

## COMMISSION MEETING

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### BUILDING CONFIDENCE IN THE POLICE COMPLAINTS SYSTEM THROUGH INSPECTION AND SHARING GOOD PRACTICE

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#### 1. Purpose of Report

- 1.1 To provide a summary of the Commission's current position in relation to the development of inspection for the new police complaints system.
- 1.2 To provide an outline plan which shows how the IPCC might take forward the development of inspection, which links into the implementation of Statutory Guidance.

#### 2. Recommendations

2.1 Commission is asked to note:

- That the purpose of inspection is about continuous improvement and building confidence in the police complaints system. The IPCC wants to use its experience to contribute to a broad range of activity that aims to improve confidence in complaints;
- That inspection is one of a range of tools available to the IPCC in its guardianship function;
- That the effective implementation of the Statutory Guidance by the police service will be enhanced by inspection;
- The outline development plan at Appendix A.

#### 3. Considerations/Summary

##### Guardianship

- 3.1 The Police Reform Act 2002 (PRA02) sets out the IPCC's legislative basis including – securing public confidence in the complaints system; investigative responsibilities; oversight responsibilities for securing effective and efficient arrangements for the handling of complaints by police, police authorities and the IPCC itself.
- 3.2 The Commission's overarching responsibility for increasing public confidence in the police complaints system and in doing so, contributing to increasing confidence in policing as a whole, is the IPCC's guardianship role. The Commission has agreed that guardianship has four elements;
  - a) Setting, monitoring, inspecting and reviewing standards

for the operation of the police complaint system;

- b) Promoting confidence in the complaints system as a whole among the public and the police;
- c) Ensuring the accessibility of the complaints system;
- d) Promoting policing excellence by drawing out and feeding back lessons arising from the IPCC's work.

The draft Statutory Guidance is the main agenda for the guardianship function, since it sets the framework for IPCC policies for the new complaints system.

- 3.3 The draft Statutory Guidance is expected to go to the Home Secretary in May and might be signed off by June, with an estimated lead-in period of three months for forces (September/October). Clearly the lead-in time for forces to start implementing the guidance will impact on progress with the development of the IPCC's inspection role.
- 3.4 Statutory Guidance sets out minimum standards for forces and the IPCC embraces the principles in the guidance. There are four key outcomes that the IPCC expects to see delivered through the guidance and clearly these will form the framework for the development of the inspection function;
  - Proportionality and timeliness
  - Improved confidence among the public and the police
  - Improved access to the police complaints system
  - Evidence of lessons learned fed back into operational policing.
- 3.5 These link directly with the IPCC's Corporate Plan objectives for the police complaints system; improving accessibility, greater efficiency and effectiveness, greater confidence and effective contribution to policing excellence.

### **Identifying good practice**

- 3.6 Part of the implementation of Statutory Guidance will include agreeing an approach with the police for capturing and feeding back information and what monitoring system will be used. This is an essential building block for inspections. The identification and dissemination of good practice is a recommended priority for the IPCC for 05/06 and is linked with the effective implementation of the Statutory Guidance, the development of inspection and also with the other tools including quick-time learning, data analysis/trends and information from casework and investigations.
- 3.7 The IPCC's Scrutiny and Review Committee agreed in principle that the scoping of a project which would give the IPCC the means to identify and disseminate good practice might be best carried out by an

external organisation. This is being considered by the Commission as part of the Business Plan for 2005/06, in the context of the agreed budget. The good practice system would need to;

- Serve IPCC internal needs for sharing information and good practice
- Meet police service needs and offer IPCC a lever to encourage good practice.

### **Driving forward improvement in the police**

- 3.8 The IPCC's core role is as a complaints body that uses its experience to contribute to a broad range of activity that aims to improve confidence in the police complaints system and confidence in policing as a whole.
- 3.9 The IPCC's legal remit also includes an inspection function, one of a range of tools available to the Commission in its role to ensure the efficiency and effectiveness of the new complaints system.
- 3.10 The IPCC, in contributing to effectiveness and efficiency, is clear that it wants to add value and not duplicate what is already being done. There are a number of statutory oversight bodies who currently have responsibility for assessing police performance in order to drive forward excellence in policing, including; HMIC, Police Authorities, Police Standards Unit, Audit Commission, Home Office. The IPCC is also conscious of other drivers and priorities for forces, such as the National Policing Plan 2005/2008, Police Performance Assessment Framework and Home Office Quality of Service Commitment, all of which are key to delivering improvements in citizen-focused policing.
- 3.11 Part of the IPCC's development work on inspection will include mapping what internal information and tools the IPCC will have available (such as data from casework and investigations, qualitative information captured by Commissioners), and how we can use it in the most targeted and effective way. From Autumn 2005 complete data sets on complaints and conduct matters from forces will be collected by the IPCC.
- 3.12 The IPCC has commissioned an impact assessment of the Statutory Guidance which includes what is currently being done with regard to monitoring police performance and what strategic direction the different oversight organisations are likely to take in the medium and long term. The objective of the study is to provide proposals on how the IPCC can add value to the inspection and monitoring of police performance.
- 3.13 Both the internal and external work will help ensure that the IPCC is clear and proportionate in its approach to inspections by identifying where there are gaps in information.

- 3.14 An important consideration in developing the IPCC's inspection function will be how the IPCC will use the results of any inspection – the IPCC will need to be clear about what happens to outputs of any assessment process.
- 3.15 Under the PRA02 ss10(5), the Commission has a duty to “enter into arrangements with the chief inspector of constabulary for the purpose of securing co-operation, in the carrying out of their respective functions...”. The IPCC is already working with HMIC and the development plan attached builds in the need to engage with HMIC in developing the IPCC's role in inspection. The IPCC has been invited to work on HMIC baseline inspection of police Professional Standards Departments (PSDs) in Autumn 2005. This will help inform the IPCC on how forces are performing. The IPCC is also working with the Association of Police Authorities (APA) on developing the guardianship function generally, including inspection.
- 3.16 The Government's budget announcement on 16 March proposed consolidating the number of inspectorates and regulators, including the development of a single criminal justice inspectorate from 2007. This will need to be part of the considerations by the Commission in developing its plans about inspection, in particular as the powers of the new criminal justice inspectorate begin to emerge.
- 3.17 An internal IPCC working group has been set up following expressions of interest from a number of Commissioners and this group will drive forward progress with the development plan. The working group includes Commissioners John Crawley, Tom Davies, Deborah Glass and Rebecca Marsh and members of the Policy Team.

#### **4. Consultation Undertaken**

- 4.1 The Commission discussed the inspection function broadly in November 2004, including its role in working on the development of inspection with HMIC.
- 4.2 This paper has been written in consultation with members of the Commissioner working group. It was considered by the IPCC's Senior Executive Group (SEG) on 10 March, Chair's Co-ordination Committee (CCC) on 15 March and Scrutiny and Review Committee on 17 March. Comments from these meetings have been included in this paper.
- 4.3 The Director of Policy and Research has endorsed this report.

#### **5 Resource Implications**

- 5.1 Early discussions of the working group on inspection to consider resources implication as advised by Director of Policy and Research.

## **6 Casework/CTMS Implications**

- 6.1 None identified at this stage however the use of CTMS will be a significant component for developing the IPCC's inspection function.

## **7 Legal Implications**

- 7.1 Initial discussions have taken place with the Director of Legal Services with regard to the IPCC's legal remit.

## **8 Diversity Implications**

- 8.1 Any development of inspection function will be subject to an impact assessment under the IPCC's Race Equality Scheme.
- 8.2 One of the key outcomes the IPCC expects to be delivered under the new complaints system is an increase in public confidence in the complaints system – across all communities.

## **9 External Relations Implications**

- 9.1 Discussions will take place at a national level with the IPCC's key police stakeholders including ACPO, HMIC and the APA.

## **10 Risks and Risk Management**

- 10.1 Development of the inspection function must run in parallel with the implementation of Statutory Guidance across forces and across the IPCC regionally.

## **11 Next Steps**

- 11.1 Following consideration of this report by Commission, it is planned to proceed with the development of the inspection function as outlined in the Development Plan.

## **12. List of Annexes**

- 12.1 Annex A Inspection Development Plan

## **13 Publication**

- 13.1 This report is published under the IPCC Freedom of Information Publication Scheme.

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**Inspection Development Plan**

Timeframe	Statutory Guidance	Inspections	Comments
March to May	End of consultation of statutory guidance and IPCC agreement on final version	1 <sup>st</sup> meeting of Commissioner working group	Working groups to occur on a monthly basis
March/ April	Mapping police oversight bodies and impact assessment of statutory guidance		Work being conducted by Andrew Rix (CRG Research)
April/May		Discussion with HMIC re inspection function	In addition to HMIC/IPCC bi-lateral meetings already scheduled.
April/ May		Meeting with external non-police oversight bodies on types of inspection model	
April ongoing		Meetings with police oversight bodies	
May		Progress report to May Commission	
June/July	Sign off by Home Secretary of statutory guidance		
June or August	All Commissioners meeting on inspections (opportunity to combine this with guardianship/ stat guidance)		Possibly for Commissioners' practice meeting in June or August 05
August/ September	Implementation of IPCC statutory guidance		Forces to have two months to implement the guidance
August/ September		Further mapping exercise of improvement initiatives	This will build on the work of Andrew Rix and extend beyond oversight bodies
August/September	Setup national project group of police organisations to support the development of the IPCC's inspection role		A similar group to the workability group that was used for the statutory guidance