



Office of Police and Crime Commissioner
Office of Chief Constable

PSD Performance Report

Quarter 4 2020 / 2021

7th June 2021



1.0 RECOMMENDATION

1.1 The purpose of this report is to provide a narrative to accompany the Independent Office of Police Conduct (IOPC) National Police Complaints Information Bulletin and an update on misconduct outcomes and vetting.

2.0 INTRODUCTION AND 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, but this is expected for the next quarter. Therefore, this performance report is based on PSD data only for quarter 4.

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 Oleo. The reporting of the vetting data for this performance report is for quarter 3.

3.0 ISSUES FOR CONSIDERATION

3.1 Appeals/Reviews

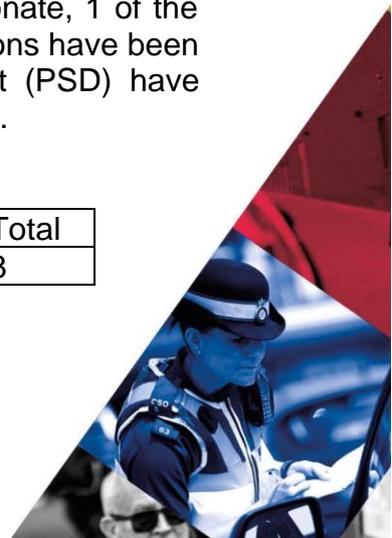
IOPC Reviews:

There were no IOPC Reviews in quarter 4.

OPCC Reviews (dealt with by OPCC under the New Regulations):

There were 15 OPCC reviews received in quarter 4; 6 of the reviews determined that the investigation was reasonable and proportionate, 1 of the reviews was Not Reasonable and Proportionate, recommendations have been made by the OPCC and Professional Standards Department (PSD) have responded. We are awaiting the outcome on a further 8 reviews.

	Investigation	Non-Investigation	Total
No Data	5	3	8



Outcome of Complaint Not Reasonable and Proportionate	0	1	1
Outcome of Complaint Reasonable and Proportionate	4	2	6
Total	9	6	15

Force Appeals: (old regulations)

There were 3 Force appeals received in quarter 4; 1 was not upheld; and 2 are yet to be finalised.

	No Data	Not Upheld	Total
Outcome of Police Investigation	2	1	3
Total	2	1	3

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.

Therefore, during the quarter 4 period there will still be a mixture of old and new regulations, which instantly highlight an increase in complaints, as all complaints whether logged or recorded are recorded under the complaint register, which is prefixed by a CO reference. We have now completed a full year with new regulations. Old regulation outcomes will phase out within the next 6 months and we will more effectively be able to compare data.

Complaint Cases Recorded in Qtr 4 - Schedule 3

Recorded during 01/01/21 and 31/03/21 were 42 cases, 5 of which were finalised and 37 are still pending.

Of those recorded prior to the same period 35 were finalised and 59 remain pending.

	Total recorded complaints	Finalised during this period	Pending during this period
Q1	51	7	44
Q2	38	3	35
Q3	27	0	27
Q4	43	5	38

There are currently 97 live Schedule 3 complaints being investigated.

Complaint Cases Recorded in Qtr 4 - Non Schedule 3

Recorded during 01/01/21 and 31/03/21 were 120 cases, 106 of which were finalised and 14 are still pending.

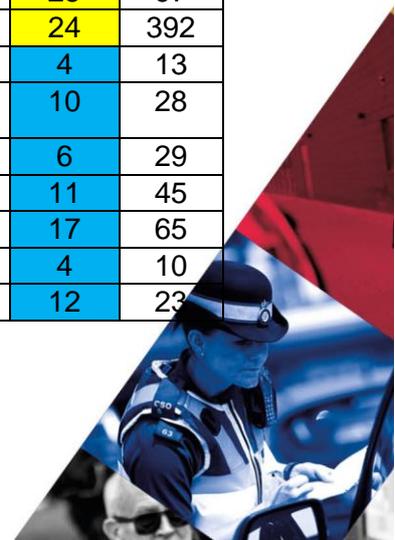
	Total recorded complaints	Finalised during this period	Pending during this period
Q1	151	133	18
Q2	184	130	54
Q3	120	106	14
Q4	89	84	5

There are currently 5 live Non-Schedule 3 complaints.

Allegations Recorded : (Note: there are still a few allegations recorded under Old Regulations headings)

The below table illustrates the top three groups of complaints:

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	16	4	26	60	127
A2. Decisions	16	1	21	41	87
A3. Information	19	10	21	25	97
A4. General level of service	140	53	81	24	392
B1. Stops, and stop and search	3	1	2	4	13
B2. Searches of premises and seizure of property	4	2	7	10	28
B3. Power to arrest and detain	9	3	8	6	29
B4. Use of force	9	5	13	11	45
B5. Detention in police custody	9	7	22	17	65
B6. Bail, identification and interview procedures	2	0	3	4	10
B7. Evidential procedures	2	3	2	12	23



B8. Out of court disposals	1	0	1	3	5
B9. Other policies and procedures	12	0	7	4	27
C1. Handling of or damage to property/premises	9	3	7	5	27
D1. Use of police systems	1	0	1	0	2
D2. Disclosure of information	5	4	1	11	22
D3. Handling of information	2	0	1	1	5
E. Unlawful/unnecessary arrest or detention	1	1	1	0	3
E1, Use of police vehicles	1	0	4	0	7
F. Discriminatory behaviour	0	0	0	0	1
F2. Disability	1	0	0	0	1
F3. Gender reassignment	0	0	2	0	2
F6. Race	1	1	0	0	2
F7. Religion or belief	0	0	0	1	1
F8. Sex	1	0	2	0	4
F10. Other	3	0	2	3	13
G. Irregularity in evidence/perjury	0	1	3	0	5
G2. Abuse of position for sexual purpose	1	0	0	0	1
G5. Obstruction of justice	0	1	0	1	2
G6. Abuse of position for other purpose	3	0	1	2	6
H. Corrupt practice	0	1	0	0	1
H1. Impolite language/tone	8	2	16	8	38
H2. Impolite and intolerant actions	3	2	12	9	30
H3. Unprofessional attitude and disrespect	22	16	29	24	106
H4. Lack of fairness and impartiality	7	1	5	20	36
H5. Overbearing or harassing behaviours	3	1	15	10	32
J. Mishandling of property	0	0	0	0	1
J1. Sexual assault	0	0	1	0	1
K1. Discreditable conduct	0	0	2	0	5
L. Breach Code B PACE	5	3	0	0	8
L1. Other	2	2	11	4	25
M. Breach Code C PACE	0	2	0	0	2
N. Breach Code D PACE	0	0	5	0	5
Q. Lack of fairness and impartiality	2	0	0	1	3
S. Other neglect or failure in duty	13	2	5	2	22
T. Other irregularity in procedure	2	1	2	0	5
U. Incivility, impoliteness and intolerance	4	1	0	0	6
X. Improper disclosure of information	1	5	0	0	7
Total	344	139	342	324	1385

Complaint Allegations have reduced by 5% during quarter 4 compared to quarter 3. This is likely to be attributable to the National lockdown.

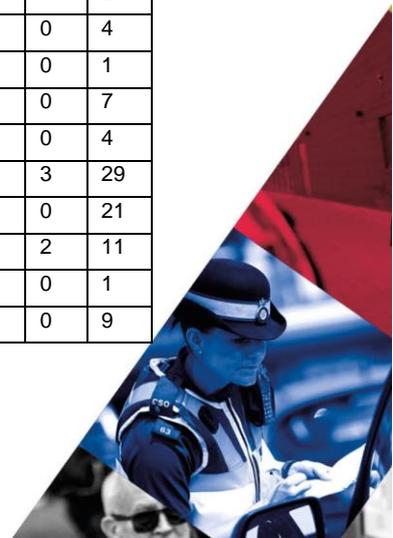
During Quarter 4 there have been 9 complaints (2 Schedule 3 and 7 Non Schedule 3) that are COVID19 related which resulted in 15 allegations. There were only 3 allegations which related to Police Powers on Restrictions with the rest spread across the categories.

In line with the national picture, Delivery of /Duties and Service (Ref A – Delivery of duties and Service 2020 Regs) / Other neglect of failure of duty remains the most prevalent category for allegations. Overall total being 152; followed by Individual Behaviours 72; and Police Powers, Policies and Procedures 71.

Allegations Finalised in (Qtr 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 - moved to Schedule 3	Not Upheld - by PSD	Resolved	Special Requirements	The service provided was acceptable	The service provided was not acceptable	Upheld - by PSD	Withdrawn	Total
03. General policing standards	0	0	0	1	0	0	0	0	0	0	1
A1. Police action following contact	2	2	0	0	34	0	6	1	0	0	45
A2. Decisions	0	0	0	0	26	0	5	2	0	1	34
A3. Information	1	0	1	0	12	0	9	7	0	2	32
A4. General level of service	5	0	0	0	14	0	11	8	0	1	39
B1. Stops, and stop and search	0	0	0	0	3	0	0	0	0	0	3
B2. Searches of premises and seizure of property	0	0	0	0	6	0	0	0	0	3	9
B3. Power to arrest and detain	0	0	0	0	2	0	5	0	0	0	7
B4. Use of force	0	0	0	0	2	0	3	0	0	3	8
B5. Detention in police custody	0	0	0	0	4	0	8	0	0	0	12
B6. Bail, identification and interview procedures	0	0	0	0	2	0	3	0	0	0	5
B7. Evidential procedures	1	0	0	0	3	0	3	1	0	0	8
B8. Out of court disposals	0	0	0	0	2	0	0	0	0	0	2
B9. Other policies and procedures	2	0	0	0	1	0	2	0	0	3	8
C1. Handling of or damage to property/premises	0	0	0	0	2	0	0	2	0	1	5
D2. Disclosure of information	0	0	0	0	8	0	0	0	0	0	8
D3. Handling of information	0	0	0	0	1	0	1	0	0	0	2
E. Unlawful/unnecessary arrest or detention	0	0	0	2	0	0	0	0	0	0	2
F10. Other	0	0	0	0	1	0	3	0	0	0	4
G5. Obstruction of justice	1	0	0	0	0	0	0	0	0	0	1
H1. Impolite language/tone	0	0	0	0	7	0	0	0	0	0	7
H2. Impolite and intolerant actions	0	0	0	0	4	0	0	0	0	0	4
H3. Unprofessional attitude and disrespect	0	0	0	0	17	0	7	2	0	3	29
H4. Lack of fairness and impartiality	1	0	0	0	9	0	9	2	0	0	21
H5. Overbearing or harassing behaviours	0	0	0	0	7	0	2	0	0	2	11
K1. Discreditable conduct	0	0	0	0	0	0	1	0	0	0	1
L1. Other	0	0	0	0	2	0	6	1	0	0	9



M. Breach Code C PACE	0	0	0	2	0	0	0	0	0	0	2
Q. Lack of fairness and impartiality	0	0	0	3	0	0	0	0	0	0	3
S. Other neglect or failure in duty	0	0	0	8	0	0	0	0	1	0	9
T. Other irregularity in procedure	0	0	0	1	0	0	0	0	0	0	1
W. Other	0	0	0	1	0	0	0	0	0	0	1
X. Improper disclosure of information	0	0	0	1	0	0	0	0	0	0	1
Y. Other sexual conduct	0	0	0	0	0	1	0	0	0	0	1
Total	13	2	1	19	169	1	84	26	1	19	335

During Quarter 4, under the old complaints and conduct regulations 19 allegations were not upheld and 1 allegation was upheld.

As a whole, allegations resolved during quarter 4 were closely split 50/50 between schedule 3 and Non-Schedule 3 complaints. Of the 170 Non-Schedule 3 allegations completed only 1 resulted in moving from Non-Schedule 3 to Schedule 3.

Complaints Finalised in Quarter 4:

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 4 between 0-30 days, most of which relate to Non-Schedule 3 complaints. 79% of the complaints finalised in quarter 4 were resolved within 30 days.

<u>Investigation Times</u>												
		Case to answer	No further action required	Not Resolved - moved to Schedule 3	Not Upheld - by PSD	Resolved	Special Requirements	The service provided was acceptable	The service provided was not acceptable	Upheld - by PSD	Withdrawn	Total Cases
SUMMARY												
Complaint	(A) 0 - 30 days	0	6	1	1	99	0	5	1	0	4	117
	(B) 31 - 60 days	0	0	0	1	0	0	0	0	0	0	1
	(C) 61 - 90 days	0	0	0	0	0	0	5	0	0	2	7
	Total	0	6	1	2	99	0	10	1	0	6	125

3.2 Distribution of Complaints

The distribution of complaints in Quarter 4 are fairly evenly split across the two (Local Policing Areas) LPA's, with the East having 5 more than the West. This is contrary to previous quarters where the West has proportionately slightly more complaints.

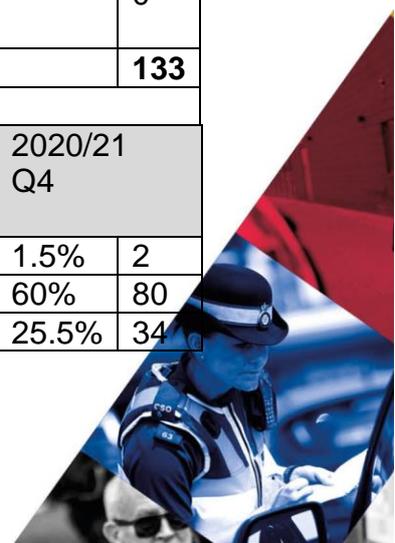
3.3 Equality Monitoring – complainants

The force has now moved to 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 2019/2020 % / No.s		2020/21 Q1 % / No.s		2020/21 Q2 % / No.s		2020/21 Q3 % / No.s		2020/21 Q4 % / No.s	
	White	79%	230	76%	160	80%	161	78%	137	73%
Unknown	12%	34	19.5%	41	16%	32	17%	30	20%	27
Asian	3%	10	2%	4	2%	5	2%	4	1.5%	2
Black	5%	16	2.5%	5	1%	2	2%	3	1.5%	2
Other	1%	2	-	0	1%	2	1%	1	4%	5
Total		292		210		202		175		133

Disability	Percentage 2019/20 % / No.s		2020/21 Q1 % / No.s		2020/21 Q2 % / No.s		2020/21 Q3 % / No.s		2020/21 Q4 % / No.s	
	No data	88%	256	90%	190	95%	193	89%	157	83%
Unknown	2%	7	2%	5	1%	1	6%	11	16%	21
Mental Health	3%	9	3%	6	1%	2	1.5%	3		0
Physical	1.5%	3	1%	2	-	0	1%	1	0.5%	1
Learning Difficulty	0.5%	2	-	0	-	0		0		0
Sensory	0.5%	2	-	0	-	0	-	0		0
Prefer not to say	1.5%	3	0.5%	1	-	0	-	0	0.5%	1
Other	-	-	-	0	-	-	1%	1		0
none	3%	10	4%	8	3%	6	1.5%	2		0
Total		292		210		202		175		133

Sexual Orientation	Percentage 2019/20 % / No.s		2020/21 Q1 % / No.s		2020/21 Q2 % / No.s		2020/21 Q3 % / No.s		2020/21 Q4 % / No.s	
	No data	9%	25	24%	50	13%	27	12%	21	1.5%
Heterosexual	79%	230	59%	123	66%	134	62%	108	60%	80
Unknown	4%	12	6%	13	7%	13	11%	20	25.5%	34



Prefer not to say	3%	11	6%	13	8%	16	10%	18	7%	9
Gay / lesbian	2%	7	2%	5	3%	6	2%	3	3%	4
Bisexual	1%	2	1%	2	1.5%	3	1%	1	2%	3
Other	2%	5	2%	4	1.5%	3	2%	4	1%	1
Total		292		210		202		175		133

3.4 Conduct

Conduct			
Reporting Period	Number	Reporting Period	Number
Q1 2019 /20	10	Q1 2020/21	6
Q2 2019/20	16	Q2 2020/21	4
Q3 2019/20	5	Q3 2020/21	2
Q4 2019/20	2	Q4 2020/21	7
Total	33	Total	19

The number of conduct cases has reduced. Previously the majority of conduct matters were off duty. The restrictions of the COVID19 Pandemic are likely to have impacted on the numbers and as we move out of restrictions it is predicted that conduct matters will rise.

3.5 Misconduct Outcomes for Q4 2020/21

There were no Misconduct proceedings during quarter 4.

3.6 External scrutiny

There are currently 4 live Independent IOPC investigations, 2 of which relate to 2 separate conduct matters involving the same officer. 2 relate to DSI matters.

There are currently three managed IOPC conduct investigations being undertaken by an external force (under the old regulations).

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

4.0 VETTING

4.1 (Please note due to the functionality of OLEEO Vetting data moving forward will be a 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	
Contractors / outside agency	285	324	259	
Vetting Health Checks	9	30 9 through OLEEO	65 26 through OLEEO	
MV Annual Assessments	80	155	110	
Total	475	620	588	

The vetting numbers are high at present due to Contractor vetting for the New Head Quarters and recruitment drive. PSD have not been able to fill the temporary post and further work is ongoing to assess demand against capability.

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

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

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	
Sexual Orientation	5 received 1 refused	10 received 0 refused	12 received 0 refused	
Disability	1 received 0 refused	2 received 0 refused	5 received 0 refused	



Gender Reassignment	2 received 0 refused	0 received 0 refused	0 received 0 refused	
Male	42 received 7 refused	53 received 5 refused	50 received 2 refused	
Female	29 received 0 refused	41 received 1 refused	72 received 2 refused	
Decisions Following Vetting Appeals- Protected Characteristics- (Police officer / staff) 2020/2021				
	Q1	Q2	Q3	Q4
BAME Accepted	2	1	0	
BAME Rejected	1	1	1	
Sexual orientation Accepted	0	0	0	
Sexual orientation Rejected	1	1	0	
Disability Accepted	0	0	0	
Disability Rejected	0	0	0	
Gender Reassignment	0	0	0	
Gender Reassignment	0	0	0	

The vetting panel is now well established and sit on an adhoc basis to discuss appeals to vetting failures. Below are the results for the appeals discussed in Q3. The vetting appeal cases may relate to vetting failures in the previous quarter.

5.0 OTHER MATTERS

- 5.1 Communications via The Beat on Financial vulnerability and APSP to raise awareness with staff and signpost to support services.
- 5.2 Updated version of Centurion launched January 2021.
- 5.3 Service Confidence meetings have been implemented to manage risk.
- 5.4 The Gold group has now concluded. The majority of work undertaken by this group has been completed and pathways for escalation of any outstanding issues are now in place.
- 5.5 Gwent PSD are currently investigating matters for two outside forces; Staffordshire and West Mercia.

6.0 NEXT STEPS

- 6.1 Implementation of ATA monitoring software (this will include an implementation plan).
- 6.2 Development of a fact sheet on APSP and scoping of multi-agency partners where fact sheet can be displayed to raise awareness and provide reporting mechanisms into Gwent Police.

6.3 Liaison with Safecall to provide the current service in Welsh

7.0 FINANCIAL CONSIDERATIONS

7.1 None.

8.0 PERSONNEL CONSIDERATIONS

8.1 None.

9.0 LEGAL IMPLICATIONS

9.1 None.

10.0 EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS

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

10.2 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.

11.0 RISK

11.1 No issues of risk to note.

12.0 PUBLIC INTEREST

12.1 None at this time.

13.0 REPORT AUTHOR

13.1 Detective Superintendent Leanne Brustad

14.0 LEAD CHIEF OFFICER

14.1 DCC Blakeman.

15.0 ANNEXES

15.1 None.

16.0 CHIEF OFFICER APPROVAL

16.1 I confirm this report has been discussed and approved at a formal Chief Officer's meeting.

16.2 I confirm this report is suitable for the public domain.

Signature:



Date: 13th May 2021



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:

