

FOCUS

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REFLECTIVE PRACTICE

Focus gives police force professional standards departments (PSDs) and local policing bodies practical guidance on dealing with complaints, conduct matters, and death or serious injury cases. It supports them to handle complaints appropriately and improves standards.

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The reflective practice framework

What is Practice Requiring Improvement (PRI)?

PRI is defined as “underperformance or conduct not amounting to misconduct or gross misconduct, which falls short of the expectations of the public and the police service as set out in the policing code of ethics (Reg.3(1), PCR 2020)”.

The Reflective Practice Review Process (RPRP) is the process for handling PRI.

The reflective practice framework is designed to give officers and staff an opportunity to discuss where things could have gone better and look for ways of addressing those issues together with their line manager, without the underlying concern of being disciplined. It can be used for any conduct including PRI.

Using the reflective practice framework is not something which should be limited to complaints or low-level performance and low-level conduct issues. The reflective practice

framework can be applied to everyday conversations about work and performance, as part of a line managers role in supervising staff.

The structure is designed to help staff:

- regularly reflect on their work and interactions
- identify and address performance issues
- learn and develop professionally through discussions
- identify training needs.

The framework can also be used in the following ways:

- as part of an **outcome** following a complaint or recordable conduct matter, where a referral is made for the matter to be dealt with by the Reflective Practice Review Process (RPRP) inside Part 6 of the Police (Conduct) Regulations 2020. **This is referred to in this document as RPRP.**
- as a **method of handling** a complaint otherwise than by investigation, outside Part 6 of the Police (Conduct) Regulations 2020 where no referral is needed. **This is referred to in this document as reflective practice.**

For more information about how RPRP can be used for police officers and police staff, please see [Section 4 of Conduct, Efficiency and Effectiveness: Statutory Guidance on Professional Standards and Integrity in Policing](#) issued by the Home Office. For police staff, while there is no legislative provision that allows police staff to be referred to RPRP, the

important thing to consider is the individual staff member’s employment terms and conditions. The individual force staff discipline policy must be checked to ensure that RPRP applies to police staff. Guidance on RPRP for police staff can be found in the misconduct procedures section of the [Police Staff Council Handbook](#).

Learning from reflection

Where the principles of reflective practice are successfully used as a method of handling a complaint, the outcome would be 'Learning from reflection,' and not 'Referral to RPRP' on Centurion.

The key message is that whether reflective practice is conducted inside or outside of Part 6, none of the discussions that take place are a disciplinary action or lead to a

disciplinary outcome. The College of Policing has some short and simple resources on reflective practice. It includes a template to use and information about the Gibbs' Reflective Cycle, which help to provide structure to the discussion, and should be used whether reflective practice is being conducted inside or outside of Part 6. These resources can be found on the [College of Policing Knowledge Hub](#).

CASE STUDY ONE

Reflective practice for police staff

A man complained about how the PSD had communicated with him during their handling of a previous complaint. The man had physically posted his letter of complaint and had included his email address on the form, only because this was a required field on the form. He explained that he was then worried that his complaint had been lost when he did not receive anything back by post, when the PSD had in fact emailed him. The man rarely checked his email inbox. Although he was satisfied with the outcome of his previous complaint, he was dissatisfied that all communication had been sent by email and he felt that a complainant should be able to choose how they are contacted.

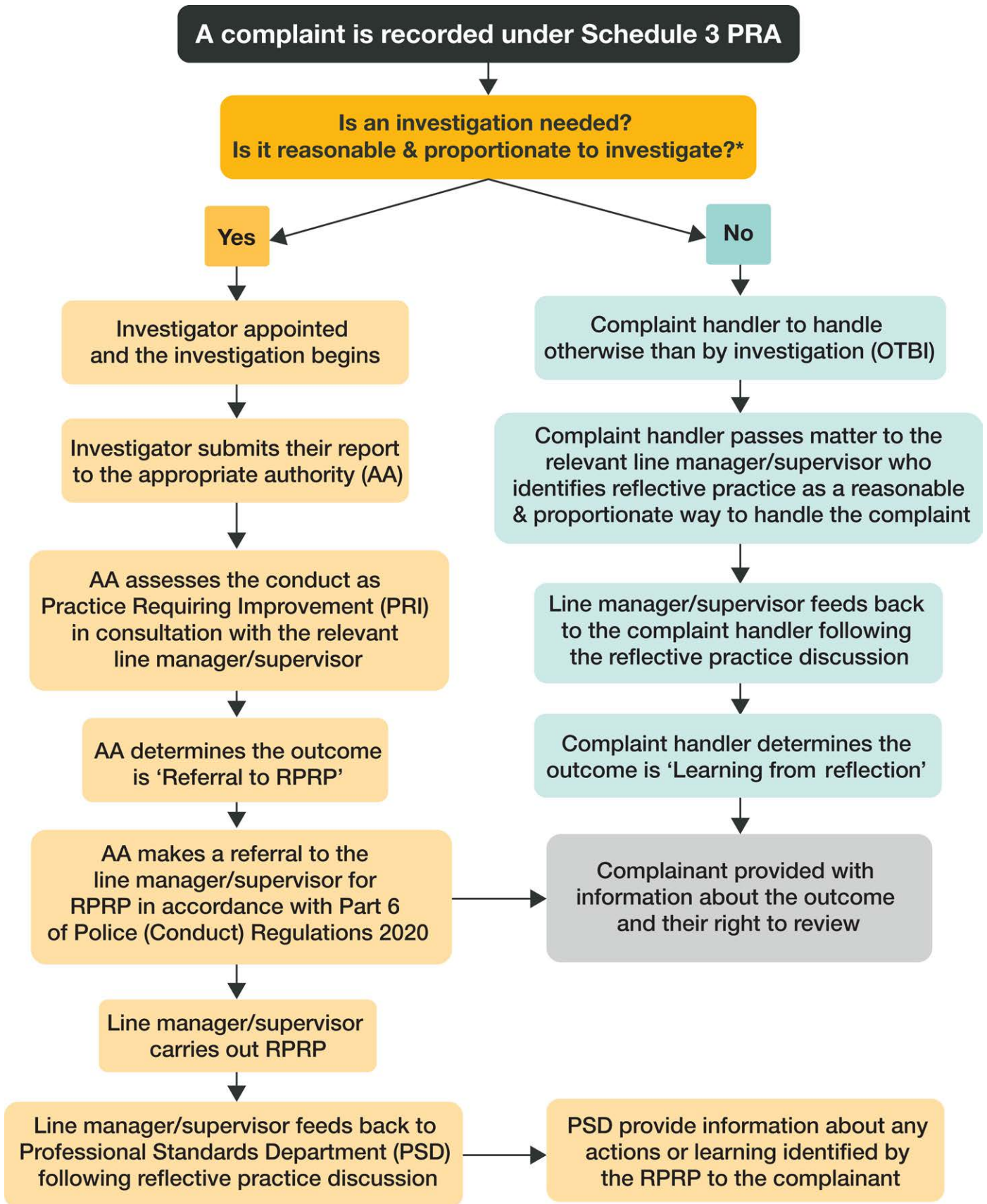
The complaint was recorded at the complainant's request, and it was deemed suitable to be handled otherwise than by investigation. The complaint was passed to PSD Admin line management, who quickly identified that the member of staff responsible for acknowledging complaints had only been in post for a few months and was not familiar with the policy. The line manager identified that reflective practice would be a reasonable and proportionate way to handle the complaint.

