

Professional Standards Department

1st September 2021

Quarter 1 | 2021-22

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 the MSFs and nationally. It provided an overview of the number and types of complaints; timeliness; the number of appeals to 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 is a quarter behind all other data in this report due the way it is configured on the recruitment system. The reporting of the vetting data for this performance report is for quarter 4.

3. ISSUES FOR CONSIDERATION

3.1 Appeals/Reviews

IOPC Reviews: There were no IOPC Reviews in quarter 1.

Office of the Police and Crime Commissioner (OPCC) - Reviews (dealt with by OPCC under the New Regulations):

There were 15 OPCC reviews received in quarter 1; 4 of the reviews determined that the investigation was reasonable and proportionate, 1 of the reviews was Not Reasonable and Proportionate, there were no recommendations however learning has been identified for one officer to ensure that all future conversations with any complainant are recorded on the niche occurrence. PSD are awaiting the outcome on a further 10 reviews.



	Investigation	Non-Investigation	Total
No Data	4	6	10
Outcome of Complaint Not Reasonable and Proportionate	1	0	1
Outcome of Complaint Reasonable and Proportionate	1	3	4
Total	6	9	15

Force Appeals: (old regulations)

There was 1 Force appeal received in quarter 1; which was not upheld.

	Not Upheld	Total
Outcome of Police Investigation	1	1
Total	1	1

Complaint Regulations 2020

The new complaints regulations commenced on 1st February 2020. This has changed the way that complaints are now dealt with. They are split into:

- 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 being the IOPC; or Non-Special Procedures (handled reasonably and proportionately), the review body being the OPCC.

Complaint Cases Recorded in quarter 1 - Schedule 3

Recorded during 01/04/21 and 31/06/21 were 79 cases, 8 of which were finalised and 71 are still live.

Of those recorded prior to the same period 45 were finalised and 57 remain live.

	Total complaints recorded	Finalised during this period	Pending during this period
Q1	79	8	71

There are currently 128 live Schedule 3 complaints being investigated.

Complaint Cases Recorded in quarter 4, Non-Schedule 3

Logged during 01/04/21 and 31/06/21 were 107 cases, 106 of which were finalised and 1 is still pending.

	Total complaints recorded	Finalised during this period	Pending during this period
Q1	107	106	1

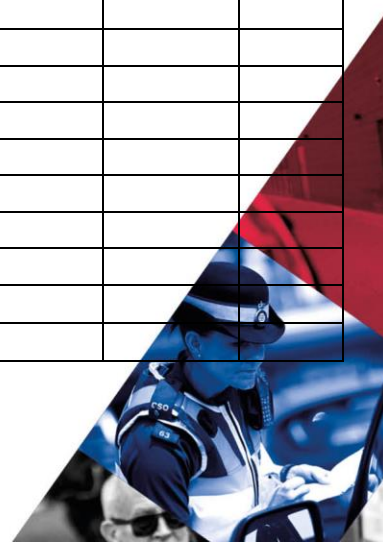
There are currently 3 live Non-Schedule 3 complaints.

Allegations Recorded:

The below table illustrates the top three groups of complaints:

1	A Delivery of Duties and Service	237
2	H Individual Behaviours	111
3	B Police Powers, Policies and Procedures	78

Allegations recorded by Qtr and Year to Date					
	Qtr 1	Qtr 2	Qtr 3	Qtr 4	YTD
Category	No	No	No	No	
A1. Police action following contact	159				
A2. Decisions	35				
A3. Information	30				
A4. General level of service	13				
B1. Stops, and stop and search	3				
B2. Searches of premises and seizure of property	11				
B3. Power to arrest and detain	9				
B4. Use of force	17				
B5. Detention in police custody	20				
B6. Bail, identification and interview procedures	7				
B7. Evidential procedures	9				
B8. Out of court disposals	1				
B9. Other policies and procedures	1				
C1. Handling of or damage to property/premises	8				
D1. Use of police systems	1				
D2. Disclosure of information	7				
D3. Handling of information	1				
F1. Age	1				
F2. Disability	1				
F6. Race	8				
F10. Other	1				
G1. Organisational corruption	1				
H1. Impolite language/tone	14				
H2. Impolite and intolerant actions	17				



H3. Unprofessional attitude and disrespect	47				
H4. Lack of fairness and impartiality	12				
H5. Overbearing or harassing behaviours	21				
L1. Other	6				
Total	461				

Complaint Allegations have increased by 42% during quarter 1 compared to quarter 4 2020/21. This is likely to increase further with the move out of COVID restrictions.

