



**To:** Business Coordination Board

**From:** Chief Constable and Chief Executive

**Date:** 22 June 2017

## **PROFESSIONAL STANDARDS AND COMPLAINTS HANDLING – APRIL 2016 TO MARCH 2017**

### **1. Purpose**

1.1 The purpose of this report to the Business Coordination Board (the “Board”) is to provide an annual review for the period 1<sup>st</sup> April 2016 to 31<sup>st</sup> March 2017 of the work of the Bedfordshire, Cambridgeshire and Hertfordshire (BCH) Professional Standards Department (PSD), complaint handling statistics for that period for Cambridgeshire Constabulary (the “Constabulary”) and the forthcoming legislative complaint reforms.

### **2. Recommendation**

2.1 The Board is recommended to note the report.

### **3. Background**

3.1 The Independent Police Complaints Commission (IPCC) Statutory Guidance – defines a complaint as ‘*an expression of dissatisfaction by a member of the public about the conduct of a person serving with the police*’. This could be for example, about the way the person has been treated or the service he or she has received.

3.2 The police complaints system is the mechanism by which the public may raise their concerns about the service they receive from their police force and where professional standards are not met. The operation of the complaints system and the outcomes it achieves play an important role in ensuring that the police continue to exercise their powers fairly and legitimately in the eyes of the public.

### **4. Roles and responsibilities**

4.1 The IPCC oversees the whole of the police complaints system and it has a statutory duty to ensure that public confidence is established and maintained in the police

complaints system. Serious complaints and conduct matters must be passed to the IPCC in line with legislation.

- 4.2 The Police and Crime Commissioner's (the "Commissioner") statutory role is to monitor all complaints made against Constabulary officers and staff, whilst having responsibility for handling complaints against the Chief Constable. The Chief Constable manages all complaints against the force, its officers and staff, and ensures that the Commissioner is kept informed in such a way as to enable the Commissioner to discharge his statutory obligations in relation to complaints.
- 4.3 BCH has a collaborated PSD. The Constabulary is the lead force, on behalf of Bedfordshire Police and Hertfordshire Constabulary, for the PSD function across the three forces. As a consequence, the Cambridgeshire Commissioner holds the Constabulary to account for the collaborated PSD function.
- 4.4 HMIC has a statutory duty to inspect and report on the efficiency, effectiveness and legitimacy of police forces in England and Wales. HMIC's 2016 Legitimacy inspection overall looked at '*How legitimate is the force at keeping people safe and reducing crime?*' for which the Constabulary were graded 'good'. The inspection made positive observations including how the Constabulary works on identifying and enforcing standards of behaviour, and treating the people it serves with fairness and respect. However, HMIC had concerns about the force's ability to ensure that its entire workforce behaves ethically and fairly because of limited capacity in its Anti-Corruption Unit (ACU) and Vetting Unit. The 2017 inspection findings will be published in Autumn/Winter 2017.

## **5. Governance**

- 5.1 In addition to the daily management of PSD, there is a PSD Governance Board which is chaired by the Constabulary's Deputy Chief Constable. The Governance Board aims to identify and address specific risks and threats across BCH ensuring clear actions are taken to mitigate and minimise these risks and threats, and where necessary policies, procedures, practices and processes are developed and implemented. During the year this has included approving policies, having assurance regarding the self-assessment for readiness of the Vetting Code, scrutiny of the ACU Delivery Plan, and performance monitoring of the quarterly complaint statistics.

## **6. Professional Standards Department**

- 6.1 PSD undertakes reactive and proactive investigations and management of misconduct and complaints. This is with the aim of maintaining and improving public confidence and the quality of service whilst protecting and enhancing integrity across BCH. This is undertaken by: preventing and detecting unethical behaviour, dishonesty and corruption; conducting timely and robust public complaint investigations; identifying lessons learned through investigation; and educating, promoting and supporting good practice.
- 6.2 During the year, PSD has been under scrutiny in a number of ways. This includes HMIC inspection, IPCC oversight and a number of peer reviews. Last years restructure of PSD endeavoured to bring some consistency across all three forces in the way that complaints and conduct is managed. That work is almost complete but the department

will continue to strive for improvement, particularly in light of new guidance and legislation. PSD will endeavour to work with the three BCH Offices of the Police and Crime Commissioners and IPCC to ensure that the three police forces can have confidence in the way that PSD remains committed to maintaining and improving public confidence and quality of service.

- 6.3 The fundamental purpose of PSD's Vetting Unit is to uphold the integrity of policing. It is a preventative and pro-active function. It aims to prevent corrupt, dishonest and unethical behaviour involving police officers and staff and non-police personnel within BCH by ensuring that only applicants are recruited, and vetting clearance renewed, where personnel meet the high standards of ethical behaviour expected.
- 6.4 During the year, the Vetting Unit has dealt with over 5,300 applications across BCH; over 1,300 of these were for Cambridgeshire. Vetting covers Regulars, Specials, PCSO, staff and all other non-police personnel who work for, or with the Constabulary, such as Police Volunteers, Police Cadets, Police Cadet Leaders, staff from the Office of the Police and Crime Commissioner, Police Accredited Persons (e.g Hospital/University Security), various multiagency staff, various partnerships (e.g Probation Service, Independent Custody Visitors, Social Care) and those who provide a building/estate maintenance service (e.g cleaners, catering, electrical, plumbing, builders).
- 6.5 In readiness for the Vetting Code of Practice the department has undergone a peer review and developed a delivery plan to ensure compliance with the Code and to meet HMIC recommendations.
- 6.6 The fundamental purpose of the ACU is to uphold the integrity of policing and public confidence and maintaining security of assets and information. It is a preventative, investigative and pro-active function. The ACU contributes to the aims of PSD by preventing and investigating (pursuing) corrupt, dishonest and unethical behaviour involving police officers and staff within BCH.
- 6.7 During the year, the ACU has seen significant change. The peer review by Norfolk and Suffolk PSD came after a number of changes were introduced within the ACU following the HMIC recommendations and an earlier peer review by the BCH Major Crime Unit. Two significant changes made have been to the ACU standard operating procedure and development plans. The introduction of a Crime Stoppers confidential reporting line has contributed to an increase in reporting over the last year. ACU resources have also been reviewed and appropriate training provided. The ACU strategy will continue to ensure continued professionalism of the ACU and delivery of an ethical and proportionate proactive approach to pursue corruption.

## **7. Complaint Statistics**

- 7.1 From the period 1st April 2016 to 31st March 2017 there were 383 complaints recorded with 909 allegations (a complaint case can have more than one allegation attached to it) in respect of Constabulary officers and staff.
- 7.2 The highest number of allegations were in respect of 'other neglect or failure in duty' and 'incivility, impoliteness and intolerance' (these are IPCC standard classifications).
- 7.3 There have been 31 referrals to the IPCC as per the mandatory IPCC referral guidance. There were 19 determined as suitable to be investigated by PSD as local or force

investigations, six IPCC Independent Investigations and six referred back to the Constabulary to deal.

- 7.4 There have been 84 Constabulary and IPCC appeals recorded and 18 upheld. (Note: that these appeals may relate to complaints carried over from previous years).
- 7.5 There have been 27 Gross Misconducts recorded and 30 Misconducts for police officers from April 2016 to March 2017. There were seven Misconduct hearings and 16 Misconduct meetings. There were four officers dismissed during this period.
- 7.6 Further analysis of complaints relating to the Constabulary is provided on the IPCC website at the link given below.
- 7.7 During the period of this report the Commissioner received 10 complaints against the Chief Constable, six of which were from two complainants. To date, where the complainant has exercised their right of appeal, none of these complaints were upheld by the IPCC.

## **8. Complaints Reform work**

- 8.1 The Policing and Crime Act 2017 (the “Act”) received Royal Assent on 31 January 2017. Secondary legislation from the Act is likely to come into force in summer 2018, which will bring in the complaints reform provisions. These provisions will change the complaints landscape, with the aim of simplifying the complaints system. The provisions will also enable Commissioners, should they choose, to take direct responsibility for a number of statutory functions of the complaints system. Amongst the provisions, Commissioners will become responsible for reviewing whether the outcome of the complaint was a reasonable and proportionate one.
- 8.2 The Commissioner is currently considering the reforms and the practical implementation of these along with his fellow Commissioner’s in Bedfordshire and Hertfordshire and PSD.

## **9. Recommendation**

- 9.1 The Board is recommended to note the report.

## BIBLIOGRAPHY

<b>Source Documents</b>	<p>'Statutory Guidance to the police service on the handling of complaints', Independent Police Complaints Commission, May 2015 <a href="https://www.ipcc.gov.uk/page/statutory-guidance">https://www.ipcc.gov.uk/page/statutory-guidance</a></p> <p>'Complaints Policy Statement', Police and Crime Commissioner, December 2016 <a href="http://www.cambridgeshire-pcc.gov.uk/transparency/complaints-and-conduct/">http://www.cambridgeshire-pcc.gov.uk/transparency/complaints-and-conduct/</a></p> <p>'Police Complaints Information Bulletin, Cambridgeshire – 1<sup>st</sup> April 2016 to 31<sup>st</sup> March 2017', Independent Police Complaints Commission <a href="https://www.ipcc.gov.uk/sites/default/files/Cambridgeshire_Q4%201617.pdf">https://www.ipcc.gov.uk/sites/default/files/Cambridgeshire_Q4%201617.pdf</a></p> <p>'PEEL: Police legitimacy 2016 – An inspection of Cambridgeshire Constabulary', HMIC, December 2016 <a href="http://www.justiceinspectorates.gov.uk/hmic/publications/peel-police-legitimacy-2016-cambridgeshire/">http://www.justiceinspectorates.gov.uk/hmic/publications/peel-police-legitimacy-2016-cambridgeshire/</a></p> <p>Policing and Crime Act 2017 <a href="http://www.legislation.gov.uk/ukpga/2017/3/contents/enacted">http://www.legislation.gov.uk/ukpga/2017/3/contents/enacted</a></p>
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