In the 12-months to December 2013 the force finalised 21 percent of local resolutions within 28 days, the same level as that reported for the year to September 2013. The average time taken to locally resolve allegations is now 65 days which is lower than that reported in the last quarter.

Average Days for Local Resolution	City	County	Other Departments	Force
Average days (12 months to Dec-13)	57	62	81	65
Average days (12 months to Dec-12)	107	95	101	100
Long term trend	△	◊	◊	△
Short term trend	◊	◊	◊	◊
Divisional Target (28 days)	28	28	28	28
% Within Target	23%	22%	17%	21%

12-months-to-date performance:	65 days to locally resolve allegations for the 12 months to the end of December 2013 ²⁴
Year-to-date performance:	69 days for the period from April to December 2013
Target performance:	22 days from target (12-month performance)
National ranking:	42nd (of 44) with 82 days for April 2012 - March 2013 which is below the national average of 55 days
MSG ranking:	8th (of 8) with 82 days for April 2012 - March 2013 which is below the MSG average of 54 days

²⁴ Source: Professional Standards Directorate data for public complaints recorded to the end of December 2013, extracted on 5 February 2014. PSD data is a snapshot at a given point in time and data is subject to change. The time to locally resolve an allegation is the number of working days between the date the allegation is received and the date the allegation is finalised.

Insight

The City Division is achieving 23 percent of local resolutions within 28 days, down from 24 percent for the 12-months to end September 2013, with an average time of 57 days. The County division has maintained a level of 22 percent over the same period and the average resolution time is now 62 days. Other departments have achieved 17 percent within 28 days, compared with 16 percent in the previous quarterly report, and have averaged 81 days for local resolution.

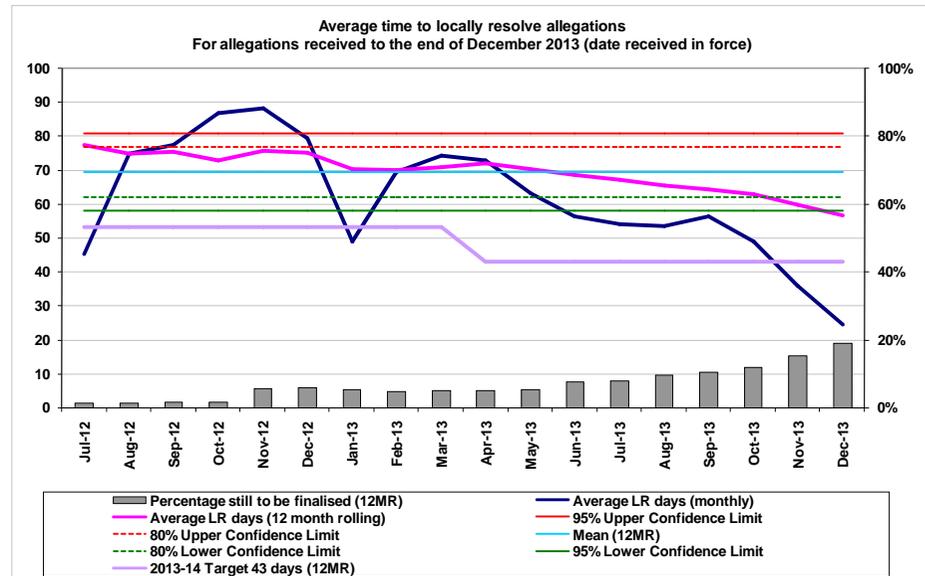
While short-term trends are stable there is possible evidence of improvement in the long-term trend for the average number of days to locally resolve allegations for the City division. At Neighbourhood Policing Area (NPA) level the number of allegations locally resolved in a 12 month period can be low, sometimes zero, thereby skewing the trend analysis. Of the higher volume areas on the City and County divisions, both City Centre and Mansfield are exhibiting possible long-term improvement.

At force-level for the current performance year-to-date (April to December 2013) 54 percent of all allegations finalised were locally resolved, 37 percent were investigated, 7 percent withdrawn, 2 percent disappplied, and less than 1 percent discontinued. The average number of days for local resolution is 69 days with around 35 percent of those allegations locally resolved being within the 43 day target.

The Force has demonstrated strong performance in ten of the last twelve months as the number of older allegations diminishes and, as observed in the chart above, the short-term performance remains stable.

Performance on this measure is impaired by older complaint allegations. Where allegations have been finalised in the 12 months to December 2013, those that were received prior to April 2012 have an average local resolution time of 399 days. While older allegations impact achievement of the target for 2013-14, the 12-months-to-date performance for allegations received since April 2012 is 63 days. With an average of 52 days, performance for allegations received since the start of the current financial year gives further encouragement and illustrates that the Force is on track to achieve to achieve the longer-term target by 2015.

Examining the average time to locally resolve allegations by allegation received date (as per the chart above right), rather than allegation finalised date, continues to suggest that older cases are masking any improvement. There is evidence of a possible positive long-term trend in the average time to locally resolve an allegation. For allegations received in the 12 month period to December 2012 the average time was 75 days. This compares with 57 days for allegations received in the 12 month period to December 2013.



