

## Ethics Transparency & Audit Panel Thematic Review Staffordshire Police Complaints Process

<p><b>What did we review and why is this important?</b></p>	<p>The Policing and Crime Act 2017 introduced major reform to the Police Complaints System for the Independent Office for Police Conduct (IOPC), the Police Force and Police and Crime Commissioners. In Staffordshire, the Staffordshire Commissioner’s Office (SCO).</p> <p>From 1<sup>st</sup> February 2020 regulations placed explicit responsibilities on the Police and Crime Commissioners to adopt a range of procedures in relation to Police Complaints. A complaint is defined as “any expression of dissatisfaction with a police force which is expressed (whether in writing or otherwise) by or on behalf of a member of the public.”</p> <p>The new Police Complaints Process set up for the first time a country wide approach to dealing with complaints. Staffordshire adopted Model 1 of the new process.</p> <p>Under the complaints process an individual can complain about something that has had a negative impact on them, such as causing any form of loss, damage, distress or inconvenience. This includes general policing standards, any service received from the police or how resources have been used. It does not include a complaint about a video seen on social media involving unknown persons or an event you did not attend.</p> <p>The complaints process :</p> <ul style="list-style-type: none"> <li>• Is customer focused driven by a desire to improve services. Consideration of reflective practice is an essential element of the procedure as is an increased focus on learning opportunities and outcomes,</li> <li>• Is designed to improve transparency and increase independence,</li> <li>• Requires police complaints and any reviews arising therefrom to be dealt with consistently in a reasonable and proportionate manner and at the appropriate level,</li> <li>• Allows for a broader range of issues to be investigated. The aim being to allow the police to deal with complaints in an efficient and fair manner and to quickly learn from and make improvements to the police service based on sharing the learning outcomes from the complaints received,</li> <li>• Is aimed at finding solutions and is a complete change from the old system which focused on punitive outcomes,</li> <li>• Means some complaints can be resolved at first contact, for example an explanation of events may suffice if the reasons are clear and straightforward,</li> <li>• Makes no provision for financial awards regardless of outcome,</li> <li>• Requires that the complainant has to be kept informed on the progress of their complaint,</li> <li>• Outcomes must be communicated in a clear and straightforward manner,</li> </ul>
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	<ul style="list-style-type: none"> <li>• Requires decisions to be based on facts and evidence,</li> <li>• Requires that the conclusions are impartial and logical,</li> <li>• Is designed to address areas where officers, police staff, volunteers or even the organisation itself has not provided a service to the public which is of the expected standards in line with modern policing requirements.</li> </ul> <p>We wanted to ensure that the provision of service under the complaints process :</p> <ul style="list-style-type: none"> <li>• Met the necessary legal responsibilities,</li> <li>• Has the correct measures in place to hold the force to account,</li> <li>• Meets its obligations under transparency, accountability and public reassurance,</li> <li>• Is available to all residents in Staffordshire and does not marginalise any groups,</li> <li>• Is categorising and recording complaints appropriately,</li> <li>• Is prioritising complaints where necessary,</li> <li>• Is undertaking suitable and timely reviews,</li> <li>• Is sharing learning outcomes,</li> <li>• Is effective, impartial, fair and reasonable.</li> </ul> <p>The service was due to be introduced in February 2020 however due to the Covid Pandemic it did not become fully operational until July/August 2020.</p>
<p><b>How did we go about the review?</b></p>	<p>We initially met with the officers involved in the complaints process to agree the terms of reference. Then followed discussion with the officer who processes and responds to the complaints followed by attendance at one of the management meetings where the complaints process is discussed as well as the number of complaints, themes arising from complaints and feedback on learning outcomes. Then using this information and the regulations and guidance available on the complaints process a set of agreed criteria was drawn up whereby we could assess the provision of service to ensure that the statutory obligations are being met.</p> <p>We reviewed the processes in operation and the procedural charts used by the police. This process took time to develop so that we could be satisfied that the complaints process is fit for purpose and provides an adequate service for the public and the force.</p>
<p><b>What did we find?</b></p>	<p>We found that :</p> <ul style="list-style-type: none"> <li>✓ Model 1 has been adopted and the process complies with the new legislative requirements,</li> <li>✓ Service levels are competent and consistent,</li> <li>✓ Adequate information is provided through the website, complaints can be received using a selection of modern technology including social media etc</li> <li>✓ There are adequate written procedures in place to deal with complaints and reviews arising therefrom,</li> <li>✓ Reviews are dealt with by a different officer to the one who dealt with the initial complaint,</li> </ul>

	<ul style="list-style-type: none"> <li>✓ An evaluation of a number of complaint files indicated that appropriate records are maintained using the Centurion System supported by spreadsheet use,</li> <li>✓ The process is timely, accurate and professionally managed,</li> <li>✓ The process is transparent and provides sufficient accountability in relation to the complaints system and review processes which in turn offers assurance for the public,</li> <li>✓ There are adequate governance arrangements in place,</li> <li>✓ Complaint files are comprehensive, orderly and clear actions recorded appropriately in accessible format,</li> <li>✓ The complainant is kept informed of the progress of their complaint,</li> <li>✓ Decisions are communicated in clear and straightforward manner,</li> <li>✓ Learning outcomes are shared,</li> <li>✓ The system is working in accordance with legal requirements.</li> </ul>
<p><b>What questions or advice did we have?</b></p>	<p>We were assured that the complaints process has been set up as required and operates in an efficient, fair and transparent manner. We had the following questions :</p> <ol style="list-style-type: none"> <li>1. Resilience with regard to systems and succession planning appear to be an issue. How are these risks being managed? Are there any plans in place to improve the situation?</li> <li>2. It is not clear whether dissemination of learning throughout the force is effective. Could senior officers report learning outcomes back to the complaints officer?</li> <li>3. Hard to reach groups and people not using modern technology may be marginalised when trying to complain about an issue. The force must ensure such groups and individuals are aware of the complaints process and how to access it. Can evidence be produced to show the efforts made to ensure the complaints process is inclusive and open to all?</li> <li>4. Better recording of incidents, use of body cameras could benefit the process. What steps are management taking to assist the process through better recording of incidents?</li> <li>5. Increased publication of data in relation to complaints would increase transparency and public confidence. When is it intended to increase communication in this manner?</li> <li>6. Can we have regular updates on the complaints process in the form of a presentation on an annual basis?</li> <li>7. Can we from time to time conduct spot checks on a selection of files to reassure compliance with legal requirements continues?</li> </ol>

	<p>8. An effective IT system is critical to the efficient and effective operation of the complaints process. An ineffective system would adversely affect the complaints process. What is the management response to resolve issues of system continuity failures and delays?</p> <p>9. The operation of the process is susceptible to single person dependency regarding the review process. What action does management plan to do take to ensure risk in this area is minimised?</p>
<p><b>Response Received</b></p>	<p>The reforms introduced by The Policing and Crime Act 2017 and implemented on 1<sup>st</sup> February 2020 through new Regulations aim to simplify the complaints system, provide greater responsibility to Police and Crime Commissioners (PCC's), overhaul the police discipline system, provide enhanced powers for the Independent Office of Police Conduct (IOPC), introduce measures to ensure greater independence in investigation and make changes to the composition and administration of the Police Appeals Tribunal.</p> <p>Overall, the reforms aim to achieve more streamlined processes, improved timeliness, independence, accountability and transparency, greater cooperation and more fairness for all involved. Other key objectives for the reforms are for it to be more proportionate, less adversarial and have focus on learning and improvement.</p> <p>The specific role introduced for PCC's is to increase and strengthen independence and improve complaints handling, ensuring the public can maintain confidence in the integrity of policing.</p> <p>Whilst the implementation of new regulations was 18 months ago this is still a new process that is being embedded into both the Commissioner's Office and Staffordshire Police's Professional Standards Department (PSD).</p> <p>As part of the new ethos there has been the implementation of the Compliance Manager for the SCO to fulfil the review element under the new regulations. In PSD, the processes have been further digitalised and streamlined to ensure efficiency and effectiveness when dealing with dissatisfaction. Both the SCO and PSD are constantly challenging and reviewing how complaints are dealt with by both services, ensuring learning is taken and shared with the organisation so that ultimately, we increase public confidence in the complaints function and the police as a whole.</p> <p>PSD introduced in November 2020 a triage function, whereby every complainant receives a call within 24 hours and where possible the complaint is resolved there and then. If this is not possible then this is either dealt with by a case manager within PSD, a member of the Neighbourhood Policing Team or someone within a specialised area dependent on the nature of the complaint. There is evidence to show that this is working by complaints being dealt within 24 hours and the reduction of repeat complaints due to lack of contact.</p>

Both organisations recognise that there are further improvements to be made and welcome regular involvement from the Ethics Transparency and Audit Panel (ETAP) on this continually involving process and journey.

At the end of the thematic review nine questions have been raised by ETAP. It is fair to say that all of these are currently being worked on by either the SCO or PSD directly or collectively as part of the continual development to meet the ethos of the new regulations.

**1. Resilience with regard to systems and succession planning appear to be an issue. How are these risks being managed? Are there any plans in place to improve the situation?**

Centurion is the system that is used to record all levels of dissatisfaction/complaints received by Staffordshire Police and reviews of complaints received by the SCO. This system is used by many other forces throughout the country. This is also where the IOPC pull all of the performance data from, which is published on their website.

There has been previously a number of system issues with Centurion with the most recent being due to the implementation of NEP (National Enabling Programme) which has resulted in Centurion being migrated to a new server. It is anticipated that with the roll-out of windows 10 and a full server upgrade this problem should not occur in future. It is also noted that should there be a further system failure whilst this may hinder and frustrate the complaints function it does not stop the process being completed in its entirety.

DI Ward has already implemented succession planning for current staff within the department identifying gaps over a rolling 12 month period to ensure that the department remains at full capacity and strength to manage workload. All current vacancies have been filled meaning the department will be at full strength as of October 2021. There is also a designed staff and officer mix as the former often provide greater continuity and organisational memory matched with the officers who provide current operational perspective.

With regards to the SCO role of Compliance Manager, it is recognised that there is a need to minimise the risk in this area due to single person dependency. Therefore, there will be an administration role to support the Compliance Manager. It will also offer the opportunity for development to offer resilience to the Compliance Manager. This change will take place in the last quarter of 2021.

**2. It is not clear whether dissemination of learning throughout the force is effective. Could senior officers report learning outcomes back to the complaints officer?**

This is something that is currently being developed. PSD are commencing an Organisational learning programme which will span over a 12 month period that focus on different elements each week/month to further raise awareness throughout the whole organisation, this is something that the Compliance

Manager from the SCO is fundamentally involved in, along with other areas of the force, which shows a multi-agency approach to learning.

DI Ward has also designed a web platform and the organisation is in the early process of developing a learning hub. Currently all learning is passed out through PSD single points of contacts to officers/staff regular blogs and bulletins on the intranet. Learning that requires specific tracking to ensure it has landed in managed through the Force Action Plan on lotus notes.

Any learnings from reviews are disseminated real time and where more formal recommendations are made either on the initial complaint or review this is feedback to the compliance Manager once the appropriate action has been taken.

**3. Hard to reach groups and people not using modern technology must be marginalised when trying to complain about and issue. The force must ensure such groups and individuals are aware of the complaint process and how to access it. Can evidence be produced to show the efforts made to ensure the complaints process is inclusive and open to all?**

PSD has a diversity and inclusion strategy and hard to reach groups features on this. Currently in the process of creating a credit card size expandable leaflet that can be either taken to meetings or placed in areas of the community – this will also be available digitally.

Work has commenced around minority ethnic groups, LGBTQ+ and deaf/hard of hearing to make complaints more accessible.

**4. Better recording of incidents, use of body cameras could benefit the process. What steps are management taking to assist the process through better recording of incidents?**

PSD SPOC's deliver messages on briefings to the Neighbourhood Policing Team (NPT) and Force Response teams around the importance of using BWV and providing examples of where it negates complaints. This is a continual message that is also used on new starter training about the benefits of BVW. Over the last few months there has been an internal media campaign around the benefits of use of BWV.

There is still work to be done around this and it will form part of the learning strategy as outlined in point 2.

There is a representative from both the SCO and PSD on the BWV user group that feeds in any learnings.

**5. Increased publication of data in relation to complaints would increase transparency and public confidence. When is this intended to increase communication in this manner?**

All complaint and review data is currently held on the Independent Office of Police Conduct (IOPC) website. There are currently no plans to put anything on

the Force website that directs members of the public to this data. This is due to all force websites being managed by one provider, so if there was an addition on the Staffordshire Police website the change would need to occur on all the websites for other forces. This may be a consideration for the future.

However, Elected Local Policing Bodies are required to publish copies of IOPC data on force complaints and a statement on how they are exercising their complaints handling functions under the Police Reform Act 2002, as outlined in the Specified Information Order (SIO) from the Home Office.

A link to the IOPC data will be published along with a summary report by the Local Policing Body detailing how they have fulfilled their duty in holding the Chief Constable to account in relation to the handling of complaints. The Staffordshire Commissioner's Office have implemented the role of Compliance Manager to oversee handling of complaints and manage the independent function around reviews of complaints to ensure public confidence is maintained.

There is currently a delay with the IOPC publishing the performance data therefore, once this is available a link will be placed on the SCO website that directs the public to complaint information, a narrative will also be added around the data. As there is an unknown date for this, information that will be presented at the Public Performance Meeting later this year will be published on the Commissioners website. The annual report that goes to the Police, Fire and Crime Panel will also be published on the Commissioners website at the end of October every year going forward.

**6. Can we have regular updates on the complaints process in the form of a presentation on an annual basis?**

Absolutely, would welcome the opportunity to keep panel members informed. This may also present other opportunities for thematic reviews in other areas of the complaints function.

**7. Can we from time to time conduct spot checks on a selection of files to reassure compliance with legal requirements continues?**

As discussed in the review both the SCO and PSD would welcome any further reviews or spot checks by ETAP to ensure compliance with the regulations. We are hopeful that our IT has progressed somewhat and this can be done electronically and not in a printed paper format.

**8. An effective IT system is critical to the efficient and effective operation of the complaints process. An ineffective system would adversely affect the complaints process. What is the management response to resolve issues of system continuity, failures and delays?**

Centurion is the system that is used to record all levels of dissatisfaction/complaints received by Staffordshire Police and reviews of complaints received by the Office of the Police, Fire and Crime Commissioner. This system is used by many other forces and Commissioners Offices throughout the country.

	<p>There has been previously a number of system issues with Centurion with the most recent being due to the implementation of NEP (national enabling programme) which has resulted in Centurion being migrated to a new server. It is anticipated that with the roll-out of windows 10 and a full server upgrade this problem should not occur in future. It is also noted that should there be a further system failure whilst this may hinder the complaints function it does not stop the process being completed in its entirety.</p> <p><b>9. The operation of the process is susceptible to single person dependency regarding the review process. What action does management plan to do/take to ensure risk in this area is minimised?</b></p> <p>With regards to the SCO role of Compliance Manager, it is recognised that there is a need to minimise the risk in this area due to single person dependency. Consideration of how to further mitigate this risk is currently in planning within the SCO.</p>
<p><b>Follow-up actions</b></p>	<p>On follow up seek affirmation, evidence and progress made in relation to the 9 questions and response within the report.</p>
<p><b>Date for further review/checking on completion:</b></p> <p><b>Prepared by:</b></p> <p><b>Contributors to the Report:</b></p>	<p>June 2022</p> <p>Jane M Barr, Susan Westacott, John Wheatley.</p> <p>Compliance Manager, Veronica Powell.  Detective Inspector Jonathon Ward.  Detective Superintendent Colin Mattinson.</p>