

Supporting best practice in force complaint handling

Who have we seen this quarter

We have attended 24 meetings with Professional Standards Departments (PSDs), and 20 meetings at Offices for Police and Crime Commissioners (OPCCs). Some were joint meetings.

We have attended five regional (regional heads or regional practitioner) meetings. Other events and meetings we have attended include:

- Metropolitan Police Service (MPS) Professional Standards Champion day.
- British Transport Police (BTP) divisional single point of contact (SPOC) seminar.
- Sancus training events for professional standards departments staff.
- Input to MPS on non-recording and local resolution.
- Crime and Policing in London seminar.
- West Midlands Police development day.
- Presentation at the Gangmasters and Labour Abuse Authority (GLAA).
- West Midlands Police Federation meeting.
- Two MPS Police Support Unit (PSU) training days: participating in question and answer panels.

»» Becoming the IOPC

The Independent Police Complaints Commission (IPCC) became the Independent Office for Police Conduct (IOPC) on 8 January 2018.

Please visit our new website: www.policeconduct.gov.uk

Our email addresses are now firstname.surname@policeconduct.gov.uk. We have followed Cabinet Office guidelines that say emails with .gsi as part of the email address will no longer be issued. The IOPC remains securely connected to the Public Service Network (PSN) and is properly accredited by the relevant regulatory body. Our emails are routed and received exactly as before, using the PSN.

We are now called the Oversight team, rather than Force Liaison and Oversight. Our team email is oversight@policeconduct.gov.uk.

What trends have we spotted this quarter?

The team responded to **147** telephone and email queries during October, November and December 2017.

Issues raised by our operational staff, and queries received by our team, this quarter.



Delays in making recording decisions

It is important that decisions about whether to record a complaint are made in good time when the complaint is

- The National Police Chiefs Council (NPCC) Professional Standards and Ethics meeting.
- Meeting with Home Office policy lead.
- Management of serious crime investigations development programme, at Northumbria Police.
- NPCC Complaints and Misconduct Group.
- Workshop presentations at Unison conference.
- Presentation at Police Federation conference.



You told us

A force contacted us about whether death or serious injury referrals are required when officers attend medical calls as first responders, and the person subsequently dies.

We are aware that other forces have also run similar schemes. We have raised this matter internally with our policy and legal teams, and we wrote to all forces on 19 December 2017 with guidance. In summary, the obligation to refer matters involving first responders is the same as for any other death or serious injury following police contact. The matter would only need to be referred if there is an indication that the contact may have caused (directly or indirectly) or contributed to the death.

received. We expect a recording decision to be made within ten working days of receipt of a complaint or notification, but ideally the decision should be made as soon as possible after the complaint is received¹.

Any delay at this stage can give a negative first impression to complainants, and can lead to (or add to) a belief that their complaint is not going to be taken seriously.



Quality of final reports and letters to complainants

A number of the issues raised this quarter centre on the language used in letters. It is important that matters are explained carefully in plain English, and care is taken to make sure that basic facts (such as dates and names) are accurate. Care should also be taken with the language used in letters. Issue ten of Focus², discusses the content of the final report and letters. In addition to issue ten of Focus there is also guidance in the paper we published in December, relating to vexatious complaints and persistent complainants³. Good work can be undone at this stage if sufficient care is not taken.

Complaints about chief officers



We have received queries about how to handle complaints against chief constables. We provided advice and guidance in a special issue of Focus in February 2015⁴, specifically for Offices of Police and Crime Commissioners. Often a complaint may name the chief constable/commissioner however, the actions (or inactions) complained about were of another officer. There is detailed advice and case studies on this situation in Focus.

¹ Paragraph 3.21, Statutory Guidance

² [www.policeconduct.gov.uk/sites/default/files/Documents/Focus/Focus December 2016.pdf](http://www.policeconduct.gov.uk/sites/default/files/Documents/Focus/Focus%20December%202016.pdf)

³ [www.policeconduct.gov.uk/sites/default/files/Documents/Focus/Focus December 2016.pdf](http://www.policeconduct.gov.uk/sites/default/files/Documents/Focus/Focus%20December%202016.pdf)

⁴ [www.policeconduct.gov.uk/sites/default/files/Documents/Focus/Focus%20special issue February 2015.pdf](http://www.policeconduct.gov.uk/sites/default/files/Documents/Focus/Focus%20special%20issue%20February%202015.pdf)

There must be some evidence or information to indicate that the acts or omissions of a person serving with the police caused or contributed to the death. Without this, the incident would not meet the definition of a DSI matter as set out at s12 of the *Police Reform Act 2002*.



