



# Guidance on capturing data about police complaints

# 1. Introduction

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- 1.1. It is necessary to capture all feedback about complaints made by members of the public about the police (including those not recorded under Schedule 3 of the *Police Reform Act 2002*). Maintaining accurate and consistent information about complaints plays a part in ensuring public confidence in the police complaints system, helping to identify opportunities for learning and improvement. This information can also be used to identify issues and trends, and it contributes to a sound evidence base that informs development of future policy and practice at local and national levels.
- 1.2. This document is issued in support of the routine request for all police forces in England and Wales to supply complaints data to the IOPC. This request is made under the Home Secretary's statutory powers (also referred to as Annual Data Requirement or ADR). This document provides guidance for logging complaints and sets out definitions for a range of terms used in relation to police complaints. It applies to complaints as they are defined under the *Police Reform Act 2002*, as amended by the *Policing and Crime Act 2017*, and has been developed in consultation with force professional standards departments, local policing bodies and other statutory stakeholders.
- 1.3. The term 'logging' is used to mean capturing data about a complaint on a case management system. It has been introduced to differentiate from 'recording' a complaint, which refers to recording under Schedule 3 of the *Police Reform Act 2002* (PRA).
- 1.4. It is good practice for police forces and local policing bodies to make a record of all contact that expresses dissatisfaction with the police. However, this guidance applies only to expressions of dissatisfaction that must be logged as a police complaint, as set out in Section 3 of this guidance. This document is intended as guidance for the logging of complaints on police force and local policing body databases, not as guidance for the handling of police complaints generally. The IOPC's Statutory Guidance provides the IOPC's framework for the handling of police complaints. We refer to the relevant sections of the Statutory Guidance throughout this document. As well as the legislation and guidance governing the police complaints system, police forces and local policing bodies must also have due regard to other legislation that has implications for capturing data about police complaints, such as the Public Sector Equality Duty, data protection legislation, and guidance from the Information Commissioner's Office.

## 2. Responsibilities for complaints data

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- 2.1. Both police forces and local policing bodies have a duty to log information about complaints dealt with under Schedule 3 (including complaints about chief officers) for which they are the appropriate authority. This includes information about any subsequent reviews. Additionally, they have a duty to log information about police complaints handled outside of Schedule 3 as determined in Section 3 of this guidance. Police forces and local policing bodies should therefore ensure that they have appropriate systems in place to log this information, manage complaint handling and provide data to the IOPC.
- 2.2. Where a complaint is made to the incorrect appropriate authority, whether to a police force or a local policing body, the organisation that receives it is responsible for forwarding the complaint to the correct appropriate authority (see Chapter 6 of the IOPC Statutory Guidance).
- 2.3. When a complaint is made to a local policing body that is not about the chief officer, the local policing body is responsible for informing the relevant police force as they are the appropriate authority (for example organisational complaints or those involving anyone serving with the police other than the chief officer). This is the case regardless of whether the complaint is recordable under Schedule 3 and irrespective of which model of complaints handling the local policing body has adopted. (See Chapters 1 and 6 of the IOPC Statutory Guidance.)
- 2.4. Where the local policing body has adopted model two or three and is using the same case management system as the relevant police force for logging complaints, there may be no need for additional notification of the complaint to be made to the force. Where the local policing body has adopted model two or three and is using a different case management system, processes should be put in place to ensure prompt notification of complaints to the relevant police force. Care should be taken to ensure that any data logged by both parties does not lead to that complaint being duplicated in the data sent to and/or reported by the IOPC. Duplication of data will lead to inaccurate reporting in relation to how many complaints are being made and what is being complained about.
- 2.5. In accordance with the ADR for police complaints data, police forces and local policing bodies are required to provide data about complaints logged on their databases, at a frequency stipulated by the IOPC. The guidance in this document is also relevant to how the IOPC presents this data to the public. More information on how the IOPC analyses and presents this information is available on our website at [www.policeconduct.gov.uk](http://www.policeconduct.gov.uk).

### 3. Logging a complaint case

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- 3.1. A police complaint is an expression of dissatisfaction by a member of the public about the service they have received from a police force. Forces and local policing bodies should capture information about all expressions of dissatisfaction with the police made to them by the public on their existing systems for recording contact with the public. However, in accordance with this guidance, not all expressions of dissatisfaction must be logged as a police complaint and included in police complaints data provided to the IOPC.
- 3.2. Some dissatisfaction, which does not meet the criteria for recording a complaint under Schedule 3 of the *Police Reform Act 2002* (PRA), may be resolved quickly to the satisfaction of the complainant. There is no requirement to log these expressions of dissatisfaction as police complaints. (Chapter 6 of the IOPC Statutory Guidance provides information about when complaints must be recorded under Schedule 3 of the PRA.)
- 3.3. Other expressions of dissatisfaction must be logged, provided they meet the following criteria:
  - the person making the complaint must be eligible to make a complaint under the PRA – refer to Chapter 5 of our Statutory Guidance
  - the complaint must have been made to any force, any local policing body or the IOPC
  - it appears that the complainant would like something more to happen than merely having a query answered

If all the above points apply, the complaint must be logged in accordance with this guidance and included in the data provided to the IOPC.

- 3.4. The police force, or local policing body where they have adopted model two or three, should still log a complaint case even if actions to resolve the complaint are 'suspended' to prevent the prejudice of any criminal investigations or proceedings. (Chapter 15 of the IOPC Statutory Guidance provides more information about when the power to suspend can be used and what should be considered when deciding whether to suspend a matter.)
- 3.5. The body responsible for the initial handling of the complaint must contact the complainant and seek their views about how the complaint should be handled. This will be the police force unless the local policing body has adopted model two or three, in which case, it will be the local policing body. If it is immediately obvious that the complaint is one that must be recorded and handled under Schedule 3, the complaint can be recorded before contacting the complainant. Chapter 6 of the IOPC Statutory Guidance provides more information about the initial handling of a complaint.)

## Complaints recorded under Schedule 3 of the PRA

- 3.6. Some complaints recorded under Schedule 3 may contain multiple allegations, some of which are likely to take significantly longer to address than others. When this is established, it should be explained to the complainant as soon as practicable. Some allegations may take longer to address because they are more serious and need a substantial formal investigation or because they need to be suspended. The answer to allegations that can be addressed more quickly should be shared with the complainant as part of the progress updates on their complaint, where possible. It should also be explained that the complainant will only have a right of review at the end of the entire complaint.
- 3.7. It may become apparent during early conversations with the complainant that they would prefer to have the outcome and the associated right of review sooner for the allegations that can be handled more quickly. In these cases, there is the option to split the allegations on the complaint into separate complaint cases to enable that to happen. If this is a feasible option, the investigator/complaint handler should explain to the complainant how this will work and get their agreement to this. They should also make clear to the complainant that they will be entitled to a right of review at the end of each complaint in respect of the allegations addressed on that complaint only – they will not get further rights of review when the other complaint(s) conclude.
- 3.8. If the complainant agrees to their complaint being split into separate complaints, we recommend that those allegations that can be finalised remain on the original complaint case reference. When available, the outcome to these should be communicated to the complainant or their representative. The remaining allegations that will be finalised later should then be moved to the new complaint case reference.
- 3.9. We do not expect many complaints to be split, nor do we expect this to be an option offered to complainants regularly – it should happen only when there is going to be a significant difference in the length of time different allegations will take to address and splitting the complaint offers better customer service. Appropriate authorities are under no obligation to split complaints if they feel that there is no benefit to handling them separately, or if they consider that the various elements of the original complaint are too interlinked to be able to provide the complainant with distinct rights of review. If a complainant expresses a desire for a complaint to be split where the complaint handler does not feel it is necessary, this should be explained to them as part of the ongoing communication and updates on the complaint.

3.10. It is accepted that in cases where complaints are split, it will impact on the number of complaint cases reported. However, the number of allegations and complainants reported in any given time period will remain the same.

**Date complaint made:** is the date a complainant or their representative first contacts any police force, any local policing body or the IOPC to make a complaint, regardless of whether the organisation they contact is the body responsible for the initial handling of that complaint. Contact may be face-to-face, or via telephone, email, letter or social media. We do not expect police forces and local policing bodies to scour social media for expressions of dissatisfaction. However, where someone directs a post expressing dissatisfaction at the force or local policing body, and they appear to meet the definition of a complainant, the force or local policing body should ensure that they have systems in place to bring that post to the attention of the department or body responsible for the initial handling of a complaint. (See Chapter 2 of the IOPC Statutory Guidance for more information.)

