

# OVERSIGHT

## newsletter

Welcome to our monthly newsletter which provides updates about the work of the Independent Office for Police Conduct (IOPC). The newsletter is for complaint handlers in forces and local policing bodies (LPBs).

### 12-month letters - please provide a complaint summary

Since we began recording reasons for the length of local investigations, we noted that the most common reason continues to be suspended complaints. We analyse the data on investigations that run longer than 12 months and make enquiries where information is needed. To assist with our review of 12-month timeliness reports, **we would be grateful if you could provide a summary of the complaint, particularly where the investigation is suspended, alongside information on how the complaint is linked to any criminal proceedings.**

You can read our latest analysis, which is attached to this newsletter. Please email [oversight@policeconduct.gov.uk](mailto:oversight@policeconduct.gov.uk) if you have any feedback you wish to share with us on this document.

### Improved turnaround times for complaint handling

Hertfordshire Office of the Police and Crime Commissioner (OPCC) have adopted model 2 of complaint handling and created a Complaint Resolution Team (CRT) to triage and handle low level complaints. They report that their new streamlined process has enabled them to improve their turnaround times (from receipt of complaint to closure) from 17 working days to three working days, as shown in the table below.

Quarter	Turnaround time in days (receipt to closure)	Number receiving a full acknowledgement within 24 hours	Number of complaints handled outside schedule 3
Q1 2021/22	17	96%	62%
Q4 2021/22	3	95%	69%

Their process includes the CRT triaging which complaints are appropriate to handle outside of schedule 3 and providing a detailed acknowledgement letter to the complainant, within 24 hours of receipt of the complaint. The acknowledgement includes a full breakdown and understanding of what the complaint matters are, an outline of the complaints process and the complainant's right to have their complaint dealt with inside schedule 3. If it should be dealt with inside schedule 3, the complainant is advised of the process and the matter is passed to the force.

The acknowledgement letter also provides an action plan on what steps they intend to take to address the complaint, what the complainant can expect and also seeks their views on resolution.

The OPCC said that sending a detailed initial letter provides the best chance of satisfactorily resolving a complaint early in the process, removing the need for further work later on.

The overall demand for 2021/2022 was 1,283 complaints consisting of 2,165 allegations.

If you would like to find out more about this model please email [oversight@policeconduct.gov.uk](mailto:oversight@policeconduct.gov.uk)

## Complainant mapping model to help prevent future complaints

The Hertfordshire OPCC Complaint Resolution Team (CRT) has developed a model that maps the complainant's experiences to identify areas for learning and improvement. This is achieved by use of a bespoke database to manage complaints and collate data from which the team collates information and produce detailed reports. These reports help to highlight themes and trends around areas such as quality of service, individual behaviour, police powers, and procedures by area and department. CRT will also monitor information such as complainant role which allows them to differentiate whether the failings related to a victim, suspect, witness or member of the public.

As a result of this information, CRT has highlighted a training gap for student officers around victim personal statements. There was a lack of understanding around the need to provide a victim impact statement as part of every case and how significant the importance of this is, on a case at court. Officers now get more training on the victims' code of practice.

The OPCC has advised of some other key themes and changes implemented because of issues arising during complaint handling. Their findings were raised with the constabulary and assisted in the following:

- improved investigation standards
- recommendations and changes to create a more efficient process for property returns
- Identified issues affecting victim service and introduced remedies
- highlighted training requirements for new recruits and common errors made
- provided input onto the supervisors' course to highlight areas where supervision can be improved
- improvements on progression/monitoring of investigations and greater awareness around crime allocation.
- emphasis on correct information and signposting to the public.

If you would like to find out more about this model please email [oversight@policeconduct.gov.uk](mailto:oversight@policeconduct.gov.uk).

## ? Common questions from forces and LPBs

**Q. A complaint of corruption is made about the chief officer, but the complainant is not providing any more details other than the chief officer is responsible because they lead the force. Who must deal with the complaint?**

A. It depends on what information is provided by the complainant. Where no additional information is provided other than 'the chief officer is corrupt', it is expected the complaint handler should contact the complainant to understand in what context the complainant believes the chief officer is corrupt. By seeking more information from the complainant, the complaint handler can also establish whether it does actually involve the chief officer's conduct.

The OPCC cannot record a complaint against the chief officer if it is a delegated power and not the actions of the chief officer, even if the complainant perceives it to be. If the complaint is about the decisions of the force in general or about a delegated power, rather than the conduct of the chief officer, the matter should be forwarded to the PSD to deal with the complaint.

Where the OPCC has taken steps to establish this information, but it remains unclear, then the complaint should be logged and looked into by the OPCC.

**Q. Should an application for review be assessed if the complainant is no longer engaging with the process?**

A. Once a review has been received, as long as you can identify the relevant complaint subject of review, and the complainant has not withdrawn their complaint, then the review can and should be carried out. It is possible the complainant may have disengaged with the process for various reasons, such as losing confidence in complaint handling. The review provides an opportunity for independent oversight as to whether the outcome is reasonable and proportionate and there is still scope to identify learning.

**Q. Should the relevant review body (RRB) for complaints about excessive use of force, be the IOPC or the local policing body (LPB)?**

A. The assessment should be based on the wording of the complaint alone and as set out in [chapter 18](#) of the Statutory Guidance and [issue 19](#) of Focus, there are several grounds that determine when the IOPC should be the RRB.

Where none of the definitive grounds apply, such as it has been or should be referred to the IOPC, then in practical terms the ground on which the complaint should be assessed is whether the allegation, if proven, would result in criminal or disciplinary proceedings (as defined in the [Police \(Conduct\) Regulations 2020](#)). In these circumstances the [College of Policing's "Guidance on Outcomes in Police Misconduct Proceedings"](#) can provide a helpful framework to guide whether the seriousness of the allegations meets this criteria or not.

## Corporate news

### Learning the Lessons magazine on abuse of power for sexual purpose

Abuse of position for sexual purpose is not a new problem. A huge amount of effort has gone into understanding, recognising and raising awareness of this issue. For over ten years, work has been done right across policing to help root out those who betray the trust placed in them by the public, undermining the hard work of their colleagues, and seriously damaging confidence in the police.

Our Learning the Lessons magazine takes a deep dive into abuse of position for sexual purpose. The cases identified reflect the key themes we have seen from our investigations, which include inappropriate use of social media, misuse of police systems, and mental health.

Our magazine includes articles from:

- Colin Paine, National Police Chiefs Council lead on abuse of position, who talks about challenges, warning signs, and how we all need to take a stand
- Daniel Morton, Chair of the national counter corruption analysts group, who shares the national intelligence picture on this topic

- our IOPC survivor engagement managers who share insights about their work engaging with vulnerable witnesses and the importance of multi-agency working
- HMICFRS, which shines a spotlight on how forces are tackling abuse of position, and the recommendations they have made

For more insight into abuse of position for sexual purpose, please read our [Learning the Lessons magazine 40](#).

## Are you aware of the recent national stop and search learning report?

In April 2022 we published a report that brings together evidence from cases we investigated to identify areas where further improvements could be made to policing practice. Our report does not recommend an end to the use of stop and search but focuses on where we are seeing good and bad practice - and where there are opportunities to drive real learning and fundamental change in how this power is used.

We made 18 recommendations – to the College of Policing, the National Police Chiefs' Council, and the Home Office to improve policing practice and public confidence in the use of stop and search. The report includes questions that we anticipate asking chief officers via a survey in September, in order to assess the impact of our [recommendations](#) in each force area.

You can find more information on the report on our [website](#).

## Latest news

Keep up to date on our investigations and other work to increase public confidence in the police complaints system. You can find our [latest IOPC news](#) on our website.

[Former Humberside PCSO jailed for misconduct in public office for forming inappropriate relationships](#)

[West Midlands Police officer dismissed without notice for sending operational information to officer via WhatsApp.](#)

[Met officer dismissed over failures to investigate prior to woman's murder](#)

[Criminal investigation started after man's death following collision with Sussex Police vehicle](#)

[Greater Manchester Police officers involved in Wigan pursuit acted appropriately](#)

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

Tel: 01924 811699

If you have any questions, please get in touch with your Oversight Liaison or a member of the Oversight team.