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The percentage of allegations finalised within the 43 day target also shows long-term progress, with 41 percent of allegations received in the 12 months to December 2013 being finalised within the target time. This compares with 32 percent for allegations received in the same period to December 2012.

However, some caution should be observed as performance over the last quarter indicates the rate of improvement has slowed. As anticipated, the proportion of complaints processed under local resolution has seen a rise following introduction of the new regulations and this is coupled with a volume increase in complaint allegations being recorded.

The latest IPCC data²⁵ provides a figure of 82 days for Nottinghamshire Police, deterioration from 68 days when compared with the same period in the previous year, and below both the MSG²⁶ and national averages of 54 and 55 days respectively.

Local resolution should be a speedy and proportionate investigation. It can only take place with the consent of the complainant²⁷ and is only suitable for any complaint that is initially assessed as suitable for LR. However, once assessed as suitable for LR it is not unreasonable for the majority of investigations to be concluded within 14 days if the complainant is available. The force is amongst the slowest nationally for the timeliness of all of its complaint investigations, and a significant improvement in the timeliness of local resolutions would go some way to addressing the issue.

Actions

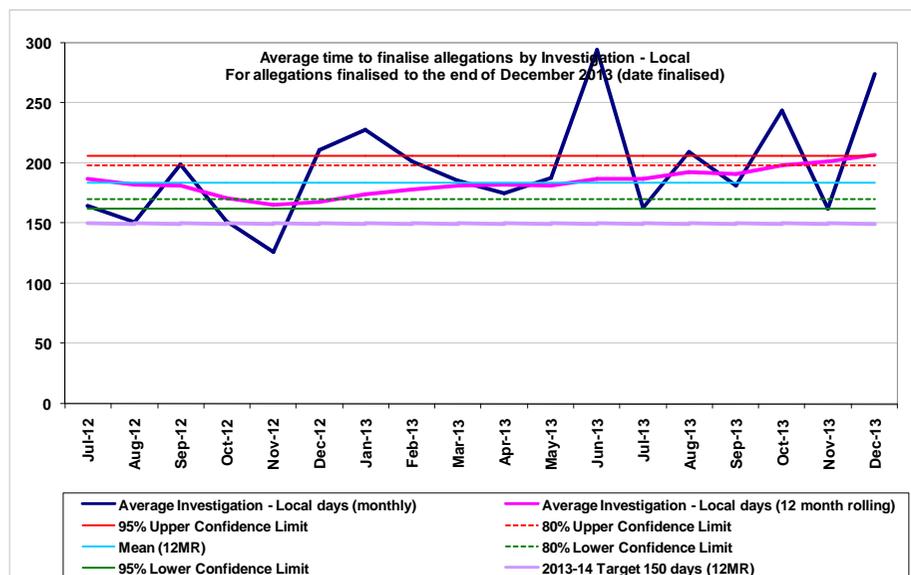
Location	Current Actions
Force-wide	Divisions and departments need to embed the new processes that they have introduced and continue to monitor the progression of complaints allocated to them in order to improve the timeliness of complaints investigations.
Force-wide	The timeliness of local resolutions will be monitored through the Standards and Integrity Board on a regular basis, as well as through further force scrutiny at the Corporate Performance Review.

²⁵ Source: Police Complaints Information Bulletin (Interim Bulletin) – Nottinghamshire Police, Reporting Period April 2012 to March 2013, published by the Independent Police Complaints Commission. The IPCC has advised that some information is missing and that a full bulletin for April 2012 to March 2013 will be published in the summer of 2013. In particular the bulletin does not reflect the changes introduced to the complaints system by the Police Reform and Social Responsibility Act 2011.

²⁶ This reflects the previous Most Similar Group of forces for Nottinghamshire which includes: Lancashire; Leicestershire; Northamptonshire; Northumbria; South Wales; South Yorkshire; and Staffordshire.

²⁷ Under the Police Reform and Social Responsibility Act 2011, which comes into effect from 22 November 2012, it is no longer a requirement to obtain the consent of the complainant for local resolution. A complainant will however have the right of appeal against the outcome of the local resolution.

Section 6 Average Time To Locally Investigate Complaint Allegations



Recognising the need to drive performance in this area, the 2013/18 Policing Plan includes a performance indicator to focus on the timeliness of local investigations.

The overall force target for 2013-14 is 150 days. Accepting that there will always be some complex cases that will take well above this threshold to resolve, the force is aiming to locally investigate allegations within 100 days.

In the 12-months to December 2013 the force finalised 44 percent of local investigations within the target timescale. The average time taken to locally investigate allegations is 207 days.

12-months-to-date performance:	207 days to locally investigate allegations for the 12 months to the end of December 2013 ²⁸
Year-to-date performance:	208 days for the period from April to December 2013
Target performance:	57 days from target (12-month performance)
National ranking:	38th (of 44) with 182 days for April 2012 - March 2013 which is below the national average of 124 days
MSG ranking:	5th (of 8) with 182 days for April 2012 - March 2013 which is broadly in line with the MSG average of 149 days

²⁸ Source: Professional Standards Directorate data for public complaints recorded to the end of December 2013, extracted on 5 February 2014. PSD data is a snapshot at a given point in time and data is subject to change. The time to finalise an allegation is the number of working days between the date the allegation is received and the date the allegation is finalised.

Insight

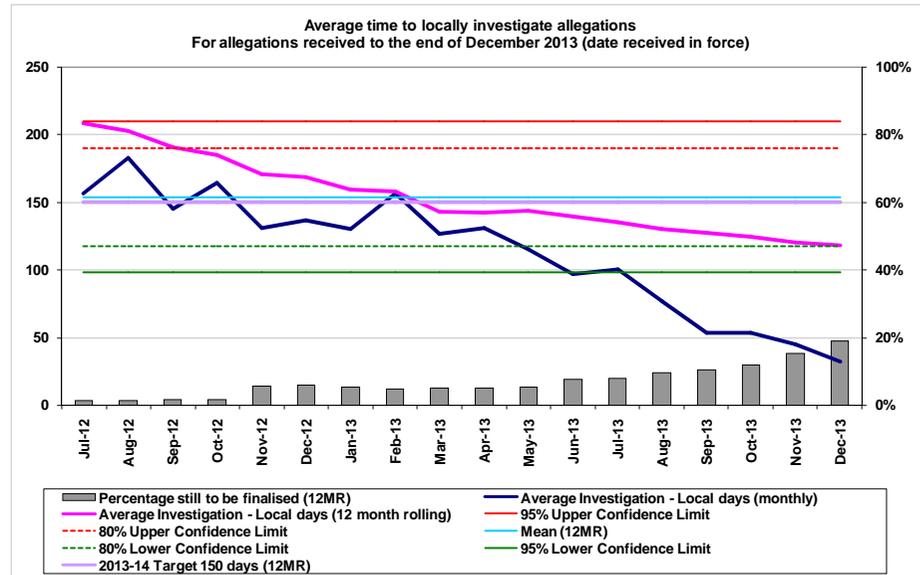
An Independent Police Complaints Commission (IPCC) key indicator in the handling of complaints is the average number of days to locally investigate allegations²⁹.

A local investigation, which is distinct from other types of formal investigation³⁰, involves the appointment of an investigating officer, usually from Professional Standards, who will look into a complaint and produce a report that details the outcome of each allegation. Complainants have a right of appeal to the IPCC following a local investigation. For further contextual information around the handling of public complaints please refer to the performance indicator for the average time to locally resolve allegations.

For the current performance year-to-date (April to December 2013) 37 percent of all allegations finalised were investigated, with the majority being local investigations. The average number of days for local investigation is 208 days with around 45 percent of those allegations locally investigated being within the 150 day target.

The type of matters investigated by local investigation can cover a wide range of issues, from relatively straightforward complaints to complex and serious criminal allegations. While many of these investigations should be completed within the target timescales it should be noted that the most serious cases can, of necessity, take much longer periods to finalise. Some delays, such as the time taken by the Crown Prosecution Service to review a file, may also on occasion be outside of the control of the force.

As with locally resolved allegations, performance on this measure is impaired by older complaint allegations. Where allegations have been finalised in the 12 months to December 2013, those that were received prior to April 2012 have an average finalisation time of 394 days. While older allegations jeopardise achievement of the 2013-14 target, the 12-months-to-date performance for allegations received since April 2012 is 148 days which is within the target and illustrates that the Force is on track to achieve to achieve the longer-term target by 2015.



²⁹ An allegation describes the type of behaviour being complained about and there may be more than one allegation attached to a complaint case. Where a complaint allegation is not suitable for local resolution (or if the complainant declined local resolution for those received prior to 22 November 2012) it may be decided that a complaint requires a thorough examination of the incident.

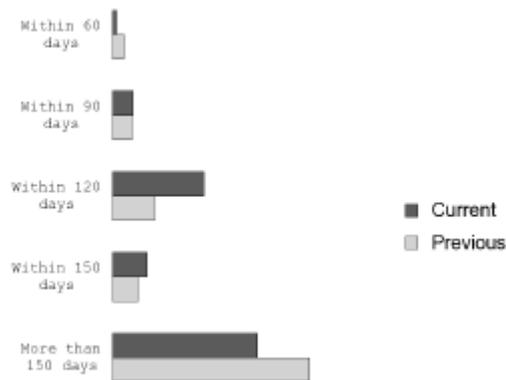
³⁰ There are three other types of investigation. Supervised investigations: Are carried out by the police under their own direction and control. The IPCC sets out the terms of reference for the investigation and will receive the investigation report when it is complete. Complainants have a right of appeal to the IPCC following a supervised investigation. Managed investigations: Are carried out by police forces under the direction and control of the IPCC. Independent investigations: Are carried out by IPCC investigators and are overseen by IPCC commissioners. IPCC investigators have all the powers of the police themselves.

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Examining the average time to locally investigate allegations by allegation received date (as per chart above right), rather than allegation finalised date, also suggests that older cases are masking any improvement. There is evidence of a potential declining long-term trend in the average time to locally investigate an allegation. For allegations received in the year to December 2012 the average time was 168 days compared with 118 days for the year to December 2013.

