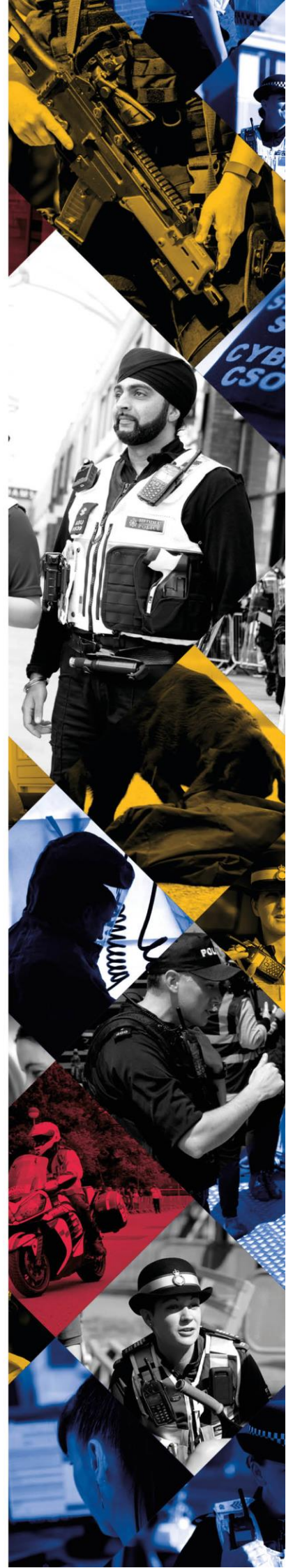




# Professional Standards Department

## Quarter Report

Quarter 1 | 2022-23



## 1. PURPOSE AND RECOMMENDATION

- 1.1 The purpose of this report is to provide a narrative to accompany the Independent Office for Police Conduct (IOPC) National Police Complaints Information Bulletin and an update on misconduct outcomes and vetting.
- 1.2 There are no recommendations made requiring a decision.

## 2. INTRODUCTION & BACKGROUND

- 2.1 The IOPC has previously produced a National Police Complaints Data Bulletin on a quarterly basis which included comparative data against 'Most Similar Forces' and nationally. It provided an overview of the number and types of complaints, timeliness, the number of appeals to both the force and the IOPC and the outcome of these appeals. Under the new regime the 10-day recording target has been removed to allow forces time and flexibility to resolve matters at an early stage.

**NOTE:** There is still a delay with the IOPC bulletin being published. Therefore, this performance report is based on Professional Standards Department (PSD) data only for quarter 1 (with the exception of vetting data).

- 2.2 A brief overview of Conduct cases concluded in this period is also included; however where the case was held in public, full details will already have been published on the force website.
- 2.3 The force vetting data contained within the relevant section of this report is a quarter behind all other data due to configuration dependencies with the recruitment system. For this reason, the reporting of the vetting data for this performance report is for quarter 4 2021/ 22.

## 3. ISSUES FOR CONSIDERATION

### 3.1 Appeals/Reviews

#### IOPC Reviews:

There were no IOPC Appeals/ Reviews in quarter 1 22/23.

#### Office of the Police and Crime Commissioner (OPCC) reviews:

There were 10 OPCC reviews received in quarter 1:

- 4 related to Investigation, and 6 to Non-Investigation.
- 2 of the reviews received to-date (non-Investigation) determined that the outcome was reasonable and proportionate.
- The outcome of the further 8 reviews are awaited.



Force Appeals: (old regulations) - There was one appeal in quarter 1.  
The relating to this older process, the outcome of which was 'Not Upheld'.

### **Complaint Regulations 2020**

The new complaints regulations commenced on 1<sup>st</sup> February 2020. This changed the way complaints are dealt with splitting them into two categories of:

- 1) Non schedule 3 (Logged); this allows complaints to be dealt with outside of the Police Reform Act 2002, previously regarded as 'dissatisfaction'.
- 2) Schedule 3 (Recorded) which relate to complaints dealt with under the Police Reform Act 2002, whereby the complainant can request a review if they are not satisfied. Schedule 3 complaints are further split into Special Procedures (Misconduct/Gross Misconduct) - the review body for which is the IOPC; and Non-Special Procedures (handled reasonably and proportionately) the review body for which being the OPCC.