During Quarter 1 there have been 14 complaints (5 Schedule 3 and 9 Non-Schedule 3) that are COVID19 related which resulted in 16 allegations. These are spread across the categories with no outliers.

Allegations Finalised in (Quarter 4)

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

NUMBER OF ALLEGATIONS	No further action required	Not determined if the service acceptable	Not Resolved - NFA	Not Upheld - by PSD	Resolved	The service provided was acceptable	The service provided was not acceptable	Withdrawn	Total
A1. Police action following contact	28	1	0	0	75	21	2	1	128
A2. Decisions	1	0	0	0	7	11	1	0	20
A3. Information	3	2	0	0	13	5	1	0	24
A4. General level of service	2	0	0	0	3	16	6	1	28
B1. Stops, and stop and search	0	0	0	0	2	0	0	0	2
B2. Searches of premises and seizure of property	0	1	0	0	5	2	1	0	9
B3. Power to arrest and detain	0	0	0	0	2	8	0	0	10
B4. Use of force	1	0	0	0	0	8	0	2	11
B5. Detention in police custody	0	2	0	0	4	22	4	0	32
B6. Bail, identification and interview procedures	1	0	0	0	0	1	0	0	2
B7. Evidential procedures	0	0	0	0	2	5	1	0	8
B8. Out of court disposals	0	0	0	0	1	0	0	1	2
B9. Other policies and procedures	0	0	0	0	0	3	0	0	3
C1. Handling of or damage to property/premises	1	0	0	0	5	0	1	1	8
D1. Use of police systems	1	0	0	0	0	0	0	0	1
D2. Disclosure of information	0	0	0	0	1	1	0	0	2
D3. Handling of information	0	0	0	0	0	1	0	0	1
E. Unlawful/unnecessary arrest or detention	0	0	0	1	0	0	0	0	1
F1. Age	0	0	0	0	0	1	0	0	1
F10. Other	0	0	0	0	1	0	0	0	1

F6. Race	0	0	0	0	0	2	0	0	2
F8. Sex	0	0	0	0	0	1	0	0	1
G1. Organisational corruption	1	0	0	0	0	0	0	0	1
G6. Abuse of position for other purpose	0	0	0	0	0	2	1	0	3
H1. Impolite language/tone	2	1	1	0	5	2	0	0	11
H2. Impolite and intolerant actions	0	0	0	0	12	3	1	0	16
H3. Unprofessional attitude and disrespect	3	1	0	0	24	1	2	1	32
H4. Lack of fairness and impartiality	0	0	0	0	1	2	1	1	5
H5. Overbearing or harassing behaviours	6	0	0	0	4	2	0	0	12
J1. Sexual assault	0	0	0	0	0	1	0	0	1
L. Breach Code B PACE	0	0	0	1	0	0	0	0	1
L1. Other	2	0	0	0	1	2	0	0	5
S. Other neglect or failure in duty	0	0	0	3	0	0	0	0	3
Total	52	8	1	5	168	123	22	8	387

During Quarter 1, under the old complaints and conduct regulations 5 allegations were not upheld.

Of the 387 allegations resolved during this period, 52% related to schedule 3 complaints and 43% related to Non Schedule 3 complaints, the remainder are a combination of old regulations and withdrawals. 4 Complaints moved from Non schedule 3 to Schedule 3 as complainants were dissatisfied after initial handling.

Complaints Finalised in Quarter 1:

Albeit timeliness is no longer a Key Performance Indicator nationally Gwent PSD resolve most complaints in a timely manner. The below table shows the cases that have been finalised during Quarter 1 between 0-30 days, most of which relate to Non-Schedule 3 complaints.

