

Quarter one 2019/20

Supporting best practice in force complaint handling



**You told
us**

Delays in appeal outcomes

We were contacted by a PSD about the status of a number of outstanding appeals. The current allocation times for investigation and non-recording appeals is six weeks and 12 weeks respectively. The delays are due to resourcing issues caused by staff moves, increased referrals, and unexpected demand. We will update current allocation times in our monthly message. While we will let you know if there are any significant delays, you can still contact your oversight liaison with any queries about delays on specific cases.



Preparing for the new culture of learning

We have seen increased conversations with forces about what they are doing to move towards a learning culture in preparation for legislative change. We created a summary of all force initiatives that embrace the ethos of legislative change. We shared this with our operations teams so they are aware of the initiatives when making decisions.

Please discuss any changes you are considering implementing with your oversight liaison. They will advise you if the initiative is compliant with current legislation and share details of your initiatives with our operations teams.

Non-recording appeals

There is an increase this quarter in the number of concerns operations staff have raised about non-recording appeals received.

Forces should give a recording decision to complainants within 15 working days (ten to make the decision and five to communicate it). Complainants can appeal to the IOPC if they have not received a recording decision within this time. If a decision has not been made by the time the appeal has been received, the appeal will be upheld and forces will be told to make a recording decision.

Where forces think the complaint should not be recorded because it meets one of the exemption categories, the force should state clearly which exemption(s) they think apply and provide clear reasons explaining the decision. Providing a clear rationale not only helps the complainant to understand the decision, but also helps the assessment analyst to understand the decision if an appeal is received.

Some of the concerns raised were about forces failing to tell complainants about their appeal right and telling the complainant how they would handle the complaint if they were

Who have we been to see this quarter?

We went to 17 meetings with professional standards departments (PSDs) and two meetings with staff at the offices for police and crime commissioners (OPCCs). Some were joint meetings.

We also went to four regional meetings.

Other events and meetings we attended:

- Three Sancus (provider of PSD training) events to explain our role.
- Two independent investigation process mapping exercises with Essex Police and the Metropolitan Police Service (MPS).
- Death or serious injury (DSI) input with Cumbria Constabulary.
- New joiners' induction day at the MPS to explain the role of the IOPC.
- Input on the referral criteria and IOPC requirements at scenes to senior management at North Yorkshire Police.
- South East regional practitioners group forum.
- Meeting with the MPS to discuss reviewing local DSI reports.
- Meeting with the IOPC's head of presenting unit, the MPS and Mayor's Office for Policing and Crime (MOPAC) to discuss phase three reforms.

told to record it. All outcome letters should tell the complainant about their right to appeal to the IOPC. Forces should not try to discourage complainants from appealing by outlining how they will handle any subsequent upheld appeal.

Two issues of Focus cover recording complaints. [Focus issue 2](#) covers complaints that are vexatious, oppressive, an abuse of procedure and fanciful. [Focus issue 8](#) covers more general advice about when a complaint becomes recordable and making enquiries before making a recording decision.

Contact your oversight liaison if you need guidance about recording complaints.



What trends have we spotted this quarter?

Our Oversight team responded to **125** external telephone and email queries during April, May and June 2019.



Did you know?

Background papers for DSI reports

Copies of evidence, including media, used by the investigating officer to reach their conclusions should be provided when submitting completed local DSI reports to the IOPC for review. The casework manager cannot assess the case without the background papers. Providing copies with the report reduces the likelihood of the casework manager requesting further information, thus reducing delays in receiving a decision from us. Further information about local DSI investigations is available in the FAQ document recently circulated to all forces.

Independent investigation process mapping

In the last bulletin we told you we had carried out process mapping with Greater Manchester Police, West Yorkshire Police and Essex Police. The exercise with Essex Police was circulated

- Together with our stakeholder engagement team, we gave an input about the work of the IOPC, local resolution and non-recording to Cleveland Directorate for Standards and Ethics (DSE), the OPCC and the external scrutiny panel set up by the DSE.
- Meeting with Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) to discuss data sharing to inform their inspections.
- National Police Chiefs' Council complaints and misconduct working group meeting (chaired by Chief Constable Craig Guildford).

in May. In May we spent three days with the MPS conducting the final mapping exercise. This has been written up and is being approved by the attendees. Once approved, we will cross-reference all the maps and create one document. This will be shared and fed into other work in our business plan to create a future model of the investigation process. We will also collate good practice we have identified, opportunities for improvement, issues identified by the mapping, and suggest actions.

