

DECISION NO: PCCG-2012-009

**OFFICE OF POLICE AND CRIME COMMISSIONER****TITLE: Professional Standards Department Performance Report****DATE: 13<sup>th</sup> December 2012****TIMING: Routine****PURPOSE: For Monitoring Purposes**

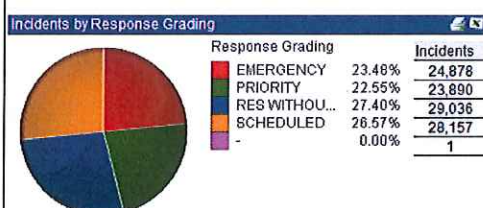
1.	<b><u>RECOMMENDATION</u></b>																					
1.1	This report is submitted for the attention of the Police & Crime Commissioner (OPCC) and provides performance information in relation to complaints and misconduct for quarter two which covers the period from April to September 2012.																					
2.	<b><u>INTRODUCTION &amp; BACKGROUND</u></b>																					
2.1	This report contains both statistical and contextual information which is required by the Commissioner in order to review the performance of the Professional Standards Department during the second quarter of the financial year.																					
3.	<b><u>ISSUES FOR CONSIDERATION</u></b>																					
3.1	The purpose of this report is to provide an overview of the number of complaints and allegations made against members of Gwent police (both officers and staff) and to provide analysis of our performance against our Most Similar Force (MSF) group.																					
3.2	<p>In addition it will provide an overview of the categories of complaints that are recorded and what Gwent Police is doing to address any trends or patterns that emerge from the analysis.</p> <p><b>Complaint Cases Recorded</b></p> <table><tr><th>Period</th><th>Complaint Cases Recorded</th><th>Allegations Recorded</th></tr><tr><td>11/12 Q1</td><td>83</td><td>116</td></tr><tr><td>Q2</td><td>90</td><td>153</td></tr><tr><td>Q3</td><td>75</td><td>145</td></tr><tr><td>Q4</td><td>82</td><td>164</td></tr><tr><td>12/13 Q1</td><td>77</td><td>141</td></tr><tr><td>Q2</td><td>86</td><td>172</td></tr></table>	Period	Complaint Cases Recorded	Allegations Recorded	11/12 Q1	83	116	Q2	90	153	Q3	75	145	Q4	82	164	12/13 Q1	77	141	Q2	86	172
Period	Complaint Cases Recorded	Allegations Recorded																				
11/12 Q1	83	116																				
Q2	90	153																				
Q3	75	145																				
Q4	82	164																				
12/13 Q1	77	141																				
Q2	86	172																				
3.3	<p><i>(The number of allegations are higher as there can be multiple allegations in one recorded complaint)</i></p> <p>During quarter two (July to Sept) there has been a slight increase in the number of complaint allegations, however there has been a cumulative reduction of <b>9%</b> against the same period last year. (April to Sept)</p>																					

The breakdown of complaints per LPU / Area is as outlined below:

Neighbourhood Policing & Partnership									
Npt	Torfaen	M/Mouth	Caerphilly	Blaenau Gwent	Other	Crime	Ops Support	Other	TOTAL
13	1	2	9	3	0	3	1	10	42
15	6	2	12	6	1	4	2	11	59
6	0	1	4	5	0	2	2	2	22
<b>Q1 34</b>	<b>7</b>	<b>5</b>	<b>25</b>	<b>14</b>	<b>1</b>	<b>9</b>	<b>5</b>	<b>23</b>	<b>123</b>
6	1	7	4	4	0	1	2	4	29
8	2	4	3	3	1	2	4	5	32
3	3	6	6	1	0	3	5	14	41
<b>Q2 17</b>	<b>6</b>	<b>17</b>	<b>13</b>	<b>8</b>	<b>1</b>	<b>6</b>	<b>11</b>	<b>23</b>	<b>102</b>

(NB: Please note that the number of cases for the specific operational areas will not always be the same as the cases recorded for the force. This is because one complaint case may have multiple officers from different operational areas or the officers may be unknown)

- 3.4 Newport and Caerphilly have the highest number of complaint cases recorded but this is in proportion to the number of incidents dealt with by the respective LPU's.

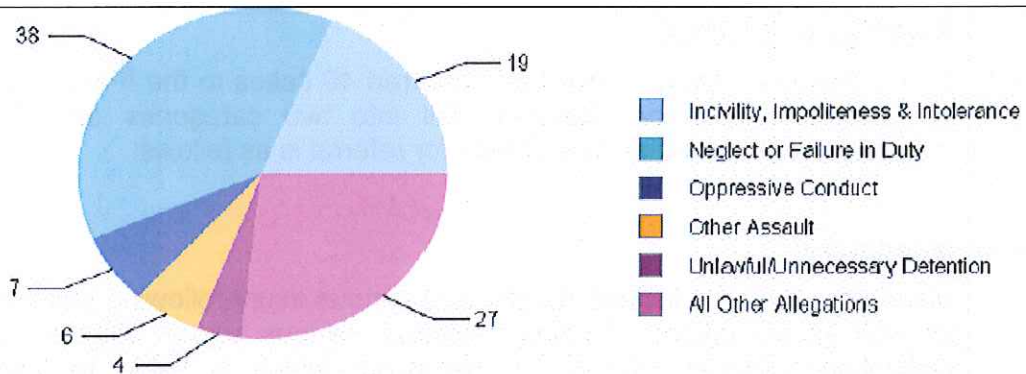


Incident Count By Area	
LPU	No. of Incidents
NEWPORT	31,440
CAERPHILLY	27,324
TORFAEN	15,457
B/GWENT	13,220
MONMOUTHSHIRE	12,670
ZZ_M*WAY	5,850
Total Crimes	105,961

31% of complaint cases were recorded for Newport (n=51), 23% for Caerphilly (n=38), 13% for both Monmouth and Blaenau Gwent (n= 22) and 8% for Torfaen (n=13)

### 3.5 Categories of Complaints Recorded

- 3.5.1 The following chart represents the % of all categories of complaint recorded during quarter two.



**38%** of the allegations recorded relate to Neglect or Failure in Duty, this is a reduction of **5%** against the same period last year but is higher than the MSF average of **28%**.

**19%** of the allegations relate to Incivility, Impoliteness & Intolerance, this is up from **12%** against the same period last year and is slightly higher than the MSF average of **17%**.

### **3.6 Number of Allegations per 1000 employees**

The number of allegations per 1000 employees currently stands at **123** which is up from **103** against the same period last year. However, this is still below the MSF average of **132** allegations per 1000 employees.

### **3.7 Allegations Upheld**

3.7.1 The % of allegations upheld currently stands at **29%** which is significantly higher than the same period last year which stood at **13%**. This is also significantly higher than the MSF average of **12%**.

3.7.2 A complaint is upheld where there has been an unreasonable breakdown in service or failure in service which has adversely affected the complainant. This does not imply that there is a case to answer for misconduct or that there has been any unsatisfactory performance by a police employee.

### **3.8 Timeliness of Investigations**

3.8.1 During quarter two the average number of days to finalise complaint cases including sub-judice cases stands at **94** days. This is an increase from **80** days for the same period last year but this is still lower than the national average of **101** days.

3.8.2 There have been a number of protracted complex cases which have impacted on the capacity of the department this year and this has clearly had an effect on the timeliness figures.

3.8.3 The PSD are working to reduce the number of days taken to finalise cases and amended working practices will be developed to increase performance in this area.



3.9	<b><u>Referrals to the IPCC</u></b>																		
3.9.1	So far this year Gwent Police have referred 40 cases to the IPCC in line with the statutory guidance. Referrals fall into two categories and they are mandatory and voluntary. The criteria for referral is as follows:																		
3.9.2	<b>Mandatory:</b>  Mandatory referrals include deaths and serious injury following police contact as well as allegations of serious assault, serious sexual offences, serious corruption, criminal offences or behaviour which is liable to lead to a disciplinary sanction and which in either case is aggravated by discriminatory behaviour.																		
3.9.3	<b>Voluntary:</b>  The IPCC encourages appropriate authorities to refer complaints or incidents that do not come under the mandatory referral categories but where the gravity of the subject matter or exceptional circumstances justifies referral.  This financial year Gwent police have referred 19 cases to the IPCC. The following chart outlines the mode of investigation for those referrals. <table><tr><th>MOI Decision</th><th>Q1</th><th>Q2</th></tr><tr><td>Independent</td><td>0</td><td>2</td></tr><tr><td>Managed</td><td>0</td><td>0</td></tr><tr><td>Supervised</td><td>0</td><td>1</td></tr><tr><td>Local</td><td>5</td><td>5</td></tr><tr><td>Referred back</td><td>2</td><td>4</td></tr></table>	MOI Decision	Q1	Q2	Independent	0	2	Managed	0	0	Supervised	0	1	Local	5	5	Referred back	2	4
MOI Decision	Q1	Q2																	
Independent	0	2																	
Managed	0	0																	
Supervised	0	1																	
Local	5	5																	
Referred back	2	4																	
3.10	<b>Appeals to the IPCC</b>  Between April and September <b>40</b> appeals were made to the IPCC following outcome decisions made by Gwent Police Professional Standards. Of the <b>40</b> cases that were appealed, <b>10</b> were upheld by the IPCC and returned for further investigation by Professional Standards.  The <b>10</b> cases equate to <b>25%</b> of cases being upheld and whilst up from the same period last year this is still lower than the MSF average of <b>36%</b> and the national average of <b>44%</b> .																		
3.11	<b>Conduct</b>  The number of conduct cases recorded between April and September stands at <b>16</b> which is slightly up on this time last year, which stood at <b>14</b> .  During the same period the following misconduct meetings and hearings took place:																		