Complaint allegations

	Current		Previous	
Within 60 days	1%	3	4%	7
Within 90 days	7%	15	7%	12
Within 120 days	31%	66	14%	26
Within 150 days	12%	25	9%	16
More than 150 days	49%	105	67%	122
All Allegations		214		183
Average Time		205 days		195 days



The table and chart opposite shows those allegations formally investigated by Professional Standards investigators³¹. This illustrates that in the year to December 2013 around 51 percent of allegations were finalised within the 150 day target, which compares positively with 34 percent for the same period in the previous year.

Again, the evidence is encouraging but should be treated with caution. Following introduction of the new regulations³² a local proportionate investigation³³ has been replaced by a local resolution investigation, and allegations resolved

under this mode will be classed as a local resolution rather than an investigation. Local proportionate investigations were typically used for less severe complaints, often where the complainant declined local resolution. Therefore, while the proportion of allegations that are investigated may be expected to reduce, those allegations that are investigated will be of a higher severity potentially leading to longer average investigation times.

As of 1 April 2010, police forces are expected to record whether a complaint is upheld or not upheld. A complaint will be upheld if the service or conduct complained about does not reach the standard a reasonable person could expect. This means that the outcome is not solely linked to proving misconduct. The Force upheld around 19 percent of allegations that were formally investigated in the 12 months to the end of December 2013. The latest IPCC data³⁴ provides a figure of 19 percent for Nottinghamshire Police which compares favourably with the national average of 12 percent and MSG³⁵ average of 11 percent, and indicates that a greater proportion of concerns expressed by complainants are being resolved by the Force.

³¹ *Complaint allegations investigated by Professional Standards Directorate, comparing allegations finalised in the 12 months to the end of December 2013 (current period) with the 12 months to the end of December 2012 (previous period). Data as at 27 January 2014.*

³² *Under the Police Reform and Social Responsibility Act 2011, that is effective from 22 November 2012, changes are introduced to the local resolution process. Local resolution investigation (LRI) is a Nottinghamshire Police definition and this may change once updated IPCC Statutory Guidance is released.*

³³ *Nottinghamshire Police carried out a local proportionate investigation where the conduct that was being complained about (even if proved) would not justify bringing criminal or disciplinary proceedings but where the complainant did not agree to the local resolution process.*

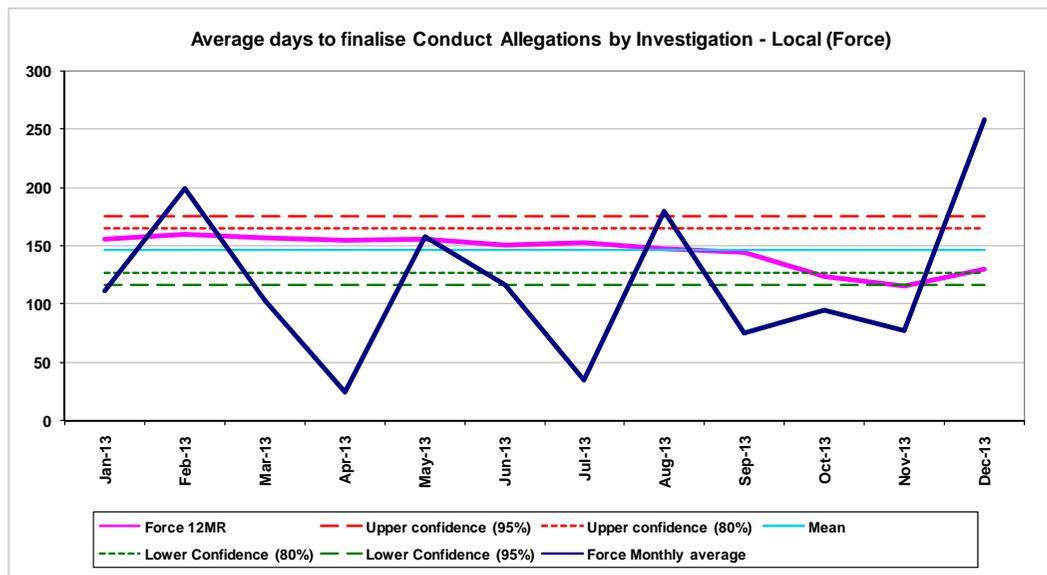
³⁴ *Source: Police Complaints Information Bulletin (Interim Bulletin) – Nottinghamshire Police, Reporting Period April 2012 to March 2013, published by the Independent Police Complaints Commission. The IPCC has advised that some information is missing and that a full bulletin for April 2012 to March 2013 will be published in the summer of 2013. In particular the bulletin does not reflect the changes introduced to the complaints system by the Police Reform and Social Responsibility Act 2011.*

³⁵ *This reflects the previous Most Similar Group of forces for Nottinghamshire which includes: Lancashire; Leicestershire; Northamptonshire; Northumbria; South Wales; South Yorkshire; and Staffordshire.*

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Actions	
Location	Current Actions
PSD	The Force is proactively working to improve the timeliness of the investigation process by aiming to deal with as many such allegations within 100 working days. Action plans have been drawn up by Professional Standards and these continue to be monitored by the Deputy Chief Constable through the monthly Standards and Integrity meeting.

Section 7 Average Time To Locally Investigate Conduct Allegations



While there is no target for this measure included in the 2013/18 Policing Plan the 150 day target for the timeliness of local complaint investigations serves as a good benchmark (see Section 6).

Accepting that there will always be some complex cases that will take well above this threshold to resolve, the force is aiming to locally investigate conduct allegations within 100 days.

In the 12-months to December 2013 the force finalised 64 percent of local investigations within 150 days. The average time taken to locally investigate allegations is 130 days and the long-term trend is stable.

12-months-to-date performance:	130 days to locally investigate conduct allegations for the 12 months to the end of December 2013 ³⁶
Year-to-date performance:	130 days for the period April to December 2013

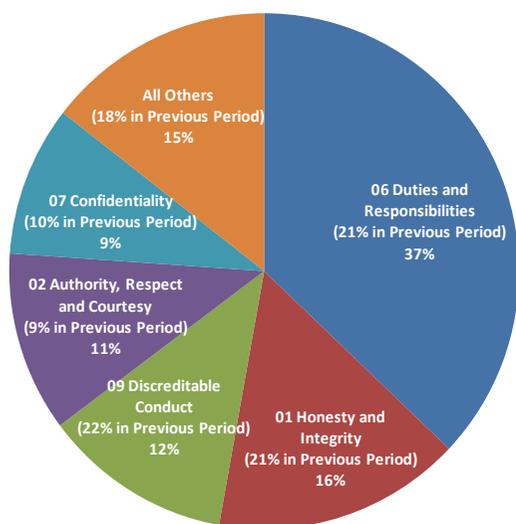
Insight

All conduct cases are formally investigated. The majority of cases are locally investigated by Nottinghamshire Police however for some cases the Independent Police Complaints Commission (IPCC) will supervise or manage the investigation. There are also instances where the case is independently investigated by the IPCC.

Conduct investigations are predominantly conducted by the Professional Standards Directorate. The type of matters investigated locally can cover a wide range of issues, from relatively straightforward issues to complex and serious criminal allegations. While many of these investigations should be completed within reasonable timescales it should be noted that the most serious cases can, of necessity, take much longer periods to finalise. Some delays, such as the time taken by the Crown Prosecution Service to review a file, may also on occasion be outside of the control of the force.

³⁶ Source: Professional Standards Directorate data for public complaints recorded to the end of December 2013, extracted on 5 February 2014. PSD data is a snapshot at a given point in time and data is subject to change. The time to finalise an allegation is the number of working days between the date the allegation is received and the date the allegation is finalised.

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In the 12 months to the end of December 2013 there were 67 conduct cases recorded (159 allegations) compared with 89 recorded in the same period for the previous year (186 allegations).

In the year to December 2013 the top three categories of allegations make up around 65 percent of all allegations recorded as per the chart opposite. 'Duties and Responsibilities' represents the largest proportion over this time having increased to 37 percent from 21 percent last year. 'Honesty and Integrity' has dropped to 16 percent from 21 percent last year while 'Discreditable Conduct' has seen a reduction to around 12 percent of all allegations recorded.

A total of 164 allegations from 64 different conduct cases were locally investigated in the 12 months to the end of December 2013, with allegations taking an average of 130 days to finalise (including sub judice time³⁷). Around 64 percent of these were finalised in 150 days or fewer.

This is lower than the 162 day average for the same period to December 2012 where 57 percent of 149 allegations were finalised in less than 150 days. As with public complaints, it appears that older allegations are impacting the average time to finalise conduct allegations. Disaggregating allegations finalised in the 12 months to December 2013 shows that 9 were received prior to April 2012 and these averaged 245 days to finalise, whereas for the 155 allegations received post April

2012 the average dropped to 123 days.

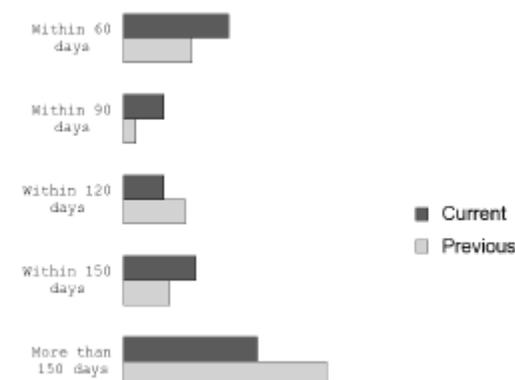
The table and chart opposite shows those allegations formally investigated by Professional Standards investigators³⁸. This illustrates that in the year to December 2013 around 66 percent of allegations were finalised within the 150 day target, which compares positively with 48 percent for the same period in the previous year.

It should also be noted that the force is dealing with an unprecedented number of serious criminal investigations which will invariably impact on average timeliness rates.

The IPCC does not currently collect data from forces in relation to conduct matters and therefore there is no information available to allow peer or national comparison on this measure.

Conduct allegations

	Current		Previous	
Within 60 days	27%	26	17%	22
Within 90 days	10%	10	3%	4
Within 120 days	10%	10	16%	20
Within 150 days	19%	18	12%	15
More than 150 days	34%	33	52%	65
All Allegations		97		126
Average Time		126 days		183 days



³⁷ Subsequent to recording, the start of any work on a case may be postponed because the matter is considered to be sub judice, which is where a person linked to the case is associated with separate criminal proceedings.

³⁸ Complaint allegations investigated by Professional Standards Directorate, comparing allegations finalised in the 12 months to the end of December 2013 (current period) with the 12 months to the end of December 2012 (previous period). Data as at 27 January 2014.

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Actions	
Location	Current Actions
PSD	There is a weekly review of all complaint and conduct cases being investigated by PSD that are over 60 days old. An Investigating Officer Performance Report and a Time Analysis Report have been developed for the Professional Services Directorate. These are used to support further analysis of the lower level data to identify any specific reasons behind the apparent deterioration or areas of concern, such as case load, particularly complex cases or individual investigating officers.

Section 8 Complaint Allegation Recording and Finalisation

Data indicates that the number of allegations recorded has significantly increased when compared with the previous 12 months, with a 63 percent rise. The possible reasons behind this are discussed in Section 1 . The short-term trend assessment indicates that the number of complaint cases and allegations has stabilised over the last quarter.

Summary	12 months to Dec-13	12 months to Dec-12	Difference	% Difference	Long term trend	Short term trend
Complaint Cases Recorded	929	482	447	93%	▽	◀▶
Complaint Cases Finalised	769	427	342	80%	△	◀▶
Allegations Recorded	1487	912	575	63%	▽	◀▶
Allegations Finalised	1426	725	701	97%	△	◀▶

Insight

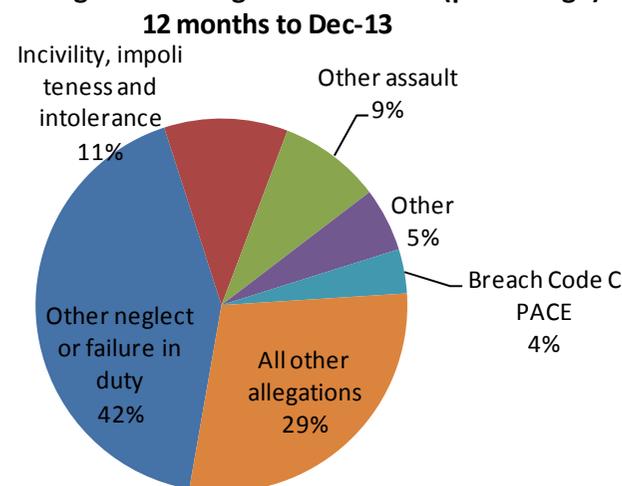
In the year to December 2013 the top five categories of complaint allegations represent around 71 percent of all allegations recorded as per the chart opposite. 'Other neglect or failure of duty' continues to represent the largest proportion over this time period and has increased from 32 percent to around 42 percent in the last year.

By contrast the percentage of allegations relating to 'Incivility, impoliteness and intolerance' has seen a possible reduction from 15 percent to 11 percent in the same period. Allegations of 'Other Assault' now represent 9 percent of all allegations, the same proportion as last year.

Nationally³⁹ the top five categories of allegations comprises: 'Other neglect or failure of duty'; 'Incivility, impoliteness and intolerance'; 'Other assault'; 'Oppressive conduct or harassment'; and 'Unlawful/unnecessary detention'.

In Nottinghamshire the latter two categories do not appear as a top five issue – being replaced with allegations categorised as 'Other'⁴⁰

Largest categories of allegations recorded (percentage)



³⁹ Source: Police Complaints Information Bulletin (Interim Bulletin) – Nottinghamshire Police, Reporting Period April 2012 to March 2013, published by the Independent Police Complaints Commission. The IPCC has advised that some information is missing and that a full bulletin for April 2012 to March 2013 will be published in the future. In particular the bulletin does not reflect the changes introduced to the complaints system by the Police Reform and Social Responsibility Act 2011.

⁴⁰ 'Other' includes allegations of conduct that do not fall within the scope of other categories, such as criminal damage (except in connection to searches of property).

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and 'Breach Code C PACE' (on detention, treatment and questioning).

The proportion of 'Oppressive conduct or harassment' allegations (2 percent) has remained stable over the last year and compares favourably against the MSG and national averages of 7 percent and 6 percent respectively. The ratio of 'Unlawful/unnecessary detention' allegations (2 percent) is also stable and the figure is below that for peer forces.

Means by which allegations were finalised	12 months to Dec-13	12 months to Dec-12	Difference	Long term trend (proportion)	Short term trend (proportion)
Investigation	38.7% (552)	55.4% (402)	150	▼	◀▶
Local Resolution	50.9% (726)	33.2% (241)	485	▲	◀▶
Withdrawn	7.3% (104)	8.8% (64)	40	◀▶	△
Disapplication/Dispensation	2.6% (37)	2.5% (18)	19	◀▶	◀▶
Discontinued	0.5% (7)		7	△	△
TOTAL Allegations Finalised	1426	725	701		

A complaint allegation can be dealt with in a number of ways.

As per the table left, the proportion of allegations investigated has reduced over the last year while there has been a rise in those locally resolved.

There is some evidence of a rise in the percentage of allegations discontinued although the volume is low. The proportions withdrawn or where a disapplication has been granted remain broadly unchanged.

As of 1 April 2010, police forces are expected to record whether a complaint is upheld or not upheld. A complaint will be upheld if the service or conduct complained about does not reach the standard a reasonable person could expect. This means that the outcome is not solely linked to proving misconduct. The Force upheld around 19 percent of allegations that were formally investigated in the 12 months to the end of December 2013. There is no significant difference in the number of allegations upheld by ethnicity of the complainant.

The latest IPCC data⁴¹ provides a figure of 19 percent for Nottinghamshire Police which compares favourably with the national average of 12 percent and MSG⁴² average of 11 percent, and indicates that a greater proportion of concerns expressed by complainants are being resolved by the Force.

Actions

Location	Current Actions
Force-wide	It is proposed that Senior Management Teams note the trends in relation to categories of allegations being recorded, particularly: 'Other neglect or failure of duty' and satisfy themselves that officers and staff who deal with the public directly are adequately briefed and trained in respect of the standards expected in their public interactions.

⁴¹ Source: Police Complaints Information Bulletin (Interim Bulletin) – Nottinghamshire Police, Reporting Period April 2012 to March 2013, published by the Independent Police Complaints Commission. The IPCC has advised that some information is missing and that a full bulletin for April 2012 to March 2013 will be published in the summer of 2013. In particular the bulletin does not reflect the changes introduced to the complaints system by the Police Reform and Social Responsibility Act 2011.

⁴² This reflects the previous Most Similar Group of forces for Nottinghamshire which includes: Lancashire; Leicestershire; Northamptonshire; Northumbria; South Wales; South Yorkshire; and Staffordshire.

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Section 9 Outcomes of Complaint and Conduct Cases

In total 40 subjects were linked to complaint and conduct cases that have been concluded by way of a formal police or Human Resources (HR) meeting/hearing in the 12-month reporting period. The hearings and meetings led to eleven employees being dismissed.

**Outcomes for 40 subjects linked to Complaint and Conduct Cases finalised
in the 12 months to the end of December 2013(*)**

	Dismissed		Final Written Warning		Written Warning		Management Advice / Verbal Warning		Not Proven		No Action / Discontinued		Total Subjects
Complaint	8% (1)	◀▶	31% (4)	△	38% (5)	◀▶	0% (0)	▼	0% (0)	◀▶	23% (3)	◀▶	13
Conduct	37% (10)	▲	33% (9)	△	4% (1)	▼	19% (5)	◀▶	0% (0)	▽	7% (2)	◀▶	27
All Cases	28% (11)	◀▶	33% (13)	△	15% (6)	▽	13% (5)	▽	0% (0)	▽	13% (5)	◀▶	40
Gross Misconduct	48% (11)	◀▶	43% (10)	◀▶	0% (0)	◀▶	0% (0)	◀▶	0% (0)	◀▶	9% (2)	◀▶	23
Misconduct	0% (0)	◀▶	18% (3)	△	35% (6)	◀▶	29% (5)	◀▶	0% (0)	▽	18% (3)	◀▶	17
Ethnicity													
White	24% (8)	◀▶	35% (12)	△	15% (5)	▽	12% (4)	▼	0% (0)	▽	15% (5)	△	34
BME	50% (1)	▽	50% (1)	△	0% (0)	◀▶	0% (0)	◀▶	0% (0)	◀▶	0% (0)	◀▶	2
Not Stated	50% (2)	△	0% (0)	◀▶	25% (1)	◀▶	25% (1)	◀▶	0% (0)	◀▶	0% (0)	◀▶	4
Employee Type													
Officer	17% (4)	◀▶	29% (7)	△	21% (5)	◀▶	17% (4)	▽	0% (0)	▽	17% (4)	◀▶	24
Staff	44% (7)	◀▶	38% (6)	◀▶	6% (1)	▼	6% (1)	◀▶	0% (0)	◀▶	6% (1)	◀▶	16
Gender													
Female	45% (5)	◀▶	27% (3)	◀▶	0% (0)	▼	9% (1)	◀▶	0% (0)	◀▶	18% (2)	△	11
Male	21% (6)	◀▶	34% (10)	△	21% (6)	◀▶	14% (4)	▽	0% (0)	▽	10% (3)	◀▶	29

(*) 115 subjects had a Case to Answer, of which 41 were to be dealt with formally through Hearings and Meetings. (The discrepancy may be due to 1 subject(s) with a Case To Answer either Retiring or Resigning.) Of the remainder, 62 were covered by Management Action and 12 received either UPP, Informal Action or No Action.

Notes

Only the most severe outcome in a particular Case for a Subject is counted.

In some instances Cases may be linked, either involving the same employee(s) or different employees. Such scenarios may lead to an outcome being counted more than once for an employee, potentially inflating the figures in the above table. There were 37 employees that were due to attend Hearings and Meetings for Cases finalised in the 12 months to the end of December 2013.

The data table includes only Cases that were recorded under the new misconduct regulations (post Taylor reform) and therefore long term trends should be treated with caution.

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Insight

In some instances cases may be linked, either involving the same employee(s) or different employees. Similarly an employee may be the subject of more than one finalised case in the period and receive different outcomes. Such scenarios may lead to an employee being counted more than once, either for the same or different outcomes. In the 12 months to December 2013, the 40 subjects relate to 37 individual employees. Of these, seven police officers attended a hearing, 14 police officers attended a meeting and 16 police staff attended a HR discipline meeting/hearing.

The number of subject outcomes is low in volume over any 12-month period which means that analysis of trends is not entirely reliable. Of the 40 subjects there were only two that were BME and therefore no assessment in respect of ethnicity has been made.

In respect of employee type, police staff discipline procedures resulted in dismissal on seven occasions (44 percent of the police staff that faced proceedings), compared to four police officers (17 percent of officers facing proceedings). Long-term trend analysis indicates that both the number of officers and staff being dismissed are stable. A further six police staff (38 percent) received a final written warning, compared to seven police officers (29 percent). Around 88 percent of police staff that faced proceedings received a formal sanction by way of dismissal, final written warning or written warning, compared to 67 percent of police officers.

When comparing the overall ratio of dismissals, final written warnings and written warnings per 1000 employees then it appears that police staff employees are broadly as likely to be formally sanctioned as are police officers. When considering the sanctions separately, police staff employees are more likely to be dismissed, whereas it seems police officers are much more likely to receive a written warning.

In the 12 months to December 2013 more than one-quarter of subjects were female, and almost half of these received a dismissal compared with less than one-fifth of male counter-parts. All females dismissed were police staff employees. It would seem that when considering formal sanctions per 1000 employees then females are as equally likely as males to be dismissed. Males, however, are substantially more apt to be given a final written warning or written warning than female colleagues. Consequently, male employees appear to be twice as likely as female employees to be formally sanctioned.

Actions

Location	Current Actions
PSD	Further research over a longer period of time is required to determine whether the apparent difference in outcomes, in respect of officers and staff, and between genders is significant. Further research with a larger data set is also required to determine if any difference in outcomes by ethnicity can also be identified.

APPENDIX A User Guide to the Performance & Insight Report

The report sets out a summary of the performance of Nottinghamshire Police in relation to the handling of public complaints and conduct matters. The report will be presented to the Standards and Integrity Board meeting chaired by the Deputy Chief Constable.

The report covers performance for the 12 month period ending 31 December 2013.

Trend Assessment Legend

For Sections 1 through 7 the following legend applies to short and long-term trend assessments.

Trend Assessment	
▲	Improving (evidence at the 95% confidence level)
△	Possibly Improving (evidence at the 80% confidence level)
◀▶	Stable (no trend)
▽	Possibly Deteriorating (evidence at the 80% confidence level)
▼	Deteriorating (evidence at the 95% confidence level)

Additionally for Sections 11 through 12 the following legend applies to short and long-term trend assessments.

Trend Assessment	
▲	Proportion increasing (evidence at the 95% confidence level)
△	Possibly increasing (evidence at the 80% confidence level)
◀▶	Proportion stable (no trend)
▽	Possibly declining (evidence at the 80% confidence level)
▼	Proportion declining (evidence at the 95% confidence level)

References

Professional Services Directorate Report Pack for the period ending December 2013 (data extracted 5 February 2014).

Commonly used acronyms

- BME – Black or Minority Ethnic
- LR – Local Resolution
- LRI – Local Resolution Investigation (Nottinghamshire Police terminology)
- LPI – Local Proportionate Investigation (Nottinghamshire Police terminology)

- NOT PROTECTIVELY MARKED -

IO – Investigating Officer
IPCC – Independent Police Complaints Commission
MSG – Most Similar Group of Forces
NPA – Neighbourhood Policing Area
PSD – Professional Standards Directorate
SMT – Senior Management Team

Data Sources:

MSG and National comparisons are based on data provided by the IPCC Police Complaints Information bulletins.
PSD data has been extracted from the internal Centurion system.
Human Resources data is derived from the internal HRMS system.
Population data is obtained from the Office for National Statistics (ONS).

Locations for officers have been revised from April 2011, following the force restructure. Some assumptions have been made in respect of officer/staff location between Jan-April 2011, as back record conversions only go back to 1 April 2011.

Data Time Period:

Data for MSG and National forces is for the 12-month period 1 April 2012 to 31 March 2013 for Public Complaints data (unless stated otherwise).
Data for Public Complaints indicators covers public complaints and allegations up to December 2013.
Headcount data from Human Resources is as at 31 January 2014.
Population data is based on the 2011 Census Population Estimates published by the ONS on 11 December 2012.

Statistical Methodology

Analysis of trend is based on the most recent 12 months performance (long-term trend) or 3 months performance (short-term trend), with tests of statistical significance employed to assess for statistically significant variations in the exponentially weighted moving average at the 80 percent and 95 percent confidence levels.

Where performance against target is assessed:

- Performance against target (long-term) is assessed using 12 month rolling average performance compared to target.
- Performance against target (short-term) is assessed using current month performance compared to target.
- A 5 percent level has been used to assess for performance significantly different to target.

For more information on the statistical techniques employed in the report please contact the performance and insight team:
mi@nottinghamshire.pnn.police.uk