Where there are multiple complainants on a single complaint case, a 'date complaint made' should be logged for each complainant as each complaint may have been made at different times (see Section 5 for more information about logging complaint cases involving multiple complainants).

**Date complaint case received:** is the date when a complaint is received by the relevant department in the body responsible for the initial handling of the complaint. If a complaint is forwarded to a local policing body as the body responsible for the initial handling of a complaint by the IOPC or the appropriate authority (where the body responsible for initial handling is the local policing body), the complaint case received date is the date the complaint is received by the body responsible for the initial handling of the complaint.

**Date complaint case logged:** is the date when the first allegation in a case is logged by the body responsible for the initial handling of a complaint onto their case management system for complaints. This includes all complaints, regardless of whether the complaint is recorded under Schedule 3. The holding of a complaint in any other format, such as in an email, does not constitute logging. The IOPC expects the body responsible for the initial handling of the complaint to log a complaint as soon as possible from receipt of the complaint (ref. chapter 6 of the IOPC Statutory Guidance).

**Date of initial contact with the complainant:** is the date when the body responsible for the initial handling of the complaint has made the obligatory contact with the complainant and sought their views on how the complaint should be handled. This should happen as soon as possible after the body responsible for the initial handling of the complaint receives the complaint (ref. chapter 6 of the IOPC Statutory Guidance). Where there are multiple complainants on a single complaint case, each complainant must be contacted and their views sought, and a separate 'date of initial contact' should be logged for each.

**Date complaint case recorded under schedule 3:** is the date it is determined that a complaint needs to be recorded under Schedule 3. This could be at the same time that a complaint is logged, after initial contact with the complainant or after initial handling of the complaint has commenced. It could also be after initial handling has been completed but the complainant is not satisfied with the outcome and requests their complaint be recorded. For complaints that are immediately recorded under Schedule 3, this date will be the same as the 'date complaint case logged'.

**Reason recorded under Schedule 3:** there are three reasons why a complaint must be recorded under Schedule 3:

1. the complainant wishes it to be recorded
2. the nature of the allegation(s)
3. the appropriate authority/body responsible for initial handling decides it is appropriate(see Chapter 6 of the IOPC Statutory Guidance)

For reporting purposes, there is a fourth reason that is essentially a sub-section of reason 1. This should be used where a complaint has been finalised outside of Schedule 3 and the complainant is not satisfied with the outcome and requests that their complaint be recorded: 4. dissatisfaction after initial handling.

**Date complainant notified of the outcome of their complaint:** is the date the complainant or their representative is informed, by the body responsible for keeping the complainant updated, of the decision on and any planned actions arising from the complaint handling (see sections 7 and 8 of this guidance). This includes any processes or proceedings – for example, to deal with learning outcomes (individual or organisational), referral to the reflective practice review process (RPRP) or disciplinary proceedings. For complaints handled under Schedule 3, this also includes giving the complainant their right of review. However, it does not include the time during which the complainant may make an application for a review. For complaints involving a single allegation, this will be the same date as 'date allegation finalised'. For complaints involving multiple allegations, this date will be the same as the latest 'date allegation finalised'. Where a complaint is finalised outside of Schedule 3, but is subsequently recorded and handled within Schedule 3, there will be two 'notified of outcome' dates, one for each handling.

**Date complaint case finalised:** is the date when all action on a complaint case has been concluded. This includes:

- time during which an application for review could be lodged and, where an application for review is made, the time to deal with it
- time for any actions resulting from a recommendation or direction, made either following an investigation or consideration of a review, to have been completed
- time for the actions arising from an RPRP meeting to have been communicated to the complainant or their representative, but does not include time required to complete the actions arising from the review meeting
- time for misconduct and/or criminal proceedings to be concluded and the complainant or their representative to be informed of the outcome (this includes any associated appeals about the outcome of the misconduct and/or criminal proceedings)
- time for initial outcomes of unsatisfactory performance procedures (UPP) to have been determined and communicated to the complainant or their representative. The 'initial outcomes of UPP' refers to the outcome of the particular UPP process that originates from the complaint and not any subsequent processes later down the line – for example, the written improvement notice issued at the first stage meeting, not the second stage meeting that results because the written improvement notice has not led to improvement.



## 4. Logging allegations

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4.1. A complaint case will contain one or more allegations (Chapter 5 of the IOPC Statutory Guidance explains what people can complain about). An allegation may concern:

- a matter that does not relate to conduct or a specific individual, but that has had an adverse effect on the person making the complaint
- the conduct of a person serving with the police (including a person who was off-duty at the time of the incident)
- the conduct of a person who is no longer serving with the police where it concerns matters that took place while they were serving

4.2. An allegation is made by someone defined as a complainant under the PRA (see Section 5 below). An allegation may be made by one or more complainants about the service they have received from a police force. It may be organisational or about the conduct of one or more people serving with the police. One or more linked allegations may be contained within one complaint case.

4.3. The following rules should be applied when logging allegations on a complaint case:

- a person should be logged as subject to the complaint only if the complaint is about the conduct of that individual – this can be updated subsequently if the information is not known when the allegation is being logged
- where the complaint is about the conduct of an individual, but the person being complained about is not known, the allegation will still be logged with an unknown ‘person subject to the complaint’
- where the complaint is about the conduct of an individual, it should also be noted if it relates to off-duty conduct
- an allegation will be logged against a category, which should be selected based on the root of the dissatisfaction expressed – please see paragraphs 4.5 to 4.8 for more information
- all national complaint factors that apply to an allegation should be selected for each allegation – please see paragraphs 4.5 to 4.8 for more information
- all local complaint factors that apply to an allegation should be selected for each allegation – please see paragraph 4.9 for more information

4.4. Allegations should only be deleted to deal with logging errors. For example, if the same allegation has been logged twice on a case in error. In this situation, the duplicate allegation should be deleted from the case, ensuring that any individuals linked to it are logged on the correct allegation. A separate record should be made of the deletion and the rationale. This is

separate to any requirements to delete data as a result of responsibilities under the General Data Protection Regulation 2016/679 (GDPR).

## Complaint categories and national complaint factors

- 4.5. The purpose of the categories is to capture the root of the dissatisfaction expressed in a complaint. The majority of the categories apply to both organisational complaints and complaints about individual behaviour. The purpose of the factors is to capture the situational context of the dissatisfaction expressed in a complaint. No distinction is made between organisational complaints and complaints about individual behaviour as the factors are only about giving context to a complaint.
- 4.6. Each allegation should have a single category (and sub-category, where available) selected. However, multiple complaint factors can be selected on a single allegation.
- 4.7. The combination of categories and factors provides a richer picture of what people are complaining about compared to the categories alone:

<b>Example</b>	<b>Category = source of dissatisfaction</b>	<b>Factor = situational context</b>
A complaint is made by a relative of a man who had placed several calls to 999 and 101. The calls expressed concerns for the man's safety, but the police dismissed the concerns and refused to respond. The man was later found murdered by his neighbours.	One allegation, category A1 (Police action following contact)	Call handling, Death
A complaint is made that an officer who arrested the complainant used excessive force when applying handcuffs. This resulted in the complainant's arm being fractured.	One allegation, category B4 (Use of force)	Arrest, Restraint equipment, Serious injury
A complaint is made by the family of a woman left in a coma following an assault. They allege that the police failed to speak to all the witnesses of the assault and therefore failed to identify the person who attacked the woman.	One allegation, A1 (Police action following contact)	Investigation

A complaint is made by a man who knows a police officer socially. He alleges that the officer has shared sensitive information about a police investigation on a WhatsApp group.	Two allegations, categories D2 (Disclosure of information) and K (Discreditable conduct)	Social media
A complaint is made by someone who claims that the police repeatedly stop their vehicle for no apparent reason.	Two allegations, categories B1 (Stops, and stop and search) and H5 (Overbearing or harassing behaviours)	Roads/traffic
A complaint is made that police officers no longer patrol a local town centre, which has led to an increase in anti-social behaviour.	One allegation, category A2 (Decisions)	Neighbourhood policing

4.8. The list of categories, along with definitions and examples, is set out in Appendix A. The list of national complaint factors and their definitions is set out in Appendix B.

4.9. Forces and local policing bodies also have the option to create additional 'local factors'. These should be created only where one of the following applies:

- to highlight a common theme in complaints not captured in the national complaint factors
- to identify complaints about a force-specific tactic, policy or initiative
- to flag complaints about a specific incident – such as large-scale public disorder following a specific football match

Forces and local policing bodies should have appropriate governance in place to explain when local factors should be created, as well as guidance to ensure that these are applied consistently across the force area. Data about local factors, where available, will be collected by the IOPC and analysed as part of our oversight work with forces and local policing bodies.

**Date allegation received:** is the date when a complainant or their representative first contacts the body handling the complaint to make an allegation. The date of the first allegation received will always be the same as 'date complaint case received'. There can be a number of allegations attached to a complaint case and subsequent allegations may be made at a later date.

**Date allegation logged:** is the date that an allegation is logged by the body handling the complaint onto their case management system for complaints. Several allegations can be logged on a complaint case; only the date of the first allegation logged has to be the same as the 'date complaint case logged'. The holding of an allegation in any other format, such as email, does not constitute logging.

**Date allegation finalised:** is the date the complainant or their representative is informed, by the body responsible for keeping the complainant updated, of the decision on and any planned actions arising from the allegation (see sections 7 and 8 of this guidance). 'Planned actions' includes any planned processes or proceedings; for example, to deal with learning outcomes (individual or organisational), referral to the RPRP, UPP or disciplinary proceedings. It does not include any time during which a complainant may make an application for a review.

## Examples

### **Multiple allegations of *different types* resulting from the same incident**

**Example 1:** a complainant alleges that an officer pushed her and swore at her. This should be logged as two separate allegations – one for the allegation of being pushed and the other for the allegation that the officer swore.

### **Multiple allegations of the *same type* resulting from the same incident**

If a complainant alleges a series of similar actions and these form one continuous incident, this should be logged as a single allegation.

**Example 2:** a complainant alleges that an officer was rude to him when they asked to speak to him and again during their conversation. This should be logged as one allegation.

However, if the matters took place at different times, then these would not form one continuous incident and should be logged as separate allegations.

**Example 3:** a detainee alleges that while in custody, she was refused legal advice when booked in. She also alleged that two hours later she was refused medical attention, and then two hours after that, she was refused food. These are three separate incidents and should therefore be logged as three separate allegations.

### **Multiple allegations, only some of which must be recorded under Schedule 3 of the PRA**

Where a complaint contains multiple allegations, only some of which must be recorded under Schedule 3 of the PRA, the body responsible for the initial handling of the complaint should record the whole complaint under Schedule 3 and handle it in accordance with the provisions of that Schedule.

**Example 4:** a complainant alleges that an officer failed to keep them properly updated on the investigation into a matter they reported. They also allege that the officer racially discriminated against them. The complaint, and all allegations within it, should be recorded under Schedule 3 and the entire complaint case should be handled in accordance with that Schedule.

Additional guidance and case studies about the logging of allegations can be found in the IOPC guidance *Focus*, Data capture: logging a complaint.

## 5. Logging complainants on a complaint case

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5.1. Chapter 5 of our Statutory Guidance explains who can make a complaint under the PRA.

5.2. The following rules should be applied when logging complainants on a complaint case:

- each complaint case will have at least one complainant logged against it
- a complainant is logged once per case, regardless of how many allegations they have made on the complaint case

5.3. Additional considerations apply where more than one complainant makes a complaint about the same incident.

### Where more than one complainant makes allegations about the same incident

- Where more than one complainant makes allegations about the same incident, there is the option to log a single complaint case, with each complainant linked to their allegation. Each complainant should be given the opportunity to say how they want their complaint handled and, where the complaint is recorded under Schedule 3 of the PRA, each complainant will receive their own independent right of review of the outcome of the complaint.
- Where multiple allegations are made, each complainant should be linked to all the allegations made in their specific complaint. It is not necessary for all complainants on a single complaint case to have made all the allegations logged on that case.
- However, there may be instances when it is not practicable to log a single complaint case with multiple complainants. For example, this may be because:
  - the agreed means of handling the complaint are different
  - because of the nature of new allegation(s)
  - it would be impracticable to manage individual review rights under a single logged complaint
  - there is a time lag between the complaints being made
  - because of how far the handling of the original complaint case has progressed

- Some events may generate multiple complaints via multiple routes (for example, a force control room, the chief officer's staff office and the force's professional standards department [PSD]). In these cases, the relevant departments within the body responsible for the initial handling of the complaint may address the matters they are aware of. We do not expect them to actively seek out other related complaints that other departments may have received before they do this.

## Example

### Multiple complainants making allegations resulting from the same incident

Where a group of people make allegations separately about the treatment they have received during a single incident, a single complaint case should be created, if it is practicable to do so. Each complainant should be linked to all the allegations made in their complaint. If the complaint is immediately or subsequently recorded under Schedule 3 of the PRA, each complainant will receive their own right of review.

**Example 5:** several people who had been present in a mass demonstration subsequently complain that they were assaulted by police officers. These should be logged as a single complaint case with multiple complainants. The nature of this complaint means that it must be recorded under Schedule 3 of the PRA, and each complainant should be given their own independent right of review of the outcome of the complaint.

To ensure consistency across all complaint handling for a force area, regardless of whether the force or the local policing body is responsible for the initial handling, it may be advisable for forces and their local policing body to discuss their approach to logging multiple complaints about the same incident. This will also help to avoid any disagreement about the approach when the local policing body is considering reviews of the outcome of complaints dealt with by the force.

## Where more than one person jointly makes the same complaint

- A single complaint case with multiple complainants should be created. It is important that joint complainant status is confirmed with all those involved during early contact with them. If the complaint is recorded (either immediately or subsequently during the complaint handling)

under Schedule 3 of the PRA, the body handling the complaint should also explain that there will only be a single right of review at the end of the handling of the complaint.

Additional guidance and case studies about the logging of complaints involving multiple complainants can be found in the IOPC guidance *Focus*, Data capture: logging a complaint.

5.4. The body handling the complaint is expected to ask complainants to provide their demographic information and, where this information is provided, to log it on the case management system for capturing complaints data. If this information is not known at the time the complaint case is created, it should be updated later when more information may be available. For complaints handled outside of Schedule 3, demographic information for complainants will be collected only if it is available. It may not always be practicable to collect and log this information for these complaints. It is important to monitor demographic information to enable interrogation of the data and thereby, alongside other information, a greater understanding of the experience of complainants from different backgrounds.

## 6. Logging the person subject to the complaint

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6.1. Chapter 5 of our Statutory Guidance explains what can be complained about.

6.2. Not all complaints will be about the conduct of an individual; many will be organisational in nature and should therefore not have an individual logged on them as subject of the complaint.

6.3. If a complaint is about the conduct of a person or persons, the following rules should be applied when logging subjects on a complaint case:

- all persons subject to the complaint must be logged on the complaint case and linked to each of the allegations against them
- if the details of the person complained about are not known, they should be logged as an 'unknown' person
- where known, the role and rank of the person subject to the complaint should be logged.



6.4. The body handling the complaint is expected to take into account the duty placed on public bodies by the *Equality Act 2010*.

## Examples

### Allegations involving more than one officer

If a person makes a single allegation involving more than one officer, this should be logged as one allegation with multiple subjects linked to it.

**Example 6:** a detainee alleges that two officers assaulted them during their arrest. This is one allegation with two subjects.

### Multiple allegations of the *same type* involving more than one officer

If a person alleges a series of *like* actions involving *more* than one officer, each of whose actions are clearly identified, they should be logged as separate allegations.

**Example 7:** a detainee alleges that Officer A assaulted them during their arrest and that Officer B assaulted them again in the car on the way to the police station. This should be logged as two separate allegations as part of the same complaint case.

### Multiple allegations of *different types* against more than one officer

If more than one officer is involved and different actions are linked to each one, they should be logged separately according to the nature of each allegation.

**Example 8:** a PSD receives a letter from a member of the public alleging that, during a foot stop, Officer A was rude to her and that Officer B assaulted her. The allegation against Officer A and the allegation against Officer B both need to be logged as separate allegations as part of the same complaint case.

Additional guidance and case studies about the logging of complaints about multiple individuals can be found in the IOPC guidance *Focus*, Data capture: logging a complaint.

## 7. Logging the allegation decision and actions

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7.1. An allegation decision should be logged for each allegation finalised.

- 7.2. Once an allegation is finalised, it may lead to further actions – for example, organisational learning, RPRP, or action against the person subject to complaint. This information should be communicated to the complainant and recorded on the relevant case management system. At least one action should be selected on each allegation finalised and multiple actions should be selected where appropriate.
- 7.3. Both the allegation decisions and the subsequent actions available will depend on two things: firstly, whether the complaint has been handled outside or under Schedule 3; and secondly, the means of handling where it has been dealt with under Schedule 3.

## Complaints handled outside Schedule 3

### Allegation decisions

- 7.4. Where a complaint is handled outside of Schedule 3, the allegation decision will be: 'resolved' or 'not resolved'.
- 7.5. If the complainant subsequently expresses dissatisfaction with the resolution and asks for the complaint to be recorded, the body responsible for the initial handling of the complaint should ensure the complaint is passed to PSD to deal with (if it was being dealt with outside of PSD). The date the complainant informs the body responsible for the initial handling of the complaint that they wish their complaint recording should be logged as 'date recorded under Schedule 3' and the reason as 'dissatisfied after initial handling'.

### Allegation actions

- 7.6. The actions available on allegations for complaints handled outside of Schedule 3 are listed below. Multiple actions should be selected where appropriate:
- org learning issued – organisation-wide
  - org learning issued – department/division
  - org learning issued – team
  - learning from reflection
  - policy/procedure review
  - gesture of goodwill
  - apology/acknowledgement something went wrong
  - explanation provided
  - debrief of original incident
  - no further action
  - other action

If 'other action' is selected, a short description of the action should be logged. The description should not contain any personal identifying or other sensitive information and should be limited to describing the action taken/to be taken.

## Complaints handled under Schedule 3

7.7. Chapter 10 of the IOPC Statutory Guidance explains the different ways for handling complaints under Schedule 3 of the PRA. All complaints that have been recorded under Schedule 3 should be handled in a reasonable and proportionate manner; this may mean:

- an investigation
- otherwise responding to concerns raised and seeking to resolve them
- notifying the complainant that no further action will be taken

Chapter 10 also explains when a matter has to be investigated.

7.8. If a complaint is investigated, the investigation will fall into one of three types: local, directed, or independent. The investigation type should be recorded.

7.9. In certain circumstances, an investigation into a complaint will be certified as one subject to special procedures. Whether special procedures apply or not determines the allegation decisions available. Chapter 13 of the IOPC Statutory Guidance provides information and guidance in relation to investigations, including about when special procedures apply.

### **Allegation decisions**

7.10. The allegation decision reflects how the complaint has been handled, with different decisions available for the different means of handling.

### **Investigations subject to special procedures**

7.11. If an investigation is subject to special procedures, the allegation decisions available are:

- case to answer
- no case to answer
- withdrawn
- Regulation 41 applies - this applies where an investigation has previously been suspended because, were it to continue, it would prejudice any criminal investigation or criminal proceedings *and*, once that conflict is removed and the investigation can resume, the complainant either fails to indicate that they want the investigation to resume or states that they no longer wish to pursue their complaint.

Please refer to Chapter 15 of the IOPC Statutory Guidance for more information.

### **Investigations not subject to special procedures and complaints handled otherwise than by investigation**

7.12. If an investigation is not subject to special procedures or the complaint has been handled otherwise than by investigation, the decisions available are:

- the service provided was acceptable
- the service provided was not acceptable
- not able to determine if the service provided was acceptable
- no further action
- withdrawn

If the complaint was investigated not subject to special procedures, there is an additional decision available:

- Regulation 41 applies

7.13. Chapter 17 of our Statutory Guidance explains the decisions (listed below) and how they should be applied:

- the service provided was acceptable
- the service provided was not acceptable
- not able to determine if the service provided was acceptable

## Examples

### **Use of decision ‘the service provided was acceptable’**

This decision should be selected where the investigator/complaint handler has been able to determine that the service provided by the police to the complainant was of a standard that a reasonable person could expect.

**Example 9:** a landlord complains about the police breaking the door to a property when carrying out a welfare check on a vulnerable person who was found unconscious. The complaint handler establishes that the action was necessary and in line with policy.

### **Use of decision ‘the service provided was not acceptable’**

This decision should be selected where the investigator/complaint handler has been able to determine that the service provided by the police to the complainant was not of a standard that a reasonable person could expect.

**Example 10:** a witness attending a police station to provide a statement was unintentionally locked in the building alone. The complaint handler identifies this should not have happened and could have been prevented.

### **Use of decision ‘not able to determine if the service provided was acceptable’**

This decision should be selected where the investigator/complaint handler has not been able to come to a decision about whether the service provided by the police to the complainant was of a standard that a reasonable person could expect. This could be because there is too little information available on which to reach an opinion. Wherever possible, complaint handlers should reach one of the other two decisions.

**Example 11:** a woman complains about her treatment 15 years ago in a custody suite that is now closed. Her account is plausible and she evidently has knowledge of the suite. However, no records from the time are available and no staff who may have knowledge of the alleged incident can be identified. Despite taking steps to try to address the complaint, the investigator/complaint handler cannot reach a definitive conclusion.

7.14. There may be instances where the proportionate response to a complaint may be to take no further action. This decision and the rationale for it should be explained to the complainant. Chapter 12 of our Statutory Guidance

provides guidance about when it may be reasonable and proportionate to take no further action. Additional guidance and case studies can be found in the IOPC guidance *Focus*, Reasonable and proportionate outcomes.

## Allegation actions

7.15. The actions available once an allegation is finalised depend on how the complaint has been handled.

### Investigations subject to special procedures

7.16. If an investigation is subject to special procedures, the allegation actions available are listed below. Multiple actions should be selected where appropriate:

- misconduct proceedings
- criminal proceedings
- RPRP
- UPP
- org learning issued – organisation-wide
- org learning issued – department / division
- org learning issued – team
- learning from reflection
- service improvement meeting
- sharing evidence of learning or service improvement
- policy/procedure review
- gesture of goodwill
- apology/acknowledgement something went wrong
- explanation provided
- debrief of original incident
- return of seized property
- mediation or other remedial action
- provision of information re impact on officer
- reviewing information on police records or databases
- reviewing police cautions
- no further action
- other action

If 'other action' is selected, a short description of the action should be logged. The description should not contain any personal identifying or other sensitive information and should be limited to describing the action taken/to be taken.

## Investigations not subject to special procedures and complaints handled otherwise than by investigation

7.17. For complaints investigated without special procedures or otherwise than by investigation, the allegation actions are listed below. Multiple actions should be selected where appropriate:

- RPRP
- UPP
- org learning issued – organisation-wide
- org learning issued – department / division
- org learning issued – team
- learning from reflection
- service improvement meeting
- sharing evidence of learning or service improvement
- policy/procedure review
- gesture of goodwill
- apology/acknowledgement something went wrong
- explanation provided
- debrief of original incident
- return of seized property
- mediation or other remedial action
- provision of information re impact on officer
- reviewing information on police records or databases
- removing police cautions
- no further action
- other action

If 'other action' is selected, a short description of the action should be logged.

## 8. Logging recommendations following an investigation

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8.1. For recommendations following reviews, please see section 9.

8.2. The IOPC and local policing bodies can make recommendations following certain types of investigation:

- the IOPC can make recommendations following an independent or directed investigation into a complaint
- a local policing body can make recommendations following an investigation into a complaint where they are the appropriate authority,

for example where the investigation was into a complaint about the relevant chief officer

8.3. The IOPC will monitor recommendations it makes on IOPC case management systems and we expect local policing bodies to do the same with recommendations they make.

8.4. Although data on recommendations does not currently form part of the IOPC minimum requirements for police complaints data, it is likely we will look at collecting at least some of this data and reporting on it in the future.

## 9. Logging reviews

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9.1. Under the *Policing and Crime Act 2017*, a complainant has a right of review to assess whether the outcome of their complaint was 'reasonable and proportionate'. The responsibility for considering and determining reviews is shared between the IOPC and local policing bodies. More information about the handling of reviews, including the criteria for deciding who the relevant review body is, can be found in Chapter 18 of our Statutory Guidance.

9.2. For all reviews the following information should be logged:

- the review type (investigation or non-investigation)
- the body handling the review (local policing body or IOPC)
- the review decision
- any recommendations or directions
- the force response to any recommendations
- action taken as a result of any recommendations or directions.

If a force does not accept a recommendation, they should log the reasons for this. This should not contain any personal information. Similarly, the description of action taken as a result of any recommendations or directions should be limited to describing the action and should not contain any personal information.



**Date review received:** is the date that the application for a review is received by the local policing body or the IOPC. It is the date when the application is first received, regardless of where it has been received (a local policing body, the IOPC or a police force). Where the application for review has been sent to the wrong review body or a police force, the time it takes for the application to be forwarded to the correct review body will not be taken into account for the purposes of the 28-day-period in which a complainant may make an application for review (ref. chapter 18 of the IOPC Statutory Guidance). For example, if an application for review is received by the IOPC on 25 January, forwarded to the local policing body as the relevant review body on 27 January, and received by the local policing body on 28 January, the 'date review received' is 25 January.

**Date review completed:** is the date that the complainant or their representative is notified, in writing, of the review decision by the local policing body or the IOPC.

## 10. Logging outcomes of actions

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10.1. Once the allegation decision and actions have been logged, this may lead to further outcomes – for example, actions to implement learning or action to be taken involving the person subject to complaint. This information should be communicated to the complainant and logged on police force and local policing body databases.

10.2. The information that should be logged depends on the action selected:

### Where the action is 'learning'

'Learning' includes the actions: 'org learning issues – organisation-wide', 'org learning issued – department/division', 'org learning issued – team' or learning from reflection'.

10.3. The following information should be logged and, if this data is readily available to be sent to the IOPC as part of the quarterly complaints data submission, it should be provided :

- date learning logged
- type of learning (organisational or individual)
- area of policing
- learning category/theme
- outcome of learning
- review date

- date learning actions completed

10.4. Although data on learning does not currently form part of the IOPC minimum requirements for police complaints data, this data ought to be captured by forces and local policing bodies for the complaints that they handle. Processes should be put in place for sharing learning, to support continual service improvements. It is likely the IOPC will look at collecting this data in the future.

## Where the action is 'RPRP'

10.5. The following information should be logged:

- RPRP origin
- date RPRP case sent to Reviewing Officer for action
- date of RPRP initial discussion/meeting
- date RPRP development report received
- RPRP development report
- deadline for completion of actions
- date RPRP finalised

## Where the action is 'UPP'

10.6. The following information should be logged:

- date UPP case recorded
- UPP type (absence, performance, gross incompetence)
- UPP stage (one, two or three)
- the initial UPP meeting outcome

## Where the action is 'misconduct proceedings'

10.7. The following information should be logged:

- whether it is a meeting or a hearing
- date of the meeting or hearing
- the attendance of each individual subject to the proceedings at a meeting or hearing
- the outcome of those proceedings for each individual
- any subsequent appeal activity including the appeal outcome

## Where the action is 'criminal proceedings'

10.8. The following information should be logged:

- date of trial
- the charge for each individual subject to the proceedings
- the verdict for each individual
- the disposal for each individual

# Appendix A

## Definitions of categories for logging the nature of police complaints

The purpose of the categories is to capture the root of the dissatisfaction expressed in a complaint. The majority of the categories apply to both organisational and individual complaints, which reflects the current definition of a complaint as ‘an expression of dissatisfaction with a police force’ and removal of the distinction previously made between organisational (previously referred to as ‘direction and control’) and individual complaints. Categories A-F and L apply to both organisational and individual complaints. All other categories, except for sub-category G1 (which is organisational only), apply only to individual complaints. A complaint case will contain one or more allegations and a category (and sub-category, where available) should be selected for each allegation logged.

The table below provides a definition for each of the categories, along with some examples. **When applying the categories, select a top-level category first and then review the sub-categories (where available) to identify the appropriate one to select.** Further guidance about how to apply the categories can be found in *Focus*, Data capture: logging a complaint.

Ref	Category / sub-categories	Definition
A	<b>Delivery of duties and service</b>  A1 Police action following contact  A2 Decisions  A3 Information  A4 General level of service	<p>This category is about the service received from the police. Complaints in this category can be organisational or can be about individual behaviour. Any scenarios provided below are intended as examples only, not an exhaustive list of what is covered under each sub-category.</p> <p>A1: Police action following contact This is about the police action following contact, including:</p> <ul style="list-style-type: none"><li>• No or insufficient action in response to a reported incident. For example: the number of officers deployed to an incident or no officers attended, no action taken by the police, or a failure to investigate.</li><li>• The size, nature or quality of an investigation. This includes allegations that evidence was not sought or obtained, and witnesses were not spoken to.</li></ul>

Ref	Category / sub-categories	Definition
		<ul style="list-style-type: none"> <li>• No or insufficient response to a communication or other contact with police, such as no response to a letter sent to the chief officer.</li> <li>• Timeliness of the response (including an investigation) to a reported incident, communication or other contact.</li> </ul> <p>A2: Decisions This is about operational and organisational decisions, including:</p> <ul style="list-style-type: none"> <li>• How matters reported to the police are recorded, such as whether to categorise a call expressing concern about the safety of someone as a welfare concern or missing person, how calls are prioritised (graded) and where a matter is not recorded at all.</li> <li>• Crime recording decisions, including whether to record a matter reported to the police as a crime and the type of crime it is recorded as.</li> <li>• Decisions made at the conclusion of an investigation – for example, whether anyone will be charged or that there will be no further action taken.</li> <li>• Force-wide crime initiatives.</li> <li>• Where officers and staff are located (police presence or absence).</li> <li>• The closure or opening hours of police stations.</li> </ul> <p>A3: Information This is about the information provided or lack of information, including:</p> <ul style="list-style-type: none"> <li>• Insufficient or absence of updates, including on an investigation.</li> <li>• Administrative errors, such as a telephone number recorded incorrectly or typing errors on a force website.</li> <li>• Misleading information, including using facts in a misleading way. It also includes allegations that a police employee lied where it is not an abuse of position.</li> <li>• Absence of information, such as no information about how to contact the relevant department on a police information leaflet.</li> <li>• The information provided in relation to any matter that does not fall under any of the other sub-categories, such as out-of-date information on a force website.</li> </ul> <p>A4: General level of service This relates to the level of service provided where none of the other sub-categories apply.</p>

Ref	Category / sub-categories	Definition
B	<p><b>Police powers, policies and procedures</b></p> <p>B1 Stops, and stop and search</p> <p>B2 Searches of premises and seizure of property</p> <p>B3 Power to arrest and detain</p> <p>B4 Use of force</p> <p>B5 Detention in police custody</p> <p>B6 Bail, identification and interview procedures</p> <p>B7 Evidential procedures</p> <p>B8 Out of court disposals</p> <p>B9 Other policies and procedures</p>	<p>This category is about the use of police powers, including where an available power has not been used, and police policies and procedures. Complaints in this category can be organisational or about individual behaviour.</p> <p><b>B1: Stops, and stop and search</b> This covers all stops, and stop and search under any power, whether of a person or a vehicle, and includes allegations about the use of the relevant power and the procedures followed. If there are associated allegations, these should be recorded separately in their respective categories – for example, allegations about the use of force during the stop should be recorded under ‘use of force’ (sub-category B4).</p> <p><b>B2: Searches of premises and seizure of property</b> This relates to any power to enter and search premises, and seize property. This includes the authority to enter to search, the information provided to the occupier, the nature or scale of the search, the recording of searches, the securing of premises, and seizure or retention of property. It also includes the power to enter and search premises to ‘save life or limb’ or to prevent serious damage to property.</p> <p><b>B3: Power to arrest and detain</b> This concerns the use, or lack of use, of any power of arrest and detention in respect of proportionality, reasonableness, and necessity. This includes informing persons arrested that they are under arrest and of the reason for their arrest, and cautioning them. Allegations relating to time in detention, for example anything from transportation following arrest onwards (as opposed to the power to detain), should be recorded under ‘detention in police custody’ (sub-category B5).</p> <p><b>B4: Use of force</b> This concerns any issue with the use of force, including where equipment is used, and any incident involving police dogs or horses where the allegation is about the handling of the dog/horse. ‘Equipment’ includes batons, restraint equipment, Tasers and firearms. Examples include use of force</p>

Ref	Category / sub-categories	Definition
		<p>when exercising police powers to control a detainee or people in a crowd, or to prevent someone interfering with officers in the execution of their duties. It includes allegations of use of force resulting in any injury and where no injury is sustained, such as pushing. 'Injury' includes both physical and psychiatric injury. It does not include allegations that the force used was excessive because there was no police power to use force because the arrest was wrong – those should be recorded under 'power to arrest and detain' (sub-category B3).</p> <p><b>B5: Detention in police custody</b>  This covers procedures relating to detention in police custody, including immediately following arrest. This includes:</p> <ul style="list-style-type: none"> <li>• The transportation of detainees following arrest.</li> <li>• Informing detained persons of their rights and entitlements.</li> <li>• Providing access to legal advice.</li> <li>• Notification rights.</li> <li>• The provision of support/advice to young/vulnerable detained persons.</li> <li>• The maintenance of custody/property records.</li> <li>• Searches of detained people including strip searches.</li> <li>• The provision of meals, medication and exercise.</li> <li>• Conducting reviews of detention.</li> <li>• The provision of interpreters.</li> </ul> <p><b>B6: Bail, identification and interview procedures</b>  This includes:</p> <ul style="list-style-type: none"> <li>• Bail periods and conditions in relation to their adequacy, proportionality, reasonableness and necessity, both for the person being granted bail and for any persons impacted by the conditions – for example, bail conditions for an alleged perpetrator of domestic violence and the impact of these on the victim.</li> <li>• Identification procedures, including the provision of information and options, and the identification procedures themselves.</li> <li>• The taking of fingerprints, photographs or body samples, and the destruction of those.</li> <li>• Interviewing procedures (including voluntary attendance), including record keeping and the provision of interpreters.</li> </ul>

Ref	Category / sub-categories	Definition
		<ul style="list-style-type: none"> <li>• The issuing of cautions and charging.</li> </ul> <p>B7: Evidential procedures This concerns any issue with the handling of evidence, including disclosure, where it is not an abuse of position. Examples include not wearing appropriate protective clothing when seizing physical evidence, not securing evidence in accordance with relevant procedures and not following disclosure procedures, where it is not an abuse of position.</p> <p>B8: Out of court disposals This includes any out of court disposal the police can issue, including community resolutions, fixed penalty notices, penalty notices for disorder, conditional cautions and simple cautions, in relation to the grounds for them to be issued, the conditions attached to them and the procedures followed.</p> <p>B9: Other policies and procedures This includes allegations relating to any police policy or procedure not captured in another sub-category. It includes both local and national policies/procedures, in relation to: complying with the policy/procedure, the content of the policy/procedure and where there is a lack of policy/procedure. Examples include the completion of risk assessments relating to safeguarding, the management or supervision of officers and/or staff, maintenance of pocket notebooks, use of body worn cameras in line with force policy. It should not be used for capturing multiple irregularities in procedure where other sub-categories apply, in which case allegations should be recorded for each category that applies.</p>
C	<b>Handling of or damage to property/premises</b>	<p>This includes all mishandling of or damage to property or premises. Complaints in this category can be organisational or can be about individual behaviour. Reasonable care must be exercised in order to prevent loss or damage to property (excluding an officer's own personal property, but including police property) and premises. This category can include:</p> <ul style="list-style-type: none"> <li>• the loss of property including money</li> <li>• retention of property</li> <li>• damage to property in police custody</li> <li>• being unable to account for money or property</li> <li>• disposal of property</li> </ul>



Ref	Category / sub-categories	Definition
		<ul style="list-style-type: none"> <li>damages to premises caused by forcing entry</li> </ul> <p>This category excludes the searches of premises and seizure of property (category B2) and property record-keeping in custody (category B5).</p>
D	<p><b>Access and/or disclosure of information</b></p> <p>D1 Use of police systems</p> <p>D2 Disclosure of information</p> <p>D3 Handling of information</p> <p>D4 Accessing and handling of information from other sources</p>	<p>This includes the handling, retention and sharing of information held for police purposes and the handling of information not held by the police but obtained during the execution of police duties. Complaints in this category can be organisational or can be about individual behaviour. Any scenarios provided below are intended as examples only, not an exhaustive list of what is covered under each sub-category.</p> <p>D1: Use of police systems This includes any alleged access of police computer systems that is not in accordance with the data laws – such as checking the details of an ex-partner’s new partner. It also includes any allegations that records have been accessed out of curiosity, rather than for a legitimate policing purpose.</p> <p>D2: Disclosure of information This includes any disclosure of information that is not in accordance with the data laws and includes both deliberate and accidental disclosure. It also includes police employees disclosing personal or sensitive information about someone else, which is not held by the police, but was obtained during the execution of their duty.</p> <p>D3: Handling of information This includes any issue where information has allegedly been mishandled. For information held by the police, this includes the storage and retention of that data. This includes any inaccuracies in the information held by the police about a person, such as markers on the PNC.</p> <p>D4: Accessing and handling of information from other sources This relates to accessing or handling information from non-police systems during the execution of police duties, for example, obtaining information from the local council about a victim of crime without justification and then mislaying that information.</p>

Ref	Category / sub-categories	Definition
E	<b>Use of police vehicles</b>	<p>This only concerns the driving or use of vehicles in connection with police business. It does NOT relate to officers speaking to members of the public in relation to traffic offences. Complaints in this category can be organisational or can be about individual behaviour.</p> <p>Examples of complaints in this category include:</p> <ul style="list-style-type: none"> <li>• a police vehicle was driven through a red light with no lights or sirens activated</li> <li>• a police vehicle is continually parked near a roundabout causing an obstruction</li> <li>• the parking of a police vehicle in a bus stop or in a disabled parking bay</li> <li>• a police van was driven recklessly and mounted the pavement nearly hitting pedestrians</li> <li>• the use of a police vehicle during a pursuit of another vehicle, including the manner of driving and tactical contact</li> <li>• the use of police helicopters in residential areas late at night</li> <li>• police cyclists using the pavement</li> </ul>
F	<b>Discriminatory behaviour</b>  F1 Age  F2 Disability  F3 Gender reassignment  F4 Pregnancy and maternity  F5 Marriage and civil partnership  F6 Race  F7 Religion or belief	<p>This includes any issue where an element of discrimination was involved or was perceived to be involved. It also includes any instances where the possible discriminatory behaviour is identified by the person receiving, recording, or investigating a complaint. Complaints in this category can be organisational or can be about individual behaviour.</p> <p>Discrimination means treating someone (or a group) less favourably than another person (or group) because of a protected characteristic. This includes discriminatory behaviour via social media. Complaints that mention a protected characteristic, but do not complain of being treated differently or less favourably because of it, should not be recorded in this category.</p> <p>Discrimination may be committed (or perceived) on the grounds of age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex (previously 'gender'), or sexual orientation. The specific grounds of discrimination should be identified and recorded for each allegation. When recording an allegation in this category, a sub-category should be selected.</p> <p>This also covers discrimination of other identifiable groups not protected under the Equality Act 2010, such as homeless people, those with mental health conditions or sex workers, or alternative sub-culture groups</p>

Ref	Category / sub-categories	Definition
	F8 Sex F9 Sexual orientation F10 Other	<p>such as goths, emos or punks. Discrimination on these grounds should be recorded with the sub-category 'other'.</p> <p>If there are associated allegations, these should be recorded separately in their respective categories – for example, allegations about rudeness, as well as discriminatory behaviour, should be recorded under 'impolite language / tone' (sub-category H1).</p>
G	<p><b>Abuse of position/ corruption</b></p> <p>G1 Organisational corruption</p> <p>G2 Abuse of position for sexual purpose</p> <p>G3 Abuse of position for the purpose of pursuing an inappropriate emotional relationship</p> <p>G4 Abuse of position for financial purpose</p> <p>G5 Obstruction of justice</p> <p>G6 Abuse of position for other purpose</p>	<p>'Abuse of position' is any attempt or intention by a person serving with the police, whether on or off duty, to inappropriately or illegitimately take advantage of:</p> <ul style="list-style-type: none"> <li>• their position as a person serving with the police</li> <li>• the authority their position as a person serving with the police affords them</li> <li>• any powers conferred on them by virtue of their position as a person serving with the police</li> </ul> <p>When recording an allegation in this category, a sub-category should be selected. Organisational complaints should be logged under G1. Any scenarios provided below are intended as examples only, not an exhaustive list of what is covered under each sub-category.</p> <p>G1: Organisational corruption This covers commonplace or institutionalised actions or behaviours, which are accepted and left unchallenged. For example, there is a tacit understanding with the local public houses that if any police employee comes to their establishment on a certain day of the week, they will receive discounted drinks.</p> <p>G2: Abuse of position for sexual purpose 'Sexual purpose' should be interpreted widely to include any relationship, communication, action or gratification of a sexual nature with a member of the public, including via social media. It is not necessary for the pursued sexual purpose to have been achieved.</p> <p>G3: Abuse of position for the purpose of pursuing an inappropriate emotional relationship An 'inappropriate emotional relationship' is any emotional or personal relationship between a person serving with the police and a member of the public, including via social media, which a reasonable</p>

Ref	Category / sub-categories	Definition
		<p>person would consider to be a serious breach of appropriate professional boundaries. It is not necessary for the pursued improper emotional relationship to have been achieved.</p> <p>G4: Abuse of position for financial purpose This is any attempt to use police knowledge or police powers to achieve a financial gain. This could include falsifying expenses or using police knowledge to extort money from an individual. It is not necessary for financial gain to have been achieved.</p> <p>G5: Obstruction of justice This includes any abuse of position to obstruct justice where the person serving with the police is part of the justice process in their capacity as a police person. It also includes any abuse of position to create false justice, for example, planting of evidence. It does not include any allegations where a person serving with the police themselves is the subject of the justice process that they are trying to obstruct – these belong under ‘discreditable conduct’ (category K). This sub-category can include allegations that a member of the police force:</p> <ul style="list-style-type: none"> <li>• perjured themselves at trial</li> <li>• made a false statement</li> <li>• destroyed or tampered with evidence</li> <li>• induced a person to give evidence falsely or drop a matter</li> </ul> <p>G6: Abuse of position for other purpose This is any attempt to use police knowledge or position to achieve any purpose other than those stated in the other sub-categories. For example, the unauthorised use of a warrant card to obtain preferential treatment; using knowledge of police procedures and storage facilities to be able to steal seized controlled drugs, firearms or other material, either for personal use or with the intent to supply; using position within the police force to influence force recruitment processes; or using police position to access information from non-police sources for no valid reason and where the intended purpose does not fit into any of the other sub-categories.</p>
H	<p><b>Individual behaviours</b></p> <p>H1 Impolite language / tone</p>	<p>This concerns individual behaviours (language, actions and behaviour) that are not an abuse of position (see category G) or discriminatory in nature (see category F).</p>

Ref	Category / sub-categories	Definition
	<p>H2 Impolite and intolerant actions</p> <p>H3 Unprofessional attitude and disrespect</p> <p>H4 Lack of fairness and impartiality</p> <p>H5 Overbearing or harassing behaviours</p>	<p>H1: Impolite language / tone This concerns both language (what was said) and how things are said, and can be in person or online. This could include the terms used, the tone of delivery or the volume. If there are associated allegations (for example 'discriminatory behaviour'), then these should be recorded separately.</p> <p>H2: Impolite and intolerant actions This concerns actions of a person, such as inappropriate physical contact that is not alleged to be a use of force nor sexual in nature. For example, an allegation by a victim of crime that the officer taking their statement 'hugged' them.</p> <p>H3: Unprofessional attitude and disrespect This concerns attitude and/or behaviour rather than what or how something was said or done, and can include an absence of courtesy or respect, and inconsiderate behaviour. For example, a complaint that an officer did not leave the room while the complainant was getting dressed or that an officer stepped on a complainant's toes. It also includes attitude or behaviour alleged to be unprofessional, such as wearing inappropriate clothing or an untidy uniform.</p> <p>H4: Lack of fairness and impartiality This includes any issue of bias. An example of this would be an allegation that the police response to a dispute between parties where there are allegations and counter-allegations has favoured one party over the other. This category should not include allegations about irregularities in procedure (see category B) or those related to 'discriminatory behaviour' (category F).</p> <p>H5: Overbearing or harassing behaviours This concerns incidents of the police acting in a manner that is overbearing and unnecessarily forceful, or that could be considered as harassment. The behaviour can be in person or online, and can be direct or indirect, such as allegations the police are orchestrating others to harass. It could include:</p> <ul style="list-style-type: none"> <li>• bullying, intimidation or threatening behaviour</li> <li>• unjustified interference, questioning or surveillance – for example, improper requests for documents</li> <li>• persistent police presence or persistent following – for example, repeated traffic checks</li> <li>• police orchestrating others to harass, intimidate or threaten where it is not an abuse of position</li> </ul>

Ref	Category / sub-categories	Definition
		<ul style="list-style-type: none"> <li>victimisation</li> </ul> <p>It does not include allegations relating to:</p> <ul style="list-style-type: none"> <li>police detention or police interviews (see 'police powers, policies and procedures', category B)</li> <li>where the behaviour is as a result of an abuse of position. These should be recorded under 'abuse of position / corruption' (category G).</li> </ul>
J	<b>Sexual conduct</b> J1 Sexual assault J2 Sexual harassment J3 Other sexual conduct	<p>This category relates to sexual matters, but does not relate to abuse of position for sexual purpose, which is covered under 'abuse of position/corruption' (sub-category G2).</p> <p>J1: Sexual assault            Rape, attempted rape, and any assault surrounding or involving circumstances of indecency.</p> <p>J2: Sexual harassment            Unwanted behaviour of a sexual nature; including sexual comments, propositions, leering and sexual posts on social media.</p> <p>J3: Other sexual conduct            Sexual behaviour that does not amount to sexual assault or sexual harassment. This includes soliciting of prostitutes and child sexual abuse material.</p>
K	<b>Discreditable conduct</b>	<p>This covers behaviours that occur while not in the execution of a police employee's duty, but that speak to their conduct as a person serving with the police. This can include issues such as criminal offences committed by police employees or the arrest of a police employee. It can also include activity while on duty that is not in execution of their duty, such as theft where this is not an abuse of position.</p>
L	<b>Other</b>	<p>This includes any issues that do not fall into any of the other categories. This category should not be used as a 'catch-all', but should be revisited as the case is investigated and specific issues are identified.</p>

## Appendix B

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### Definitions for national complaint factors

The purpose of the national complaint factors is to capture the situational context of the dissatisfaction expressed in a complaint. Multiple complaint factors can be selected on a single allegation. For example, if the complaint concerns the handling of a call reporting a missing person, both the 'call handling' and the 'missing person' factor should be selected. They can be applied to any complaint and are not tethered to the category or nature of the complaint.

There may be instances where the complaint factors and the category of the complaint are the same or similar – for example, if the complaint is that a stop and search was carried out for no reason, then the complaint would be logged with an allegation category of 'stops, and stop and search' and a national complaint factor of 'stop/search'. However, if the complaint was that the officer was rude to the complainant during that stop and search, then the national complaint factor would still be 'stop/search', but the allegation would be logged as 'impolite language/tone'.

Capturing data about the national complaint factors, as well as the category of complaint, allows us to have insight into the events and situations that generate police complaints, not just the nature of what is complained of.

Forces have the option to also create local factors to reflect additional context relevant to their force. The IOPC will collect data on local factors for analysis and oversight purposes only.

The table below provides a definition for each of the complaint factors. Further guidance about applying the factors alongside the categories can be found in *Focus*, Data capture: logging a complaint.

National complaint factor	Definition
Arrest	This concerns any complaint arising from or relating to an arrest. The complainant does not have to be the person who is arrested.

National complaint factor	Definition
Call handling	<p>This concerns any complaint arising from or relating to the handling of a call to police. It does not have to be the complainant who made the call. This factor includes:</p> <ul style="list-style-type: none"> <li>• the call itself</li> <li>• the actions by the call handler / call handling team after a call</li> <li>• call grading</li> <li>• capturing information from the call</li> </ul>
Child protection/CSA/CSE	<p>This concerns any complaint relating to the police handling of child protection/child sexual abuse/child sexual exploitation, including safeguarding, the police response to allegations and investigating allegations made. It also includes complaints where a police employee is the alleged perpetrator.</p>
Coronavirus – police powers on restrictions	<p>This factor should be selected where powers granted under The Health Protection (Coronavirus, Restrictions) Regulations 2020 are used during an incident. This factor includes:</p> <ul style="list-style-type: none"> <li>• dispersing a gathering</li> <li>• directing someone to return to where they live</li> <li>• issuing a fine under these powers</li> <li>• using force to return someone to where they live</li> <li>• arresting under the necessity grounds</li> <li>• issuing notices/supporting local authorities to issue notices to close premises or businesses</li> </ul>
Coronavirus – police powers on infectious persons	<p>This factor should be selected where powers granted under <i>The Coronavirus Act 2020</i> are used during an incident. This factor includes:</p> <ul style="list-style-type: none"> <li>• directing someone to return to a medical facility</li> <li>• removing someone to a medical facility</li> </ul>



National complaint factor	Definition
	<ul style="list-style-type: none"> <li>• keeping someone at a medical facility</li> <li>• enforcing a requirement for someone to stay in a specific place</li> <li>• using force to exercise these powers</li> <li>• entry to premises to exercise these powers</li> </ul>
Coronavirus – other	This factor should be applied where the use of the coronavirus powers is not involved, but the coronavirus has still impacted on the incident in some way. This can include allegations that the powers were not used.
Covert policing	This concerns any complaint relating to covert policing, including surveillance, undercover policing and the police use and/or management of covert human intelligence sources ( <i>CHIS</i> ). The complainant does not have to be the person subject to covert policing.
Custody	<p>This concerns any complaint arising from or relating to being in police custody. The complainant does not have to be the person who is/was in police custody. Police custody is defined as:</p> <ul style="list-style-type: none"> <li>• any location within a police custody suite – for example, a cell or common area, such as the checking in desk</li> <li>• any location within a police station – for example, the reception area, interview rooms</li> <li>• any location immediately outside a police station or custody suite that is deemed police premises – for example, the car park or holding bay (this would not include incidents that take place while people are contained in vehicles within these areas)</li> </ul> <p>This does <b>not</b> include incidents that take place while a person is under arrest, but outside of any police building or premises.</p>
Death	This concerns any complaint relating to the death of a person or people following or during police contact. This includes allegations that:

National complaint factor	Definition
	<ul style="list-style-type: none"> <li>• the police have caused the death</li> <li>• the police have failed to prevent the death</li> </ul>
Domestic/gender abuse	<p>This concerns any complaint relating to the police handling of domestic / gender abuse where the victim is an adult. Any complaint concerning child protection matters, including child sexual abuse and child sexual exploitation, should not have this factor selected, but should have the 'child protection/CSA/CSE' factor selected. This factor includes:</p> <ul style="list-style-type: none"> <li>• safeguarding</li> <li>• domestic violence</li> <li>• honour crimes</li> <li>• stalking</li> <li>• harassment</li> <li>• trafficking</li> <li>• slavery</li> <li>• coercion/control</li> <li>• emotional abuse</li> <li>• financial abuse</li> </ul> <p>It also includes complaints where a police employee is the alleged perpetrator. It does not include hate crime based on gender; any complaint relating to hate crime should have the 'hate crime' factor selected.</p>
Drugs/alcohol	<p>This concerns any complaint where the consumption or the belief of consumption, of alcohol or a drug has been a contributing factor to the situation. It includes where a police employee is alleged to be under the influence of drugs and/or alcohol. 'Drugs' includes any type of drug, including prescription and illegal drugs.</p>

National complaint factor	Definition
Firearms	This concerns any complaint relating to the deployment of police firearms in public. It is not necessary for the police firearm to have been discharged.
Fraud	This concerns any complaint relating to how the police have handled a report of fraud, including the police response to allegations and their investigation of allegations made.
Hate crime	This concerns any complaint relating to the police handling of hate crime, both in relation to the police response to allegations and their investigation of allegations made. It also includes complaints where a police employee is the perpetrator.
Investigation	<p>This concerns any complaint about a police investigation. It includes:</p> <ul style="list-style-type: none"> <li>• quality</li> <li>• timeliness</li> <li>• rigour</li> <li>• lines of enquiry</li> </ul>
Mental health	<p>This concerns any complaint where there is evidence of mental health concerns, including where a person has been detained under the <i>Mental Health Act 1983</i>. This includes:</p> <ul style="list-style-type: none"> <li>• self-reported by the complainant</li> <li>• suggested in a referral form</li> <li>• clinical or medical evidence</li> </ul> <p>It should <b>not</b> be selected based on the complaint handler's opinion about a person's mental health status.</p>

National complaint factor	Definition
Missing persons	This concerns any complaint relating to the police handling of a report of a missing person as defined by the College of Policing's Authorised Professional Practice (APP). It includes any complaint about a decision not to record a person as missing.
Neighbourhood policing	For the purposes of this factor, 'neighbourhood policing' refers to anything to do with community policing, including complaints relating to the number of officers patrolling on foot in a certain area, about the police response to incidents in a local school or a spate of home burglaries, or concerning police engagement in Neighbourhood Watch schemes.
Police dogs or horses	This concerns any complaint relating to a situation involving a police dog or horse. It does not require the animal to have bitten a member of the public and does not need to have resulted in any injury. It also includes incidents where a member of the public injures or attempts to injure a police dog or horse during the incident giving rise to the complaint.
Premises search	<p>This concerns any complaint relating to the search of premises by the police. It includes:</p> <ul style="list-style-type: none"> <li>• entry to the property</li> <li>• the search itself</li> <li>• the state of property when the police left</li> </ul>
Public order incident	<p>This concerns any complaint relating to the policing of an incident or event involving a group or number of people gathered together or in a particular area. It includes:</p> <ul style="list-style-type: none"> <li>• the management of the event</li> <li>• the actions of the police at the event</li> </ul>

National complaint factor	Definition
Restraint equipment	<p>This concerns any complaint relating to the use of restraint equipment. The complainant does not have to be the person restrained. 'Restraint equipment' includes:</p> <ul style="list-style-type: none"> <li>• handcuffs</li> <li>• leg restraints</li> <li>• spit guards</li> <li>• body restraints</li> <li>• emergency restraint belt</li> </ul>
Roads/traffic	<p>This concerns any complaint relating to any type of road or traffic scenario involving the police. This factor applies only to cases in which the police were directly involved in the scenario – for example, a police vehicle was involved in a crash or the police took the decision to close a road. It does not apply to cases where the road or traffic scenario is incidental to the complaint. For example, the timeliness of their deployment to a car crash between two members of the public.</p>
Serious injury	<p>This factor should be applied to any complaint involving or alleging a serious injury. Serious injury is defined as 'a fracture, a deep cut, a deep laceration or an injury causing damage to an internal organ or the impairment of any bodily function.' It applies to both:</p> <ul style="list-style-type: none"> <li>• allegations that the police have caused the serious injury, and</li> <li>• allegations that the police have failed to prevent the serious injury</li> </ul>
Social media	<p>This concerns any complaint where the use of any form of social media was part of the event or situation that gave rise to the complaint. It includes:</p> <ul style="list-style-type: none"> <li>• the police response to comments reported to them</li> <li>• the police force use of social media</li> <li>• social media use by police officers/staff</li> </ul>

National complaint factor	Definition
	Social media, for the purposes of this factor, includes instant messaging applications. It includes use by police officers/staff on and off duty, regardless of whether it is evident they are a person serving with the police.
Stop and/or search	This concerns any complaints arising from or relating to a stop, or stop and search of a person or a vehicle. The complainant does not have to be the person who was stopped/stopped and searched.
Taser	This concerns any complaint relating to the deployment of TASER, including instances where it is drawn and the individual is 'red-dotted', or if used in stun mode.
VAWG – Police perpetrated (see below for definition of VAWG)	This concerns any complaint matter arising from or relating to a VAWG incident where the alleged perpetrator (of any gender) is a police employee. If a police employee is also the victim, the 'VAWG – police victim' factor should also be selected. The complainant does not have to be the victim of the VAWG incident.
VAWG – Police victim (see below for definition of VAWG)	This concerns any complaint arising from or relating to a VAWG incident where the victim is a police employee. If a police employee is also the perpetrator, the 'VAWG – police perpetrated' factor should also be selected. The complainant does not have to be the victim of the VAWG incident, and the perpetrator can be of any gender.
VAWG – Dissatisfaction handling (see below for definition of VAWG)	An expression of dissatisfaction as to the handling of a VAWG case that is expressed by or on behalf of an individual eligible to make a complaint under schedule 3 of the Police Reform Act 2002. The complainant does not have to be the victim of the VAWG incident, and the perpetrator can be of any gender.
None	This factor should be selected only when all other factors have been considered and it is determined that no other factors apply to an allegation. Where this applies, please also consider whether a local factor should be selected or created.

The Home Office definition of Violence Against Women and Girls (VAWG) is: “The term ‘violence against women and girls’ refers to acts of violence or abuse that we know disproportionately affect women and girls. Crimes and behaviour covered by this term include rape and other sexual offences, domestic abuse, stalking, ‘honour’-based abuse (including female genital mutilation forced marriage, and ‘honour’ killings), as well as many others, including offences committed online.”

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**10 South Colonnade Canary Wharf London E14 4PU**  
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Email: [enquiries@policeconduct.gov.uk](mailto:enquiries@policeconduct.gov.uk)  
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