

## **Report on Dip-Sampling of Complaint Cases Conducted 27<sup>th</sup> August 2019**

A random sample of closed complaints was examined to assess quality and timeliness within the process.

A relatively small sample was examined on this occasion as some of the available time was spent in training, introducing Paul Richardson to the dip sampling process. 12 cases were selected and these included examples of:

- Local handling,
- Non Special Requirement (NSR) investigations and
- One Special Requirement investigation undertaken by PSD.
- Appealed cases

### Nature of complaints

In the main, the complaints related to excessive use of force, neglect of duty, failure to follow up investigations and failure to keep victims and those under investigation informed of progress. There were no complaints relating to incivility which used to feature in the samples and I can only assume that many of these are now service recovery issues.

### 10 Day recording period

The initial 10 day period to record a complaint is being actively used and between 50 and 60% of incoming complaints are dealt with by the triage team and service recovered. Those which are either unsuitable for service recovery or where service recovery has been unsuccessful are then entered into the formal complaints system which we dip sampled. Of the 12 cases dip sampled, 6 were cases where service recovery had already been attempted unsuccessfully.

We noted some slippage in compliance with the 10 day time limit, but in every case bar one (which appeared to be an administrative error), the reasons for the delay in recording were obvious and the time was accounted for by positive efforts to resolve the complaint by service recovery or gathering additional information to determine how best to deal with it.

### Quality of correspondence

Overall the quality of correspondence with complainants was very high with a mixture of personalised letters where appropriate and standard letters accompanied by attached investigation reports. The overall impression is one of complete transparency in that everything that has been done in regard to a complaint is made available to the complainant, including any findings of poor service. Several complaints were upheld either in full or in part with an apology offered.

Two points were noted:

There was an instance of a report being sent to a complainant with a very comprehensive breakdown of the accounts given by several independent witnesses to the incident in question. We were not clear whether the people offering those accounts were aware that they would be identifiable to the complainant in subsequent correspondence, particularly when their account has effectively exonerated an officer and painted the complainant's behaviour in a less favourable light.

Secondly, occasionally officers revert to the style of writing which summarises what each person has said by using "PC Smith will say....." and then go on to summarise their account. Oddly, this style which has its origins in presenting files to prosecutors and coroners etc. seems to be confined only to the accounts of police officers and it has the air of defensiveness about it in that all other accounts are written in the style of "Mrs Smith saw an altercation involving ....etc etc . "Mr Jones was certain that nobody shouted....etc etc." When it comes to Police officers the impression given by this style is that they are being guarded in what they are prepared to say, somewhat defensive and not being frank. It is a question of style, but officers in our view should be guided that this presentation is not appropriate when feeding back information to complainants.

#### Lessons learned

There were two cases which were due to (different) system and process faults. One involved the process of re-allocating cases when officers move on promotion. This was the root cause of the complaint and must happen quite regularly and despite the flaw in the system being identified it was not recorded within Centurion despite there being a field to capture lessons learned. Usually the individual final reports identify some organisational learning, but I remain unclear about how potentially common problems which surface through complaints are collated and fed back into system and process design.

#### Persistent complaints

Two cases were brought to our attention relating to the same complainant. It is clear that Autism is at the heart of the persistent complaints and there has clearly been a very successful and sensitive engagement with the individual concerned, managed by PSD and the neighbourhood team. As a result this has been successfully managed and the person has now stopped complaining.

#### General

Overall, the complaints were dealt with openly and with a genuine willingness to resolve them to the satisfaction of the complainant wherever possible. We saw one example of a case being escalated by PSD to enquire further when an already upheld case of neglect may have been due to some dishonesty on the part of the officer rather than a simple error. It turned out not to be the case but the willingness to continue beyond the point where the case could have been legitimately closed in order to uphold integrity was excellent.

A summary of the cases sampled is shown below:

**CO/132/19** Received 26/03/19. Recorded within time and finalised 04/07/19. NSR investigation. Thorough and transparent with good communication. This is the case which gives rise to the query about identification of witnesses' accounts to complainants.

**CO/141/19** Received 27/03/19 Recorded slightly out of time and finalised 15/07/19 LH investigation and complaint upheld with apology offered. Very transparent. This is a case which identifies lessons learned in the report but does not record them in Centurion

**CO/147/19** Received 04/02/19 Recorded 09/04/19 Finalised 17/07/19 This was a well conducted investigation marred only by an administrative error in not recording it within timescale. This case is also the one where the officer's evidence is phrased "PC XXX will say....."

**CO/155/19** Received 03/03/19 Recorded out of time and finalised 12/07/19. The failure to record within time is fully justified in that the case was disqualified as historic and outside the 12 month limit. The delay in recording was due to difficulties in establishing the nature of the complaint.

**CO/42/19** Received 22/01/19 Recorded within time and finalised 30/07/19. This case was thoroughly investigated and appealed to the Chief Constable. The appeal was not upheld.

**CO/479/18** Received 06/02/19 Recorded within time and finalised 11/07/19. We were unsure why this complaint was logged under a 2018 number although it was linked to a previous 2018 complaint. Notwithstanding that, it was dealt with very thoroughly and transparently. It was partly upheld on the basis that some actions related to the 2018 complaint had required an apology which was only now forthcoming. Overall, the complaint was well handled.

**CO/182/19** Received 11/04/19 Recorded slightly outside of time limit and finalised 04/07/19. This was Locally Resolved and although the recording time was not met it was clear that a huge amount of effort had gone into trying to resolve the complaint initially by service recovery and latterly by local handling. The complainant's expectations in relation to the very minor nature of the incident it related to were totally unrealistic and the response to the complainant was tactfully and appropriately dealt with.

**CO/184/19** Received 23/04/19 Recorded within time and finalised 23/07/19 This was a Local Handling case and conclude that the Police had indeed provided a poor service. A very frank apology was provided and the whole complaint was dealt with openly and transparently.

**CO/740/17** Received 01/11/17 Recorded within time and finalised 08/08/19. Despite the long delay to finalised was fully explained by sub judice.

**CO/350/18** Received 30/07/18 Recorded within time and finalised 09/07/19 Although this took a long time to finalise this was due to the considerable complications of the case which crossed force boundaries. There was also a wait for an appeal to be completed which was not upheld. The appeal was lodged in May and finalised by July.

**CO/449/18** Received 18/04/18 Recorded out of time and finalised 23/07/19 This case was delayed due to sub-judice issues and eventually withdrawn when the complainant failed to respond to correspondence

**CO/556/18** Received 24/10/18 Recorded quite a long way out of time and finalised 22/07/19. This case although out of time limit for recording was an exceptionally thorough investigation. It noted a failure on the part of the officer and an apology was offered to the complainant. This is the one where PSD went 'the extra mile' due to concerns about integrity. It turned out to be an issue of system problems whilst transferring from C3PO to Connect rather than lack of honesty on the part of the officer, but the extent to which PSD pursued the case to establish that was commendable.