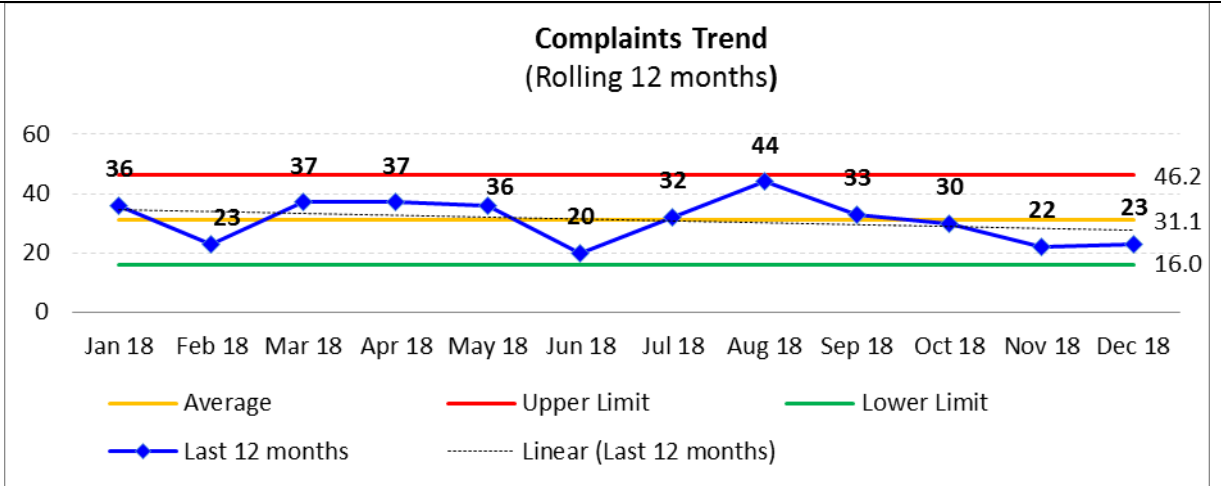


OFFICE OF POLICE & CRIME COMMISSIONER

LEAD CHIEF OFFICER:	Pam Kelly, Deputy Chief Constable
TITLE:	Professional Standards Performance Report, Q3
DATE:	6th March 2019
TIMING:	Routine
PURPOSE:	For monitoring
1.	<u>RECOMMENDATION</u>
1.1	The purpose of this report is to present the force and Professional Standards Department performance information for complaints against the police and misconduct. It also includes quantitative data in relation to the vetting function.
2.	<u>INTRODUCTION & BACKGROUND</u>
2.1	This report provides an overview of the number and types of complaint allegations made against officers and police staff members of Gwent Police, and provides significant performance information and analysis.
2.2	It also provides an overview of the conduct cases which were identified in the reporting period and some relevant analysis. Finally, it includes information about the methods, plans and initiatives being used to address the issues as well as information about misconduct proceedings.
2.3	The force vetting function forms part of the Professional Standards directorate carrying out vetting checks for all officers and employees as well as potential new recruits and employees and relevant contractors and their employees. It ensures that those performing specific roles and assigned specific tasks in the organisation are vetted to the appropriate security levels and are regularly reviewed.
3.	<u>ISSUES FOR CONSIDERATION</u>
3.1	Complaints There is a slight downward trend in the number of complaints being made.



There has been a significant decrease in recorded complaints in this quarter compared to the last, the numbers overall show an increase of (60%) compared to the same period last year. On average 31 complaints have been recorded each month.

Complaints	
Reporting Period	Number
Q3 2018 / 2019	75
Q2 2018 / 2019	109
Q1 2018 / 2019	93

Appeals

There have been two appeals against the outcome of investigations one of which was upheld, which resulted in an alteration to the findings whereby an officer received management action. There have been 6 appeals against local resolution, 2 of which have been upheld, both requiring an investigation. There have been 3 appeals against disapplication, none of which were upheld.

In Force Appeals		
Category	Appeals	Upheld
Disapplication	3	0
Investigation / Outcome	3	1
Local Resolution	6	2

Where complaints are assessed as Misconduct / Gross Misconduct or the matter has been referred to the IOPC, they become the appeal body. There have been no appeals against Investigation/Outcome, or non-recording in this quarter.

IOPC Appeals		
Category	Appeals	Upheld
Investigation / Outcome	0	0
Non-recording	0	0

3.2

Complaints – Categories of allegations

Note: a single complaint can be made up of a number of separate allegations recorded under different categories.

Allegations	
Category	%
Neglect of duty	40%
Incivility/Impoliteness/Intolerance	24%
Breach of Code C	11%
Assault	6%
General Policing Standards/Operational Policing	5%

These proportions between categories have remained relatively consistent year on year with Neglect of Duty remaining by far the biggest category for complaints.

Whilst Neglect can be a catch all for allegations that do not fit within the other available options, in general terms, complainants were unhappy with:

- Poor quality of service provided.
- Failure to investigate
- Being kept up to date/informed.
- Failure to contact

There is no indication that the failure to investigate allegations are linked to the Investigation Framework pilot and PSD data for the officers who have been trained in IF is supplied to the IF Gold Group.

The outcome of complaints can give an indication of how fairly and legitimately the Force deals with members of the public.

Neglect Allegation Outcomes		
Performance	Upheld	Not Upheld
	10	40
Misconduct / Gross Misconduct	Case to Answer	No Case to Answer
	0	0

Incivility Allegation Outcomes		
Performance	Upheld	Not Upheld
	2	7
Misconduct / Gross Misconduct	Case to Answer	No Case to Answer
	0	0

Assault Allegation Outcomes		
Performance	Upheld	Not Upheld
	1	3
Misconduct / Gross Misconduct	Case to Answer	No Case to Answer
	0	1

Discriminatory Behaviour Allegation Outcomes		
Performance	Upheld	Not Upheld
	0	0
Misconduct / Gross Misconduct	Case to Answer	No Case to Answer
	0	2

3.3

Distribution of allegations

The distribution of allegations remain is proportionately split between East and West with no discernible patterns in any area.

PSD are however currently working with the Qlikview team to allow a more in depth examination of factors which may affect the distribution of allegations, such as work stream or length of service as this functionality is not available using Centurion / Business objects.

3.4

Characteristics of complainants

Figures from Centurion show that in the period Q3, (18/19) 21% of complainants declared their ethnicity as being non-white. 2 stated that they had a disability.

20% of complainants chose not to provide this information. This is an improvement on last quarter which was 32%.

3.5

Conduct

Conduct			
Reporting Period	Number	Reporting Period	Number
Q3 2018/2019	10	Q3 2017/2018	14
Q2 2018/2019	10	Q2 2017/2018	13
Q1 2018 /2019	11	Q1 2017/2018	11

The number of conduct cases (Misconduct or gross misconduct identified through means other than a complaint against police) remains consistent this quarter compared to previous quarters.

3.6

Misconduct Outcomes.

- The resignation of a Police Constable was accepted by the Appropriate Authority. However a Special Case Hearing was held in the officer's absence following the resignation date. The outcome had they still been a serving police officer was dismissal, the officer will now be placed on the barred list. This related to off duty conduct in which the officer became involved in a fight with a male and was convicted of affray.
- The resignation of a Police Constable was accepted by the Appropriate Authority. However a Gross Misconduct Hearing was held in the officer's absence following the resignation date. The outcome had they still been a serving police officer was dismissal, the officer will now be placed on the barred list. This related to off duty conduct in which the officer was rude and disrespectful to members of the public.
- The resignation of a Police Constable was accepted by the Appropriate Authority. However a Gross Misconduct Hearing is scheduled for the end of January. This relates to the officer's honesty and integrity.
- The resignation of a police staff member was accepted by the Appropriate Authority. This related to unauthorised absence/providing false information/breach of trust.

Note: The conduct regulations have been amended by regulation 5 of the Former Officer Regulations so that they apply to persons who have ceased to be members of a police force. As the Appropriate Authority can no longer prevent an officer under investigation resigning, the regulations do allow the procedures for investigations and Hearings to apply to those former officers as they do for serving officers in the Conduct Regulations and the Complaint Regulations.

A Special Case hearing is one that is heard by the Chief Constable where the evidence of gross misconduct is considered incontrovertible.

3.7

Timeliness

The IOPC Q3 report for Gwent is yet to be published.

However Q2 report 2018/19 is as follows:-

Local Resolutions Q2 2018/19 Timeliness	
Area	Days
Gwent	33
MSF	66
National Average	71

Gwent has consistently been the best performing Force for timeliness in LR complaints for the year 2017/18 to date, this assists in improving satisfaction for complainants and for officers subject to complaints.

Investigations Q2 2018/19 Timeliness	
Area	Days
Gwent	94
MSF	165
National Average	150

The number of days for Gwent has improved by 10% from an average of 104 in the previous quarter; this is well below the national average.

Investigation Mode (allegations finalised)		
Type	Q2 2018/19	Q2 2017/18
Investigation	47%	60%
Local Resolution	26%	23%
Withdrawn	23%	10%
Disapplied	4%	7%

The increase in the percentage of Local Resolutions and withdrawals whilst at the same time keeping the number of days to deal with the matter low shows the success of using dedicated staff East and West to deal promptly with Performance complaints.

3.8

External scrutiny

The number of live IOPC investigations is very low at the moment with just 4 cases. These relate to a drug overdose whilst in custody, a death in custody (not in the custody unit), a near miss in custody and serious injury following a police pursuit.

DCC KELLY meets with the IOPC Investigation Team on a quarterly basis and they are satisfied that Gwent PSD make an appropriate number of referrals and has a good working relationship with the IOPC.

4.	<p>Vetting</p> <table border="1" data-bbox="518 235 1209 430"> <tr> <th colspan="2">Vetting Completed – Quarter 3 2018/19</th> </tr> <tr> <td>Police officer / staff</td> <td>220</td> </tr> <tr> <td>Contractors / outside agency</td> <td>247</td> </tr> <tr> <td>Total</td> <td>467</td> </tr> </table> <p>Of the 467 people vetted during this period 452 were granted vetting and 15 were refused.</p> <table border="1" data-bbox="518 593 1209 862"> <tr> <th colspan="2">Vetting Refusals – Quarter 3 2018/19</th> </tr> <tr> <td>Previous conviction / caution</td> <td>5</td> </tr> <tr> <td>Financial Vulnerability</td> <td>6</td> </tr> <tr> <td>Negative Intelligence</td> <td>3</td> </tr> <tr> <td>Associates</td> <td>1</td> </tr> <tr> <td>Total</td> <td>15</td> </tr> </table>	Vetting Completed – Quarter 3 2018/19		Police officer / staff	220	Contractors / outside agency	247	Total	467	Vetting Refusals – Quarter 3 2018/19		Previous conviction / caution	5	Financial Vulnerability	6	Negative Intelligence	3	Associates	1	Total	15
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5.	<p><u>NEXT STEPS</u></p>																				
5.1	<ul style="list-style-type: none"> • PSD continue to work closely with the LPA Commanders, Custody Leads and FCR leads to disseminate learning for individuals, teams and the organisation which has identified as a result of complaints from the public. PSD has designed its new intranet page which will further assist in the dissemination of learning, outcomes of investigations and advice and guidance. • There are plans to raise awareness of the role of PSD to officers throughout the Force in order to promote confidence in the department with a view to improving the number of intelligence submissions to PSD / ACU in line with the primary areas identified in the Strategic Threat Assessment. • Ongoing work with the Qlikview team to improve the quality and analysis of PSD data. • Continue the work to improve the collection of protected characteristics data from complainants. 																				
6.	<p><u>FINANCIAL CONSIDERATIONS</u></p>																				
6.1	<p>The business case to move to an electronic Vetting database has been approved and moving to the next stage of the process.</p>																				
7.	<p><u>PERSONNEL CONSIDERATIONS</u></p>																				
7.1	<p>A review of PSD staff in line with recommendations from Operation Larkspur shows that the department has sufficient staff with the appropriate skills to deal with complaints against police made by victims of sexual offences / domestic abuse cases.</p>																				

8.	<u>LEGAL IMPLICATIONS</u>
8.1	None.
9.	<u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u>
9.1	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.
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.	<u>RISK</u>
10.1	The risk associated with judicial immunity of Legally Qualified Chairs is on the Force risk register. This is a risk that applies to all Forces and is being addressed nationally.
11.	<u>PUBLIC INTEREST</u>
11.1	No public interest issues.
12.	<u>CONTACT OFFICER</u>
12.1	Detective Chief Supt Mark WARRENDER
13.	<u>ANNEXES</u>
13.1	None.

For OPCC use only

Office of the Chief Constable

I confirm that the PSD Performance Qtr 3 report has been discussed and approved at a formal Chief Officers' meeting.

It is now forwarded to the OPCC for **monitoring purposes**.

Signature:

P. C. Kelly

Date: 05.02.19

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: