

Police, Fire and Crime Panel – 25 October 2021

Implementation of the reforms to the Police Misconduct & Complaints Regulations 2020

Report of the Staffordshire Commissioner

1. Purpose of Report

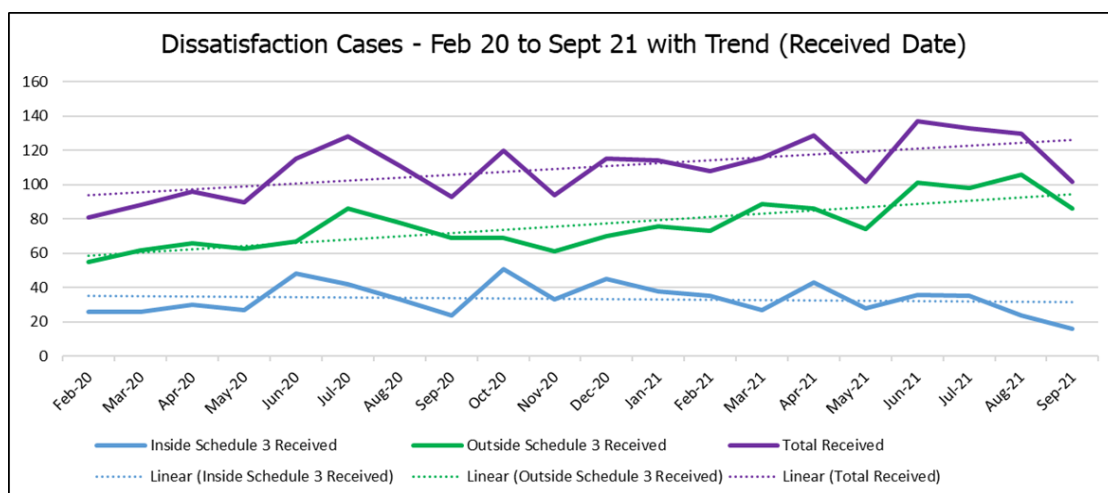
- 1.1 The report updates the panel on the Staffordshire Commissioner's statutory function of reviews following the implementation in February 2020, of the police misconduct and complaints reforms.
- 1.2 A reminder to the panel that the specific role was introduced for Police and Crime Commissioners to increase and strengthen independence and improve complaints handling, ensuring the public can maintain confidence in the integrity of policing.

2. Recommendation

- 2.1. That the panel note the contents and agree to receive annual updates for scrutiny at future panel meetings.

3. Complaints

- 3.1 The graph below shows that whilst there has been an increase in the overall number of complaints being received by Staffordshire Police since February 2020, those recorded under schedule 3, where a right of review is given is decreasing. The increase in numbers are for those dealt with outside schedule 3, usually by those best placed to try and resolve the dissatisfaction.



3.2 Staffordshire Police's Professional Standards Department have implemented a triage function to ensure complaints are dealt with proportionately and swiftly, if possible. Every complainant receives a call within 24 hours of expressing their dissatisfaction and where possible the complaint is resolved there and then. If this cannot be done it is either sent to the appropriate area to resolve or recorded under schedule 3. At present 52% of complaints received are retained with Professional Standards to resolve.

3.3 Work continues with the Commissioner's Office and Staffordshire Police's Professional Standards department around organisational learning. This includes:

- The PSD Bulletin will be supplemented with the dissemination of real-time emerging trends and patterns, moving further towards the ethos of the 2020 regulations around being a learning organisation.
- Delivery of preventative briefings.
- Learnings to be disseminated real time.
- Central platform where learnings are shared – along with best practice.
- Input with student officers.
- Weekly feedback from the Compliance Manager (SCO) on findings from reviews.

3.4 Staffordshire Police continue to develop their approach to the management of complaints in line with the new legislation and moving to a more trust driven policing model, where there is more of a focus on organisational and individual learning and development. The Commissioner is confident that these changes, together with the new role continues to meet the aspirations that have been set out by government in introducing national reforms.

4.0 Review Arrangements

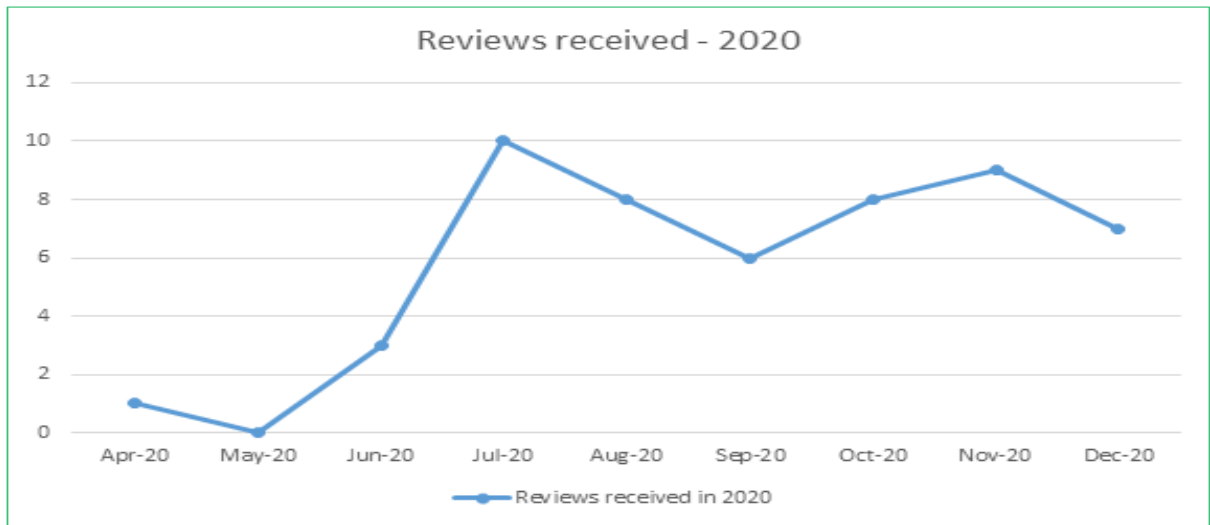
4.1 To remind the panel that the Staffordshire Commissioner adopted Model 1 for the PCC involvement in complaints. This requires all PCC's to deliver complaint reviews for the public, where they are identified as the local policing body, and consider whether Staffordshire Police took reasonable and proportionate action to address the complaint. Once the review has been completed to then notify the complainant of the outcome.

4.2 In order to fulfil this statutory requirement, the Commissioner has a Compliance Manager, who works within a delegated authority to undertake this function.

4.3 The number of reviews received from the 1st February 2020 to the 31st December 2020 were 52.

- 50 requests for a review completed
- 1 withdrawn
- 1 SCO identified as the wrong review body (should have been the IOPC)

- The first review was received in April 2020.



4.4 The number of reviews received from the 1st January 2021 to the 30 September 2021 was 49.

- 48 requests for a review accepted
- 1 refused as out of time & no sufficient reasons given for the delay or lack of contact.



4.5 In June/July of this year there were issues with the complaints system (Centurion) which resulted in an impact on the number of reviews received, creating a spike in the following 2 months. The issues have since been resolved and a contingency created to ensure if this were to happen again there is minimal impact.

4.6 Of the 50 reviews for 2021 and the 49 reviews for 2021 (January 2021 to the end of September 2021) there have been several recommendations for either individual or organisational learning. Those recommendations include:

- Using Body Worn Video (BWV) to protect the officer and member of the public. In a number of instances, the footage actually negates the complaint.
- Ensuring complainants receive regular updates and expectations are managed.
- Local force policies are updated to reflect national policies and guidance.
- Policy awareness and interpretation.
- Engagement with the public and understanding what impacts public confidence.
- Information recorded accurately and in detail.
- Decision making.
- Gesture of goodwill.

The top five allegations that are recorded based on the complainant's dissatisfaction are as follows (categories are defined by the IOPC):

- Police action following contact
- Information
- Decisions
- General level of service
- Impolite tone/language

4.7 On occasion, it has been appropriate that the review outcome has been delivered to the complainant face to face. This is to explain in detail the decision making and to give the complainant the opportunity to ask any questions. Various other methods are used and available to complainants when receiving their review outcome. This allows and shows a transparent and openness to the complaints process and demonstrates an independent approach, which is one of the fundamental reasons for PCCs undertaking this role.

4.8 To ensure oversight and scrutiny of the complaints system, on any cases of over 12 month's duration, Staffordshire Police must write to the Commissioner and the IOPC to inform them of the reasons and actions being taken to progress the complaint. Further communication is required every 6 months thereafter until the complaint is finalised.

4.9 To date there have been 8 timeliness reports received by the Commissioners office, with a copy to the IOPC. The main reasons for the reports are due to the complaint being sub judice as there are criminal proceedings ongoing.

5.0 What next?

- 5.1 The Ethics and Transparency Audit Panel conducted a thematic review on complaints and reviews in August of this year. This is now published on the Commissioner's website. [ETAP-Review-of-Staffordshire-Police-Complaints-FINAL.pdf \(staffordshire-pfcc.gov.uk\)](#)
- 5.2 Both the Commissioner's office and Staffordshire Police's Professional Standards Department will do an annual presentation to ETAP around complaints and reviews. Further thematic work will also be completed to ensure that there is compliance with the implementation of the new regulations.
- 5.3 In line with the specified information order issued by the Home Office there will be a link on the Commissioner's website to the Independent Office of Police Conduct (IOPC) performance data. This will show how both the Commissioner's office and Staffordshire Police's Professional Standards Department are currently performing with regards to complaints and reviews.
[Complaint Reviews - Staffordshire Commissioner \(staffordshire-pfcc.gov.uk\)](#)
- 5.4 The Compliance Manager will continue to work with Staffordshire Police's Professional Standards Department to ensure any reform/transformational work is in line with the implementation of the regulations.

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Appendix A

COMPLAINT REVIEW - PROCESS MAP

