



**Lancashire
Constabulary**
police and communities together

JOINT MANAGEMENT BOARD

ITEM 2	DATE: 2 APRIL 2015
TITLE: PSD UPDATE	
REPORT BY: DCI IAN WHITEHEAD	

Executive Summary

The report provides an overview of exceptions highlighted on the accompanying PSD CAP Update.

Recommendations

The Police and Crime Commissioner and Chief Constable are asked to consider the report.

Signature	Signature
Police and Crime Commissioner	Chief Constable
Date	Date

1. Background and Advice

Overview

- 1.1. In respect of timeliness for recording and locally resolving complaints, Lancashire remains in line with figures published both nationally and for our MSF group. Whilst there has been a rise in the number of allegations recorded (per 1,000 employees), from 191 in the same period previous year to 255 in the last quarter, the figures remain typical of both national (223) and MSF (235) figures. Trends in allegation type also follow the comparative figures identifying that the rise in allegations can be largely accounted for by allegations relating to “Other neglect or failure in duty” allegations, which accounted for one third of all allegations.

Exceptions – Local Investigations

- 1.2. Nationally collated and published figures suggest that Lancashire Constabulary are conducting less local “investigations” into complaints compared to other forces (6% compared with 37% by our MSF group average and 50% nationally).
- 1.3. Since the reduction in resources within the Professional Standards Department, the focus for investigations has been based on a resource to risk model aimed at investigating those matters at the most serious end of the spectrum whereby more serious misconduct is alleged. These investigations are often the more complex and time consuming and as a result only 6% of complaints in the last quarter were investigated as “formal misconduct investigations”. In respect of those investigations which took place, 29% of the allegations were upheld (highest percentage in the country) compared to 16% MSF and 14% nationally.
- 1.4. A significant number of complaints appear more serious at the outset (e.g. excess force complaints) but following a period of “fact finding” are established as suitable for local resolution. The recently introduced process in the department now allows a PSD “supervised” approach to establishing the facts, thereby identifying more cases suitable for local handling.
- 1.5. Although many of these follow the same process as the establishing of facts at the outset of a local investigation, the case is recorded as the method of investigation by which the matter is finalised. This in turn leads to an increase in the number of locally handled complaints. (73% compared to 41% MSF and 34% nationally). This model enables the department to “risk manage” complaints which may otherwise have required a local investigation for which there is insufficient capacity within the Professional Standards Department to manage.
- 1.6. The additional risk management processes described are necessary to safeguard the organisational reputation of the Constabulary due to the increased scrutiny and remit of the IPCC and other bodies. The resource requirement to accomplish this has not previously been acknowledged or accounted for.

Exceptions – Appeal Timeliness

- 1.7. The Police Reform and Social Responsibility Act 2011 included changes in relation to how complaint appeals are handled. Whereas previously the IPCC

were responsible for all appeals, since 2013/14 almost half of all appeals are dealt with by the Chief Constable. In addition, the volume and complexity of appeals has increased year on year. It is in that context that Lancashire Constabulary has also seen an increase in the number of internal appeals upheld in respect of locally handled complaints.

1.8. The on-going scrutiny and rise in public expectation requires an ever increasing focus in order to demonstrate transparency and a commitment to delivering a service commensurate with the level of scrutiny and expectation.

1.9. In the last quarter, 19% of internal appeals were upheld compared to 4% in the same period in the previous year. These are higher than both the national average (15%) and MSF figure (14%). Appeals however are time consuming and this additional focus combined with the reduction in resources in the department has inevitably increased the time taken to deal with appeals. In the previous quarter appeals took an average of 79 days to complete compared to 62 days in the same period of the previous year (42 days MSF and 54 days nationally). This increasing demand has been absorbed into a significantly reduced pool of resources.

2. Links to the Police and Crime Plan

2.1. Monitoring the Constabulary's performance in the handling of complaints will contribute to ensuring public confidence in the police, and thus will contribute to the effective delivery of the Police & Crime Plan.

3. Consultation

N/A

4. Implications

Legal

None

Financial

None

Equality considerations

None

5. Background Papers

6. Public access to information

Information in this form is subject to the Freedom of Information Act 2000 and other legislation.

Part 1 of this form will be made available on the PCC website within 3 working days of approval. Any facts/advice/recommendations that should not be made available on request should not be included in Part 1 but instead on the separate Part 2 form.

Officer declaration	Date
LEGAL IMPLICATIONS – As above	
FINANCIAL IMPLICATIONS – As above	
EQUALITIES IMPLICATIONS – As above	
CONSULTATION – As above	
<p data-bbox="156 801 1286 835">Director to the Office of the Police and Crime Commissioner (Monitoring Officer)</p> <p data-bbox="156 871 1374 999">I have been informed about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner for Lancashire.</p> <p data-bbox="156 1070 1174 1102">Signature.....Date.....</p>	