Trialling joint meetings

Our oversight liaison invited Essex Police to our offices and trialled a joint meeting with our investigators. This followed the success of the process mapping exercise with Essex Police in March. This gave us the opportunity to introduce officers and staff from Essex Police to key members of the investigations team. Positive feedback was received from Essex Police who were glad to have met some of our operational staff. Our operations team leader at the meeting will go to future meetings to represent investigations, and we will continue to monitor this initiative.

Good practice and force initiatives

West Yorkshire Police trial 'there and then' complaint resolution

West Yorkshire Police recently implemented a 'there and then' resolution trial. This is in response to feedback from some service users that they did not want to go through a complicated and potentially time-consuming local resolution or non-special requirements investigation. They just wanted things to be fixed 'there and then'.

West Yorkshire Police has a dedicated 'service review team' (re-named from 'service recovery team' to reflect a new focus on learning). When a complaint is suitable for 'there and then' resolution, the team works to have meaningful contact with the service user within 24 hours. Other forces approached West Yorkshire Police about this trial and are interested in adopting something similar.



Correspondence this quarter

- > **2 April 2019** Letter to all heads of PSDs and PCCs asking them to support our 'Make Yourself Heard' campaign during National Stalking Awareness Week.
- > **18 April 2019** Oversight March monthly message to all PSDs and OPCCs.
- > **25 April 2019** Letter to all heads of PSDs and OPCCs explaining the delay in legislative change and encouraging adoption of changes and focus on learning.
- > **15 May 2019** Oversight April monthly message to all PSDs and OPCCs.
- > **29 May 2019** Publication of [Oversight Bulletin, Quarter 4.](#)
- > **14 June 2019** Letter to heads of PSDs asking for feedback on changing the language for decisions on complaints from upheld/not upheld.
- > **20 June 2019** Oversight May monthly message to all PSDs and OPCCs.
- > **26 June 2019** Email to PSDs providing updated DSI FAQs.

Norfolk and Suffolk Constabulary - force initiatives

Norfolk and Suffolk PSD's complaints management unit provides training and mentoring for local officers who locally resolve complaints. The aim is to build confidence, improve quality, and encourage early engagement with the complainant where possible. As part of this new initiative, the PSD contacts the appointed officer a week after a case has been allocated to provide guidance and go through any issues. There is also an escalation process when the progression of complaints is delayed. Delays are initially escalated to the supervisors of the appointed officer, then the PSD, all the way up to department heads if necessary.

Norfolk and Suffolk Constabulary use trained staff to support victims of abuse of position for a sexual purpose. This is an extension of the Norfolk and Suffolk victim support service commissioned by the OPCC. The support has always been there for criminal matters, but is now available for victims during misconduct proceedings too.

MPS embeds documentary evidence within DSI investigation reports

One of our oversight liaisons and casework operations managers met with the MPS to provide a general input around local DSI investigation reviews. During the meeting they showed us their DSI template report. This encourages the investigating officer to embed the evidential documents into the report. This can be opened directly from the report by clicking on them, making sure the relevant documentary evidence is available when the report is sent to the IOPC for review. This reduces the number of background papers that need to be collated and sent to us.



Want to know more?

What else would you like to see in these updates? Get in touch and let us know!

@ Contact us

Email: oversight@policeconduct.gov.uk



Forward look

IOPC awareness days

We are designing an IOPC awareness day to introduce the IOPC to new PSD staff and other relevant stakeholders. Our pilot session will be held in Sale in October. Invites have been sent to north west forces and stakeholders.

Future oversight work

We are exploring ways to measure and maximise the impact of our work in promoting good practice in complaints handling. It is likely we will conduct additional work to consider types of complaints in more depth, and will look to work collaboratively with PCCs and PSDs.

Customer service excellence award

We are working to achieve customer service excellence accreditation. One of the areas the Oversight team wants to develop is how we best meet your needs in terms of the contact and products we produce. We will obtain feedback in the near future to improve the service we offer.

Operations future design

We are exploring the future design of our operational work. We will conduct this work collaboratively and you will hear more about opportunities to be involved.
