

Frequently asked questions

The following are questions which came up across all the recent complaint handler workshops carried out by the IOPC Oversight team in February and March 2023:

Question 1: Should we include the outcome of the Reflective Practice Review Process (RPRP) discussion in the letter to the complainant?

There is no requirement to provide the outcome of the reflective practice with the complainant, however in some cases it may be helpful to do so, especially if it adds greater meaning to the complaint response and you believe it will benefit the complainant's understanding of the reply. Carefully word it so that expectations are not raised in terms of the ability to request a review against the outcome of a reflective discussion, and further issues avoided.

Question 2: When is the review right given for complaints resulting in referral to RPRP?

The review right is given at the point that a service level determination is made, and the decision is made that learning from reflection or a referral to RPRP is a reasonable and proportionate outcome. The review right is against whether or not the decision to refer it to RPRP was a reasonable and proportionate one, and not against the final outcome of the RPRP itself.

Question 3: How many times can an officer be subject to RPRP?

RPRP is intended to be used for one-off issues or instances where there were limited previous attempts to address any emerging concerns around performance. Where it is clear there are repeated instances of a similar nature or a clear pattern of behaviour, RPRP may not be appropriate.

This could be affected by factors such as the seriousness of the new matter, and the way the officer or staff member engaged in the previous process. Where this is the case, issues around performance or conduct will usually be considered.

Referrals to RPRP can take place more than once for an officer and can be acceptable in the context of learning and development where the matters being referred are not related to the same issues or behaviour. For example an officer

could have RPRP relating to use of force and then on a separate occasion, they could be referred to RPRP again if the matter relates to other conduct, such as complaints regarding incivility i.e. allegations regarding being rude to a member of the public. As these two matters are unrelated, RPRP may be appropriate.

Question 4: Can you use RPRP after two incidents in quick succession?

Not if one incident of a similar nature has already been through RPRP. But if there hasn't been time to address the first incident then RPRP may be appropriate.

Question 5: What can you do about officers refusing to engage?

If an officer refuses to engage in RPRP, the reviewer can refer that failure for assessment by the appropriate authority, under Regulation 71 of the Police (Conduct Regulations) 2020. The appropriate authority should also be notified when a police staff member fails to engage with the process.

The appropriate authority will then consider whether their refusal to engage is acceptable, or if any pattern or trends in their behaviour have emerged which need to be addressed through more formal routes, such as UPP or misconduct. For police staff, it will be important to look at their specific contract or employment to assess what disciplinary options are available. For more information see [Focus 21](#).

Question 6: Can RPRP be used for misconduct?

RPRP should be used for lower level issues, short-comings and underperformance, whereas misconduct or gross misconduct should be applied to allegations of serious breaches of the Standards of Professional Behaviour which, if proven, would result in and a sanction at a minimum of written warning being justified.

A referral can be made to deal with a matter through RPRP at various stages in the handling of a matter, investigation or disciplinary proceedings, depending on the circumstances and what evidence is available.

Where there is a decision following an investigation that there is no case to answer for misconduct and disciplinary proceedings are not justified, there may be a decision to refer into RPRP if appropriate.

Question 7: What is the difference in severity between RPRP and learning from reflection? They both follow the same process, same discussion and same recording (although called different things). RPRP is formal but what should be different in the action we take for learning from reflection that makes it less formal?

RPRP is for when Practice Requiring Improvement has been identified, and a referral is made under Part 6 of the Misconduct Regulations. Learning from reflection is, for example, for when a complaint has been handled using the reflective practice framework, the outcome would be recorded as learning from reflection. They should not be viewed as different levels of severity but as a spectrum of options to promote learning, and neither is a misconduct outcome.

Question 8: Can other action be taken alongside RPRP? For example, can an officer be moved to a different role off the back of misconduct or a complaint and receive RPRP?

RPRP should be used for lower level mistakes, short-comings and underperformance. It is not intended to be punitive and should be about engaging in a process of learning and improvement.

It would therefore not appear to be appropriate to move someone for a punitive reason alongside RPRP. However, during the course of an investigation, it may be appropriate to move a person to a different role temporarily. For example, it could be good reflective practice for an officer to move to a specialised unit to help them gain valuable experience in an area they need development in.

Question 9: Is there standardised training for managers to do RPRP?

There are currently no plans for specific training on RPRP from the College of Policing. Reflective practice will be part of the leadership development training for sergeants and inspectors and so will cover the key elements of the technique.

Question 10: What is the purpose of the account the officer/staff member has the option of producing with RPRP?

Where an account has been given previously, for example as part of an investigation, it may not be necessary to seek a further account from the officer. Where no account has been given previously, asking for one provides the officer with the opportunity to input into and agree a written response to the issue and the action to be taken. It provides the officer with an opportunity to reflect, provide their view on the subject, and fully engage with the reflective action.

Question 11: Learning from reflection is when the reflective practice framework has been followed. What is meant by that? Is this the process or just the structured reflective practice discussion?

The reflective practice framework can also be used as a method of resolving a complaint which is being dealt with otherwise than by investigation. This is without the need for a formal referral to RPRP, or a determination by the appropriate authority. If the Local Policing Body has chosen model 3, they would make the decision to handle the complaint this way. When handling a complaint otherwise than by investigation, it is expected that it will be dealt with in a reasonable and proportionate way by the officer's line manager/supervisor. If an officer fully engages in the process, and if it is done correctly, reflective practice is an effective and efficient tool for line managers and supervisors to use.

To assist with discussions, templates available on the College of Policing Knowledge Hub should again be used, or adapted by forces, to ensure that the reflective practice framework is followed. This template can then be attached to the officer's performance development review record so that any future supervisors are aware of progression and development. The line manager/ supervisor must also inform the complaint handler about the outcome of these discussions, so that the complaint handler can provide this information to the complainant in the outcome letter, together with a right to review.

For more information about using reflective practice as a method of handling a complaint, otherwise than by investigation, please see [Focus issue 14](#) on reasonable and proportionate handling under Schedule 3 otherwise than by investigation.

Question 12: Please could you explain the difference between the right of review for RPRP and learning from reflection?

There is no difference – the right to review is against the outcome of the complaint handling, not the outcome of the RPRP. So where the outcome was referral to RPRP inside Part 6, the right to review is against the decision for the matter to be dealt with by way of RPRP, and not the outcome of the RPRP itself. With regards an outcome of learning from reflection, the right to review is in relation to whether or not the outcome of learning from reflection from a reasonable and proportionate one, not the outcome of the implementation of that learning.