The line manager contacted the complainant to do a fact-finding exercise and explained to the complainant that there had been an error

on this occasion, owing to the staff member being new in service. The line manager explained there is a policy in place that the force should provide an acknowledgement to the complainant in the same format as the one used by the complainant to initially contact the force – so if a letter is received in the post, they should respond by post. Unfortunately, the staff member's mentor had forgotten to highlight this, leading to this error. The line manager explained the reflective practice framework to the complainant, advising them of the next steps and the discussion that would take place with the staff member, and their mentor, to address the learning identified.

A reflective discussion took place between the staff member and their mentor, where it was agreed the training materials would be reviewed to ensure that this omission would not happen again in the future. The staff member also offered an apology to the complainant for the error and confirmed she would familiarise herself with the relevant policies. The outcome of the discussion was fed back to the complaint handler, who determined the outcome as learning from reflection. The complaint handler then provided information about the outcome to the complainant, together with their right to review. The complainant was satisfied with the outcome and chose not to exercise their right to review.

Using the reflective practice framework



* You can read more about when a matter must be investigated, any exceptions to the duty to investigate complaints, or assessing what is a reasonable and proportionate approach, at paragraphs 10.5-10.15 of the IOPC's Statutory Guidance on the Police Complaints System.

Reflective practice review process - inside Part 6 of the Police (Conduct) Regulations 2020

RPRP is the process that should be followed for handling PRI. RPRP is then recorded as the outcome of a complaint handled otherwise than by investigation or by investigation and as the outcome of a recordable conduct matter that has been investigated. Following an upheld review, RPRP can also be recommended as an outcome under paragraph 28ZA, by the IOPC (Independent Office for Police Conduct) or local policing body.

A referral to RPRP is not a disciplinary action and will not lead to a disciplinary outcome. The process provides a constructive and proportionate approach for handling low level conduct matters, errors, or performance issues, without the need for formal disciplinary or performance procedures. The process can only be entered via specific referral points as set out in the Police (Conduct) Regulations 2020, which only apply to police officers, not police staff. For more information about the various points when an appropriate authority can make a referral to RPRP, please see Section 4 of [Conduct, Efficiency and Effectiveness: Statutory Guidance on Professional Standards and Integrity in Policing](#) Issued by the Home Office. While there are certain prescribed routes into RPRP, the principles and techniques of reflective practice can be applied at any time.

At the conclusion of an investigation or matter handled otherwise than by investigation, the appropriate authority should always consider whether there are any individual or organisational learning opportunities. If it is decided that there is no case for the officer to answer at disciplinary proceedings, the appropriate authority must then consider what, if any, further actions may be appropriate, such as learning, or reflective practice more generally. If the matter has been investigated (either subject to special procedures or not), the investigating officer or complaint handler should offer an opinion on suitable outcomes in their report. Then the final determination is made by the appropriate authority. If the appropriate authority assesses that there is evidence of underperformance, they should consider if it is

proportionate to deal with the matter using the unsatisfactory performance procedures (UPP) or via a referral to RPRP.

Before determining if a matter amounts to PRI, the appropriate authority must first consult the line manager/supervisor of the officer concerned, to determine if this is the right decision in all the circumstances. It may be that the line manager has had previous reflective discussions with the officer about similar alleged behaviour, which may impact upon the decision of the appropriate authority. In this situation, they may feel disciplinary proceedings are more appropriate given the repeat behaviour or failure to reflect previously. Alternatively, there might be an underlying performance issue to be addressed where UPP may be more appropriate. A record should be made of this consultation. It is also important to have this discussion before informing the complainant of the outcome.

A person senior to the officer under consideration, usually the line manager/supervisor, is then responsible for conducting RPRP. The process is designed to be non-adversarial and non-bureaucratic. It is not a disciplinary process, and it does not affect an officer's potential for progression or promotion. The line manager/supervisor is responsible as the 'reviewer' for providing details of the matter to the 'participating officer' and asking them to provide an account within five working days. The line manager may wish to do some reasonable and proportionate fact-finding, to establish the circumstances surrounding the matter. A reflective discussion between the officer and their line manager must then take place. When handling a complaint, depending upon the level of involvement the complainant has with the process, the reviewer may contact the complainant during the fact-finding process. Alternatively the reviewer may involve them in the discussion that takes place, should the participating officer agree to this.

The discussion should have a positive focus on reflection and learning. The purpose of this

discussion is to agree any key actions that are required to address the issues identified and to prevent a recurrence of the matter, as well as to identify any learning for the officer or the organisation.

The reviewer should then produce a report outlining the agreed actions, which should be provided to the appropriate authority for them to action any organisational learning. The report should also form part of the officer's performance development review record

for 12 months. When handling a complaint, the complaint handler must write to the complainant, providing them with information about any learning identified, and any actions to be taken because of their complaint. While there is no right to review the outcome of RPRP, this is disclosable information, and helps the complainant to understand how the individual or the organisation has learned and developed because of their complaint.

CASE STUDY 2

RPRP for a recordable conduct matter

An officer approached her line manager after her daughter had been arrested the previous evening. The arresting officers were unable to tell the officer why her daughter had been arrested, as her daughter was not a minor, and GDPR applied. When the daughter returned home from the police station, she was in a panicked and confused state, and locked herself in her room. The officer became concerned about her daughter's welfare and used her work laptop to find out what her daughter had been arrested for. The officer realised she had done something wrong and admitted it to her line manager the next day. The officer explained why she did what she did.

The line manager referred the matter to the PSD. The PSD recorded it as a recordable conduct matter and carried out a reasonable and proportionate investigation to establish if the officer had searched for any other information that she had not admitted to. The investigation found the officer to

have been honest in her admission. There had been a breach of the Standards of Professional Behaviour, however, it was not felt that it was sufficiently serious that it would justify disciplinary action. The line manager had already spoken with the officer and established some mitigating circumstances, including that the officer's daughter had previously been involved with drug misuse and had a history of depression and mental health issues. The appropriate authority therefore consulted the line manager, assessed the matter as Practice Requiring Improvement and suitable for RPRP. Both the officer and the line manager were grateful for the opportunity to discuss what went wrong and how to prevent it in the future, without the added pressure of disciplinary proceedings. The officer was aware of the severity of her actions and her line manager was confident there would not be a repeat of this behaviour.

CASE STUDY 3

RPRP as an outcome following handling otherwise than by investigation

A woman complained about the police's handling of a long-standing dispute with her neighbour. She was arrested and charged with harassment. She complained that she was the victim in the dispute and had previously reported harassment and threats, but no action had been taken. The woman said that she was recently assaulted by her neighbour and police had failed to prevent this. A complaint was recorded, and the matter was deemed suitable for handling otherwise than by investigation.

The complaint handler reviewed the incident logs, crime reports, and officer and witness statements. The woman had contacted police eight times in the last year to report harassment and threats. Police had attended each time, but all the incidents had been closed with no further action. There appeared to have been sufficient grounds to arrest her neighbour on one occasion where the neighbour had made threats to harm her. While the incidents seem to have been escalating, a risk assessment was only completed after the complainant's arrest. The complaint handler considered that

the service provided was not acceptable and highlighted Practice Requiring Improvement for the officers involved. The complaint handler consulted the line manager and then the appropriate authority made a referral to RPRP. The complainant was advised of the decision to refer the matter to RPRP, together with their right to review.

A reflective discussion took place between the line manager and the individual officers to establish the reasons for them failing to carry out risk assessments until after the arrest and failing to arrest the neighbour following threats to harm. It became clear that officers were not aware that there were sufficient grounds to arrest, and this was a significant knowledge gap. As no arrests had been made and all incidents were closed with no further action, officers had failed to identify any risks and therefore failed to complete any risk assessments. The necessary training was arranged for the officers, and the line manager set up weekly meetings with the team to discuss the practical application of certain powers.

Reflective practice - outside of Part 6 of the Police (Conduct) Regulations 2020

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](#).

CASE STUDY 4

Using Reflective Practice (outside Part 6) as a method of handling a complaint otherwise than by investigation

A man complained about the seizure of his vehicle for having no insurance. He said that the officer refused to wait for him to insure his vehicle and so he refused to provide his car keys. He alleged that the officer was rude by raising her voice and threatening to arrest him for obstructing her in the execution of her duty. He stated that if the officer had spoken to him in a more reasonable manner, the situation would not have occurred. He wanted the complaint to be recorded.

The complaint was deemed suitable for handling otherwise than by investigation, and the complaint handler passed the matter on to the officer's line manager. The line manager identified reflective practice as a reasonable and proportionate way to handle the complaint. The line manager established the facts around the seizure of the vehicle and considered it to be a reasonable use of the police's power to seize. The line manager contacted the complainant to explain this and to get more information about the officer's behaviour. The complainant advised he wanted the officer to know how he felt, and that if she had dealt with the matter differently, there would have been a more positive outcome to the situation.

During the reflective discussion between the line manager and the officer, the officer explained that she had been called to a report of a suspected theft in the area and was trying to get to the next incident swiftly. She felt that the complainant was being unreasonable by asking her to wait while he was on hold with the insurance company, who were experiencing significant delays with calls. The seizure of the vehicle was reasonable under the circumstances as the vehicle was being driven illegally, and this was explained to the complainant, together with the process for getting the vehicle back.

However, the officer did accept that there was no need to threaten the complainant with arrest or raise her voice and reflected on how she could better handle future situations, without escalating them to that point. Had she explained to the complainant that she had been called to another incident and so was not able to wait, as opposed to just refusing to do so, the outcome may have been different. The complaint was finalised as learning from reflection, and the complainant was provided with information about the outcome together with a right to review, which he did not exercise.

Line managers, supervisors, and professional standards departments – who can engage reflective practice?

The reflective practice framework can be applied to everyday conversations about work and performance by line managers and supervisors, as well as by PSD.

An important part of a line manager's and supervisor's role is to develop their officers and staff. Reflective practice is a useful tool for supporting this and should be considered wherever areas for development and improvement are identified. The matters identified do not necessarily have to arise from a specific incident, but may come from police officers and staff seeking assistance with their

own development (please see the culture section later in this document).

PSDs often receive complaints directly, at which point they need to assess whether the complaint can be appropriately handled by way of reflective practice, led by the relevant line manager. This approach provides complainants with an outcome to their complaint and provides a clear process for engaging with the police officer or staff member, allowing them to reflect on how their previous interaction with the complainant could have been improved.

What if an officer or police staff member changes forces before completing RPRP?

There is nothing preventing an officer or member of police staff changing forces before completing either RPRP or reflective practice. The new force would become the appropriate authority for any matter arising from the incident being resolved by way of RPRP. Provided the matter was correctly identified as something which should be handled by way of RPRP, this is not an issue. However, there is a possibility that where the matter originates from a complaint, a review could find reflective practice was not an appropriate way to resolve the matter. In this case the new force may then need to take over a reinvestigation, potentially one subject to special procedures. A discussion between the new force and the old force may be appropriate from a vetting point of view, so the new force can satisfy themselves that RPRP has been done

correctly. This will then assist the new force in making an informed decision as to whether there is a reason to wait for completion of RPRP, or whether it could be more appropriate to wait for the expiry of the right of review, before the transfer takes place.

When it comes to accepting transferees into a force before completion of RPRP, the new force needs to consider how it intends to complete RPRP for the transferring officer or member of police staff. Is it possible for the supervisor from the old force to provide a handover? This is another example of why good record-keeping is key. It allows the new supervisor to review where the officer or member of police staff is up to in their RPRP, but also to look through their history to see if this is relevant to the ongoing RPRP.

Officer or member of staff refuses to engage

The reflective practice process is intended to help officers and staff reflect, take ownership of their actions, and use as an opportunity to identify lessons or areas of improvement. There is an expectation that officers and staff will be willing to listen, to reflect, and to take meaningful steps towards developing and improving.

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 patterns 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 of employment to assess what disciplinary options are available. Please see the case study under 'Reflective practice for repeat issues'.

Reflective practice for repeat issues

By its nature, reflective practice gives officers and members of police staff an opportunity to develop and improve the way they carry out their roles. Officers and police staff may go through reflective practice many times over the course of their career; they may even go through reflective practice for more than one issue at the same time. The purpose of reflective practice is to achieve an improvement in the way officers and police staff carry out their duties and responsibilities. Therefore, good record-keeping is important for reflective practice, both inside and outside Part 6. This is because it allows those responsible for managing the process to be able to identify repeated issues, and to identify whether there is a wider knowledge gap organisationally, which needs to be looked at.

When deciding whether to carry out reflective practice, the supervisor should first look through the officer's or police staff member's records to see whether similar previous issues have been identified previously. Where the supervisor has identified similar previous issues, it is important to consider whether reflective practice is still the most appropriate way to deal with the matter. Some considerations may include:

- How were these previous issues handled?

- How long ago did these previous issues occur and when were they addressed?
- If these were handled by way of reflective practice, what feedback did the officer or member of police staff receive, and how did they engage?
- What was the learning and how was it addressed? Was there an action plan?
- Has there been an improvement in the way the officer or member of police staff has handled similar issues since reflective practice was carried out?
- Looking at the current incident, has the officer's or staff member's performance improved when compared to the previous incidents?

These considerations should assist the supervisor in deciding whether further reflective practice is the most appropriate way to handle the matter. Reflective practice may not be the most appropriate way to deal with the new matter. 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.

CASE STUDY 5

Refusal to engage and repeat issues

An officer was involved in a road traffic collision during the initial stages of a pursuit. The collision was not serious and there were no injuries recorded. The appropriate authority reviewed evidence about the collision and determined that the officer driving the vehicle should be referred to RPRP. This was because there were concerns about the length of time it took to request authorisation to carry out the pursuit, as well as some of the officer's decision making, particularly around risk assessment.

The officer met with their supervisor (the reviewer) but refused to engage in the process. The supervisor explained to the officer that there were areas around decision making and risk taking that needed to be looked at, but the officer refused to engage, stating that they would not do anything differently if faced with the same circumstances again. The officer said the collision would not have occurred if they had not had to take avoiding action due to there being a pedestrian in the road. The supervisor explained to the officer that there was an expectation they would engage and reflect on the incident, and that there were areas where the officer had clearly not complied with the force pursuits policy. The officer responded that they had reflected in saying they would not do anything differently. The officer's supervisor was not sure how to proceed, so he requested assistance from the PSD who sought advice from their legal department.

While the professional standards department were looking into the request from the supervisor, it came to their attention that the same officer had been involved in a near miss with a cyclist, also while in the initial

phase of a pursuit. The PSD investigator identified the same concerns around decision making and risk assessment. When making the decision on how to proceed with the latest collision, the investigator felt that a reasonable and proportionate outcome would have been RPRP, as the breaches of the force pursuit policy were minor, and no injuries had occurred. However, the records on the system clearly showed that a similar incident had occurred, the officer had been referred to RPRP and had refused to engage in the process. For this previous incident, the supervisor had made a record of the areas of the pursuits policy that the officer had not complied with.

The PSD investigator felt that, had the officer taken account of the feedback he had received about his previous breaches of the pursuits policy, the most recent near miss would not have happened. It was decided that it would not be appropriate to handle this latest matter by way of reflective practice, owing to the officer's previous refusal to engage in the reflective practice process for a recent similar incident, and because he appeared to ignore the feedback provided by his supervisor around breaches of the pursuits policy, as well as emerging concerns around his performance. The matter was handled by way of a misconduct investigation due to a failure in the performance of their duties and responsibilities.

The officer was also referred to UPPs as an outcome of the misconduct investigation, due to their failure to engage in the original reflective practice, and because there was a concern around the officer's ability to perform their duties of their role to an acceptable standard.

Reflective practice for groups

In scenarios where reflective practice is the outcome for more than one officer or staff member because of the same incident, the process can be facilitated as a group if:

- The nature of the intended learning is suitable for a group setting, and
- The officers and or staff members involved are willing to participate and reflect in the presence of their colleagues.

For example, a complaint that three officers used inappropriate language when talking to each other while transporting a person to custody might be suitable for a joint reflective discussion.

When deciding whether to conduct reflective practice in a group setting, it is important to consider:

- Is reflective practice suitable for all the officers and/or staff members involved?
- Will all participants be comfortable to be honest, open and to fully reflect in the presence of others? If circumstances in their work or personal life may be a relevant factor in their actions, they may not feel able to share this with a group
- Is the learning the same for each officer and staff member?
- Will they each receive an individually tailored action plan?
- Are there any data protection issues to consider? Do any documents require redaction?

CASE STUDY 6

Group reflective practice for new officers

The PSD was made aware of concerns about inappropriate language being used by several probationary officers in one training group. Following an investigation, two of the probationary officers were dismissed for sharing discriminatory images in a WhatsApp group. The investigation identified Practice Requiring Improvement for the remaining officers and made a referral for RPRP as they had only been recipients in the group. It was felt that a reflective process was appropriate as it was an opportunity to discuss what had happened and the reason why some of their colleagues had been dismissed.

The reflective discussion was held as a group and was designed to help them reflect on the incident. The group explored the boundaries of appropriate and inappropriate language and reflected on how the messages might be perceived by others. They also discussed responsible use of WhatsApp and other social media platforms, and the impact of these issues on public confidence in the police. The discussion also served as a learning opportunity for the new officers to understand the reasons for the dismissal of two of their peers.

Reflective practice and complaints

Documenting the rationale for using the reflective practice review process

RPRP is an effective tool for resolving complaints and can be a particularly good way of helping the officer or police staff member involved to understand the concerns of the complainant, gain insight into the impact of their actions on members of the public, and to reflect on a better way of handling similar situations in future.

The decision to handle a complaint via RPRP and the rationale for doing so should be clearly documented. If a complainant later exercises their right to review the outcome, a reviewer should be able to easily understand why the investigator felt RPRP was the most appropriate method of handling. This will be

particularly useful in complaints alleging low level conduct issues, as it will help the reviewer to understand why the investigator did not deem it necessary to investigate the complaint, or why an investigation was not declared subject to special procedures.

Recording the reasons why RPRP is the most reasonable and proportionate method of handling is best practice that should be applied to conduct matters too. Not only will it help future reviewers, but it will also help the participating police officer or staff member to better understand why they are engaging in RPRP.

CASE STUDY 7

Was RPRP a reasonable and proportionate outcome?

A complaint was received by the force relating to the off duty conduct of an officer. The officer was in a dispute with the complainant, a plumber, who had carried out sub-standard work which resulted in a leak and water damage to their child's bedroom. The officer phoned and emailed the plumber to get a refund to allow them to pay for further repairs but received no reply. The officer then went to the complainant's address to speak to him in person. While there, the complainant refused to engage and said the officer must have caused the damage themselves. A verbal altercation ensued which ended with the officer shouting that he was in the police and that he would make sure the plumber paid for what he did in small claims court. The plumber then rang the force and stated the officer had identified himself as being a member of the police service in order to intimidate them into issuing a refund.

This was passed to the investigator, along with a recording of the conversation which the complainant had made on their phone. This showed a long and protracted argument that lasted over half an hour, the statement where the officer identified himself as a police officer was at the end of the conversation, ending with the complainant slamming the door. The recording showed that the complainant had used abusive language to the officer and may have acted in a physically intimidating way. The officer was aware that the complaint had been received. He provided a written statement accepting he should have not identified himself as a police officer, but stating his reason for doing so was to demonstrate that he knew he would come across well in court, and to demonstrate that he was not intimidated by the complainant. The investigator felt that the officer had breached the standards of

professional behaviour, specifically 'authority, respect and courtesy'. The investigator felt the officer had failed to treat the complainant with respect and courtesy and had failed to use appropriate language. The investigator considered that, while it was inappropriate to identify himself as a police officer, particularly in the context of attending the complainant's address, there wasn't anything to suggest that he was trying to abuse his position. The statement he made about being a police officer and being able to make the complainant 'pay' was within the context of the small claims court. Rather than abuse of position, this investigator felt it was a case of poor judgement. The investigator recorded her rationale as to why they considered the complaint could be appropriately handled by way of RPRP, and the appropriate authority agreed there was evidence of PRI and so made a referral to RPRP.

The complainant was unhappy with the outcome of their complaint as they felt that the officer involved should have lost his job as a result of the incident, so he submitted a review application to the local policing body. The person who reviewed the outcome was concerned that the complainant appeared

to have alleged that the officer had abused his position for financial gain. The reviewer therefore felt it should have been investigated subject to special procedures. However, the investigator had provided a clear rationale as to why she felt the matter was suitable for RPRP. The investigator had recorded that the conduct complained about was low level and would not result in a written warning for the officer involved if the matter was proven at a misconduct meeting. The investigator also considered that as the officer had already acknowledged in writing that he should not have identified himself as a police officer, he would likely engage positively in reflective practice.

While the reviewer initially felt that the complaint could have resulted in a case to answer for the officer concerned, when he reviewed the audit trail, he was able to clearly follow the logic and decisions made by the investigator. The reviewer agreed that if the matter had gone to a misconduct meeting, it was unlikely that a written warning would have been imposed, and reflective practice would have likely been the outcome of those proceedings. Taking these factors into account, the review was not upheld.

Complainant engagement

There is no statutory process for keeping complainants informed of reflective practice or engaging them in it, whether it is being conducted inside or outside of Part 6. However the Home Office Guidance 2020 does provide some assistance on this issue (paragraph 13.78). It is important that the intention behind reflective practice, together with the steps involved in the process, are explained to complainants and any interested persons when the outcome is communicated, together with the relevant right to review.

It is good practice for the complaint handler or investigator to inform the complainant, prior to any conclusions being made, of their proposals to handle the matter by way of reflective practice whether inside or outside of Part 6. This helps to manage the complainant's

expectations with regard to any outcome or method of handling their complaint and provides them with an opportunity to express how much involvement they would like in the process.

If the appropriate authority is considering identifying Practice Requiring Improvement, during consultation the line manager should be advised to contact the complainant within a reasonable and proportionate timeframe. When the referral to RPRP is made by the appropriate authority to the line manager, the investigating officer should write to the complainant to provide them with information about the outcome of their complaint, their right to review, and inform them that they may be contacted by the officer or staff member's line manager.

Some complainants might want to engage in the reflective practice process and would like the officer or staff member to know how they felt so that they can learn and move forward, whereas other complainants might just want to be informed of the outcome of any reflective discussion and any proposed actions. If the complainant wants to be involved, it might be appropriate for the supervisor to engage with the complainant during the fact-finding stage of reflective practice, and potentially ask them to join in any reflective discussions with the officer or staff member, if the officer or staff member also agrees to this. The supervisor may be best placed to facilitate this, as opposed to the investigator/complaint handler. However, this will not be suitable or successful in all cases.

If there is an indication from the start that the complainant is not satisfied with a referral to RPRP or reflective practice as the outcome, then it may be reasonable and proportionate to discuss alternatives with them. If there are no agreeable alternatives and the complainant is unhappy with the outcome, they have the option to exercise their right to a review. Upon completion of the reflective practice, the complaint handler should contact the complainant to provide them with information about any learning identified and any actions to be taken because of their complaint. Whilst the right to review is against the outcome of the complaint and not the outcome of the reflective practice, this is still disclosable information.

CASE STUDY 8

Handling a complaint

A woman complained about an officer who had attended her address following her burglary report. She felt that the officer spoke to her as if she were a criminal and not a victim requiring police assistance. She said that the officer was abrupt, not interested and patronising and had implied to her that it was her fault she was burgled because she was careless. She stated that she lost trust in the police and wanted the officer reprimanded for his actions as she felt the officer treated her this way because she is a woman. She requested for the matter to be formally recorded. An investigator was appointed to carry out an investigation. The investigator obtained an account from the officer and his colleague who also attended the scene, together with the incident log and a further statement from the complainant. In the statement the complainant alleged the officer was condescending in his manner and made a comment about how 'it's always a woman.' This upset the complainant who felt she was not being taken seriously because of her gender, and the officer should be disciplined for his attitude.

In his account, the officer advised that he had been called out to the complainant's address

following a report of a car being stolen – the car keys had been stolen from the complainant's property, together with her handbag and some money from the kitchen jar. The officer advised that this incident was the latest in a series of burglaries where car keys had been stolen from people's properties and vehicles taken without consent. The last three burglaries he had attended related to female victims who had left their handbags/car keys in places where it was easy for a burglar to snatch them upon entry and make a quick getaway. The officer advised that his comment about it always being a woman was in relation to the fact that this seemed to be a pattern that was emerging with the offences, as opposed to having any sexist undertones to it. The officer advised that he did provide some security advice to the complainant and recognised how the complainant then perceived the advice to be patronising, after his comment about women. He admitted to telling the complainant that leaving bags and keys near a window was silly, it was an invitation to opportunist thieves, and that instead she should leave them on her bedside table when she goes to bed, or in a cupboard out of sight.

After consideration of the available evidence, the investigator considered this matter amounted to Practice Requiring Improvement. Whilst there was no evidence of misconduct, this matter presented an opportunity for the officer to reflect on how he handled this situation, and to learn from it. The investigator contacted the complainant to provide an update on what he had discovered, and to let her know he felt this matter should be dealt with by RPRP. The investigator discussed the process with the complainant and advised that RPRP would help to highlight any learning opportunities for both the individual officer and the organisation when dealing with burglary victims. The investigator advised that he was about to submit his report to the appropriate authority for them to discuss the recommendation with the officer's line manager, and if all agreed, he would arrange for the complainant to be contacted by the officer's line manager to progress the RPRP. The investigator advised that the complainant would also receive a copy of the report together with their right to review. The investigator highlighted to the complainant that the right to review is against the decision to refer the matter to RPRP, so if the complainant was unhappy with this decision and still felt the matter should be dealt with by way of disciplinary proceedings for example, this is what the right to review is for. The complainant confirmed that she was happy that the officer would be spoken to about his attitude and how he came across and asked to be kept informed of any learning outcomes.

The investigator finalised the report and submitted it to the appropriate authority who agreed with the recommendation that the matter amounted to Practice Requiring Improvement. The appropriate authority consulted the officer's line manager and a referral to RPRP was made. The line manager agreed to contact the complainant to progress the reflective practice. The investigator provided the complainant with a copy of the report, together with their right to review, and advised them that the officer's line manager would be in contact with them

shortly. A few days later, the line manager contacted the complainant to progress the RPRP and to make sure that they had all the relevant information before their reflective discussion with the officer. The line manager again went through the steps of reflective practice with the complainant, explaining that they would be informed of the outcome of the discussion, together with any learning and actions identified. The line manager explained that if the complainant was unhappy with this approach, they could exercise their right to review against the decision to refer the matter to RPRP, but this review right would not be against the outcome of the RPRP itself.

The complainant asked if they could be involved in a reflective discussion with the officer, to satisfy herself that the officer understood the issues and would learn from what happened. The line manager spoke to the officer, who agreed to have a meeting with the complainant. In the meeting the officer apologised to the complainant for how he came across – he reflected on how he could have explained the pattern in the recent burglaries and been more sensitive when providing security advice. The complainant also suggested that the organisation itself could do more to raise awareness in the area and should update the advice provided on the force website, even producing a leaflet with useful information which could be provided to burglary victims.

The complainant felt she had been heard as part of the reflective practice process, that the officer had reflected and therefore chose not to exercise her right to review. The reflective practice report was completed, and learning was disseminated to the relevant teams. The complainant's suggestions were taken into consideration, and a leaflet was produced for victims of burglaries providing advice about security and where to find support. Feedback was provided to the investigator who wrote to the complainant to update her on the outcome of the discussion and the action that had been taken by the force because of her complaint.

Providing the right to review

When a formal referral is made to RPRP, the complainant's right to review is not against the outcome of RPRP. The review right is against the decision to refer a matter to RPRP. In these circumstances, the review would seek to establish if a referral to RPRP is a reasonable and proportionate outcome. Information about the outcome and the review right is therefore provided to the complainant at the same point the matter is referred to the line manager by the appropriate authority, for them to deal with in

accordance with Part 6 of the Police (Conduct) Regulations 2020.

When using reflective practice as a method of handling otherwise than by investigation, the purpose of a review would be to establish if the outcome of learning from reflection for the officer or member of police staff was a reasonable and proportionate one. The review right is therefore provided by the complaint handler once the line manager has provided feedback following the reflective discussion.

Guidance for Local Policing Bodies

When considering a review where a matter has been handled otherwise than by investigation using reflective practice, the purpose of the review is to establish if the outcome of learning from reflection was reasonable and proportionate. When considering a review where the matter has been referred to RPRP, the purpose of the review is to determine whether the decision to make the referral was a reasonable and proportionate one and is not to consider the outcome of the RPRP itself.

Where a review handler is considering upholding a review and recommending a referral to RPRP as an outcome, it is important to make enquiries with the force to establish if reflective practice was already used and if so, request evidence of this. As the processes are similar, there would be little benefit in recommending the officer or staff member reflects a second time around. Similarly, when considering referral to RPRP as

an outcome, it is important to check if previous similar matters were addressed in this way. Reflective practice, both inside and outside of Part 6, is appropriate for addressing one-off issues or instances where there were limited previous attempts to address any emerging concerns around performance.

It may be that the local policing body has concerns, where low level conduct has been identified, that the complaint should have been investigated, potentially subject to special procedures. It is important to remember that, if the outcome of the complaint is not the one the reviewer considers it should have been, but is still a reasonable and proportionate one, the review should not be upheld. So provided RPRP was a reasonable and proportionate outcome, there would be no reason for the review to be upheld. Please see [issue 19 of Focus](#) for more guidance on reviews.

CASE STUDY 9

Complainant unhappy with the outcome of the reflective practice discussion

Whilst at a football match, a police 'spotter' saw a fan who was known to be on a Criminal Behaviour Order start to taunt opposition supporters as the crowds began to leave the stadium. The officer and his colleague moved into the ground to intercept the troublemaker and remove him as an incendiary character. The complainant, who came across this interaction, took issue with how the police were handling him and confronted the police officers about their methods. An officer moved the complainant away from his colleague, who was busy with the troublemaker, to inform him it would be better if he did not get involved in things that were nothing to do with him and to be on his way. The complainant alleged that the officer forcibly detained him when he was trying to leave, using his body weight to pin him against the fence, and used excessive force.

The complaint was recorded and assessed as requiring an investigation. It was established that the complainant was not arrested. The officer explained that he put his arm across the complainant's path to stop him from walking off because he had not finished explaining why his behaviour was unacceptable, but he did not forcibly detain him. The officer acknowledged that he did take hold of the complainant's arm, but it was only to guide him away, he did not use any force. The investigation found no evidence of excessive force and determined the service level provided was acceptable. Nonetheless, the investigator highlighted some opportunities for learning. The investigator spoke to the complainant and explained the reasons for the finding. Whilst there was no misconduct, the complaint did however present some opportunities for individual and organisational learning. The investigator considered recommending RPRP, if the appropriate authority agreed with this. The complainant wished for the officer to be made aware of how his approach

had made the complainant feel – it was intimidating and put the complainant in fear of arrest.

The investigator concluded the investigation and recommended a referral be made to RPRP. The appropriate authority agreed that the matter amounted to Practice Requiring Improvement, and there was no case to answer for misconduct. The appropriate authority consulted the officer's line manager who agreed that RPRP was an appropriate outcome. The line manager agreed to contact the complainant to progress the reflective practice within 10 working days. The investigator provided the complainant with information about the findings and outcome of the investigation, including the right to review. The investigator advised the complainant that the officer's line manager would contact them within 10 working days.

Having been advised of the complainant's feelings, the officer's line manager contacted the complainant as part of a fact-finding exercise, to establish exactly why the complainant felt the way they did. They explained to the complainant that they would speak to the officer with a view to them reflecting on their actions, taking into consideration the complainant's feelings, and consider how they would handle the situation differently in the future. The complainant was happy with the suggestions made and indicated they would not exercise their right to review.

In the reflective discussion between the line manager and the officer, the officer acknowledged the complainant's feelings, but did not agree that he would handle the situation any differently if faced with similar circumstances in the future. He explained that the situation was tense, his colleague needed assistance and he needed to move people away to calm the scene. Whilst he had initially tried to explain to the complainant why he

needed to move away, the complainant ignored the officer, who felt he had no choice but to guide him away from the scene.

A report was completed following the discussion by the line manager, and the outcome of the reflective practice was disclosed to the complainant. The complainant was unhappy with the officer's

response and chose to exercise their right to review, as they were still within the timeframe to do so. The review was not upheld as the decision to refer to RPRP was a reasonable and proportionate outcome, and whilst the complainant unfortunately remained unhappy, the right to review is not against the outcome of the RPRP itself.

Using reflective practice for complaints handled outside of Schedule 3

The reflective practice framework can be used to address complaints dealt with outside the provisions of Schedule 3 to the *Police Reform Act 2002*. However, a referral to RPRP can only result from a complaint if it is recorded and handled inside Schedule 3. Therefore, if an initial complaint handler considers that a

complaint might result in a referral to RPRP, or that it could be an appropriate outcome, they should consider using their ability to record any complaint inside Schedule 3.

Culture

A key part of implementing reflective practice successfully is to ensure that it is considered a normal part of police work. It is already used as a process to help officers and police staff develop and improve their performance where something could have gone better; however, it can also be used proactively as a tool to

improve policing practices overall as well as to help police officers and staff achieve career goals where they or their supervisors identify areas of learning that may assist them in their careers. Reflective practice can therefore be an effective device for promoting a culture of learning within a force.

Reflective practice and DSIs (Death or Serious Injury)

A referral to RPRP is not an available outcome for DSI (Death or Serious Injury) investigations; however, if the DSI becomes a conduct matter, or if a complaint is recorded, RPRP can be used as an outcome. DSI investigations that identify individual learning can record 'Learning from reflection' as an outcome. The same principles

of reflection and learning can be used if it becomes apparent that any individual(s) involved in a DSI incident may benefit from improving an area of their policing. Line managers may wish to follow a similar format to reflective practice and the process should still be documented and retained as a record of what happened.

CASE STUDY 10

Reflective learning following a DSI

A police officer approached a man who was shouting and causing a disturbance in a residential street. The man told the officer he had recently lost his job and did not care if he was arrested. The man threatened to smash the window of a parked car. The officer took hold of the man's arm to prevent him from moving closer to the car. This caused the man to lose his balance and he fell to the ground, landing on broken glass. He sustained a deep cut on his face which required stitches. The matter was referred to the IOPC as a DSI and returned for a local investigation. The investigator concluded that

no standards of professional behaviour were breached but identified learning for the officer in relation to his limited effort to verbally de-escalate the situation before physically engaging with the man.

The officer participated in a reflective discussion about how he could have approached the incident differently and acknowledged that he lacked confidence in his de-escalation skills. The officer's line manager arranged for the officer to attend further training.

Learning from reflection and personal development

Learning from reflection is something which should not be limited to complaints or low-level performance issues. It is something which can be used as part of an officer or police staff member's professional development. From carrying out professional discussions with forces, we are aware of several forces making learning from reflection a key part of performance development reviews (PDRs), where officers and police staff are expected to identify their own areas for development, and areas where they want to improve their performance.

Following the principles of reflective practice,

there is a clear process that supervisors and line managers can follow when using learning from reflection to develop officers and staff that report to them. This has benefits, aside from the personal development of staff and officers, including normalising reflective practice day to day and creating positive associations around the process. This means that where an officer has used reflective practice as part of their development, if there is a future incident that needs to be handled by way of reflective practice inside Part 6, the process is less of an unknown entity, and due to positive association with the process, officers should be more willing to engage in a positive way.

CASE STUDY 11

Learning from reflection as part of a performance development review (PDR)

A police staff member working in the force control room was unsuccessful in their application for promotion to a supervisory position. The recruitment process included an assessment day which comprised of a written exercise, a role play, and an interview. The member of staff performed well enough to achieve a pass mark in all his exercises, however another candidate performed better overall, and was offered the role.

Later that month, the member of police staff met with his line manager and expressed disappointment at not being successful in the process. His line manager proposed that they went through the recruitment process together following the principles of learning from reflection, and the staff member agreed. The supervisor sought feedback from the managers involved in the recruitment process and obtained scorecards for the written exercise and role play. These revealed areas where her member of staff showed inexperience, particularly around management and communication skills. The supervisor went back to the member of staff and talked him through these areas asking him to reflect on the answers provided at interview and the actions taken during the

role play and written exercises. This gave the staff member the opportunity to think about how he could have answered some of these questions differently based on their current experience, and to consider areas where they needed to gain more experience to be able to answer the questions better during future assessment days. These then made up areas of development to be included in the member of staff's PDR, that could be implemented over the course of the year.

Over the course of the next year the supervisor helped the staff member get exposure to new experiences allowing them to gain experience around communication and management, they met monthly to discuss these exercises and reflect on what went well and what could be improved upon. Within 10 months, another supervisory role was advertised. The supervisor assisted her staff member with the application and preparing for the assessment day, helping him reflect again on the previous recruitment experience, and to look at how they were now able to provide better answers at interview, and to perform better during some of the exercises. The result was that the police staff member felt better prepared for the process and was successful in this round of recruitment.

Other uses for reflective practice

The reflective practice framework can also be used to debrief witnesses, victims and/or subject officers post hearing. Post hearing debriefs could be beneficial to the individual, as well as providing a great source of learning for

the organisation. Reflective practice can also be used as a method of sharing best practice within teams and can help supervisors identify any gaps in knowledge, so that support can be provided where it is needed.

CASE STUDY 12

Debrief following a missing person investigation

A woman was reported missing from a mental health hospital where she was required to stay under the Mental Health Act. Hospital staff noted that the woman was vulnerable due to her mental health issues, had a history of serious self-harm and had now missed two doses of her usual medication. The woman had expressed suicidal thoughts in the hours before she went missing. A risk assessment graded the woman as medium risk, and she was circulated as missing on the Police National Computer (PNC). Over the next 24 hours, officers conducted checks at locations the woman was known to frequent, viewed CCTV from the area and contacted her family. After 48 hours, there was no sign of the woman and the officer in charge (OIC) raised the risk assessment to high risk. A police search advisor was appointed and organised a search of woodland near the hospital. The woman was located but was sadly deceased. Her family complained that the police did not

do enough to find the woman before she died.

The complaint was referred to the IOPC and was returned for a local investigation. The investigation determined that the risk assessment should have been high risk from the outset. It also identified that the OIC had failed to link previous incident logs where the woman had gone missing and been found in the same woodland area. This information was also provided by the family but had not been added to the log. The OIC was found to have a case to answer for gross misconduct and attended a misconduct hearing. She was later dismissed from the force. Following this, the OIC's team members were debriefed using the reflective practice framework. They discussed the reasons for the OIC's dismissal, reflected on their own actions and decision-making during the missing persons investigation and how this impacted on the case.

Record-keeping and audit trail

Where complaints are handled otherwise than by investigation using reflective practice outside of Part 6 of the Police (Conduct) Regulations 2020, forces should record this on Centurion against the individual officer, as 'Learning from reflection'. Centurion was updated in November 2020, and 'Learning from reflection' replaced the old labels of 'Individual Learning' and 'Informal Action by Manager'.

For all complaints and conduct cases where a matter has been referred to be dealt with by reflective practice inside Part 6 of the Police (Conduct) Regulations 2020, forces should record this on Centurion against the individual officer as 'Referral to RPRP'.

For both 'Learning from reflection' and 'Referral to RPRP' cases, there must be a written record of the complaint/conduct matter and details of the discussion between the reviewer and participating officer. The record should include the officer responses, any learning identified

and next steps to be taken. These records should enable a third party to understand what happened to assist future decision-making if the participating officer is considered for another referral to reflective practice inside Part 6 or if other, similar, issues arise with the same officer. Good record-keeping also offers an opportunity for forces to review the types of issues being dealt with by reflective practice and whether there is any organisational learning or improvements in officer training required.

Throughout this guidance document there are examples of how good document-keeping ensures the best implementation of reflective practice, whether it be to assist the decision-making to allow a transferee to move forces whilst reflective practice is ongoing, whether it assists the decision on how to handle a matter where previous similar incidents have occurred, or to identify thematic issues across a force so that areas for intervention can be prioritised.

Throughout the process of putting this issue of Focus together, we engaged with both the Home Office and College of Policing in order to seek their views and feedback.

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Get in touch

This guidance was published by the Independent Office of Police Conduct (IOPC) in December 2022, and was correct at the time of publication.

Contact the IOPC for further advice, or if you need a copy of this issue in another language or format.

We welcome correspondence in Welsh. We will respond to you in Welsh and that this will not lead to delay.

*Rydym yn croesawu gohebiaeth yn Gymr aeg.
Byddwn yn ymateb i chi yn Gymraeg ac na fydd hyn yn arwain at oedi.*

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