3.12		
	<b>Number of Misconduct Meetings</b>	2
	<b><i>Sanctions Issued</i></b>	
	Final Written Warning	1
	Written Warning	1
	<b>Number of Misconduct Hearings</b>	3
	Sanctions Issued	
	Dismissed	2
	Final Written Warning	1
	<b>Resignations</b> Between April and September 3 Police Staff members and 2 Special Constables resigned prior to misconduct proceedings. The misconduct matters related to misuse of force systems, inappropriate use of a warrant card and the provision of false information.	
<b>4.</b>	<b><u>NEXT STEPS</u></b>	
4.1	The Professional Standards Department has commenced a series of workshops for all supervisors within the force to address standards and anti-corruption matters. This is in line with the HMIC report "Without Fear or Favour" and addresses issues such as gifts and hospitality, business interests, relationships with the media, use of the internet, professional standards reporting and unmanageable debt.	
4.2	The Professional Standards Department have also developed a number of new policies in respect of these areas and these will be reinforced through the supervisor briefings.	
4.3	Internal tasking processes will monitor performance in order to ensure that complaints and misconduct investigations are dealt with in a timely and professional manner.	
<b>5.</b>	<b><u>FINANCIAL CONSIDERATIONS</u></b>	
5.1	Two Misconduct Hearings have been arranged over the next three months and these will have a financial implication on the department.	
<b>6.</b>	<b><u>PERSONNEL CONSIDERATIONS</u></b>	
6.1	There are no personnel considerations identified at this stage.	
<b>7.</b>	<b><u>LEGAL IMPLICATIONS</u></b>	
7.1	There are no legal implications at this stage.	

<b>8.</b>	<b><u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u></b>
8.1	All conduct and performance matters consider the issues of equality and human rights.
8.2	This project/proposal has been considered against the general duty to promote equality, as stipulated under the Single Equality Scheme and has been assessed not to discriminate against any particular group.
8.3	In preparing this report, consideration has been given to requirements of the Articles contained in the European Convention on Human Rights and the Human Rights Act 1998.
<b>9.</b>	<b><u>RISK</u></b>
9.1	No additional risks have been identified at this stage. Any force reputational issues are identified and raised with the ACPO office at the appropriate point.
<b>10.</b>	<b><u>PUBLIC INTEREST</u></b>
	There are no restrictions on this document being available to the public.
<b>11.</b>	<b><u>CONTACT OFFICER</u></b>
	DCI Steve Mogg, Professional Standards Department.
<b>12.</b>	<b><u>ANNEXES</u></b>
	1. IPCC Quarter 2 Information Bulletin



# Police Complaints Information Bulletin - Full Bulletin

## Gwent Police

Reporting period - April 2012 to September 2012

**Table A: Key indicators in the handling of complaints**

Measure	Actual	Count	Same Period Last Year	MSF Average	National Result
Average Number of Days to Finalise Allegations by Investigation - Local	141		114	144	120
Average Number of Days to Finalise Allegations by Investigation - Supervised	0		211	37	120
Average Number of Days to Locally Resolve Allegations	48		45	56	54
% of All Appeal Types Upheld	32%	7	17%	36%	44%
% of Complaint Cases Recorded within 10 days	85%	139	94%	86%	77%
Appeals to IPCC as a % of allegations completed by local and supervised investigations	21%	18	14%	26%	18%
Appeals to IPCC as a % of allegations completed by local resolution	4%	4	5%	6%	4%
Average Number of Days to Finalise Complaint Case (NOT inc sub judice)	85		71	82	91
Average Number of Days to Finalise Complaint Cases (inc sub judice)	94		80	92	101

