

DECISION NO: PCCG-2013-071

OFFICE OF POLICE AND CRIME COMMISSIONER

TITLE:	Professional Standards Department Performance Report
DATE:	21st May 2013
TIMING:	Routine
PURPOSE:	Monitoring of levels of complaints and conduct allegations recorded by Gwent Police during the reporting period.

1. RECOMMENDATION

1.1 This report is submitted for the attention of the Office of Chief Constable (OCC) and the Office of the Police & Crime Commissioner (OPCC) and will provide information in relation to complaints and misconduct for Q4 of the Financial Year 2012-13. The report covers the period from January to March 2013. There is some information relating to Q3.

2. INTRODUCTION & BACKGROUND

2.1 This report contains both statistical and contextual information which is required by the OCC and the OPCC in order to review the performance of the Professional Standards Department during Q4 of the 2012-13 Financial Year and to consider its significance in relation to the performance and conduct of the members of the organisation in general and resulting public satisfaction.

3. ISSUES FOR CONSIDERATION

3.1 Complaints Statistics

Complaints against police officers and staff can be made up of 1 or more separate allegations against one or more officers/members of staff. Allegations are described or classified under different categories or types.

The number of allegations will always be greater than the number of complaints.

A total of 62 complaints were recorded during quarter 4 of the 2012/13 financial year. This is a 28% (n=24) reduction compared to Q3, 2012/13. In January 2013, 18 complaints were recorded. In February 2013 there was peak in the number of recorded complaints received (n=28), before levels reduced again in March 2013 (n=16).

3.2 Averages are calculated on the information available since April 2011.

The average number of complaints recorded per month currently stands at 27. Although there has been a spike in the number of complaints recorded in February 2013, the number recorded remains within the expected average range. The overall trend remains below average.

'Other Neglect' remains the main category of allegation recorded and accounts for 39% (n=90) of the total. A more detailed analysis of 'Neglect' can be found in a separate section of this report.

3.3 Locations of Allegations

30% of all allegations were made against officers and staff in the Caerphilly LPU (n= 24) and 28% against those based in the Newport LPU (n=22). In the Caerphilly LPU 86% (n=15) of allegations were against staff from the Neighbourhood and Partnership work stream. 37% (n=10) of all allegations within the Caerphilly LPU relate to staff in the Caerphilly Section, and 46% (n=7) of those allegations were made against staff from the Neighbourhood and Partnership work stream.

3.4 In Newport LPU 54% (n=15) of all allegations were made against staff employed in the Neighbourhood and Partnership work stream. 80% (n=20) of allegations in the Newport LPU relate to staff in the Newport Central section, and 55% (n=11) were made against staff employed in the Neighbourhood and Partnership work stream.

The table below shows the number of incidents dealt with in Newport Central, Caerphilly sections during the reporting period:

Location	Emergency	Priority	Total Number of Incidents
Newport Central	1076	1146	4164
Caerphilly	502	461	2122

3.5 It is important to note that Newport Central covers the city centre and is policed by officers from a variety of work streams including Armed Response, Support Group, as well as Neighbourhood Policing. Newport Central and Newport city centre is home to the force's busiest night time economy.

3.6 Categories of Allegation

Below is a summary of the most common types allegations recorded during quarter 4, 2012/13 compared to Q1, 2 and 3 of 2012/13. 'Neglect of Duty' continues to be the most common type of allegation recorded. 'Neglect' acts as a default for allegations which are not easily categorised by any other type.

The table is colour coded identifying areas showing an increase in red and those remaining static or reduced in green. Only one area has shown an increase during the quarter, that being PACE allegations (Breach of PACE A, B and C). Although the percentages appear large, the numbers involved are small.

Allegation	Q1	Q2	Q3	Q4	% Diff compared to previous Q
	2012/13	2012/13	2012/13	2012/13	
Assault	10	12	9	9	No change
Neglect of Duty	53	67	74	65	12% (-9)
Oppressive Conduct	13	11	17	15	12% (-3)
Incivility	24	32	25	22	12% (-7)
Discriminatory Behaviour	4	2	5	1	80% (-4)
Lack of Fairness & Impartially	5	7	7	4	43% (-3)

3.7	<p>Further analysis of the categories of allegation showing an increase :-</p> <p>Breach of PACE Allegations – 8 complaints have been finalised .3 were Locally Resolved and 4 were not upheld. The allegation which was upheld related to search of complainants' bedroom and was Locally Resolved by the PSD.</p>
3.8	<p>Neglect of Duty</p> <p>‘Examples of ‘Other Neglect’ classifications include:-</p> <ul style="list-style-type: none"> ❖ Dissatisfactions with treatment by Police ❖ Quality of Service Provided ❖ Being Kept informed or up to date ❖ Custody Issues ❖ Inability to deal with health problems or assist with child care ❖ Other <p>50% (n=45) of Neglect allegations relate to complainants’ dissatisfaction with treatment by police and a further 26% (n=23) were unhappy with the quality of service provided.</p> <p>Allegations were upheld during the quarter, a continuation of the improvement which was identified during the previous quarter.</p> <p>The geographical breakdown for complaints is:-</p> <ul style="list-style-type: none"> ❖ Caerphilly LPU accounted for 41% (n=37), and Newport LPU for 34% (n=31) of Neglect allegations recorded – Main station Caerphilly-65% , (n=24) and Alway 45% (n=14). ❖ In Caerphilly Section 17 and in Newport Alway 13 allegations were made against staff employed in the Neighbourhood and Partnership work stream.
3.9	<p>To address Neglect allegations PSD are currently implementing the following initiatives:-</p> <ul style="list-style-type: none"> • <i>‘Every day’s a training day ‘– The BATS (Briefing and Tasking) system continues to be used to cascade information highlighted in the IPCC ‘Learning the Lessons’ Bulletins to staff.</i> • <i>Departmental Bulletins and Newsletters– these provide staff with an overview of the department and provides briefings on changes in legislation, organisational learning and force policies and procedures i.e. use of the internet.</i> • <i>Sanitised summary of results of misconduct hearings and meetings are now included in the Gwent Guardian to inform staff of outcomes.</i> • <i>Members of staff from PSD give regular briefings to Probationers, PCSOs, Specials, Custody and DSU staff and newly promoted Inspectors in relation to types of complaints and the complaint process etc.</i> • <i>PSD have introduced a new Unsatisfactory Performance (UPP) policy for police officers. This will provide an alternative means by which to deal with underperforming officers, as opposed to misconduct. (see ‘Next Steps’)</i> • <i>PSD will be delivering Leadership seminars during the summer to address lessons learned.</i>
3.10	<p>Other Allegations and Areas of Concern</p> <p>There are no other areas for concern at present arising from statistical analysis.</p>

3.11 Allegations per Work Stream Role, 1000 Staff and LPU

The table below represents the distribution of recorded allegations within each work stream. 47% (n=65) allegations were made against officers and staff from the Neighbourhood Partnership and Policing work stream. Approximately 50% of the total workforce is employed in the Neighbourhood and Partnership work stream. These officers have an increased level of interaction with the public, which is likely to generate higher numbers of complaints and allegations.

Quarter	Neighbourhood & Partnership Policing (Staff Number=1246)	Crime Investigation (Staff Number=481)	Operational Support (Staff Number=301)	Other (Staff Number=568)	Total (Total Staff Number=2696)
Q1 - 12/13	90	13	11	25	139
Q2 - 12/13	95	18	15	31	159
Q3 - 12/13	97	29	8	26	160
Q4 - 12/13	65	18	14	41	138

The current establishment for the force (February 2013) is 2596 persons. During the Quarter 4, 2012/13, 139 allegations were recorded which equates to 53.5 allegations per 1000 staff members (Police Officers and Police Staff).

The table below shows a breakdown of number of complaints per LPU. As expected, Newport and Caerphilly have the highest number of complaints as both areas account for a large proportion of the force's total population. During the reporting period Newport LPU dealt with 13,898 incidents and Caerphilly 12,380. Various other force resources such as the Armed Response Unit and Support Group are based in Newport LPU.

As can be seen, complaints are made in relation to just over 0.1% of all incidents dealt with by the force. There is a very slight increase to this in Caerphilly and Newport by approximately 0.05%.

Local Policing Unit	Number of Record Incidents for Q4	Number of Complaint Cases
Blaenau Gwent	6110	9
Caerphilly	12,380	18
Monmouthshire	5,574	6
Newport	13,898	16
Torfaen	7,406	5
Total	45,368	54

3.12 Finalised Complaints

The table below details how complaints have been finalised and compares the current quarter (4, 2012/13) to the previous quarters (Q1, 2 and 3, 2012/13).

These figures fluctuate dependant on the modes of investigation i.e. proportionate but full investigations and Local Resolutions.

Although the terms 'substantiated' and 'unsubstantiated' appear in the table, they

have been replaced by 'upheld' or 'not upheld'.

	Q1 of 2012/13	Q2 of 2012/13	Q3 of 2012/13	Q4 of 2012/13
Dispensation (IPCC decision)	6	21	6	4
Substantiated	0	0	0	0
Unsubstantiated	0	0	0	0
Withdrawn	22	7	3	11
LR Div.	11	9	9	11
LR-PSD	35	49	33	28
Upheld	19	9	21	11
Not Upheld	27	40	80	71
Total Finalised	120	135	152	147
<i>NB - LR stands for Local Resolution</i>				

The Professional Standards Department continues to focus on early resolution and service recovery. During Q4 the number of complaints not upheld by PSD remained at a similar level Q3. During Q4 PSD have started a number of new complex investigations. At present this has not had any impact on the capacity of Investigating Officers (IO's) to oversee the low level complaints and has not been reflected in the number of complaints which have not been upheld.

However, as the complex investigations progress they may impact negatively on timeliness as an aspect of performance.

The streamlined working practices introduced to the department over the last 12 to 18 months have help to improve efficiency.

3.13 IPCC Overview Independent, Managed and Supervised Cases

The table below shows the current distribution of live IPCC investigations in Gwent.-

	Number of cases
Independent	2
Managed	0
Supervised	1

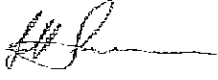
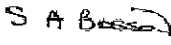
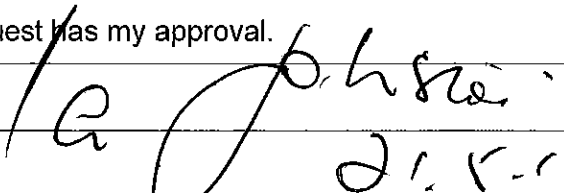
Since April 2012 the IPCC have received 54 appeals from Gwent complainants in relation to the investigation (39), the decision to Locally Resolve (10) and non-recording(6).

They have completed 43 of those appeals to date. Those appeals against the investigation are most significant in terms of Force Performance and to date 6 of those 25 completed have been upheld. This equates to 20.4%, The national average currently stands at approximately 30-35%.

	<p>No quarterly IPCC data is available at the moment due to the implementation of their new IT system. This is also the cause of some delay in the processing of appeals.</p>
3.14	<p>Conduct Statistics</p> <p>13 cases were recorded in Q4 of 2012/13 13 , with a 'spike' of 8 in February compared to 1 and 4 in January and March respectively. March saw the highest level of conduct cases recorded since June 2010 (n=8). However:-</p> <ul style="list-style-type: none"> ❖ The trend in January the was well below average ❖ In March the trend reduced to average. <p>The current monthly average stands at 3.7 (calculated on information available since April 2011).</p> <p>A potential impact factor on the predicted trend for 2013-2014 is a more proactive approach by the Anti-Corruption Unit.</p>
4.	<p><u>NEXT STEPS</u></p>
4.1	<ul style="list-style-type: none"> • 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. • 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. • Internal tasking processes will monitor performance in order to ensure that complaints and misconduct investigations are dealt with in a timely and professional manner. • 2013 will see a greater drive towards proper determination of complaints as matters of Unsatisfactory Performance rather than Misconduct and greater ownership of those matters by local commanders and managers. This will reinforce an organisational culture of leadership and allow commanders and managers to have a better understanding of performance in their areas and departments and how it relates to public confidence. It also satisfies the IPCC view and the principles of the Police Reform Act 2002 and the Police Reform and Social Responsibility Act 2011 to develop good practice by: – <ul style="list-style-type: none"> • getting and putting things right, • being customer focused, • acting fairly and proportionately, • seeking continuous improvement. • The Professional Standards Department will work with Corporate Communications to make the outcome of misconduct hearings public . • A Risk Management and Joint Taking process will monitor a number of internal systems and information and intelligence sources to identify those officers and staff who may be vulnerable to corruption or whose integrity needs greater scrutiny.

5.	<u>FINANCIAL CONSIDERATIONS</u>
5.1	Two Misconduct Hearings have been arranged over the next three months and these will have a financial impact on the force budget and on departmental resources.
6.	<u>PERSONNEL CONSIDERATIONS</u>
6.1	Some extra temporary resources are required in PSD to assist with an on going internal investigation.
7.	<u>LEGAL IMPLICATIONS</u>
7.1	There are no legal implications at this stage.
8.	<u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u>
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.
9.	<u>RISK</u>
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.
10.	<u>PUBLIC INTEREST</u>
10.1	There are no restrictions on this document being available to the public.
11.	<u>CONTACT OFFICER</u>
11.1	Jayne Sutherland Analyst - Professional Standards Department.
12.	<u>ANNEXES</u>
12.1	Not applicable.

For OPCC use only

Office of the Chief Constable	
I confirm that Professional Standards Department Performance Report report has been discussed and approved at a formal Chief Officers' meeting. It is now forwarded to the OPCC for monitoring purposes .	
Signature: 	
Date: 16 May 2013	
	Tick to confirm (if applicable)
Financial The Treasurer has been consulted on this proposal.	√
OPCC (insert name) The Senior Business Manager has reviewed the request and is satisfied that it is correct and consistent with the PCC's plans and priorities.	√
Legal The legal team have been consulted on this proposal.	N/A
Equalities The Equalities Officer has been consulted on this proposal.	N/A
Chief Executive/ Deputy Chief Executive:	
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.	
Signature: 	
Date: 21/05/13	
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: 21.5.13	