

OVERSIGHT

newsletter

Welcome to our monthly newsletter which provides updates about the work of the Independent Office for Police Conduct (IOPC). The newsletter is for complaint handlers in forces and local policing bodies (LPBs).

Information for police

You can find lots of useful information for police officers and staff on our [website](#). This includes information and guidance for professional standards departments, complaint handlers and local policing body reviewers.

Topics include complaint handling guidance and a toolkit, IOPC discrimination guidelines, guidance on managing unreasonable and unacceptable complainant behaviour, an operational advice note on 12-month timeliness reports and more.

Introducing Learning the Lessons 44 (corruption)

On 2 October 2024 we published [issue 44 of our Learning the Lessons magazine](#), focusing on corruption.

Most people join the police because they want to make a real difference. But a minority join policing with the intent to abuse their position for personal gain and fail to uphold the high standards the public expect. Because corruption significantly undermines the public's trust and confidence in policing, this issue highlights tangible opportunities for readers in all ranks and roles in policing to reflect on current policies and practices, with the aim of identifying and preventing police corruption. The magazine also focuses on the importance of everyone in policing having the confidence to speak up and do the right thing when needed.

The magazine features eight new case studies which highlight real examples of police corruption, and contain reflective questions designed to unpick the learning from adverse incidents. Key themes include abuse of position (sexual and non-sexual), professional standards, misuse of police systems, organised crime, and inappropriate associations. The issue also includes:

- an introduction to the IOPC's anti-corruption work, including an overview of the IOPC's report line
- the College of Policing's outline of its revised code of ethics, alongside key developments in vetting and national training
- the National Police Chiefs' Council's counter-corruption lead, Chief Constable Lauren Poultney's overview on the key areas in the national counter-corruption strategy
- HMICFRS's reflection on progress made since their inspection of vetting, misconduct, and misogyny in the police service
- Crimestoppers's introduction to their anti-corruption reporting service

- Lancashire Police shares their preventative work around corruption to support line managers, officers, and staff
- an update from the NPCC's working group for misuse of instant messaging and social media on their work and strategy
- key insights from the National Crime Agency's latest National Threat Assessment

Please complete our [three-minute feedback survey](#) to tell us what you think about this issue. The survey closes on **2 December 2024**. Please email learning@policeconduct.gov.uk if you have any other comments or questions.

Reasons for recording complaints

The police complaints data currently shows that most complaints are recorded because the 'appropriate authority or body responsible for initial handling' has made that decision. We don't think this is accurate and discussions with forces indicate that it's being selected because the appropriate authority is responsible for making recording decisions. However, there are other options that are likely to be the reason why a complaint is recorded and this is important for data collection.

Where a complaint meets the recording criteria set out within the *Police Reform Act 2002*, you should choose '**nature of allegation**'. Where a complainant decides they want the complaint recording at the beginning of the process, you should choose '**complainant wishes**'. If outside schedule 3 has been tried and the complainant now wants the matter recorded, you should choose '**dissatisfaction after initial handling**'. You should only choose the '**appropriate authority/body responsible for initial handling decides**' option when the other three don't apply. We envisage this being for repeated complaints or where there is media interest in the issue.

When documented correctly, this information should give accurate data about what is driving complaints to be recorded. For example, if 'complaint wishes the complaint to be recorded' is the highest option, it might be that explanations about the complaint process aren't clear enough. If 'dissatisfaction after initial handling' is most common, it signals that the outside schedule 3 process isn't working or that cases might not be suitable for handling outside schedule 3. The 'appropriate authority/body responsible decides' option, would mainly be used to show the impact of persistent complainants, and the 'nature of allegations' category would show complaints that meet the criteria straight away.

For more information about this, please refer to our [Focus publication on Data capture](#).

Minimum standards for referrals

The IOPC Assessment Unit would like to remind forces to use the [Minimum standards for referrals guide](#) when making referral submissions. This guide was updated a few months ago to include newer areas of work, such as Right Care Right Person. It also details the documents and information required by the Assessment Unit for our staff to assess the complexity of a case and the appropriate level of investigation needed.

Not providing the required information with the referral submission, will likely lead to you receiving an increase in emails requesting the information and subsequent delays in determining the mode of investigation.

Please contact assessmentteam@policeconduct.gov.uk should you have any queries.

You have a voice campaign

On the 5 September, we launched our You have a voice campaign. The campaign is aimed at women and girls, to inform and empower victim-survivors of violence against women and girls (VAWG), and the professionals working with them, about their rights to make a complaint. It also signposts them to more information in various formats, if and when they need it.

We have sought the views of academics, professionals, organisations and advocates within the violence against women and girls sector to develop this campaign. Please actively share and promote the information where you can, including with people who use your service, colleagues and contacts where appropriate, and display materials in suitable spaces. We want women and girls to understand their rights in the police complaints system, so that they feel confident and have trust in the system should they need to use it.

On our website you will find digital posters, leaflets and business cards that can be printed or shared. We hope you can support the campaign by sharing the information with the professionals you work such as with Independent Sexual Violence Advisors (ISVAs), Independent Domestic Violence Advocates (IDVAs), and others in supporting roles. There is an information pack for those working in advocacy roles. You may also wish to promote the campaign on your 'how to complain' web pages. By supporting the campaign, and raising awareness of the complaints system, you will be helping to build trust and confidence in policing.

If you have any feedback about the campaign or the materials, please contact stakeholderengagement@policeconduct.gov.uk

Discriminatory behaviour assessment framework

We have been made aware of a new initiative to respond to complaints of a discriminatory nature. Bedfordshire, Cambridgeshire and Hertfordshire Professional Standards Department have worked closely with an independent advisor from their scrutiny panel, alongside colleagues in other areas such as Human Resources. They created a framework that can be used at all stages of a complaint or conduct investigation involving an allegation of discriminatory behaviour (from recording through to final determination), in order to assist the decision maker, investigator or complaint handler.

Bedfordshire, Cambridgeshire and Hertfordshire identified that discriminatory behaviour allegations pose a particular challenge for PSD. Sometimes, allegations were not recognised as being discriminatory in nature at the time of reporting. More commonly, they have found that investigators and decision makers have failed to recognise that discriminatory behaviour has occurred because they have assumed that if the harm caused is low, the subject did not intend to be discriminatory, or there were mitigating factors; this means that the behaviour was not discriminatory.

The framework provides a structured decision-making process to assess whether discriminatory behaviour has occurred. The framework takes the user through this process using seven questions. Harm, intent and mitigation form part of this question set, but are only considered once it has been determined whether discriminatory behaviour has occurred, to support assessment of severity.

Currently the framework is in use by appropriate authorities at the initial assessment and final determination stage. Alongside adoption of racism and discrimination as PSD priorities, the framework has contributed to more thorough investigations into conduct cases involving allegations of discriminatory behaviour, and an increased proportion of case to answer outcomes (from 19% in 2020/21 to 42% in 2023/24). Most cases leading to no case to answer engage the Reflective Practice Review Process for the employees concerned.

Later this year the framework will be rolled out further to those making recording decisions and those investigating or handling discrimination complaint and conduct matters.

Bedfordshire, Cambridgeshire and Hertfordshire believe that once fully rolled out this initiative will improve the recognition of, and response to, discriminatory behaviour in public complaint and conduct matters. It should provide consistency in decision making and in the action taken. They anticipate that it will lead to a small increase in “service not acceptable” outcomes for public complaints involving discriminatory behaviour, and an increase in the application of learning outcomes (whether individual or organisational) for such allegations. They expect to see greater consistency in the sanctions applied for discriminatory behaviour, where misconduct is found.

If you would like any further information on this, please contact Emily McKeever at Cambridgeshire PSD by email to Emily.McKeever@cambs.police.uk

Common questions from forces and LPBs

Q: For a recordable conduct investigation or a death or serious injury (DSI) investigation, do the interested parties and the officers/staff receive a copy of the report?

A: The IOPC [statutory guidance](#) indicates that the appropriate authority must inform the complainant and/or interested person(s) of the outcome of the handling of a complaint, recordable conduct matter or DSI matter. In a directed or independent investigation this would fall to the IOPC.

Subject to certain exceptions (see paragraphs 11.16 – 11.20 of the IOPC statutory guidance), where a matter has been investigated, the investigation report should be provided to the complainant and interested persons. However, the body supplying the information should consider whether the investigation report is sufficient to ensure that the complainant and interested persons have all the information they need and they can understand what it means. It may be helpful to provide supplementary explanation of the outcomes and any next steps.

On providing a copy to the officer or staff member, the IOPC statutory guidance (paragraph 17.75 onwards) explains that following an investigation, where the appropriate authority (or the IOPC in a directed or independent investigation) has determined that neither disciplinary proceedings nor performance proceedings will be brought against an individual, it must provide that person with a copy of the report on the investigation, or such parts of it as relate to that person (in accordance with Regulation 28, Police Complaints and Misconduct Regulations 2020).

This information should not be provided if the appropriate authority (or the IOPC in a directed or independent investigation) believes that to do so:

- might prejudice any investigation or proceedings (criminal or otherwise)
- might prejudice any subsequent review of the investigation, or

- would contravene Section 21A to the *Police Reform Act 2002* – in this case they must instead provide the copy having removed or obscured the information that, by virtue of Section 21A, must not be disclosed.

Following an investigation, where the appropriate authority (or the IOPC in a directed or independent investigation) has determined that disciplinary proceedings will be brought against an individual, it must comply with its duties under the Police (Conduct) Regulations 2020 to provide information to that person. The officer concerned must be informed of the outcome of the assessment as soon as practicable, and subject to the harm test, they must be provided with a copy of the report or part of the investigation report relating to them.

Corporate news

Changes needed to ensure stalking victims get the right response from police

Significant changes are needed to improve the police response to reports of stalking, an investigation into a police super-complaint has found.

The Independent Office for Police Conduct (IOPC), His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) and the College of Policing (CoP) found that police understanding of stalking is improving, and this is reflected in some innovative action by the police. But too often these cases are not being taken seriously enough and the quality of investigations is inconsistent.

The [full report](#) follows our detailed joint investigation into a super-complaint made by the Suzy Lamplugh Trust, on behalf of the National Stalking Consortium, about the way police respond to reports of stalking.

It details 29 recommendations we have made to ensure better support for victims. These include:

- outlining steps chief constables should take now to improve the quality of stalking investigations
- changing the criminal law on stalking, which is currently confusing in places, to make it easier for police to understand and apply
- making stalking protection orders simpler and easier for the police to use
- ensuring police and support services work more closely together to improve the service provided to victims

These recommendations – to chief constables, police and crime commissioners, the National Police Chiefs' Council (NPCC), the Home Office, the Ministry of Justice and the Crown Prosecution Service – will support policing to make the necessary improvements to ensure reports of stalking are consistently taken seriously and victims are better safeguarded.

IOPC Director General Rachel Watson said:

“Stalking is a serious crime that can have a devastating impact on victims. Those affected need to have confidence to come forward, knowing they will be listened to and supported by those whose role it is to keep them safe.

“Change is happening – and today's report highlights some excellent work we want to see become standard right across England and Wales. Sadly, we also saw too many cases where police failed

to recognise stalking or take the necessary steps to protect victims – and policing must act now to improve this.

“I would like to thank all the victims and support services who shared their experiences. This report is a chance to make sure their voices are heard, and the issues they highlight are urgently addressed.”

You can read the [full media release](#), including comments from His Majesty’s Chief Inspector of Constabulary, Andy Cooke, and Chief Constable Sir Andy Marsh, College of Policing CEO. Read the [full report](#).

Latest news

Keep up to date on our investigations and other work to increase public confidence in the police complaints system. You can find our [latest IOPC news](#) on our website.

[Gross misconduct proven against two Devon and Cornwall Police officers over level of care to man who died](#)

[Gross misconduct proven for Met officer who put Taser to the neck of a boy during stop and search](#)

[Former Thames Valley Police call handler jailed after admitting corruption for sharing information with criminal group](#)

[IOPC to reinvestigate the fatal police shooting of Lewis Skelton following judicial review](#)

[IOPC seeks witnesses after fatal collision involving Warwickshire police vehicle that was responding to an emergency call](#)

[No case to answer found for Lincolnshire Police after the bodies of a father and young son were discovered](#)

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If you have any questions, please get in touch with your Oversight Liaison or a member of the Oversight team.

