

Supporting best practice in force complaint handling

Who have we been to see this quarter?

We went to 27 meetings with professional standards departments (PSDs), one of which was also attended by the Office of the Police and Crime Commissioner (OPCC).

We also went to seven regional meetings, including an OPCC North West regional meeting.

Other events and meetings we attended:

- Five regional referrals workshops with PSDs and OPCCs (more information below).
- Inputs on the IOPC and our work at three Sancus¹ events.
- An independent investigation process mapping workshop with Greater Manchester Police (GMP).
- Input on the IOPC and our work at the Metropolitan Police Service (MPS) Department of Professional Standards (DPS) induction day.



What trends have we spotted this quarter?

Our Oversight team responded to **145** external telephone and email queries during July, August and September.



Local complaint investigation reports

Our casework teams have raised issues with local complaint investigation reports containing confusing terminology and ambiguous outcomes. Some reports did not address all of the complaints, and decision letters to complainants had incorrect appeal expiry dates and lacked details of who the Relevant Appeal Body (RAB) was.

Investigation reports should be written in plain English and be free from technical jargon. If technical language has to be used, a plain English explanation of what it means should be included. If aspects of the complaint have been grouped together, that needs to be clearly explained so that the complainant can be sure that the whole of their complaint has been considered.

Please make sure that the correct appeal time (28 days from the day after the decision is sent) is included in the report, and that the complainant is told who the RAB is and how they can make an appeal.

For guidance about the content and quality of investigation reports, please see section 11 of the [Statutory Guidance](#). Supplementary guidance is also available in [Focus issue 10](#).

¹ Sancus are a provider of PSD training.

- Abuse of Position for Sexual Purpose (APSP) conference at West Yorkshire Police (WYP).
- Meeting with the MPS about dog bites and notification to DPS.
- Meeting between WYP investigation staff and IOPC casework staff to discuss local investigations and the IOPC's appeal processes.
- Input on death or serious injuries (DSIs) at Cumbria Constabulary.
- Police Superintendent's Association conference.
- Meeting with the Home Office to discuss UKBA complaints and misconduct regulations.
- IOPC presentation at Her Majesty's Revenue and Customs (HMRC) conference.
- Severity assessments review with the National Crime Agency (NCA).
- Meeting with the Cayman Islands Ombudsmen.
- The National Police Chiefs Council (NPCC) complaints and misconduct group.
- Heads of PSD training.

Complaint received during a local death or serious injury (DSI) investigation

A few PSDs have asked us how to proceed when they receive a complaint about something that is being looked at within an ongoing DSI investigation.

If the complaint covers the subject matter of the DSI investigation, then the investigation is re-categorised as a complaint investigation and re-referred to the IOPC. This is required by the *Police Reform Act (PRA) 2002*. If the matter is returned back to continue the local investigation, the final report is a complaint report with a right of appeal to the IOPC.

However, if the complaint does not fully cover the subject matter of the DSI investigation then, as well as the complaint report for the complainant, a local DSI investigation report should also be sent to the IOPC on those aspects not complained about. This might mean that the entire investigation is written up in one report, but the findings on the complaint are sent to the complainant with their right of appeal. The report is then sent to the IOPC for the purposes of our local DSI investigation review, but with the aspects clearly labelled so that we do not consider the complaint matters within our review.

For further guidance, see sections 8 and 11 of the [Statutory Guidance](#).

Do not attempt resuscitation orders in custody

A force's custody policy unit asked its PSD whether custody officers might be subject to proceedings if they did not follow a do not attempt resuscitation (DNAR) agreement and performed CPR on a detainee. The PSD contacted the IOPC to seek our views.

[The College of Policing's Approved Professional Practice \(APP\) guidance](#) states that a custody officer "should consider the necessity to detain someone with a DNAR and in all cases should call a medical practitioner" to the custody suite. It also states that the "prevailing responsibility for custody officers and staff is to keep a detainee alive and safe while in custody".

We suggested that custody suites should consider putting a note in a custody record that this had been explained to the detainee. There has also been some discussion within forces about the ethical issues surrounding DNARs in the custody environment. These have been flagged with the College of Policing to consider.



You told
US

IOPC leaflets

Essex Police told us that our leaflet for police officers or staff involved in an independent investigation is being distributed on some investigations but not on others. We are looking into why this is happening and what we can do to make sure that the leaflet is distributed when it should be. We will keep you updated about this. Our leaflet is available on our [website](#).

Joint working

Merseyside Police contacted us to explore opportunities for joint working. Over the last couple of months, our investigations staff have attended training days, familiarisation visits to their control room, and held a workshop exploring their working relationships with PSDs.



Positive feedback

We have seen an increase in positive feedback from our investigations teams about the handling of on-call incidents including:

- A PSD was told of an incident promptly by divisional staff.
- Helpful officers at a scene facilitated the requests made by IOPC staff.
- Timely referrals were made to the IOPC on-call team.
- Good communication was received from the single point of contact (SPOC) throughout an incident.



Oversight projects

Referrals workshops

We have circulated our frequently asked questions (FAQs) document to the referral workshop attendees, as well as all PSDs and OPCCs. We have noticed a moderate increase in the number of referrals received in the months since the workshops. We will look at this in more depth to evaluate the impact of the workshops.

During the referrals workshops, we discussed the quality and content of DSI referrals. We discussed why this can sometimes mean we require a local investigation of a DSI, rather than returning it to the force to handle as they see fit. We have reviewed and compared 'return to force' and 'local' MOI decisions made in the months since the workshops and have noticed that the number of 'return to force' decisions has increased. We will continue to monitor this over the coming months.

Background papers review

We continue to work with colleagues in casework on the delays and difficulties they experience because of incomplete background papers (BGPs) for appeals. Along with members of our administration and casework teams, we co-ordinated a workshop with WYP to map out the BGPs process and identify any issues when requesting/providing BGPs. The workshop was productive. We have compiled a draft process map and have shared that with attendees. We have also identified a number of potential solutions to some of the issues with BGPs.

We will conduct the same exercise with South Yorkshire Police (SYP) and compare the two process maps to identify the next steps. We intend to use this work as a basis for sharing good practices with all forces.



Correspondence this quarter

> 28 September 2018

Briefing note on IOPC streamlined DSI investigations sent to heads of PSD, chief constables, PSDs and OPCCs.

> 19 September 2018

Email sent to policing stakeholders about the IOPC consultation on the categories for recording the nature of police complaints.

> 14 September 2018

Oversight August monthly message to all PSDs and OPCCs.

> 13 September 2018

Annual Police Complaints Statistics for England and Wales 2017/18 published.

> 21 August 2018

Oversight bulletin Q1 2018/19 published.

> 21 August 2018

Oversight July monthly message to all PSDs and OPCCs.

> 25 July 2018

Annual Deaths During or Following Police Contact report 2017/18 published.

> 18 July 2018

Oversight June monthly message to all PSDs and OPCCs.

> 10 July 2018

Letter sent to all PCCs outlining police complaints data requirements for PCCs in the new complaints system.



Did you know?

Subject matter networks

In May 2018 we launched subject matter networks (SMNs) across the organisation. We have selected seven topics:

- deaths in custody
- roads policing
- mental health
- discrimination
- domestic abuse
- use of force
- disclosure

The networks have representatives from all areas of the IOPC and are designed to grow our knowledge, both internally and externally, and increase our organisational impact, expertise and operational effectiveness. In our August monthly message, we asked you to provide us with contact details for your force leads in these areas. Please send those details to oversight@policeconduct.gov.uk as soon as possible.

Independent investigation process mapping

Along with members from our investigations team, we met with GMP professional standards branch (PSB) investigations teams to process map an independent investigation from scene to proceedings. This was to understand each other's roles at every stage of the investigation and to identify opportunities for improvement in our ways of working. It was a very successful two days and we have compiled the process map and shared it with the people who went to the sessions. We conducted the same exercise with WYP last year. We will now compare the two process maps to identify next steps. We intend to use this work as a basis for a standard process map for all independent investigations.

Learning recommendations survey

The IOPC is currently carrying out a review of how we identify learning from our cases and how we make learning recommendations. We want to make sure that the learning we identify from our cases leads to appropriate recommendations that can be taken forward by the police service to improve policing. To do this well, it is important that we hear from you about what you think effective recommendations look like.



Forward look

Legislative change

We are reviewing the work involved in launching the legislation given the delays, and considering what the main focus of our work will be due to the delay in the timetable. We will look at what intervention and prevention work we can undertake with forces.

Process mapping

We will complete a process mapping workshop with South Wales Police (SWP). This is to better understand each other's processes and ways of working, including how SWP investigate complaints and what the IOPC considers when assessing an appeal. It will also help to support our oversight work on BGPs for appeals.



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

We would be grateful if you could complete this survey www.smartsurvey.co.uk/s/IOPC_learningrecommendations to give us your views. The survey asks questions about people's experience of receiving recommendations from the IOPC (formerly the IPCC). It asks what their expectations are of various parts of the process, including consultation, the wording of recommendations, and implementation. We know that recommendations may be dealt with by people within different roles and we are keen to receive as many people's views as possible. Please share this with anyone in your force that you think it may be relevant to. The survey is open until 17 December 2018.

If you have any questions about the survey please email policy&engagementteam@policeconduct.gov.uk

Good practice and force initiatives

Understanding the severity of abuse of position for sexual purpose

WYP held an abuse of position for sexual purpose (APSP) conference. It was attended by statutory, non-statutory and community and voluntary sector organisations who help and support vulnerable people. The conference aimed to understand the extent and impact of how big a problem APSP is, how the force can improve, and what barriers there are to reporting the public's concerns.

Poster about reporting DSIs

Cleveland Police have produced an internal poster which emphasises the importance of officers reporting all links between police contact and DSIs to the directorate of standards and ethics without delay. The poster describes serious injuries and who to report them to. It also tells officers and staff not to wait for a hospital diagnosis before reporting something. It is being placed throughout their buildings and will be added to screensavers.