Investigation Times

SUMMARY		No further action required	Not Resolved - NFA	Resolved	The service provided was acceptable	Total Cases
Complaint	(A) 0 - 30 days	11	1	105	1	118
	Total	11	1	105	1	118



3.2 Distribution of Complaints

The distribution of complaints in Quarter 1 have increased in the West in comparison to the East. West having 103 Cases and the East 63 Cases. This split is fairly consistent with the previous quarters with the last quarter being the only exception.

3.3 Equality Monitoring of Complainants

The force records most complaints via Single Online Home. Complaints are either recorded on-line; by staff via 101 or at the station. As can be seen by the below tables, 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.

Ethnicity	Percentage 2020/21 % / No.s		2021/22 Q1 % / No.s		2021/22 Q2 % / No.s		2021/22 Q3 % / No.s		2021/22 Q4 % / No.s	
White	77%	555	73%	97						
Unknown	18%	130	20%	27						
Asian	2%	15	1.5%	2						
Black	1.5%	12	1.5%	2						
Other	1%	8	4%	5						
Total		720		133						

Disability	Percentage 2020/21 % / No.s		2021/22 Q1 % / No.s		2021/22 Q2 % / No.s		2021/22 Q3 % / No.s		2021/22 Q4 % / No.s	
No data	90%	648	82%	110						
Unknown	5%	38	16%	21						
Mental Health	1.5%	11	0	0						
Physical	0.5%	4	1%	1						
Learning Difficulty	0%	0	0	0						
Sensory	0%	0	0	0						
Prefer not to say	0.2%	2	1%	1						
Other	0%	1	0	0						
none	3%	16	0	0						
Total		720		133						

Sexual Orientation	Percentage 2020/21 % / No.s		2021/22 Q1 % / No.s		2021/22 Q2 % / No.s		2021/22 Q3 % / No.s		2021/22 Q4 % / No.s	
No data	9%	100	1.5%	2						
Heterosexual	79%	445	60%	80						
Unknown	4%	80	25.5%	34						
Prefer not to say	3%	56	7%	9						

Gay / lesbian	2%	18	3%	4						
Bisexual	1%	9	2%	3						
Other	2%	12		1						
Total		720		133						

3.4 Conduct

Conduct			
Reporting Period	Number	Reporting Period	Number
Q1 2020/21	6	Q1 2021/22	9
Q2 2020/21	4	Q2 2021/22	
Q3 2020/21	2	Q3 2021/22	
Q4 2020/21	7	Q4 2021/22	
Total	19	Total	

The number of conduct cases has increased compared to quarter 1 last year. Previously the majority of conduct matters were off duty. However, in quarter 1; 5 related to on duty behaviour.

3.5 Misconduct Outcomes for Q4 2020/21

There was one Misconduct Hearing for a former officer during quarter 1.

1. A Former Police Constable appeared before a misconduct panel relating to a conduct matter between the 10th – 11th May 2021. The matter related to the following:

2 Allegations concerning breaches of:

Authority Respect & Courtesy

Discreditable Conduct

Equality & Diversity

The findings were found proven and the panel determined that the officer would have been dismissed had they remained a serving officer.

3.6 External scrutiny

There are currently 5 live Independent IOPC investigations, 2 of which relate to 2 separate conduct matters involving the same officer. 3 relate to DSI matters.

There are currently 3 managed IOPC conduct investigations being undertaken by an external force (under the old regulations). Albeit this is in the process of being handed back to Gwent to undertake the misconduct process

There is one directed IOPC conduct investigation being undertaken by Gwent PSD.



3.7 Vetting

Note: due to the functionality of the recruitment system (OLEEO), vetting data moving forward will be one quarter behind.

Vetting Completed – 2020/2021				
	Q1	Q2	Q3	Q4
Police officer / staff	101 74 through OLEEO 27 not through OLEEO	111 84 through OLEEO 27 not through OLEEO	154 99 through OLEEO 55 not through OLEEO	177 148 through OLEEO 29 not through OLEEO
Contractors / outside agency	285	324	259	266
Vetting Health Checks	9	30 9 through OLEEO	65 26 through OLEEO	38
MV Annual Assessments	80	155	110	68
Total	475	620	588	549

The vetting numbers are high at present due to Contractor vetting for the New HQ and recruitment drive. PSD have not been able to fill the temporary post and further work is ongoing to assess demand against capability. Paper to be presented at the next Workforce Resource Management meeting.

Vetting Refusals – 2020/21				
	Q1	Q2	Q3	Q4
Previous conviction / caution	7	19	12	9
Financial Vulnerability	2	0	1	3
Negative Intelligence	5	6	4	5
Associates	1	3	1	3
Residency	0	0	0	2
Other	0	0	3	1
Total	15	28	21	23

The most significant reason for vetting failures is due to previous convictions/cautions. This remains consistent throughout the quarters.

The vetting panel is now well established and sit on an ad hoc basis to discuss appeals. Below are the results for the appeals discussed in Q4. The vetting appeal cases may relate to vetting failures in the previous quarter.

Vetting Refusals- Protected Characteristics (Police officer / staff) Please note that the below data relates to applications that went through OLEEO only.				
	Q1	Q2	Q3	Q4
BAME	5 received 1 refused	4 received 0 refused	5 received 0 refused	6 received 0 refused
Sexual Orientation	5 received 1 refused	10 received 0 refused	12 received 0 refused	10 received 0 refused
Disability	1 received 0 refused	2 received 0 refused	5 received 0 refused	8 received 0 refused
Gender Reassignment	2 received 0 refused	0 received 0 refused	0 received 0 refused	0 received 0 refused
Male	42 received 7 refused	53 received 5 refused	50 received 2 refused	75 received 3 refused
Female	29 received 0 refused	41 received 1 refused	72 received 2 refused	73 received 3 refused

Decisions Following Vetting Appeals- Protected Characteristics- (Police officer / staff) 2020/2021				
	Q1	Q2	Q3	Q4
BAME Accepted	2	1	0	0
BAME Rejected	1	1	1	1
Sexual orientation Accepted	0	0	0	0
Sexual orientation Rejected	1	1	0	0
Disability Accepted	0	0	0	0
Disability Rejected	0	0	0	0
Gender Reassignment	0	0	0	0
Gender Reassignment	0	0	0	0



3.8 **Other Matters**

1. Communications via The Beat on Disclosure of information; Misuse of Systems; Inappropriate Use of Social Media; Drug Use and Lawful Business Monitoring.
2. Random drug and alcohol testing completed for 28 officers across the force.
3. Roll out of the implementation of Policy App (Monitoring software) on force devices.
4. Review of a number of conduct cases by IOPC as part of the College of Policing review into how forces deal with Domestic Abuse within the workplace as a result of the Super complaint. The feedback has been really positive with some best practice identified in Gwent. This will form part of a wider report which will be published at some point in the future.
5. Delivery of PSD inputs to student officers.
6. CCU held a consolidation day identifying what they had achieved in the last 12 months, gaps and how to fill them. Paper to go to SIB.

4. COLLABORATION

- 4.1 Nothing to add

5. NEXT STEPS

- 5.1
- Continuation of the Implementation of ATA monitoring software.
 - New weekly bulletin to be released soon under the banner of “#KeepLearning”. Agreement to have a PSD segment as a minimum once every two months.

6. FINANCIAL CONSIDERATIONS

- 6.1 Please see Point 7 below.

7. PERSONNEL CONSIDERATIONS

- 7.1 Paper to Workforce Resource Management Meeting for an uplift in vetting for 12 months; and Paper to SIB regarding an uplift in the Counter Corruption Unit.

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
N/A
- 11.4 Media, Stakeholder and Community Impacts:

12. REPORT AUTHOR

- 12.1 Detective Superintendent Leanne Brustad

13. LEAD CHIEF OFFICER

- 13.1 Detective Chief Constable Amanda Blakeman

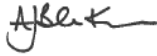
14. ANNEXES

- 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.





Date : 20.08.2021

Signature:

Police and Crime Commissioner for Gwent

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 request has my approval.

Signature:

Date: