

## Response to public consultation

In January we published our draft oversight and confidence strategy on our website. This set out our proposed approach to overseeing the police complaints system and exploring new ways of improving public confidence in it in 2014/17.

We invited members of the public and our stakeholders to contribute their views via a questionnaire on our website, with detailed questions about the proposed strategy.

To make as many people aware of the consultation as possible, we used social media (Twitter) at various stages of its three-month duration, as well as contacting specific community stakeholder groups, asking for their views. We also hosted an event for young people (one of the groups identified as having lower levels of confidence in the police and the complaints system), to seek their input. Finally, we used feedback from past engagement work with specific community groups and stakeholders.

We received a total of 106 responses to our consultation:

- 66 from members of the public
- 35 from organisations and
- five from IPCC staff members

You can find a list of all the organisations that responded at the end of this document.

### **1. How responses were grouped and analysed**

To help analyse all of the responses we received, we split them into the individual points that respondents made. Then, we assessed and grouped the individual points into themes, both within individual consultation questions and across responses as a whole. Our response to the consultation addresses the overall themes identified.

## 2. What people said

Consultation feedback – grouped by theme	Our response (and reference to our oversight and confidence strategy year one action plan)
<p><b>Reform and simplify the complaints system</b></p> <ul style="list-style-type: none"> <li>• <i>Change the law to make the system simpler</i></li> <li>• <i>Practice/culture change possible now – focused on customer service</i></li> </ul>	<p>We agree reform is needed. Our strategy and action plan reflects this. The consultation responses received gave us useful feedback about how police forces can improve customer service when handling complaints. This is an area we are keen to explore further with forces and Police and Crime Commissioners (PCCs).</p> <p><b>Actions: 1, 2, 3, 4, 9, 21<sup>1</sup></b></p>
<p><b>Police investigating the police isn't credible</b></p> <p><b>Introduce greater independence for how low level complaints are handled</b></p>	<p>We think the police taking ownership and dealing effectively with complaints themselves can, in some cases, be the best and quickest way of putting things right.</p> <p>We disagreed with the Government's decision to make chief officers responsible for certain appeals against the way complaints are handled. We believe all appeals should be dealt with independently of the police, although it might not necessarily be a role for the IPCC.</p> <p>We have added an action to our plan to explore opportunities for formalising how we work alongside Police and Crime Commissioners to fulfil our shared accountability roles in the complaints system. Consultation responses have suggested some different ideas for reinforcing or increasing independence in the handling of less serious complaints. We will explore these ideas further, working with PCCs, within the confines of the current legislation.</p> <p><b>Action: 21</b></p>

<sup>1</sup> The action plan is within our oversight and confidence strategy, available on our website.

<p><b><i>Improve our guidance</i></b></p>	<p>We have recently revised our guidance to the police service on handling complaints to make it more accessible and straightforward, and to include changes in the law. We appreciate that the law behind the complaints system is complex and have created a new publication, Focus, to provide more practical guidance to forces on handling complaints.</p> <p><b>Action: 6</b></p>
<p><b><i>Simplify the language used in the complaints system</i></b></p>	<p>We agree the language used to describe how the complaints system works is complicated and recognise that our reports sometimes use technical language to explain our decisions. This is because the legal basis of the complaints system includes words and phrases that are not commonly used. We will continue to make the case for simplifying the complaints system and will consider the issues raised in the consultation as part of this work.</p> <p><b>Action 9</b></p>
<p><b><i>Confidence in the IPCC</i></b></p> <ul style="list-style-type: none"> <li>• <i>Involving and responding to the public</i></li> <li>• <i>Greater individual accountability</i></li> </ul>	<p>We are committed to ensuring the public, particularly those groups that have lower confidence in the system, are actively involved in informing and influencing our work as outlined in our engagement strategy. As part of this work we will seek to publicise the criminal and disciplinary outcomes that arise from our investigations.</p> <p><b>Actions: 22, 25, 26</b></p>
<p><b><i>IPCC credibility</i></b></p> <ul style="list-style-type: none"> <li>• <i>Perceived effectiveness needs to improve</i></li> <li>• <i>Perceived independence</i></li> <li>• <i>Increase our accountability</i></li> </ul>	<p>We believe that part of this involves better explaining the IPCC's role and helping people to understand what the complaints system can deliver for them. We recognise that confidence in our independence is essential and will seek to make sure you can see this in our work.</p> <p>Through our engagement strategy we will be making efforts to engage more with our stakeholders, nationally and locally. We will improve the way we work with stakeholders to receive their feedback on our work.</p>

