

COMMUNITY OUTCOMES MEETING

MAKE SURE CRIMINAL JUSTICE WORKS FOR COMMUNITIES

19 December 2017

SUBJECT: PROFESSIONAL STANDARDS DEPARTMENT REPORT

Report of the Chief Constable

<p>PURPOSE OF THE REPORT</p> <p>1. This report outlines the Force's position in relation to Complaints and Conduct data.</p>
<p>RECOMMENDATION</p> <p>2. That the Police and Crime Commissioner uses this report to scrutinise Force performance in respect of the Professional Standards Department Report.</p>
<p>POLICE AND CRIME PLAN</p> <p>3. The Police and Crime Commissioner (PCC) is committed to ensuring West Yorkshire Police are open and transparent to reviewing complaints, the handling of complaints can have a positive or potential negative impact on confidence in policing.</p>
<p>KEY INFORMATION</p> <p>4. The PCC has worked with the Chief Constable to implement the findings of the Crawford Review of complaints which was published in March 2014, including an early resolution approach to resolving police complaints via the introduction of service recovery teams. The attached report from the Chief Constable identifies the impact that this has had on the complaint handling in Force.</p> <p>5. The introduction of a service recovery approach in February 2016 and centralisation of complaint handling in Professional Standards Department (PSD) has led to an increase in the numbers of complaints which are dealt with by local resolution – presently accounting for 67% of all complaints finalised. This has also meant that complaints are being dealt with in a timelier manner.</p> <p>6. The PCC will take responsibility for dealing with appeals against the outcome of local resolutions once the Policing and Crime Bill is enacted in 2018. Work is underway with the Force and with the support of the Association for Police and Crime Commissioners to prepare for the introduction of this change.</p>

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PROFESSIONAL STANDARDS DEPARTMENT REPORT



**WEST YORKSHIRE
POLICE**

MARCH – OCTOBER 17

EXECUTIVE SUMMARY

Complaints

- Total complaint allegations have decreased significantly in October 17 compared to the previous 2 months. There were 149 complaint allegations in October 17 compared to 209 in September and 172 in August. This equates to a decrease of 29%.
- Yearly totals for complaint allegations have decreased by 189 (7%) in the last 12 months and complaint cases have decreased by 178 (8%). This is a significant decrease compared to the previous 2 years and this will hopefully continue.
- This decrease has been mainly down to the introduction and success of 'there and then' matters where the PSD Service Recovery Team deal with lower level cases and aim to successfully resolve with the complainant without the need to formally record a public complaint.
- In October 17 there were 40 'there and then' cases recorded with 22 recorded in September. The conversion rate for these cases to a public complaint is just under 10% and it remains a quick and cost effective way of resolving low level issues.
- The top three categories of complaints which account for 67% of all complaints are neglect or failure in duty, incivility, impoliteness and intolerance and other assault
- This information is presented and driven by the Training and Engagement Officer at all training inputs and road shows/engagement events.

Performance – IPCC Information Bulletin Q2

- The most recent performance figures from the IPCC show West Yorkshire Police in a very positive light (data from April 17 – Sept 17).
- West Yorkshire Police record 149 allegations per 1000 employees, more than our Most Similar Forces at 122 and the national figure at 137. We are the 2nd highest recording Force in the country after the Met Police for the total number of complaints recorded annually.
- 96% of all complaint cases are recorded within 10 days. This is significantly higher than our Most Similar Forces at 79% and the national figure of 81%.
- In relation to timeliness of local resolutions West Yorkshire Police completes these in 29 days, 6 days less than the same period last year and significantly better than our Most Similar Forces who take 73 days and the national figure at 70 days.

- It is of note that the average time for the IPCC to complete their independent investigations is 393 days. Gross misconduct investigations undertaken by the PSD Reactive Team take significantly less time at 120 days (Jan – Sept 17 data).

PSD Service Recovery Team, Local Resolutions and Continuous Improvement

- In relation to local resolutions the current rate is 61% for all complaints finalised (Nov 16 – Oct 17). The Service Recovery Team at PSD have had a great impact on both the timeliness and quality of complaint investigations and the high proportion of cases dealt with by local resolution.
- The latest figures show that since the Service Recovery Team was implemented in February 16 they have dealt with 3311 complaint cases, over 2000 of which have been locally resolved in an average time of 21 days.
- Performance measures are now provided on a quarterly basis as part of the Professional Standards Department TIA. These figures hold PSD staff to account around the timeliness of investigations, the recording of complaints, and the final assessment of cases, together with regular updates to officers, staff and members of the public.
- The latest quarterly figures were provided in October 17 and they show a mainly positive picture. In the 9 month period between January – September 17 88% of complaints were recorded within 10 days, local resolutions were dealt with in 21 days and misconduct investigations were dealt with in 48 days.
- The performance of the Service Recovery Team is constantly monitored and their processes have just been scrutinised and refined to ensure that they are working in the most efficient way.
- Workforce modernisation has now been applied to the Service Recovery Team and the role profile for a police staff Complaints Officer has been approved and advertised. It is anticipated that a quarter of the team will consist of police staff in the future.

Performance – PSD compared to Districts

- In the 12 months prior to the Service Recovery Team being implemented (Feb 15 – Jan 16) District performance showed that local resolutions were dealt with in an average time of 37 days and investigations were carried out in an average time of 89 days. In total 1587 complaint cases were allocated.
- The performance of the PSD Service Recovery Team has significantly improved on these figures. In the 12 month period from Feb 16 – Jan 17 they dealt with 2004 complaint cases (an increase of 417 – 26%).

- Local resolutions were dealt with in an average time of 18 days (a 51% decrease) and investigations were completed in an average time of 67 days (a 25% decrease)

Appeals against the outcome of a local resolution

- Over the last 12 months 13% (25 out of a total of 187) of appeals against the outcome of a local resolution have been upheld and returned for further work/ investigation. SRT West have had the most appeals upheld with 18% compared to SRT East who have had 10% upheld. The number of appeals has decreased in October 17 with 11 compared to 12 in September. All learning opportunities are passed back to the staff involved in dealing with the case to ensure that lessons are learned.

IPCC Referrals

- There were 14 referrals made to the IPCC in October 17 compared to 15 in September. Over the last 12 months the number of referrals has remained the same with 152. There has however been a significant increase in the number of independent investigations from 22 to 32.
- West Yorkshire Police currently have 29 live independent investigations and 2 supervised investigations.

Conducts

- Total conduct allegations have increased in October 17 with 16 compared to 12 in September but there is still a downward trend. Yearly totals for conduct allegations, however have decreased by 59% (259 to 117).
- Main areas of concern are discreditable conduct (mainly off duty behaviour) and duties and responsibilities (linked to ongoing IPCC independent investigations), however there have also been a number of sexual misconduct cases which is down to the launch of the National Strategy (See HMIC section).
- The top 3 threats from the most recent Strategic Threat Assessment by volume are disclosure of information, theft and fraud and notifiable associations.

- The top 3 threats from the most recent Strategic Threat Assessment by risk are officers committing criminal offences, sexual misconduct and infiltration.

Police Staff Discipline Cases

- There have been 97 cases recorded since PSD took over the policy at the beginning of March 16 and 110 allegations made. 4 members of police staff have been dismissed without notice after attending a Chief Officer hearing since PSD took over the police staff discipline policy.

Suspended and Restricted Officers and Staff

- There are currently 9 police officers suspended and 29 police officers and staff on restricted duties. There are 5 police staff members suspended. There was 1 misconduct hearing in relation to discriminatory language for a police staff member in September '17. The charge was proved and the staff member was dismissed without notice (upheld on appeal).

HMIC Inspection – Abuse of Position for Sexual Gain

During October '17 the HMIC provided their feedback of the Force's plans in this area, action is already taking place to help further align our force plan with the national strategy, this includes:

- Video messages, posters and screensavers have been cascaded across the Force reinforcing key messages. Also, all officers and staff have mandatory training in relation to abuse of position. PSD have provided training to all new recruits and relevant staff, as well as bespoke training for our leaders and supervisors.
- Abuse of position cases are dealt with solely by the Counter Corruption and all historic allegations have been reviewed.
- In relation to computer misuse, again a video message has been produced and a mandatory training module is currently being developed.
- The PSD Strategy in relation to sexual abuse reflects National Guidance. Its Intelligence matrix has also recently been refreshed to capture any vulnerabilities in this area. Also being implemented is an annual Integrity Health Checks for all officers and staff which will form part of their annual review.

- All PSD/ OPCC/ Legal Services staff have been given training from a specialist barrister in relation to Whistleblowing and the force policy is being promoted through Intranet items and screensavers.