### **Complaint Cases Recorded in quarter 1 - 'Schedule 3'**

43 cases were recorded between 01/4/22 and 30/06/22:

	Total complaints recorded	Finalised during this period
Q2 21/22	45	14
Q3 21/22	40	13
Q4 21/22	49	17
<b>Q1 22/23</b>	<b>43</b>	<b>21</b>

At the time of writing, there are currently 25 live Schedule 3 complaints being investigated. There are no Live complaints relating to Old Regulations.

### **Complaint Cases Recorded in quarter 1 - 'Non-Schedule 3'**

73 cases were logged between 01/04/22 and 30/06/22:

	Total complaints recorded	Finalised during this period
Q2 21/22	113	113
Q3 21/22	94	92
Q4 21/22	89	89
<b>Q1 22/23</b>	<b>73</b>	<b>72</b>

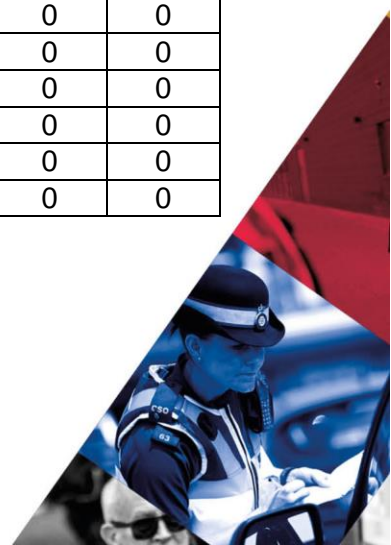
At the time of writing there is currently 1 live Non-Schedule 3 complaint.

### **Allegations Recorded: (combination of Schedule 3 and Non Schedule 3)**

This table illustrates the top three groups of complaints:

1	A Delivery of Duties and Service	139
2	H Individual Behaviours	67
3	B Police Powers, Policies and Procedures	65

Allegations recorded by Qtr and Year to Date				
	Qtr 2 21/22	Qtr 3 21/22	Qtr 4 21/22	Qt1 22/23
Category	No	No	No	
A1. Police action following contact	121	100	97	84
A2. Decisions	35	35	24	26
A3. Information	30	24	26	15
A4. General level of service	16	10	4	14
B1. Stops, and stop and search	1	3	4	0
B2. Searches of premises and seizure of property	11	6	12	9
B3. Power to arrest and detain	5	2	10	7
B4. Use of force	18	8	10	9
B5. Detention in police custody	15	8	8	23
B6. Bail, identification and interview procedures	2	1	4	11
B7. Evidential procedures	4	3	0	5
B8. Out of court disposals	0	0	1	0
B9. Other policies and procedures	1	2	4	1
C1. Handling of or damage to property/premises	3	0	6	6
D1. Use of police systems	2	1	0	0
D2. Disclosure of information	6	2	2	5
D3. Handling of information	2	1	2	5
D4. Accessing and handling information from other sources	0	1	1	1
E1. Use of police vehicles	0	1	1	1
F1. Age	0	0	0	0
F2. Disability	1	1	0	0
F6. Race	1	0	1	3
F.7 Religion or belief	0	0	0	0
F10. Other	2	2	0	0
G. Irregularity in evidence/perjury	0	1	0	0
G1. Organisational corruption	0	0	0	0
G5. Obstruction of Justice	0	0	0	0
G6. Abuse of position for other purpose	2	1	0	0



H1. Impolite language/tone	14	11	6	14
H2. Impolite and intolerant actions	14	9	6	8
H3. Unprofessional attitude and disrespect	46	24	19	28
H4. Lack of fairness and impartiality	18	5	5	8
D. Oppressive Conduct or harassment	0	1	0	0
H5. Overbearing or harassing behaviours	8	7	10	9
J2. Sexual harassment	0	1	0	0
K1. Discreditable Conduct	5	0	2	0
L. Breach Code B PACE	0	1	0	0
L1. Other	0	3	1	4
Q. Lack of fairness and impartiality	0	0	0	0
S. Other neglect or failure in duty	0	8	0	0
<b>Total</b>	<b>383</b>	<b>283</b>	<b>266</b>	<b>296</b>

The table highlights that:

- Complaint allegations have increased by 11% during quarter 1 compared to quarter 4 2021/22.
- There has been an increase in complaints relating to categories B5 Detention in Police Custody, B6 Bail Identification/Interview Procedures and B7 Evidential Procedures when compared to to quarter 4.
- Though the categories (particularly B5 and B6) are related, the specific allegations within are of a broad ranging nature.

### **COVID19**

During Quarter 1 22/23 there have been 6 complaint allegations relating to COVID19. This is an increase of 4 compared to the previous quarter. These related to 2 Cases, one arising from a report of Anti Vax protesters in the within the Cwmbran COVID19 Vaccination centre threatening staff. The second related to an allegation that Gwent Police failed to take any action against a partner in relation to evidence of COVID19 regulation breaches.

### **Violence Against Women and Girls (VAWG)**

During Quarter 1 22/23 there have been 10 complaint allegations which have related to VAWG, all of which relate to Dissatisfaction Handling. There were no complaints relating to VAWG recorded in Quarter 4 21/22.

These 10 allegations relate to 4 Cases:

- Case 1 - An allegation that police sent information relating to the complainant and their ex-girlfriend to a third party, which affected the complainant's mental health.
- Case 2 – A complainant reported that she was the victim of historic rape and domestic abuse. An investigation was conducted which resulted in an NFA decision. Issues were raised around the way the investigation was conducted.
- Case 3 – A complaint about the way an NFA decision was conveyed to a victim of an assault. The NFA was conveyed via text message late at night.
- Case 4 – Related to neighbours contacting police regarding a domestic incident where children were present. The issue surrounded the fact that the victim did not want the police to act against her partner.

### **Allegations Finalised in (Quarter 1)**

(Note: there are still allegations within the data below held under Old Regulations)

NUMBER OF ALLEGATIONS	Disapplication - by Force	No further action required	Not determined if the service acceptable	Not Resolved - NFA	Resolved	The service provided was acceptable	The service provided was not acceptable	Withdrawn	Total
A1. Police action following contact	0	42	6	1	34	22	6	0	111
A2. Decisions	0	7	3	0	8	16	3	0	37
A3. Information	0	6	2	0	5	13	4	0	30
A4. General level of service	0	5	0	0	9	4	2	0	20
B1. Stops, and stop and search	0	0	0	0	0	1	0	0	1
B2. Searches of premises and seizure of property	0	3	1	0	0	2	1	0	7
B3. Power to arrest and detain	0	1	2	0	0	6	1	1	11
B4. Use of force	0	2	0	0	2	3	0	3	10
B5. Detention in police custody	0	0	5	0	5	11	1	0	22



B6. Bail, identification and interview procedures	0	0	3	0	4	5	0	0	12
B7. Evidential procedures	0	0	2	0	1	6	2	0	11
B9. Other policies and procedures	0	0	0	0	0	3	0	0	3
C. Other assault	2	0	0	0	0	0	0	0	2
C1. Handling of or damage to property/premises	0	0	0	0	3	1	1	0	5
D2. Disclosure of information	0	5	0	0	0	2	0	0	7
D3. Handling of information	0	4	0	0	1	0	0	0	5
D4. Accessing and handling of information from other sources	0	1	0	0	0	0	0	0	1
E1. Use of police vehicles	0	0	1	0	0	0	0	0	1
H1. Impolite language/tone	0	6	3	0	3	3	2	0	17
H2. Impolite and intolerant actions	0	1	2	0	4	3	0	0	10
H3. Unprofessional attitude and disrespect	0	6	7	0	14	11	3	0	41
H4. Lack of fairness and impartiality	0	1	6	1	2	4	0	0	14
H5. Overbearing or harassing behaviours	0	1	3	0	6	8	1	0	19
K1. Discreditable conduct	0	0	1	0	0	0	0	0	1
L. Breach Code B PACE	1	0	0	0	0	0	0	0	1
Total	3	91	47	2	101	124	27	4	399

Of the **399** allegations resolved during this period:

- **72 %** related to schedule 3 Non-Special Procedures complaints, **31%** of which were resolved by NFA.
- **26 %** related to non-Schedule 3 complaints.
- 4 allegations were withdrawn.
- **34** allegations (9 complaint cases) moved from Non-Schedule 3 to Schedule 3 as complainants were dissatisfied after initial handling. This is a slight increase when compared with quarter 4 21/22.



## Cases Finalised in Quarter 1

Albeit timeliness is no longer a 'Key Performance Indicator' nationally, Gwent PSD resolve most complaints in a timely manner. The table below shows cases that have been finalised during Quarter 1 (all of which were resolved within 30 days). 72% of the complaints relate to non-Schedule 3 complaints.

## Investigation Times

SUMMARY			No further action required	Not determined if the service acceptable	Not Resolved - NFA	Resolved	The service provided was acceptable	The service provided was not acceptable	Total Cases
Complaint	(A) 0 - 30 days	1	18	2	2	71	7	1	102
	Total	1	18	2	2	71	7	1	102

### 3.2 Distribution of Complaints

The distribution of complaints in Quarter 1 is not disproportionate to the staffing levels in both Local Policing Areas.

West - **65** cases, **46** of which were finalised under non-Schedule 3.

East - **47** cases, 27 of which were finalised under non-Schedule 3.

### 3.3 Equality Monitoring of Complainants

Complaints are either recorded online, via 101 or in person at police stations. As can be seen in the tables below, the data remains consistent throughout the quarters in relation to protected characteristics. The Joint Strategic Equality Plan will drive any work in relation to engagement, awareness and any identified themes and PSD are working with the force's Diversity and Inclusion lead to progress this.



(Note: 1 complaint case can contain more than one complainant)

Ethnicity	2021/22		2021/22 Q2		2021/22 Q3		2021/22 Q4		2022/23 Q1	
	%	No.s	%	No.s	%	No.s	%	No.s	%	No.s
White	74%	462	73%	118	72.5%	104	73%	102	72%	87
Unknown	21%	131	22%	35	23.5%	34	23%	32	25%	30
Asian	2%	14	2.5%	4	3%	4	0.5%	1	0	0
Black	2%	13	2%	3	1%	1	1.5%	2	3%	4
Other	1	7	0	0	0	0	2%	3	0	0
No Data		0	0.5%	1	0	0	0	0	0	0
<b>Total</b>		<b>627</b>		<b>161</b>		<b>143</b>		<b>140</b>		<b>121</b>

Disability	2021/22		2021/22 Q2		2021/22 Q3		2021/22 Q4		2022/23 Q1	
	%	No.s	%	No.s	%	No.s	%	No.s	%	No.s
No data	91%	571	91%	147	94%	134	89%	125	90%	110
Unknown	7%	43	6.5 %	10	5%	8	6%	9	6.6 %	8
Mental Health	1.5%	8	2.5 %	4	0	0	2%	3	0.8 %	1
Physical	0	1	0	0	0	0	0	0	0	0
Learning Difficulty	0	1	0	0	0	0	1%	1	0.8 %	1
Sensory	0	0	0	0	0	0	0	0	0	0
Prefer not to say	0	1	0	0	0	0	0	0	0	0
Other	0.5%	3	0	0	1%	1	2%	2	0.8 %	1
None			1%	2	0	0	0	0	0	0
<b>Total</b>		<b>627</b>		<b>161</b>		<b>143</b>		<b>140</b>		<b>121</b>

Sexual Orientation	2021/22		2021/22 Q2		2021/22 Q3		2021/22 Q4		2022/23 Q1	
	%	No.s	%	No.s	%	No.s	%	No.s	%	No.s
No data	0.5 %	3	1%	2	1%	2	1%	2	1%	1
Heterosexual	64%	404	58%	93	66%	94	63 %	88	61%	74
Unknown	21%	131	28%	44	20%	28	18 %	25	22%	27
Prefer not to say	11%	70	10%	17	8.5 %	12	14 %	20	12%	15
Gay/ Lesbian	1.5 %	11	2%	3	3%	4	2%	3	3%	3
Bisexual	1%	4	1%	2	1%	2	1%	1	0	0
Other	1%	4	0	0	0.5 %	1	1%	1	1%	1
<b>Total</b>		<b>627</b>		<b>161</b>		<b>143</b>		<b>140</b>		<b>121</b>

### 3.4 Conduct

Conduct			
Reporting Period	Number	Reporting Period	Number
Q2 2020/21	4	Q2 2021/22	9
Q3 2020/21	2	Q3 2021/22	15
Q4 2020/21	7	Q4 2021/22	13
Q1 2021/22	9	<b>Q1 2022/23</b>	<b>12</b>
<b>Total</b>	<b>24</b>	<b>Total</b>	<b>49</b>

The number of conduct cases has increased compared to last year. In the main conduct relates to off duty behaviour, however during this quarter, 7 out of the 12 conduct matters raised relate to on duty behaviour.

### 3.5 Misconduct Outcomes for Q1 2022/23

There were no Misconduct Proceedings held during quarter 1.

### 3.6 External scrutiny

There are currently 7 live Independent IOPC investigations, 3 of which relate to 3 separate complaints which involve the same officer. 1 is a DSI matter.

One investigation involving two separate conduct matters which has been finalised and the officer received a custodial sentence for two counts of Misconduct in a Public Office. This matter will be proceeding to a misconduct hearing for a former officer.

There are currently 3 directed IOPC conduct investigations. These were investigated by another force and were formally handed back to Gwent to undertake the misconduct process. Misconduct proceedings are currently underway

There is one directed IOPC conduct investigation being undertaken by Gwent PSD, the matter is currently being prepared for misconduct charges.



3.7 **Vetting - note:** due to the functionality of the recruitment system (OLEEO), vetting data will be one quarter behind.

<b>Vetting Completed – 2021/2022</b>				
<b>Vetting Data</b>				
2021/2022	Q1	Q2	Q3	Q4
Police Staff/Officers	174 104 through OLEEO 70 not through OLEEO	205 199 through OLEEO 6 not through OLEEO	151 137 through OLEEO 14 not through OLEEO	209 166 through OLEEO 43 not through OLEEO
Contractors/outside agency	252	208	184	200
Vetting Health Checks	44	54 54 through OLEEO	34 34 through OLEEO	12 12 through OLEEO
MV Annual Assessments	79	126	108	0 put on hold due to workload
<b>Total</b>	<b>564</b>	<b>593</b>	<b>477</b>	<b>421</b>

<b>Vetting Refusals – 2021/22</b>				
	Q1	Q2	Q3	Q4
Previous conviction / caution	13	6	13	10
Financial Vulnerability	0	3	3	8
Negative Intelligence	11	5	6	6
Associates	1	0	1	2
Residency	0	0	1	0
Non-disclosure	3	0	5	5
<b>Total</b>	<b>28</b>	<b>14</b>	<b>29</b>	<b>31</b>

<b>Vetting Refusals- Protected Characteristics (Police officer / staff)</b>				
Please note that the below data relates to applications that went through OLEEO only.				
	Q1	Q2	Q3	Q4
BAME	2 received 0 refused	14 received 1 refused	4 received 0 refused	8 received 1 refused
Sexual Orientation	3 received 0 refused	19 received 1 refused	11 received 2 refused	20 received 2 refused
Disability	0 received 0 refused	0 received 0 refused	0 received 0 refused	0 received 0 refused
Gender Reassignment	0 received 0 refused	0 received 0 refused	0 received 0 refused	0 received 0 refused
Male	33 received 2 refused	130 received 8 refused	71 received 3 refused	85 received 5 refused
Female	45 received 0 refused	96 received 1 refused	80 received 5 refused	81 received 3 refused

Vetting Appeal Panels				
	Q1	Q2	Q3	Q4
BAME Accepted	0	0	No panel in this quarter	0
BAME Rejected	0	1		0
Sexual orientation Accepted	0	1		0
Sexual orientation Rejected	0	2		0
Disability Accepted	0	0		0
Disability Rejected	0	1		0
Gender Reassignment	0	0		0
Gender Reassignment	0	0		0

## COLLABORATION

4.1 Nothing to add

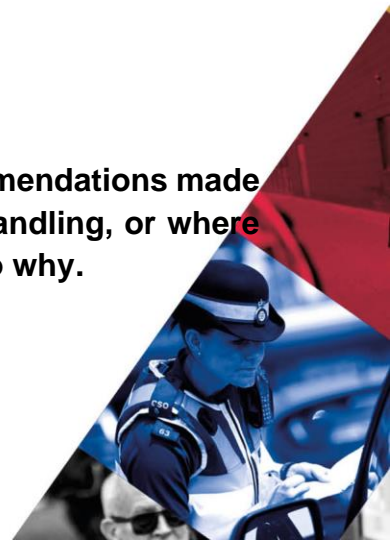
## 5. NEXT STEPS

- 5.1 • The Home Office have released additional requirements to the Specified Information Order (SIO) which dictates what information PCC's have to publish on their website. The Home Office guidance recommends that the narrative relevant to PSD should include:

### 1. How the force is measuring complainant satisfaction:

Benchmarking has been undertaken with other forces and there is limited use of customer satisfaction surveys within PSDs. A PSD Sergeant has devised a survey question set in partnership with a force Analyst which is currently being reviewed for circulation.