**Table B: Contextual information on allegations recorded and outcome**

Measure	Actual	Count	Same Period Last Year	MSF Average	National Result
# of Allegations per 1000 employees	123		103	132	115
% of 'Incivility, Impoliteness & Intolerance' Allegations	19%	58	12%	17%	16%
% of 'Neglect or Failure in Duty' Allegations	38%	118	43%	28%	29%
% of 'Oppressive Conduct or Harassment' Allegations	7%	22	7%	6%	6%
% of 'Other Assault' Allegations	6%	20	8%	9%	11%
% of 'Unlawful / Unnecessary Detention' Allegations	4%	12	3%	5%	5%
% of Allegations Discontinued	0%	0	0%	0%	1%
% of Allegations Dispensed	11%	27	7%	9%	8%
% of Allegations Withdrawn	11%	27	12%	14%	9%
% of Investigated Allegations Resulting in a Substantiated Finding	0%		2%	1%	0%
% of Investigated Allegations Resulting in an Upheld Finding	29%		13%	12%	12%

**Table C: IPCC key indicators**

Measure	Actual	Count	Same Period Last Year	MSF Average	National Result
% of Appeals Forwarded to Force on Time	80%		93%	70%	76%
% of Dispensations & Discontinuances Completed on Time	83%	15	24%	82%	78%
% of Referrals Completed on Time	84%	16	80%	79%	85%
Average Number of Days to Complete All Appeals	58		28	51	62
Average Number of Days to Complete Dispensations & Discontinuances	16		24	16	17
Average Number of Days to Complete Investigation Appeals	72		33	75	80
Average Number of Days to Complete Local Resolution Appeals	30		16	16	31
Average Number of Days to Complete Non Recording Appeals	36		10	22	24
Average Number of Days to Finalise Allegations by Investigation - Independent	221		0	37	312
Average Number of Days to Finalise Allegations by Investigation - Managed	0		0	0	800

## Police Complaints Information Bulletin - Full Bulletin

### Gwent Police

#### **Data Sources:**

Complaint case and allegations data are taken from the XML data submissions from Forces. The number of police employees is sourced from the Home Office statistics (the latest publication available for inclusion in this report was March 2012). The measure 'number of allegations recorded per 1000 employees' excludes contracted staff. All other data are taken from the IPCC case management tracking system.

#### **Counting Rules:**

The counting rules used to produce the measures shown in this bulletin can be found on the IPCC website [http://www.ipcc.gov.uk/en/Pages/police\\_complaints\\_stats.aspx](http://www.ipcc.gov.uk/en/Pages/police_complaints_stats.aspx)

#### **Counts:**

The count column provides some context to the percentage measures that are shown in the dashboard. For example, for the measure 'appeals to the IPCC as a % of all allegations completed by local resolution' the number of appeals is shown in the count column.

#### **Data constraints:**

The data is sourced from live IT systems and provides a snap shot of information. Therefore, there may be some variation between information taken directly from a Force or IPCC system.

The national results for measures that use IPCC data will differ from the information presented in the IPCC Annual Report. The statistics in the IPCC annual report includes police authorities and other bodies for which we have oversight.

The MSF average for supervised allegations is not as meaningful for MSF groups where one or more Forces have not finalised any allegations by a supervised investigation. This does not apply to national results.



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Gwent Police

**Complaint Cases and Allegations**

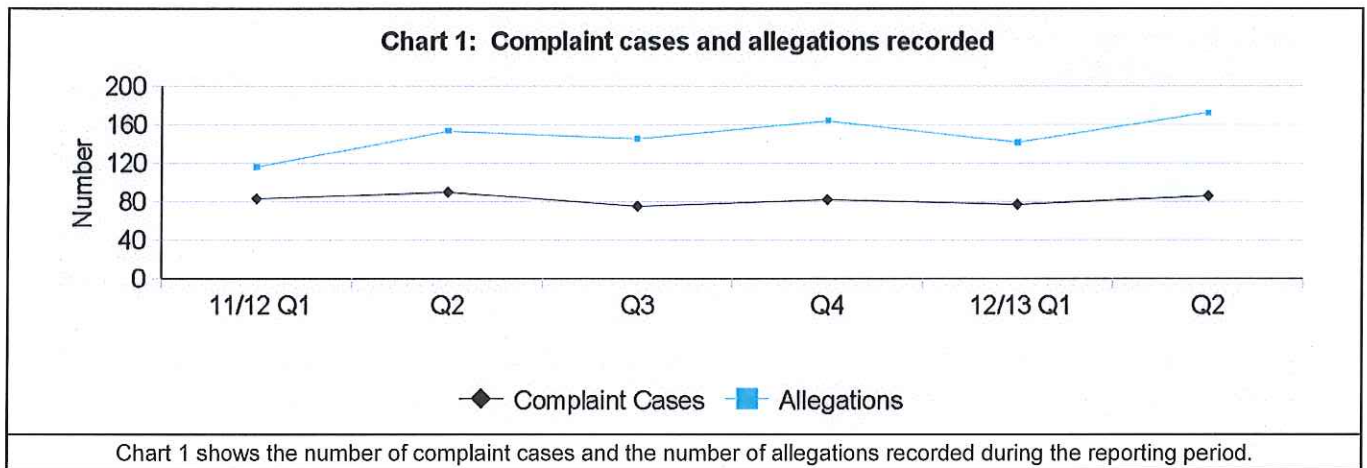


Table D: Complaint cases recorded and allegations recorded		
Period	Complaint cases recorded	Allegations recorded
11/12 Q1	83	116
Q2	90	153
Q3	75	145
Q4	82	164
12/13 Q1	77	141
Q2	86	172

## Police Complaints Information Bulletin - Full Bulletin

### Gwent Police

#### Allegations

**Chart 2: Largest categories of allegations recorded (percentage) - year to date**

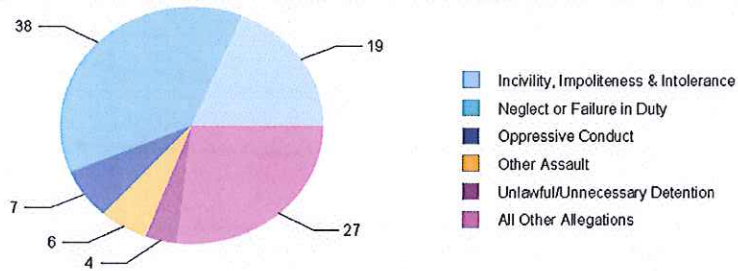


Chart 2 shows allegations recorded that fall within the national top five most commonly recorded allegation types as a percentage of all allegations recorded.

Please note: due to calculation rounding, the total percentage may not always equal 100%.

**Chart 3: Number of allegations recorded per 1,000 employees**

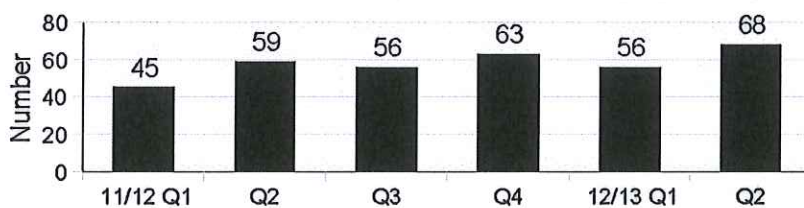


Chart 3 shows the number of allegations recorded (all categories) per 1000 employees.

Please note: the quarterly numbers may not match the year to date figure on the dashboard due to the rounding of figures in the quarterly results.

**Chart 4: Percentage of allegations finalised by means**

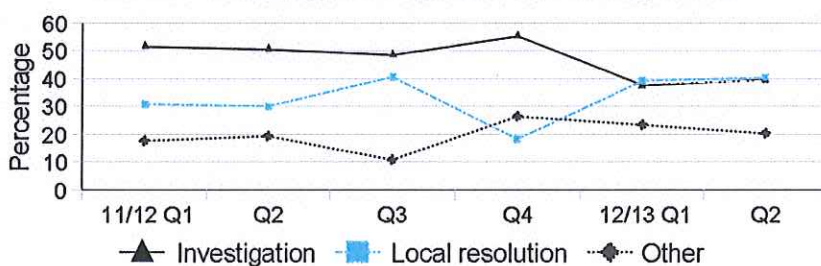


Chart 4 shows the means by which allegations have been finalised as a percentage of all allegations finalised. The means by which an allegation can be finalised are investigation (local, supervised, managed and independent), local resolution; and other (discontinuance, dispensation or withdrawal).

# Police Complaints Information Bulletin - Full Bulletin

## Gwent Police

### Ways in which allegations are finalised

**Table E: Number of allegations finalised by investigation type**

Period		Independent	Managed	Supervised	Local	Allegations finalised by Investigation
11/12	Q1	0	0	3	64	67
	Q2	0	0	7	84	91
	Q3	0	0	0	49	49
	Q4	0	8	0	92	100
12/13	Q1	0	0	0	47	47
	Q2	9	0	0	40	49

**Table F: Outcome of allegations finalised by investigation (recorded against complaint cases pre 1st April 2010)**

Period		Substantiated	Unsubstantiated
11/12	Q1	3	1
	Q2	0	4
	Q3	0	0
	Q4	0	0
12/13	Q1	0	0
	Q2	0	0

Table F details the outcome of investigated allegations that were recorded against a complaint case started before the 1st April 2010. The allegation is substantiated where there is evidence to suggest that there is a case to answer for misconduct/unsatisfactory performance by a police employee.