<ul style="list-style-type: none"> <li>• <i>Improve how quickly we handle cases</i></li> <li>• <i>Improve the quality of our work</i></li> </ul>	<p>We will make more use of external experts and reviews to inform and improve how we go about investigations, learning from our review of deaths investigations and the external review into the investigation of Sean Rigg’s death. In addition, as part of our change programme, we are seeking to complete cases more quickly, and to keep quality consistent in our work.</p> <p><b>Actions: 23, 24, 25, 26</b></p>
<p><b><i>Issues with former police officers working for the IPCC</i></b></p>	<p>The IPCC employs people from a diverse range of backgrounds, including a minority from a police background. We value both the technical and forensic skills they bring to the organisation. They work on investigations alongside colleagues from non police backgrounds, who bring different skills and experiences.</p> <p>We know that it is important to have a mixed staff group for credibility and public trust. Since early 2013, we have been recruiting more investigators and trainee investigators, with an approach to recruitment designed to attract people from a wide range of backgrounds.</p> <p>Commissioners oversee all of the IPCC’s investigations. By law, commissioners cannot have worked for the police in any capacity. It is important, however, that all our staff, whatever their previous background, work in a culture that is independent, and that they can robustly examine and investigate cases, which is something we are building into our new operating model.</p>
<p><b><i>Improving our reputation</i></b></p>	<p>Improving trust in the IPCC is an important part of our strategy and we are planning a range of actions to support this, including an engagement strategy.</p> <p><b>Action: 26</b></p>
<p><b><i>Dealing with diversity and discrimination issues</i></b></p>	<p>As the IPCC changes as an organisation, we will need to ensure that we have a specific focus on equality and diversity issues that arise in our work, as well as</p>

	<p>drawing on external expertise where needed. We are also looking at ways of collecting information about our cases to help us better to understand the impact of our work on particular groups.</p> <p>We are going to revise our own guidelines for investigating discrimination allegations. We recently published a report, <i>Police handling of allegations of discrimination</i>, and will follow up on its findings.</p> <p><b>Actions: 1, 5</b></p>
<p><b><i>Being transparent about how we handle cases</i></b></p>	<p>We know that the public is interested in many of the cases we deal with. While cases are ongoing, we are unable to provide frequent detailed updates about them because of a range of legal, operational and ethical reasons. We are committed to being as open as we can be, when we can be, especially in cases of the greatest public interest.</p> <p>We are taking steps to be more transparent about the reasons for taking on some cases as independent investigations, and returning others for forces to investigate.</p> <p>We publish all of our independent investigation reports. We continue to work to improve the quality of these, and to make sure they give a clear explanation about what happened and why.</p>
<p><b><i>Access, awareness and understanding of the complaints system</i></b></p>	<p>We know that awareness of, and access to, the complaints system is important to the public and our stakeholders. When we did some work with young people to ask their views, they told us that access to the complaints system is one of the issues they are most concerned about. In response to the significant number of respondents who raised this as an issue we are bringing forward our plans to gather evidence for a future review of our access strategy.</p> <p><b>Action: 22, 26</b></p>

<p><b>Measuring customer satisfaction/getting feedback</b></p>	<p>We are considering consultation findings on this topic as part of our review of how we collect and respond to customer feedback.</p> <p><b>Action: 25</b></p>
<p><b>Bringing about improvement in complaints handling and policing generally</b></p> <ul style="list-style-type: none"> <li>• <i>Monitoring implementation of recommendations and following guidance</i></li> <li>• <i>Greater accountability for failings</i></li> <li>• <i>Our guidance and lessons from our work should be part of training for police officers, and we should issue additional guidance where needed</i></li> <li>• <i>How improvement can be demonstrated</i></li> </ul>	<p>In 2013/14, we carried out a series of projects examining aspects of police handling of complaints locally. We will evaluate these projects and begin new projects in 2014/15.</p> <p><b>Actions 1, 2, 3, 4, 5</b></p> <p>Later this year, we will be able to implement new powers to require police forces and others to reply formally to our recommendations. This will make it possible to hold forces to account for how they implement the learning our work identifies. Police and Crime Commissioners, the College of Policing, and HM Inspectorate of Constabulary (HMIC) have important roles to play in this and we aim to work more closely with them.</p> <p><b>Action: 20, 21</b></p> <p>We are developing an agreement with the College of Policing, in which we agree to share with them information from our cases and our recommendations to the police. They can consider these when developing policing standards, training, and guidance.</p> <p><b>Action 20</b></p> <p>Feedback included comments about changes to force policies, fewer repeats of mistakes, lessons being learned, improving customer satisfaction measures, and falling numbers of complaints. We are committed to improving how we demonstrate impact in a way that is meaningful to the public and our wider stakeholders. We are reviewing our approach to collecting and responding to customer feedback, and will consider the suggestions raised in the consultation.</p>

<p><b>Localism and Police and Crime Commissioners</b></p>	<p>Working with Police and Crime Commissioners, we can ensure complaints are handled effectively. There were some interesting suggestions about how local people could provide scrutiny over how the police handle complaints. These ideas were very similar to some of the suggestions Police and Crime Commissioners made about how we can work with them. We will explore how we can formalise our work with Police and Crime Commissioners and examine these ideas further in the context of this work.</p> <p>We recognise that Police and Crime Commissioners share oversight and accountability responsibilities. Our specific role concerns the police complaints system, which is an important part of accountability. We need to work in partnership with Police and Crime Commissioners, and we have reflected this more fully in our strategy.</p> <p><b>Action: 21</b></p>
<p><b>Taking a broader approach to learning:</b></p> <ul style="list-style-type: none"> <li>• <i>Sharing good and best practice</i></li> <li>• <i>Involving forces more in generating learning</i></li> <li>• <i>Producing learning and communicating lessons more quickly</i></li> <li>• <i>Involving complainants/public groups in producing learning</i></li> <li>• <i>Promote learning and circulate it more widely</i></li> </ul>	<p>We are committed to sharing best practice.</p> <p>Most of our work whether dealing with appeals or carrying out investigations, is focused on situations where things have gone wrong. Most of the learning we can share comes from those situations. Other bodies, particularly the College of Policing, have a role in defining best practice and what works in policing, and sharing this across police forces.</p> <p>We circulate our Learning the Lessons bulletin widely, to police forces and others. We promote the bulletin through Police Professional magazine. We encourage the police service to share the learning in our bulletins with everyone who could benefit, and so provide an improved service to the public.</p> <p>The police often work in cooperation with other agencies. The actions of those agencies often affect the situations we investigate, and we address this where</p>

<ul style="list-style-type: none"> <li>• <i>Learning for other agencies</i></li> <li>• <i>Learning about complaints handling</i></li> <li>• <i>Create opportunities for the police to discuss and share learning</i></li> <li>• <i>Developing supporting material to assist adoption of lessons and recommendations (e.g. check lists)</i></li> <li>• <i>Involve the public in generating learning</i></li> </ul>	<p>necessary, but our focus must be on making sure the police complaints system works well. Our Learning the Lessons bulletins will, therefore, focus on learning for the police.</p> <p>We recognise the value of bringing together those in the police service to discuss and share learning and best practice. We lack the resources to create these opportunities frequently across all of policing. We encourage chief constables and Police and Crime Commissioners to think about how they can work together to exchange ideas.</p> <p>During an investigation, an investigator can sometimes identify learning that needs to be shared quickly to prevent a similar incident occurring. We call this quick-time learning. Quick-time learning can be targeted at the police force or agency involved, but can also be directed at other bodies like the College of Policing or Association of Chief Police Officers, where an immediate change to national policy or practice is required.</p> <p>We are grateful for the helpful suggestions about material we could produce to assist with the take up of learning from our bulletins. We will consider these in developing how we share learning with forces and other stakeholders.</p> <p>This year, we have worked with focus groups, which included complainants, and this has given us their perspective on a range of topics. We will continue using this approach when it is useful in helping us develop our approach.</p>
<p><b>IPCC/police relationship</b></p> <ul style="list-style-type: none"> <li>• <i>Presenting balanced information about forces</i></li> </ul>	<p>Our main purpose – and that of our oversight and confidence strategy – is to increase public confidence in the police complaints system. Public trust in the IPCC is an important part of this. We must be independent and we will continue to challenge the police service openly and robustly where this is justified. This is essential if the public is to trust us when we find the police have got things right.</p>

<ul style="list-style-type: none"> <li>• <i>IPCC seen as adversarial towards the police</i></li> </ul>	<p>We recognise that the police service and the individuals in it need to have confidence in our work. Even when we are critical, as long as this is based on robust and objective evidence, we believe that this is ultimately in the best interests of the police service.</p>
<p><b><i>Officers and staff are 'customers' – the police service is a stakeholder</i></b></p>	<p>We agree that police officers and staff are also important stakeholders – both when we are investigating them and when we are working together to improve the way complaints are handled. They can also offer valuable perspectives on how we might improve the way we work.</p> <p>We are improving how we communicate with officers and staff during our investigations, as part of our action plan, following our review of cases involving a death.</p> <p>Independence from the police service is important for us, but we must also work with the police to make sure that complaints are well handled. For this reason, the police service is a stakeholder, and we will reflect this in work under our engagement strategy.</p>
<p><b><i>Allowing proportionate responses and flexibility in complaints handling</i></b></p>	<p>We encourage the police service to offer proportionate responses to complainants. However, it is also important to make sure necessary safeguards are in place and that complainants get a full and sufficient response. Some complaints can be resolved quickly and less formally, but it is important to make sure matters that could result in misconduct findings are formally and fully investigated.</p>
<p><b><i>Value of IPCC supporting the service to improve</i></b></p>	<p>Identifying and sharing learning to improve police practice is a key part of our work. We do this through our Learning the Lessons bulletin and new publication, Focus.</p> <p>We aim to do more of this through a formal agreement with the College of Policing and HMIC.</p> <p><b>Action: 20</b></p>

<p><b><i>Data collection burdens</i></b></p>	<p>We need information from forces about particular cases, and this will continue. We are planning to work more closely with the College of Policing, HMIC and Police and Crime Commissioners. Part of this is to coordinate the way we work with forces, to avoid unnecessary burdens.</p> <p><b>Action 20</b></p>
<p><b><i>Trust in, and promote the integrity of, PSDs</i></b></p>	<p>The IPCC acts as an appellate body and examines a minority of complaints made about the police each year. Police forces themselves deal with most complaints and we are clear that professional standards departments are crucial in making sure they are handled fairly and effectively. We can hold professional standards departments to account for the quality of their work, but we are also committed to providing support and guidance to assist them in their role.</p>
<p><b><i>Demonstrating the value of the complaints system</i></b></p>	<p>We aim to record and report on criminal and disciplinary outcomes of our work and are also aiming to publish these outcomes as part of our engagement strategy.</p> <p><b>Action: 12, 26</b></p>

## Organisations that responded to our consultation

- Acute Community Mental Health Services, Hywel Dda UHB - St David's Hospital Mental Health Services Division
- Association of Police and Crime Commissioners
- Dorset Police
- Gender Matters
- Gloucestershire Constabulary
- HMIC
- Home Office
- Kent Police
- Leicestershire Police
- Liberal Democrat Home Affairs, Justice and Equalities Parliamentary Party Committee
- National Crime Agency
- North Yorkshire Police
- Perendie
- Police and Crime Commissioners for:
  - Avon and Somerset
  - Cheshire
  - Derbyshire
  - Durham and Darlington
  - Essex
  - Greater Manchester
  - Hampshire and the Isle of Wight
  - Kent
  - Lincolnshire
  - Northumbria
  - North Yorkshire
  - Surrey
  - Sussex
  - West Yorkshire
- Professional Standards Department, Durham Constabulary
- Professional Standards Unit, Bedfordshire, Cambridgeshire, and Hertfordshire Police
- Safer London Foundation
- South Asian Consortium Kirklees
- The Faculty of Forensic and Legal Medicine
- The Police Federation of England and Wales
- The Police Foundation
- West Yorkshire Police and Crime Panel