2. Progress updates on implementing relevant recommendations made by the IOPC and/or HMICFRS in relation to complaints handling, or where recommendations were not accepted an explanation as to why.



This is fed-back to us after the review point by either the IOPC or the Local Policing Body (LPB). Once they have made relevant recommendations PSD have 28 days to respond. If any matters have been raised after the Investigation has been reviewed, the complainant would be directed to make a new complaint using the on-line platform. There have been no HMICFRS recommendations in relation to complaint handling. A mechanism is being developed to pull out any recommendations from IOPC/LPB to monitor progress.

**3. A summary of any mechanisms put in place to identify and act on themes or trends in complaints.**

PSD Sergeants meet with LPA (Local Policing Area) Chief Inspectors monthly to summarise the themes with an expectation that they are filtered through SMT's. If there is a more obvious trend in between meetings direct conversations with Inspectors overseeing the officers who they supervise take place.

PSD's first forcewide electronic newsletter 'PSD Times' has been published since the last report which will now be utilised as an efficient and centralised method for communicating trends and key messages. The department also continues to feed into the forces' 'Learning the Lessons' meeting.

**4. A summary of systems in place to monitor and improve performance in the timeliness of complaints handling.**

As noted above, timeliness in Q1 is reflected positively. The complaints Inspector continues to meet with the team every Monday morning to prioritise caseloads and then with PSD Sergeants monthly to monitor workloads with a focus on timeliness of complaints. The previously produced IOPC 'National Police Complaints Data Bulletin' has just been published containing data against our 'Most Similar Forces' and nationally and will be utilised as a template/foundation for next quarter's SPB report.

**5. The number of written communications issued by the force under regulation 13 of the Police (Complaints and Misconduct) Regulations 2020 where an investigation has not been completed within a "relevant period".**

One



## **6. Quality Assurance mechanisms in place to monitor and improve the quality of its responses to complaints.**

This continues to be monitored via feedback from National PSD forums and through dynamic updates from the LPB about any recommendations post investigation.

## **7. Details of the administrative arrangements the PCC has put in place to hold the Chief Constable to account for complaints handling e.g., frequency of meetings and a summary of discussions.**

A Performance report is delivered through Scrutiny Executive Board, to Strategic Performance Board on a quarterly basis.

## **FINANCIAL CONSIDERATIONS**

6.1 None.

## **7. PERSONNEL CONSIDERATIONS**

7.1 PSD review commenced. All staff are engaged with the process.

## **8. LEGAL IMPLICATIONS**

8.1 None

## **9. EQUALITIES & HUMAN RIGHTS CONSIDERATIONS**

9.1 This report has been considered against the general duty to promote equality, as stipulated under the Joint Strategic Equality Plan and has been assessed not to discriminate against any particular group.

9.2 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.

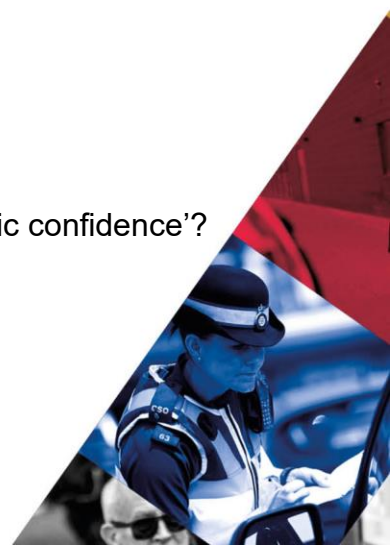
## **10 RISK**

10.1 None

## **11. PUBLIC INTEREST**

11.1 In producing this report, has consideration been given to 'public confidence'?

**Yes**



- 11.2 Are the contents of this report, observations and appendices necessary and suitable for the public domain? **Yes**
- 11.3 If you consider this report to be exempt from the public domain, please state the reasons: **not applicable**
- 11.4 Media Stakeholder and Community Impacts:

## **12. REPORT AUTHOR**

- 12.1 Detective Superintendent Sam Payne

## **13. LEAD CHIEF OFFICER**

- 13.1 Deputy Chief Constable Amanda Blakeman

## **14. ANNEXES**

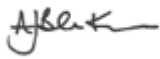
- 14.1 None

## **15. CHIEF OFFICER APPROVAL**

- 15.1 I confirm this report has been discussed and approved at a formal Chief Officers' meeting.

I confirm this report is suitable for the public domain.

Signature:



Date: 10.08.2022