**Table G: Outcome of allegations finalised by investigation (recorded against complaint cases post 1st April 2010)**

Period		Upheld	Not Upheld
11/12	Q1	10	53
	Q2	10	77
	Q3	7	42
	Q4	23	77
12/13	Q1	19	28
	Q2	9	40

Table G details the outcome of investigated allegations that were recorded against a complaint case started on or after the 1st April 2010. This reflects statutory guidance. The complaint is upheld where there has been an unreasonable breakdown in service or failure in service which has adversely affected the complainant. This does not imply that there is a case to answer for misconduct/unsatisfactory performance by a police employee.



# Police Complaints Information Bulletin - Full Bulletin

## Gwent Police

**Table H: Allegations finalised by other means**

Period		Local resolution	%	Withdrawn	%	Discontinued	%	Dispensed	%
11/12	Q1	40	31	14	11	0	0	9	7
	Q2	54	30	22	12	0	0	13	7
	Q3	41	41	8	8	0	0	3	3
	Q4	33	18	21	12	0	0	27	15
12/13	Q1	49	39	22	18	0	0	7	6
	Q2	50	40	5	4	0	0	20	16

# Police Complaints Information Bulletin - Full Bulletin

## Gwent Police

### Measures of Timeliness

**Chart 5: Timeliness of complaint cases recorded**

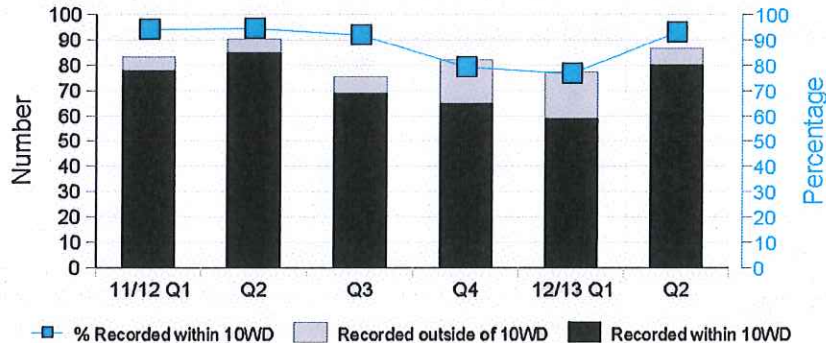
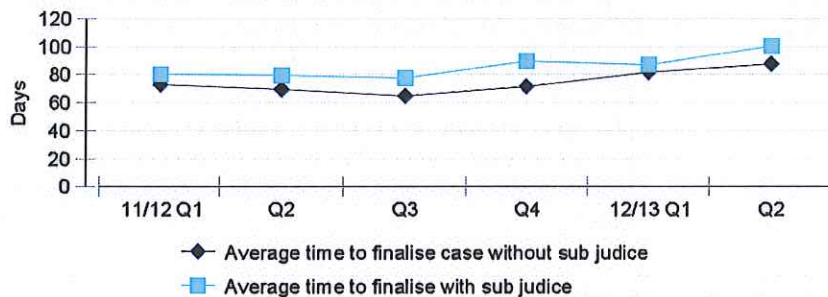


Chart 5 shows the timeliness of recording complaint cases. Any complaint case where the recorded date is earlier than the received date (invalid dates) has been removed from the data shown in the chart.

Chart 6 shows the timeliness of finalising complaint cases. Any complaint case where the finalised date is earlier than the date recorded (invalid dates) has been removed from the data shown in the chart.

**Chart 6: Average time to finalise complaint cases**



Year	Period	# Complaint Cases Finalised
11/12	Q1	90
	Q2	97
	Q3	65
	Q4	73
12/13	Q1	69
	Q2	82

**Chart 7: Average time to finalise allegations by local and supervised Investigations**

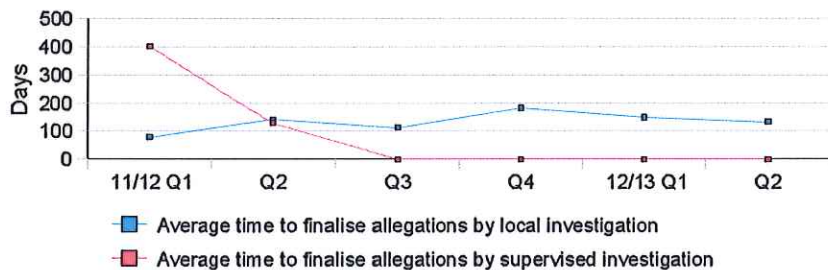


Chart 7 shows the timeliness of finalising allegations by local and supervised investigations. Any allegation with invalid dates have been removed from the data shown in the chart.

**Chart 8: Average time to finalise allegations by local resolution**

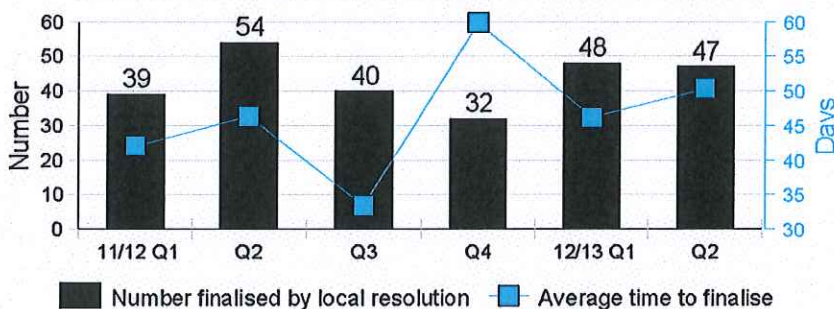
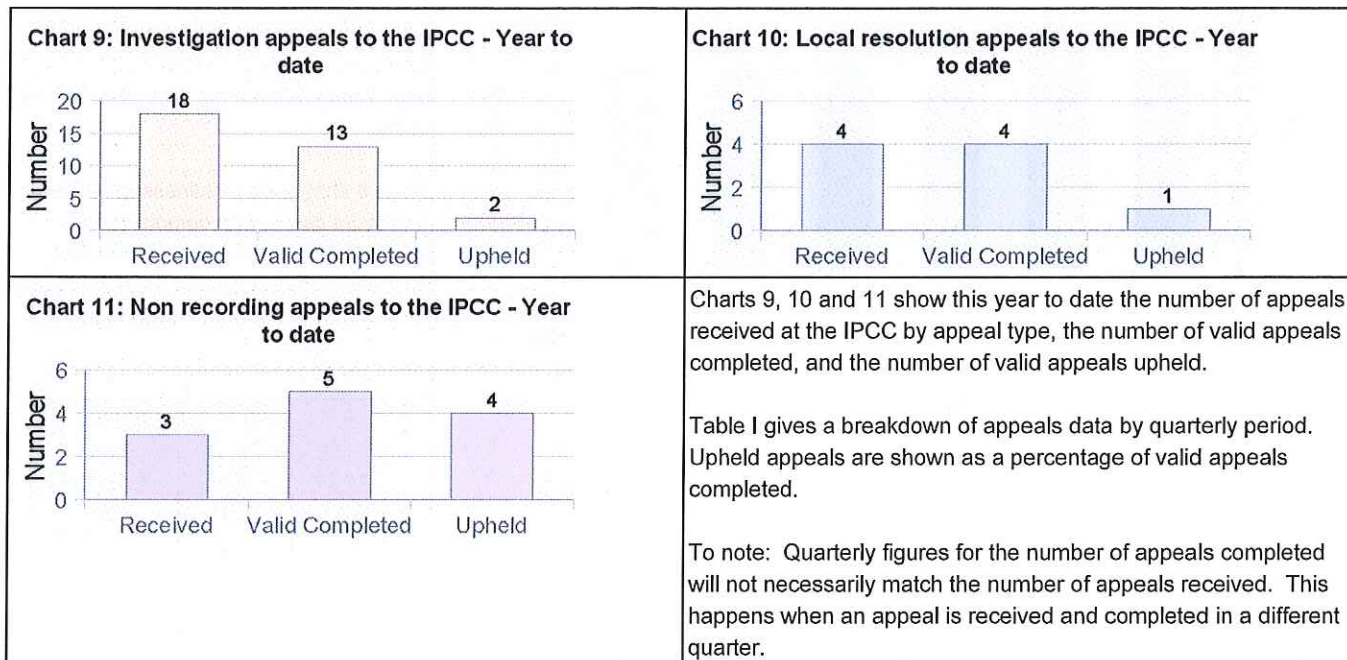


Chart 8 shows the timeliness of finalising allegations by local resolution. Any allegation with invalid dates has been removed from the data shown in the chart.

## Police Complaints Information Bulletin - Full Bulletin

### Gwent Police

### Appeals



**Table I: Appeals to the IPCC: received, completed and upheld**

Appeal Type	Previous Year				Current Year			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Inv Received	7	15	5	11	9	9	0	0
Inv Completed	11	13	8	5	7	9	0	0
Inv Completed (Valid)	10	12	7	5	4	9	0	0
Inv Upheld	2	2	2	2	0	2	0	0
% Inv Upheld (Valid)	20%	17%	29%	40%	0%	22%	0%	0%
LR Received	1	4	1	1	2	2	0	0
LR Completed	2	4	0	1	2	2	0	0
LR Completed (Valid)	2	3	0	1	2	2	0	0
LR Upheld	0	1	0	0	1	0	0	0
% LR Upheld (Valid)	0%	33%	0%	0%	50%	0%	0%	0%
NR Received	1	2	2	2	2	1	0	0
NR Completed	0	3	2	1	2	3	0	0
NR Completed (Valid)	0	2	2	1	2	3	0	0
NR Upheld	0	0	2	1	2	2	0	0
% NR Upheld (Valid)	0%	0%	100%	100%	100%	67%	0%	0%



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Gwent Police

**All referrals**

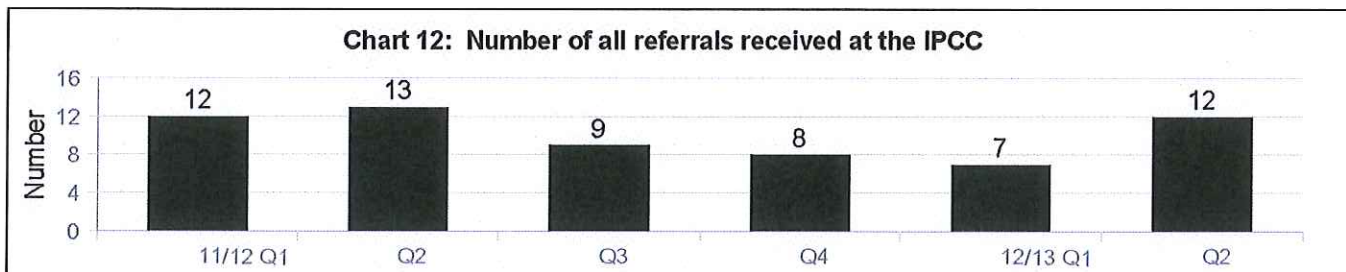


Chart 12 shows the total number of referrals received at the IPCC during the reporting period. This includes all referrals to the IPCC and not just those arising from a complaint.

**Table J: Mode of investigation (MOI) decisions**


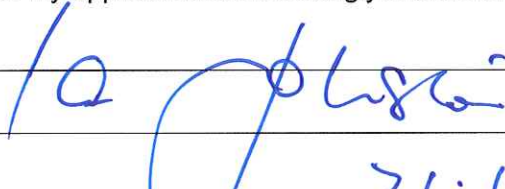
MOI Decision	Previous Year				Current Year			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Independent	1	3	1	0	0	2		
Managed	1	0	0	0	0	0		
Supervised	1	0	0	0	0	1		
Local	4	8	5	7	5	5		
Refer back	5	2	3	1	2	4		

Table J shows the IPCC decision for the mode of investigation for referrals completed in the period. Please note: quarterly figures for the number of referrals received and the number of MOI decision made may differ. This happens when a referral is received and the MOI decision is made in a different quarter.



For OPCC use only

Consultation:	Tick to confirm (if applicable)
<b>Financial</b> The Treasurer has been consulted on this proposal.	√
<b>OPCC (insert name)</b> The Senior Business Manager has reviewed the request and is satisfied that it is correct and consistent with the PCC's plans and priorities.	√
<b>Legal</b> The legal team have been consulted on this proposal.	√
<b>Equalities</b> The Equalities Officer has been consulted on this proposal.	√

<b>Chief Executive/ Deputy Chief Executive:</b>  I have been consulted about the proposal and can confirm that financial, legal, equalities etc... advice has been taken into account in the preparation of this report.  I am satisfied that this is an appropriate report to be submitted to the Police and Crime Commissioner for Gwent.	
<b>Signature:</b>  	
<b>Date:</b> 09/12/12	
<b>Police and Crime Commissioner for Gwent</b>  I confirm that I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct.  The above report has my approval and accordingly a decision notice will be issued for my website	
<b>Signature:</b> 	
<b>Date:</b> 21.12.12	



