

## FOI Disclosures December 2020

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This month we have responded to questions relating to the following topics:

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If you require a full copy of any of the embedded attachments, please contact [Requestinfo@policeconduct.gov.uk](mailto:Requestinfo@policeconduct.gov.uk) quoting the reference number from the relevant response.

<b>Ref</b> <b>1008768</b> <a href="#">Back to top</a>	<b><u>Appeals data by police force</u></b>
<b><u>Request</u></b>	<p><i>I would like to please receive data regarding the number of appeals raised against Police complaints (by type) that have been dealt with by the IOPC on a month by month basis between June 2019 and November 2020...</i></p> <p><i>I would like you to please supply the data for (i) West Yorkshire Police and (ii) all other Police forces.</i></p> <p><i>The data should display the month in which the IOPC appeal assessments started, (as opposed to concluded) and contrast this with the dates when the appeals were raised with the IOPC. In this way, a waiting time audit by appeal type will be readily apparent.</i></p>
<b><u>Response</u></b>	<p>We have interpreted your phrase ‘... dates when the appeals were raised with the IOPC’ to refer to the date (month) the appeal was received by the IOPC. Attached is a <a href="#">spreadsheet</a> showing the number of appeals received per police force by month from 1 June 2019 to 31 October 2020.</p> <p>The remaining part of your request asked for the dates by month that the appeal assessment started. We have interpreted this part of your request to be for the month each appeal was allocated to a casework manager and work was actually started on the appeal assessment.</p> <p>The information you have requested cannot be identified and retrieved by means of automated searches of our case management system. This means that manual scrutiny of case files would be required to locate and extract the information required to respond to this part of your request.</p>

	<p>We have considered the records we hold that show when an appeal was received by our Administrative Hub and when it was transferred to the casework team for assessment. However we have decided that provision of these two dates would not represent the data you seek because there are a number of factors involved that can affect the date an appeal is allocated to a casework team and when the appeal assessment is actually started.</p> <p>For example, an appeal will not be started until all relevant supporting documentation, such as background papers from the force, are received. A case may be assigned to a casework manager but may then need to be put on hold whilst missing information is requested and as such cannot be considered as being 'started'. There may be other matters that affect the start date of an appeal assessment, such as an agreement to accept further representations from an appellant whose appeal is received outside of the statutory timescales, or shifting priorities within a particular casework team, for example to address a backlog or to handle an urgent case.</p> <p>This means that the only way to provide accurate data that shows the correlation between an appeal being received by the IOPC and it being 'started' by a casework manager would be to open each case to read and consider the correspondence. We would also most likely need to consult with the relevant casework managers to provide true context and to establish the definitive date a case was 'started'.</p> <p>Although we do undertake quality assurance activity which includes ensuring cases are progressed appropriately, and identifies delays or issues, this is done on a case by case basis and therefore would not assist in extracting data to answer this part of your request.</p> <p>There are over 3000 appeal cases received in the time period you require. We estimate that to undertake such activities would far exceed the cost limit prescribed by the FOIA and associated regulations.</p> <p>Having carefully considered your request we have determined the work involved in locating, accessing and extracting the data you seek would exceed the cost limit under section 12 of the FOIA. This allows the IOPC to refuse a request when the estimated cost of carrying out certain activities exceeds £450, or 18 hours at £25 per hour.</p>
<p><b><u>Ref</u></b> <b><u>1008775</u></b> <a href="#">Back to top</a></p>	<p><b><u>Northumbria Police appeals data</u></b></p>
<p><b><u>Request</u></b></p>	<ol style="list-style-type: none"> <li>1. <i>How many investigations by Northumbria police professional standards office have been referred to you for appeal in the last 12 months?</i></li> <li>2. <i>How many of these appeals have been upheld?</i></li> <li>3. <i>What action was recommended when an appeal was upheld?</i></li> </ol>
<p><b><u>Response</u></b></p>	<p>The Policing and Crime Act 2017 and supporting regulations introduced several changes to the police complaints system. These changes came into effect on 1 February 2020 and included the introduction of a single right to review that looks at whether the outcome of the complaint was reasonable and proportionate. This right to review replaced various appeal rights. We</p>

have therefore provided information about IOPC reviews following Northumbria Police's investigation of a complaint, along with the requested appeals data.

IOPC [Statutory Guidance](#) contains additional information about the right to apply for a review and other changes to the police complaints system following the changes introduced by the Policing and Crime Act 2017.

The table below provides information about appeals against a Northumbria Police complaint investigation completed by the IOPC in the period from 1 November 2019 to 31 October 2020.

Month Completed	Number of investigation appeals completed	Number of investigation appeals upheld	% of completed investigation appeals upheld	Of the completed investigation appeals upheld, the IOPC recommendation was;			Of the completed investigation appeals upheld, the direction was:
				... AA takes management action	.. AA takes disciplinary action	...Learning	...AA should conduct a local reinvestigation
November	2	0	0%	0	0	0	0
December	2	0	0%	0	0	0	0
January	11	3	27%	2	0	0	0
February	5	1	20%	0	0	0	1
March	3	2	67%	1	0	0	0
April	9	2	22%	0	0	0	2
May	3	0	0%	0	0	0	0
June	7	1	14%	0	0	0	1
July	7	3	43%	2	0	1	1
August	1	1	100%	0	1	0	0
September	2	1	50%	0	0	0	1
October	5	0	0%	0	0	0	0
<b>TOTAL</b>	<b>57</b>	<b>14</b>	<b>25%</b>	<b>5</b>	<b>1</b>	<b>1</b>	<b>6</b>

The following table provides information about reviews against a Northumbria Police complaint investigation completed by the IOPC. We completed our first review in July 2020 so the data provided is for the period 1 July 2020 to 31 October 2020.

Month Completed	Number of Investigation reviews completed	Number of Investigation reviews upheld	% of Investigation reviews upheld	Of the completed investigations reviews upheld, the direction was:
				The AA should conduct a local reinvestigation of the complaint
July	1	0	0%	0
August	4	0	0%	0
September	2	0	0%	0
October	3	1	33%	1
<b>TOTAL</b>	<b>10</b>	<b>1</b>	<b>10%</b>	<b>1</b>

<p><b>Ref</b> <b>1008782</b> <a href="#">Back to top</a></p>	<p><b><u>Outcomes of complaints regarding perjury</u></b></p>
<p><b><u>Request</u></b></p>	<p><i>Please detail the number of police complaints, specifically for the allegation of perjury, that were</i></p> <p><i>a. received,</i> <i>b. investigated (i.e. either directed, managed or independent) by IPCC/ IOPC,</i> <i>c. referred to the CPS for a charging decision,</i> <i>d. proceeded against at magistrates' courts,</i> <i>e. found guilty at all courts</i></p> <p><i>within England and Wales between 2009 and 2020.</i></p>
<p><b><u>Response</u></b></p>	<p>The IOPC holds some of the requested information.</p> <p>In respect of the information we hold, we have estimated that the work involved in complying with your request would exceed the cost limit under section 12 of the FOIA, with the result that we are not required to comply with your request. However, we are providing some relevant data outside of our FOIA obligations.</p> <p>Some of the information you have requested cannot be identified and retrieved by means of automated searches of our case management system with the result that manual scrutiny of case files would be required to locate and extract the information that falls within the scope of your request. The IOPC completed 6,169 independent, managed or directed investigations in the 11 years to 31 March 2020, all of which would have to be manually searched in order to fulfil your request. We could find the information within 18 hours only if the search of each file took no more than about 10 seconds. This is not achievable.</p> <p><u>Advice and assistance</u></p> <p>Some data about offences of perjury investigated by the IPCC/IOPC itself under its own independent investigations can be provided without carrying out extensive manual searches. This is because information relating to the outcomes of our own investigations, including referrals to the CPS and subsequent prosecutions, are recorded manually by operational staff on an IOPC database. This database was introduced in April 2015; therefore, we are able to provide the outcomes of investigations completed since 1 April 2015. The data is recorded at the level of the individual subject (i.e. the police officer or member of police staff under investigation) rather than case level.</p> <p>We can provide the following data in relation to offences of perjury investigated by the IOPC:</p> <ol style="list-style-type: none"> <li>1. The number of referrals of investigation subjects to the Crown Prosecution Service (CPS) for the alleged offence of perjury made by the IPCC/IOPC from 1 April 2015 to 31 March 2020: <p style="text-align: center;"><b>10 investigations subjects were referred to the CPS in relation to the offence of perjury during this period.</b></p> </li> </ol>

	<p>2. The number of prosecutions resulting from these 10 referrals:  <b>1 investigation subject was prosecuted.</b></p> <p>3. The outcome of this prosecution:  <b>The subject was found not guilty.</b></p> <p>The dates given above are for the period the investigation was completed. Proceedings may have taken place outside of this period.</p> <p>In relation to parts (a) and (b) of your request we consider that there is no reliable way of identifying all potential offences referred to and then considered by the IOPC under a subsequent investigation. This is because the initial referral of an incident or complaint to the IOPC may not disclose any potential offences, even in a case that ultimately leads to CPS involvement. In other cases, it may be a matter of subjective judgement as to whether the circumstances of the incident or allegation as first reported are indicative of any offence. Similarly, it may not become clear that a particular offence is indicated until all of the investigation evidence has been assessed. We would suggest, therefore, that the most reliable data we hold concerning offences investigated by the IOPC, is our referrals to the CPS.</p>
<p><b><u>Ref</u></b>  <b><u>1008744</u></b>  <a href="#">Back to top</a></p>	<p><b><u>Referrals relating to stop and search under the Terrorism Act</u></b></p>
<p><b><u>Request</u></b></p>	<p><i>In respect of each of the last three years:</i></p> <ol style="list-style-type: none"> <li><i>Please confirm the number of referrals received by the IOPC with the case factor "Stop &amp; Search", and the sub-factor "Terrorism Act" selected.</i></li> <li><i>Please provide data regarding upheld/ not upheld about complaints that IOPC have investigated that were not subject to special requirements.</i></li> </ol>
<p><b><u>Response</u></b></p>	<p>1. Under the Police Reform Act 2002, police forces are required to refer certain incidents to the IOPC where they meet specified criteria. A referral can originate from a complaint by a member of the public, recordable conduct matter, or death or serious injury (DSI) matter.</p> <p>On receipt of a referral our role is to decide whether or not the matter should be investigated, and if so the mode of that investigation, which may be local (i.e. carried out by the police alone) or investigated by the IOPC. For more information about the referral criteria and process, please see Chapter 9 of our <a href="#">Statutory Guidance</a>.</p> <p>The definition of the 'Terrorism Act' sub factor is: Any complaint or allegation using powers under the Terrorism Act 2000, to stop and search people and their vehicles for articles that could be used for terrorism whether or not there are grounds for suspecting such articles are present. This includes stop / searches conducted under Section 43 or under Schedule 7 of the Terrorism Act 2000.</p>

The table below provides information about referrals received with the 'Stop and Search – Terrorism Act' sub factor selected, between 01 April 2017 to 31 October 2020.

Financial Year	Number of referrals received with the 'Stop & Search - Terrorism Act' factor selected
2017/18 (01.04.2017 to 31.03.2018)	10
2018/19 (01.04.2018 to 31.03.2019)	0
2019/20 (01.04.2019 to 31.03.2020)	2
2020/21 (01.04.2020 to 31.10.2020)	0
<b>TOTAL</b>	<b>12</b>

Since case factors are selected manually by operational staff to help identify the nature of the circumstances of a case, they should not be relied on to provide definitive data, as application of case factors is reliant on individual discretion. A factor selected on a case involving a complaint may be relevant to the incident to which the complaint relates, but may not be what the complaint is about. Therefore, the data presented here should be used for illustrative purposes only.

2. During the three year period from 01 April 2017 to 31 October 2020, the IOPC completed three independent investigations that had the 'Stop and Search' sub factor of 'Terrorism Act' selected. We have reviewed the case files for each of those cases to identify if the complaint related to the use of Section 43 of the Terrorism Act 2000. Only one investigation related to a complaint about the use of Section 43. That case was subject to special requirements and is still ongoing. Therefore, we are unable to provide information about the outcomes of the case until they are reached.

**Ref  
1008739**

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## **Operation Redrail 2**

### **Request**

1. All documentation concerning **Gisburne House** in London, as referenced in the Op. Redrail 2 Report, where the report notes "methods were deemed an abuse of process".
2. When exactly was this Gisburne House investigation?  
Were suspects identified?  
How many victims were identified?  
What were the questionable methods used?  
Who deemed these methods an abuse of process?
3. Information as to whether Op Redrail 2 established whether children under the care of Islington Council went on holiday at Thornham Magna between these dates, and if so how many?

### **Response**

We can confirm that the IOPC holds some information in relation to each part of your request.

We have decided that we are not obliged to disclose this information after concluding that it is exempt under sections 30, 40 and 44 of the FOIA. In the

	<p>case of the exemption under section 30, we are refusing your request because the public interest in maintaining the exemption outweighs the public interest in disclosure.</p> <p>Sections 40 and 44 are absolute exemptions meaning that we do not have to confirm that the public interest is against disclosure before refusing your request.</p> <p>We would emphasise that the IOPC holds only a limited amount of information in relation to Operation Redrail 2, which was an IOPC managed investigation carried out by the Metropolitan Police under Operation Winterkey. The IOPC has overall direction and control of a managed investigation, but only the investigating force, in this case the MPS, is in a position to identify all of the implications of disclosing detailed underlying evidence of the type you have requested and provide definitive answers to questions that have not been addressed in the investigation report. This is especially relevant to the circumstances of Operation Redrail 2, which was only one strand of the continuing Winterkey investigation, when many of the different strands of Winterkey are connected.</p> <p>While the information we hold may be relevant to your request, we do not know what, if anything, Operation Redrail 2 established in relation to your specific questions because they are not answered in the report. Redrail 2 may or may not have considered other evidence concerning these matters. We would recommend that you make a separate request to them if you wish to know more.</p>
<p><b><u>Ref</u></b> <b><u>1008814</u></b> <a href="#">Back to top</a></p>	<p><b><u>TASER complaints</u></b></p>
<p><b><u>Request</u></b></p>	<p><i>Please can you supply the following data per year, for the past five years (either calendar year or financial year, however you record your data) :-</i></p> <ol style="list-style-type: none"> <li>1. <i>The total number of public complaints made to you relating to incidents that involved TASER (per year for the past 5 years).</i></li> <li>2. <i>The number of public complaints made to you relating to incidents that involved TASER and where the officer that used TASER during the incident <u>was the only officer present</u> (i.e. the officer was single-crewed when the TASER was used). (per year for the past 5 years).</i></li> <li>3. <i>The number of public complaints made to you relating to incidents that involved TASER and where the officer that used TASER during the incident <u>was not the only officer present</u> (i.e. the officer was not single-crewed when the TASER was used). (per year for the past 5 years).</i></li> <li>4.</li> </ol>
<p><b><u>Response</u></b></p>	<p>The IOPC does not hold this information. This is because complaints are not made to the IOPC but are recorded by the police force concerned in the first instance. Nearly all complaints are then completed by the police without any IOPC involvement. The IOPC collects and publishes data about the police complaints system in its <a href="#">quarterly and annual police complaints statistics</a> but this does not include the data you require. You would have to approach each individual police force to ask whether they can help with your request.</p>

	<p>The IOPC receives police complaints in the form of referrals from the police, which relate to the most serious and sensitive incidents and complaints. On receipt of a referral our role is to decide whether or not the matter should be investigated, and if so the mode of that investigation, which may be local (i.e. carried out by the police alone), or investigated by the IOPC. We also receive complaints under appeals and requests for review from complainants.</p> <p>The complaint cases we receive account for only a small minority of the complaints recorded by the police each year. We do not capture any data of our own on allegations or incident types from these cases with the result that we could not produce the data you require without carrying out extensive manual searches to find out whether they meet the very specific criteria in your request. These searches would exceed the cost limit under section 12 of the FOIA, which is set at £450 or 18 hours at £25 per hour for the IOPC.</p> <p>We publish investigation summaries and learning recommendations for the cases that we investigate ourselves. This information can be filtered using <a href="#">the search tool on our web site</a>. You can narrow down the summaries you have to check by applying the 'use of force and armed policing' filter in the second drop down box.</p> <p>You may find helpful the <a href="#">police use of force statistics</a> published by the Home Office as these include statistics on police use of CED (i.e. TASER).</p> <p>In addition, the following pages of our website contain information regarding our work on police use of force and TASER:</p> <p><a href="https://policeconduct.gov.uk/news/iopc-calls-greater-scrutiny-taser-use-following-increasing-concerns">https://policeconduct.gov.uk/news/iopc-calls-greater-scrutiny-taser-use-following-increasing-concerns</a></p> <p>Learning the Lessons is the name of our magazine which aims to improve police policy and practice. The Learning the Lessons library can be found here: <a href="https://policeconduct.gov.uk/research-and-learning/learning-and-recommendations/learning-lessons">https://policeconduct.gov.uk/research-and-learning/learning-and-recommendations/learning-lessons</a>. Bulletins 15, 21, 25 and 27 include cases studies relating to TASER that you may find helpful.</p> <p>The following page: <a href="https://policeconduct.gov.uk/research-and-learning/key-areas-work/use-force-and-armed-policing">https://policeconduct.gov.uk/research-and-learning/key-areas-work/use-force-and-armed-policing</a> includes details of our work regarding use of force and TASER.</p> <p>In March 2016 we published our <a href="#">research in to police use of force</a> which includes use of equipment such as TASER.</p> <p>Finally the College of Policing provides a good public source of material regarding use of force and TASER and you may wish to refer to the following pages of their website: <a href="https://www.app.college.police.uk/app-content/armed-policing/conducted-energy-devices-taser/">https://www.app.college.police.uk/app-content/armed-policing/conducted-energy-devices-taser/</a></p>
<p><b><u>Ref</u></b> <b><u>1008877</u></b> <a href="#">Back to top</a></p>	<p><b><u>Definition of serious corruption</u></b></p>
<p><b><u>Request</u></b></p>	<p><i>Please provide any information held regarding what actually constitutes sufficient corruption within a police force which would cause the IOPC to actually investigate the force concerned.</i></p>

**Response**

We understand your request to refer to the threshold that mandatory corruption related referrals would need to meet to warrant an IOPC independent investigation.

Police forces must refer allegations of 'serious corruption' to allow us to assess whether the matter should be investigated and if so whether this should be carried out by the IOPC or the police. Serious corruption is one of the core indicators that is considered as part of the IOPC's 'core work', that is cases with a sufficient level of seriousness and public interest that they require independent oversight by the IOPC.

Below is some operational guidance around the factors that are considered when assessing referrals. The following extract is taken from our Operations Manual which aims to assist staff responsible for assessment of referrals that involve serious corruption:

Our Statutory Guidance defines serious corruption as:

- any conduct that could fall within the definition of the statutory offence of 'corruption or other improper exercise of police powers and privileges'
- perverting the course of justice or other conduct that is likely to seriously harm the administration of justice, in particular the criminal justice system
- payments or other benefits or favours received in connection with the performance of duties amounting to an offence for which the individual concerned, if convicted, would be likely to receive a sentence of more than six months
- abuse of position for a sexual purpose or for the purpose of pursuing an improper emotional relationship
- corrupt controller, handler or covert human intelligence source ( CHIS ) relationships
- provision of confidential information in return for payment or other benefits or favours where the conduct could lead to a possible prosecution for an offence under Section 170 of the Data Protection Act 2018, or a more serious offence
- extraction and supply of seized controlled drugs, firearms or other material
- any other abuse of position, or
- attempts, conspiracies, incitements, assistance or encouragement to do any of the above

If there is evidence of any of the above within a referral then the matter is more likely to require independent oversight.

It is important to note that assessment of referrals is not a precise science and involves a number of factors. Each case needs to be considered on its own merits and there is not a set formula or set of circumstances that would guarantee that a matter would warrant independent investigation. A mode of investigation decision is made taking into account all relevant factors and is based on knowledge and

	<p>judgment of the case and the environment at the time.</p> <p>Further details about our work in this area is available on <a href="#">this web page</a> and information about the criteria for mandatory referral of corruption matters is available from page 59 of our February 2020 <a href="#">Statutory Guidance</a>. <a href="#">Bulletin 19</a> of our 'Learning the Lessons' publication related to corruption and may also be of interest to you.</p>
<p><b>Ref</b> <b>1008817</b> <a href="#">Back to top</a></p>	<p><b><u>Complaints about IOPC staff</u></b></p>
<p><b><u>Request</u></b></p>	<p><i>You asked a number of questions regarding complaints made about IOPC staff.</i></p>
<p><b><u>Response</u></b></p>	<p>1. <i>Your complaints procedure, policy and practice with regards to complaints about IOPC.</i></p> <p>We would refer you to <a href="#">this page of our web site</a>, from which you can access our <a href="#">Feedback and complaints policy</a>.</p> <p>2. <i>All guidance and notes about how to deal with public complaints or complaints from those appealing against police outcomes and other complaints from members of the public against IOPC.</i></p> <p>We have understood this request as relating to guidance and notes about complaints against the IOPC, including complaints about the IOPC's handling of appeals against police decisions. This is covered by our Feedback and Complaints Policy.</p> <p>If you require our operational guidance to Casework Managers and Assessment Analysts relating to the assessment of appeals, this information is available on <a href="#">this page of our web site</a>. Please go to 'Information we have already published about our work' and click on <a href="#">June disclosure log</a>. This will open a document in PDF in which you should go to page 9 and then click on the link to 'operational guidance'.</p> <p>3. <i>Please list all complaints made against IOPC in the past two years.</i></p> <p>The total number of complaints received in the period from 1 Nov 2018 to 31 October 2020 was 650.</p> <p>4. <i>Please explain the nature of these complaints under paragraph 3.</i></p> <p>Complaints against the IOPC are categorised as either 'service', 'decision' or 'complaint under the staff Regulations'. These are defined as:</p> <ul style="list-style-type: none"> <li>• Service - a complaint received where a service user has expressed dissatisfaction with the level of service they have received from the IOPC and/or its staff.</li> <li>• Decision - a complaint received where a service user has expressed dissatisfaction with a decision made by the IOPC and/or its staff.</li> <li>• Staff Regulations - a complaint received where a service user has alleged (and evidenced) misconduct by a member of IOPC staff as per Statutory Instrument 2004 No. 660, the IPCC (Staff Conduct) Regulations 2004.</li> </ul>

The number of complaints we received under each of these categories in this two year period was as follows:

Service	394
Decision	184
Complaint under Staff Regulations	72
<b>Total</b>	<b>650</b>

*4.1 how many of these complaints involved bias complaints.*

The number of these complaints alleging bias was 26.

*4.2 how many complaints involved race and or religious discrimination.*

The number of these complaints alleging race or religious discrimination was 14.

*5. Please explain the outcome of these complaints listed on the paragraph 3.*

The outcomes of these complaints were as follows:

Upheld	42
Partially upheld	42
Not upheld	507
Dispensed	43
Withdrawn	6
Ongoing	10
<b>Total</b>	<b>650</b>

You request that we explain these 650 outcomes. This would involve reviewing the documents we hold in respect of each individual complaint in order to identify the relevant information and then producing a summary of the complaint and its outcome from that information.

Section 12 of the FOIA allows the IOPC to refuse a request when the estimated cost of carrying out certain activities exceeds £450, or 18 hours at £25 per hour.

We could produce this information within 18 hours only if the work involved in creating the summary took significantly less than two minutes for each complaint. We have decided that this is not achievable because we know from carrying out similar searches in the past that it would take more than 15 minutes per file to find the information and then draft the required summary.

We have estimated, therefore, that the time that it would take to search the file and produce an explanation of these complaint outcomes would exceed the cost limit. This means that section 12(1) is engaged by part 5 of your request, with the result that we are not required to carry out this work.

*6. Please list the number of staff disciplinary actions following the complaints from members of the public and the outcome of the disciplinary actions against staff in the past two years.*

Two of these complaints resulted in disciplinary action against two members of staff. One complaint resulted in an employee receiving a written warning. There was no disciplinary outcome in the other case because the member of staff had left the IOPC before the process was completed.

Page 10 of our most recent [Staff Diversity Report](#) contains information about all formal disciplinary, grievance and capability cases opened in the period from 1 April 2019 to 31 March 2020, although this does not distinguish cases that originated with a public complaint.

*7. Please list the number of Judicial Review claims and or other Claims in the judiciary against IOPC in the past two years.*

*7.1 how many of these Claims were settled?*

*8. Please list the nature of the Judicial Claims.*

*9. Please explain the outcome of these claims.*

*10. Please explain the response of IOPC following the outcome of these judicial claims.*

Please see the data we are providing at **Appendices 1 and 2** below. While the specific information you require is not clear from parts 9 and 10 in particular, we are providing the information that we have been able to compile within a reasonable time. It has taken 10 hours to locate, retrieve and extract this information. Should you require a more detailed account of these cases we estimate that the work involved in producing it would exceed the cost limit under section 12(1) of the FOIA, with the result that we would not be obliged to provide it.

*11. Please provide me with full information on how your staff, case managers, are trained and or what qualifications are required by your staff to make judgements on complaints about the police complaints.*

*12. Please provide full training programmes and or tests that your staff, case managers are required to pass or complete.*

Each new casework manager is subject to a comprehensive training induction introducing them to the principles of complaints handling within the police complaints system. All casework managers within the IOPC have what is referred to as a “delegated authority” to handle most elements of casework themselves but before they accrue that delegated authority, they have to prove their capability and proficiency in handling all matters of casework. In practice this means that any casework manager still working towards that delegated authority has all of their work checked by a manager before any decisions are made on those cases.

When the manager is of the view that the casework manager has achieved a suitable level of capability and is ready for their own delegated authority, the manager will make a submission to the Operations Manager, who will approve, or not, that submission. This process can take many months and many cases, and is an important step in ensuring the capability of IOPC casework decision makers.

Casework Managers are required to participate in our formal accreditation programme. Successful completion of this programme results in the award of a BTEC Level 5 Professional Certificate in Casework Management. A PDF version of the Casework Accreditation Handbook is included with this letter.

Training on discrete areas of decision making, and on areas of the law or policing in general, is also provided as necessary.

In addition to this training and support, the work of our Casework Managers is subject to our Quality Assurance Framework, regardless of their level of experience. This ensures that even after a casework manager has achieved their delegated authority, certain of their cases falling into areas of seriousness, sensitivity, and complexity, are subject to mandatory quality checking by the line manager to ensure quality throughout.

As to the minimum requirements for recruitment to the role of Casework Manager, please see **Appendix 3**, which consists of the Person Specification taken from the most recent job description produced for recruitment purposes.

### Appendix 1

Nature of claim	Claim Issued	Claim settled	Reason settled	IOPC response following outcome
Personal injury, negligence and criminal allegations	Yes	Claim was struck out by the court		No further action required as court struck out the claim
County Court Money Claim regarding a casework decision	Yes	Claim was struck out by the court		No further action required as court struck out the claim
Breach of the Human Rights Act	Yes			None - the claimant discontinued his application after issue
breach of the European Charter of Fundamental Rights	Yes	No awaiting hearing date		No action required until the hearing has determined the outcome
Personal Injury	Yes	Yes	The IOPC denied liability. This was on the basis that: (i) no further action is taken against the IOPC in relation to the claim; and (ii) positive staff / employer relations (even though his own actions had caused the injury). This saved significant costs of any future litigation relating to this matter.	Ex gratia payment made and costs paid
application under s.59 Criminal Justice and Police Act 2001	Yes			We are awaiting a judgement from the court which will determine what action the IOPC need to take
Personal Injury	Yes			The IOPC are currently reviewing the matter to prepare a response to the pre action letter
Misfeasance, breaches of Art 6, 8 and 9 ECHR, personal injury. Breach of statutory duty.	Yes			The IOPC are currently reviewing the matter to prepare a response to the pre action letter
Breach of Human Right and Misfeasance in Public Office	Yes			Case is currently stayed

## Appendix 2

Nature of Claim	Proceedings Issued	Claim Settled	Reason Settled	IOPC response following outcome
Assessment Unit Appeal	Yes	Permission refused by the Court		
Casework Sale	Yes	Permission refused by the Court		
Assessment Unit Appeal	Yes	Permission refused by the Court		
Assessment Unit MOI	Yes	Permission refused by the Court		
Assessment Unit Appeal	Yes	Permission refused by the Court		
Casework Cardiff	Yes	Permission refused by the Court		
Casework Sale	Yes	Permission refused by the Court		
Casework Cardiff	Yes	Permission refused by the Court		
Casework Cardiff	Yes	Permission refused by the Court		
Casework Cardiff	Yes	Permission refused by the Court		
Casework Wakefield	Yes	Permission refused by the Court		
Assessment Unit Appeal	Yes	Permission refused by the Court		
Casework Sale	Yes	Permission refused by the Court		
Investigations Wakefield	Yes	Permission refused by the Court		
Customer Contact Centre	Yes	Permission refused by the Court		
Assessment Unit Appeal	Yes	Permission refused by the Court		
Assessment Unit MOI	Yes	Permission refused by the Court		
Casework Sale	Yes	Permission refused by the Court		
Casework Sale	Yes	Permission refused by the Court		
Casework Sale	Yes	Permission refused by the Court		
Investigations Croydon	Yes	Claimant successful at hearing		Decision appealed by the IOPC in the Court of Appeal and IOPC were successful so original decision in claimant's failure was overturned.
Assessment Unit Appeal	Yes	Consent Order Agreed	Misinterpreted the nature of the appeal	New appeal decision to be made
Casework Wakefield	Yes	Awaiting Permission decision by the Court		
Assessment Unit Appeal	Yes	Awaiting Permission decision by the Court		
Investigations Croydon	Yes	Awaiting Judgement from the Court following a substantive hearing		
Casework Cardiff	Yes	Consent Order Agreed	The correct case to answer test was not identified	IOPC to make a new decision on the appeal within 56 days of the consent order being agreed.
Assessment Unit Appeal	Yes	The claimant discontinued their claim		
Assessment Unit Appeal	Yes	Awaiting hearing date		
Assessment Unit Appeal	Yes	Awaiting Permission decision by the Court		
Casework Sale	Yes	Consent Order Agreed	The IOPC did not hold all relevant information on file at the time of the decision so it was not taken into account	New appeal decision to be made taking account of the new information
Customer Contact Centre	Yes	The IOPC was successful at the hearing and the claim was dismissed		
Casework Sale	Yes	Awaiting Permission decision by the Court		
Casework Sale	Yes	Awaiting Permission decision by the Court		
	Yes	Consent Order Agreed	The claimants appeal to the defendant concerning the interested parties failure to investigate a domestic incident was irrational;	The IOPC to make a new decision on the part of the appeal subject to the consent order
Casework Sale	Yes	Awaiting hearing date		
Investigations Sale	Yes	Awaiting Permission decision by the Court		

## Appendix 3

Appendix 3 - Part 11 of request: Casework Manager qualifications for recruitment

### PERSON SPECIFICATION KNOWLEDGE, EXPERIENCE and QUALIFICATIONS

- Good general education with at least two A' Levels or equivalent.
  - Relevant experience, of complaints handling or of dealing with a direct service to the public where contentious and difficult issues have to be dealt with sensitively.
  - Evidence of well developed critical thinking skills, a capacity to conduct enquiries, obtain information and to use sound judgement to reach conclusions.
  - Evidence of strong communication skills, particularly written.
  - Computer literacy is essential.
  - Proven ability to show initiative and contribute in a changing environment.
- Successful candidates will be expected to undertake appropriate training and development leading to an accredited qualification.

### CORE COMPETENCIES

#### PROFESSIONAL EXPERIENCE & EXPERTISE

Extent to which the applicant's experience and professional skills meet IOPC's requirements

#### CONTINUOUS DEVELOPMENT

Drive to achieve excellence and continuously develop oneself, one's team and the organisation through learning and knowledge sharing.

#### VALUING DIVERSITY

Openness to working effectively with diverse ideas and people.

#### ORGANISATIONAL COMMITMENT

Exceeds the standards of behaviour and professionalism required to operate effectively in the IOPC.

#### JOB-SPECIFIC COMPETENCIES

##### ANALYTICAL THINKING & DECISION-MAKING

Think logically, analyse complex information, identify key issues and make effective decisions, taking accountability for decisions made.

##### COMMUNICATION & INTERPERSONAL SKILLS

Conveying information clearly in both oral and written form, effectively communicating one's views by negotiating and influencing others at all levels.

### RESILIENCE

Demonstrating the confidence and ability necessary to cope with challenging situations.

### TASK-MANAGEMENT

Ability to prioritise and manage tasks effectively so as to deliver required outcomes to agreed standard.

### TEAMWORK

Seeks opportunities to involve others and is effective working cooperatively with and through them, demonstrating a commitment to team goals.

### CHANGE ORIENTATION

Ability to adapt to changing demands in the workplace