Correspondence this quarter

20 December 2017

Emailed update to heads of PSDs, PCCs and police and crime panels (PCPs) on the IPCC's transition to the IOPC, including information on:

- changes to Regulation 20
- new publications (reflecting name and legislative changes)
- new forms for submitting cases to the IOPC
- secure direct complaint forms
- email addresses

19 December 2017

Emailed letter on behalf of Ian Todd to all chief constables (copied to heads of PSDs) about police first responders to medical emergencies and DSI referrals.

14 December 2017

Published Learning the Lessons, bulletin 31.



Did you know?

Vexatious and persistent complaints

On 5 December we published our paper that collates best practice on the handling of vexatious complaints and persistent complainants.



- > The paper includes approaches that have been successful in helping some forces manage these issues to minimise demands on resources. We shared these because they may provide models for others to follow.

The paper also explores:

- Understanding the underlying reasons for people feeling the need to enter or revisit the complaints system. This includes suggestions for effective support for complainants with mental health issues, learning difficulties, disabilities and vulnerabilities.
- Managing service user contact, including contact policies, providing fair access to the complaints system, and ensuring that complaints are properly identified and recorded.
- Managing staff welfare.

New legislation and appeals

- > A number of forces and police and crime commissioners (PCCs) are looking at how they might start to implement the principles of the new legislation. We have been asked if PCCs can begin to handle appeals in preparation for phase three of the new legislation. Until phase three of the new legislation is implemented, the relevant appeal body remains either the IOPC or the chief officer. Therefore, where the force is the relevant appeal body, the appeal must be handled by someone employed by the chief officer.
- > Some forces are also trialling ways of handling complaints informally outside of the *Police Reform Act*. The IOPC is supportive of this approach if it meets the complainant's needs and does not block access to the complaints system, or if the seriousness of the complaint demands it. If a complainant is not happy with dealing informally with the complaint, or where seriousness of the matter dictates a formal recording decision should be made. Formal recording decisions remain the responsibility of the appropriate authority.

12 December 2017

Emailed letter to PCCs and heads of PSDs about our plans to provide future inputs on the new legislation.

5 December 2017

Emailed paper on Vexatious Complaints and Persistent Complainants – [Complaints Handling and Managing Complainants Needs⁵](#), sent to heads of PSDs and PCCs.

3 November 2017

Emailed letter from Dame Anne Owers about the IPCC's transition to the IOPC.

2 October 2017

Emailed asking for policies to add to our internal library.

If you missed any of the above correspondence, please contact your oversight liaison who will be able to forward a copy.



Want to know more?

What else would you like to see in these updates? Get in touch and let us know!

@ Contact us

Email: oversight@policeconduct.gov.uk

If you want to trial new ways of working, feel free to get in touch with your oversight liaison. They will be happy to offer guidance and advice on whether the trial complies with legislation, and they may be able to share best practice from other forces.

Good practice and force initiatives

Cambridgeshire Constabulary has begun an operation aiming to improve responses to high demand persons. The intention is to reduce police time spent dealing with incidents and calls by having a better assessment of a person's needs through multi-agency information sharing.

Key contacts for this operation are:

- Shelley Ward Partnership and Operational Support
Co-ordinator – Substance
Shelley.Ward@cambs.pnn.police.uk
- Debra Bevan Policy and Practice Co-ordinator – Mis-use
debra.bevan1@cambs.pnn.police.uk

Single points of contact

Humberside Police now has designated single points of contact (SPOCs) for complaints that are dealt with locally. The SPOCs are superintendent level and the PSD has a meeting with them approximately every six weeks to discuss ongoing complaints. This allows the PSD to monitor complaints handled locally and they think this may have helped them lower the number of days it takes to finalise allegations by local investigation.



Forward look

We are looking at options for new editions of Focus and oversight projects in 2018. We plan to give updates on these in the next bulletin.

⁵ www.policeconduct.gov.uk/sites/default/files/Documents/statutoryguidance/persistent_complainants_final_2017.pdf