

Supporting best practice in force complaint handling

## Who have we been to see this quarter

We attended 41 meetings with professional standards departments (PSDs), and six meetings with staff at Offices for Police and Crime Commissioners (OPCCs). Some were joint meetings.

We also attended seven regional meetings (with regional heads or regional practitioners) including an OPCC South East Regional Meeting.

### Other events and meetings we attended

- Kent Police leadership event.
- Tackling Vulnerability Together conference (South Wales).
- Input to Surrey Police PSD about discrimination.
- Presentation at Lancashire Police giving an overview of the IOPC.
- Input at Sancus<sup>1</sup> police training events.
- Meeting with a detective chief inspector from the Metropolitan Police Service Community Engagement and Inclusion Unit.



## What trends have we spotted this quarter?

The team responded to a total of **186** telephone and email queries during January, February and March.

We are continuing to develop our regular engagement programme with staff at OPCCs who increasingly call with questions. We are also maintaining our ongoing relationships with PSDs.

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



### Background papers

We last highlighted background papers (BGPs) as a concern in issue 6 of the Oversight bulletin<sup>2</sup>. During this quarter, we have seen an increase in the number of reports of BGPs that are missing key documents.

We are, therefore, reviewing the examples provided to identify any patterns or trends in the types of papers that are often missing. When we have completed this analysis, and identified the possible options for improvement, we will work with both our own staff and forces to find the best solution.

<sup>1</sup> Sancus is a company that provides investigations training.

<sup>2</sup> [www.policeconduct.gov.uk/sites/default/files/Documents/OversightBulletin/Oversight\\_bulletin\\_Issue\\_6\\_July\\_Aug\\_Sept\\_2017.pdf](http://www.policeconduct.gov.uk/sites/default/files/Documents/OversightBulletin/Oversight_bulletin_Issue_6_July_Aug_Sept_2017.pdf)



## Did you know?

The IOPC Oversight team is planning a series of regional workshops for forces and local policing bodies to discuss referrals. These will focus on the types of incidents that are being under-referred, and are areas of particular concern, both for us and Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS).

The events will be an opportunity for practitioners to network and share best practice about referral matters and processes. We are looking at options for workshop venues and the Oversight team, jointly with the Assessment team, plan to deliver the workshops during June through to early July 2018.



## Discrimination guidelines

This is a topic that features regularly in our conversations with forces as you continue to embed the IPCC [Guidelines for Handling Allegations of Discrimination](#)<sup>3</sup>.

Over the last quarter, we have seen a slight increase in the number of cases where our guidelines have not been followed. Don't forget, our guidelines include lots of useful examples. The principles of the guidelines can also be used in any case where discrimination features.



## Voluntary referrals

A force asked us how long it has to submit a referral after it first identifies a matter as suitable for voluntary referral because it is very serious or of public interest. There is no time limit in law, or our [Statutory Guidance](#)<sup>4</sup> to the Police Service on the Handling of Complaints, but we would encourage forces to apply the spirit of the mandatory referral deadlines set out in our statutory guidance. Any voluntary referral should be made without delay, and by the end of the day after a force decides that they want to make such a referral.



## Positive feedback

We have seen a steady increase in positive feedback from our operational staff about your complaints handling practices. A great deal of the positive feedback relates to well-written investigating officers' reports. The good practices include:

- evidence clearly set out and assessed in reports
- good rationale provided for decisions made
- thorough explanations of terminology used in the reports
- cases that make reference to relevant laws, training, and decision-making processes
- reports or BGPs that provide:
  - > appendices
  - > contents pages
  - > timelines
  - > glossary of terms
  - > visual illustrations to assist with complex cases

Please refer to issue ten of [Focus](#)<sup>5</sup> for further guidance on the quality of investigations.

<sup>3</sup> [www.policeconduct.gov.uk/sites/default/files/Documents/research-learning/guidelines for handling allegations of discrimination.pdf](http://www.policeconduct.gov.uk/sites/default/files/Documents/research-learning/guidelines%20for%20handling%20allegations%20of%20discrimination.pdf)

<sup>4</sup> [www.policeconduct.gov.uk/sites/default/files/Documents/statutoryguidance/2015\\_statutory\\_guidance\\_english.pdf](http://www.policeconduct.gov.uk/sites/default/files/Documents/statutoryguidance/2015_statutory_guidance_english.pdf)

<sup>5</sup> [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)



## Forward look

We are updating our [Operational Advice Note for Police and Crime Panels<sup>6</sup> \(PCPs\)](#) which is available on our website. This will include further guidance for PCPs about how to make a referral, the referral criteria, and specifically, the seriousness assessment and what information the IOPC expects to receive.

We are in the process of drafting an edition of Focus that will provide guidance to forces submitting death and serious injury (DSI) reports to the IOPC. This will include:

- when a DSI report should be submitted
- what information it should include
- the potential outcomes forces can expect



## You told us

### Update on complaint posters

A force asked us for posters with new IOPC corporate branding and contact details to display in custody to help detainees make a complaint. We no longer provide IOPC branded posters. Although the IOPC can receive complaints, the quickest way for a complaint to be handled is to make it directly to the force. It is the force that is ultimately responsible for the handling of that complaint. Any printed posters about how to make a complaint should have force branding and explain how someone can make a complaint directly to the force.

You can order copies of our publication [A Guide to the Police Complaints System<sup>7</sup>](#), which broadly sets out how the police complaints system works. English and Welsh versions are available and you can order them using the publications order form on the [Contact us<sup>8</sup>](#) page of our website. Forces can order a maximum of 250 copies of each version, twice a year.

### IPCC position statement: Risk in Police Decision-Making and Accountability in Operational Policing

We have received queries about whether our guidance on decision-making and accountability remains current. Queries arose because the guidance had been removed from our new website. It is currently being reviewed and we are making minor amendments to ensure it reflects our new organisation. The policy intent behind the document, however, will remain unchanged. A revised version will be available online in the near future.

### Abuse of position for sexual gain or abuse of position for an improper emotional relationship

Following HMICFRS's police effectiveness, efficiency and legitimacy (PEEL) inspection report on 8 December 2016, concerns were raised that forces do not always recognise abuse of position for sexual gain (APSG) or abuse of position for an improper emotional relationship (APIER), and were not referring all qualifying incidents.

The IOPC is committed to monitoring the disparity in referral rates and to flag forces that may be under-referring. We have recently undertaken our second review of the referral numbers. This compared the ten months before, and the ten months following, the HMICFRS report.

<sup>6</sup> [www.policeconduct.gov.uk/sites/default/files/Documents/statutoryguidance/complaints\\_guidance\\_for\\_police\\_and\\_crime\\_panels.pdf](http://www.policeconduct.gov.uk/sites/default/files/Documents/statutoryguidance/complaints_guidance_for_police_and_crime_panels.pdf)

<sup>7</sup> [www.policeconduct.gov.uk/sites/default/files/Documents/Complaint\\_forms/A\\_guide\\_to\\_the\\_system.pdf](http://www.policeconduct.gov.uk/sites/default/files/Documents/Complaint_forms/A_guide_to_the_system.pdf)

<sup>8</sup> [www.policeconduct.gov.uk/contact-us](http://www.policeconduct.gov.uk/contact-us)



## Correspondence this quarter

**29 March 2018**

Learning the Lessons 32<sup>9</sup>  
(Protecting vulnerable people) published.

**28 March 2018**

email sent to all PSDs asking forces to check compatibility with Word drop down menu.

**12 March 2018**

email to PCCs and heads of PSDs for consultation on issue 11 of Focus<sup>10</sup> looking at local resolution suitability. The consultation period for this has now closed.

**21 February 2018**

email requesting that appropriate authorities send correspondence to the Wakefield operations managers via email rather than posting it.

**8 February 2018**

emailed letter sent to all heads of PSDs requesting information from forces about gross misconduct hearings.

Nationally, there are some positive headlines – the overall numbers of referrals relating to APSG has more than doubled. We have written to those forces whose referrals rates have increased notably to acknowledge this.

However, there is still a concern about the low number of APSG referrals being received from some forces. We have recently written to the chief constables of those forces to ask for their assurances on progress in this area.

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## Good practice and force initiatives

### Management action form

Wiltshire Police uses a management action form, which sets out details of action or guidance intended to improve the performance of an officer, and then the improvements required.

### Mental health training

North Yorkshire Police (NYP) has created and delivered bespoke mental health training to frontline officers and staff. It aims to:

- increase awareness and identification of mental health vulnerabilities
- improve the recording of incidences involving people with mental ill-health
- provide a clearer understanding of how to access mental health services

Training is delivered by mental health professionals. The training was developed by NYP, the University of York, and Tees Esk and Wear Valleys NHS Foundation Trust (TEWV).

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<sup>9</sup> [www.policeconduct.gov.uk/sites/default/files/Documents/Learningthelessons/32/LearningtheLessons\\_Bulletin32\\_March2018.pdf](http://www.policeconduct.gov.uk/sites/default/files/Documents/Learningthelessons/32/LearningtheLessons_Bulletin32_March2018.pdf)

<sup>10</sup> [www.policeconduct.gov.uk/sites/default/files/Documents/Focus/Focus\\_11\\_April2018.pdf](http://www.policeconduct.gov.uk/sites/default/files/Documents/Focus/Focus_11_April2018.pdf)

## Correspondence this quarter

### 23 January 2018

emailed letter sent to all stakeholders from the IOPC Director General, Michael Lockwood introducing himself and the IOPC.

### 4 January 2018

email to PSDs about the new URLs for the IOPC website and additional forms.



## Want to know more?

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

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## @ Contact us

Email: [oversight@policeconduct.gov.uk](mailto:oversight@policeconduct.gov.uk)

Read back issues of the [Oversight bulletin](#)<sup>11</sup>

## Adverse incidents meeting

Gwent Police now has a process in place for its monthly force adverse incidents meeting, with involvement from:

- custody
- the PSD
- health and safety

This allows custody staff to raise incidents that they would not normally notify to the PSD because they do not meet the threshold for possible referral. For example:

- assaults against staff
- issues related to staff and detainee welfare, such as slips and minor accidents

This allows PSD staff to review these cases to ensure that the right matters are being notified to the PSD for possible referral, but also to consider any learning that they identify.

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<sup>11</sup> [www.policeconduct.gov.uk/research-and-learning/learning-and-recommendations/oversight-bulletin](http://www.policeconduct.gov.uk/research-and-learning/learning-and-recommendations/oversight-bulletin)