



**Lancashire
Constabulary**
police and communities together

REPORT TO: JOINT AUDIT AND ETHICS COMMITTEE

DATE: 12 MARCH 2018

REPORT AUTHOR: MEMBERS OF AUDIT & ETHICS COMMITTEE

SUBJECT: SCRUTINY OF COMPLAINT FILES – FEBRUARY 2018

1 Issue for Consideration

- 1.1 The purpose of this report is to enable Members of the Committee to comment at the meeting on the Constabulary's procedures for handling and investigating complaints in respect of files they have viewed.

2 Recommendation

- 2.1 To receive a report on the scrutiny of complaints files.

3 Background

- 3.1 The Commissioner has requested that the Joint Audit and Ethics Committee undertake the scrutiny of complaints against police officers and police staff.

Case sampling

- 3.2 In the last quarter, Members of the Committee reviewed 16 files which were selected at random and comprised of a cross section of complaint type. The selection process on this occasion was around case type and also to include a spread of dates and length of time to resolve. Of the complaints reviewed, 2 were fully or partly upheld.

3.3 Generally the quality of the complaint process was found to be good. The reviewers noted :

- generally positive engagement with complainants and accessible language used in correspondence and reports
- the process was transparent and all complainants received a full copy of the internal report.
- the initial assessment of complaints has been streamlined and is now very clear and comprehensive
- there was evidence of aa commitment to the correct course of action even when regulations might have allowed for a quicker and easier pathway
- evidence of identification of improvement action required (but see below re implementation)
- Positive input by senior officer to make report more user-friendly

3.4 There were three areas of minor concern:

- In 2 cases there were significant administrative delays, apparently in Division due to work pressures
- In one case, “lessons learned” has been identified but there was no evidence of action taken to progress/implement
- In 3 cases, the quality of the communication was impersonal and too formal (noting that it was of good quality in the other 13 cases, and that this is an area where there has been significant improvement)

Service Recovery

3.5 The Force is continuing to trial the Service recovery process outlined in the report to the Committee in December 2017. PSD say that this continues to be successful and is resulting in a reduction of 40% in formally recorded complaints. Subject to resource issues, the Force is looking to make this trial permanent later this year. PSD report that IOPC have recently reviewed the Force Service Recovery process and give positive feedback. A formal report on the process is being sent to the PCC by IOPC.

3.6 PSD continue to develop new policies and procedures to enable to it to deal more effectively with the challenges which it faces. The next initiative will be to develop a better process for identifying and implementing “Lessons Learned”.

3.7 The proposed changes to complaint processes arising from the Policing & Crime Bill 2017 which were to have been implemented in April 2018 have now been delayed for approximately 12 months due to Home Office pressures.

Revised Protocol

- 3.7. Members are beginning to work with the PCC and PSD to develop a revised protocol which will be more fit for purpose and will enable the members to focus on a wider range of issues.

Complaints against the Chief Constable dealt with the PCC

- 3.8 The PCC is the appropriate authority for dealing with complaints against the Chief Constable. The PCC is required to assess and, where appropriate, record and investigate these complaints, following a similar process to that operated by Professional Standards.
The members visited the OPCC, reviewed the process and sampled 6 files in detail. Currently complaint numbers and related workload are increasing. In the 22-month period to November 2017, the PCC received 25 complaints comprising 45 allegations. Of these, 15 were recorded and 31 not recorded. Non-recording can be appealed to the IOPC. Some complainants are persistent, in one case generating over 500 emails.
- 3.9 The members were satisfied that the correct decisions were being made by the OPCC. Members are now looking to work with the OPCC to review the systems and processes, given that this is a growing area of work.

Conclusion

- 3.10 Overall the Members did not have any issues of serious concern and were satisfied that the complaint handling process was being followed appropriately and in line with statutory and IOPC requirements.

4 Implications

Financial:	Resource requirements to enable development and implementation of the above can be found from existing budgets.
Legal:	
Equality Impact Assessment:	
Risks and Impact:	
Link to Police and Crime Plan:	

5 List of attachments / appendices

6 Background Papers

- None

Name: Karol Sanderson & Russell Weaver
(Member of the Audit & Ethics Committee)

Organisation: Office of the Police and Crime Commissioner

☎ 01772 533462

✉ ian.dickinson@lancashire-pcc.gov.uk