

Minute of Scottish Police Authority Board Meeting

Meeting	Scottish Police Authority Complaints & Conduct Committee Meeting.	Date/Venue	17 th February 2016, Pacific Quay, Glasgow.
Meeting Called By	Ian Ross, Chair	Start Time	10:00
Reference Meeting No	SPACCCM-170216	End Time	11:25

Members Present		In Attendance	
Name	Title	Name	Title
Ian Ross (IR)	Chair, Authority Member	Lindsey McNeill (LMcN)	Director of Governance and Assurance (SPA)
George Graham (GG)	Authority Member	Colin Forbes (CF)	Solicitor (SPA)
Moi Ali (MA)	Authority Member	Eric Leggat (EL)	Solicitor (SPA)
Douglas Yates (DY)	Authority Member	David Collie (DC)	Complaints & Conduct Manager (SPA)
Lisa Tennant (LT)	Authority Member	Graham Ravenscroft (GR)	Complaints Officer (SPA)
		Stuart Milne (SM)	Complaints Officer (SPA)
		Colette Craig (CC)	Committee Co-ordinator (SPA)
		Carole Auld (CSCA)	Chief Superintendent – Head of Professional Standards (PSoS)
		Neil Richardson (DCCNR)	Deputy Chief Constable (PSoS)

STANDING ITEMS

OPENING REMARKS

1. Chair's Opening Remarks: (Ian Ross)

1.1 The Chair (IR) welcomed attendees and observers to the Public Session of the Complaints & Conduct Committee Meeting of the Scottish Police Authority. IR advised attendees that the session would have been Morag McLaughlin's final meeting due to her leaving the SPA. The Chair noted his formal appreciation to Morag for her significant contribution to the Committee. The Chair welcomed Chief Superintendent Carole Auld to her first formal meeting as Head of Professional Standards. The Chair welcomed Colin Forbes as a new employee to the SPA.

Lisa Tennant arrived at 10:03am

1.2 The Chair asked all attendees to provide their suggestions to Colette Craig for items to come to the next Complaints & Conduct Committee Workshop, taking place on the 6th April.

170216-CCC-001: All attendees to provide workshop suggestions to Colette Craig

APOLOGIES

1.3 Apologies were received from Morag McLaughlin

DECLARATIONS OF INTEREST

1.4 There were no declarations of interest.

ANY OTHER BUSINESS

1.5 No items were provided in advance.

2. APPROVAL of MINUTES (Ian Ross)

2.1 Approval was sought for the Minutes of the Complaints & Conduct Committee Meeting held 26th November 2015.

DECISION

Members **APPROVED** the Minute of the Complaints & Conduct Committee Meeting held 26th November 2015 as a correct record.

3. REVIEW of ROLLING ACTION LOG (Ian Ross)

3.1 Refer to the updated action commentary reflected in the Rolling Action Register.

DECISION

Members **NOTED** the updates and status of actions as recorded in the Rolling Action Register

3.2 Members were provided with a hard copy version of the Complaints Leaflet and the Chair advised that they would be given an opportunity to read at the end of the public session to then allow further discussion.

4. SPA Complaints Department Progress Report (David Collie)

4.1 David Collie (DC) provided Members with an overview of the paper. DC advised that 'Average Time Scales' had been removed as an appendix and was now presented within paragraph 2.5 as a grid.

4.2 DC referred to paragraph 2.9 and issues around the security certificate. IR advised that he did not want this area concluded and asked Lindsey McNeill (LMcN) to have discussions with the CEO in order to resolve with some urgency. LMcN advised that there was still an online PDF mechanism for complaints but advised she would have further discussion around the need to escalate the provision of an interactive form with the CEO.

170216-CCC-002: Lindsey McNeil to have discussion with John Foley around the need to escalate the provision of a complaints form on the SPA website.

4.3 DC referred to item 2.11 and noted that there would be an invitation extended to Members around a forthcoming dip sampling exercise. George Graham (GG) sought clarity on why Members would be invited. IR confirmed that it would allow Members an opportunity to participate in the dip sampling of closed cases. Moi Ali (MA) advised that whilst there may be value in observing the process, she did not find it appropriate that Members should be operationally involved in dip sampling. IR advised that it was previously agreed that Members would be involved and added that he is content for a further discussion to take place on the matter at a future meeting with supporting material. MA reiterated that it was inappropriate for Members to be involved in this item. GG advised that he had a different view and found it appropriate for Members to be involved.

170216-CCC-003: David Collie to include Dip Sampling as an item on the next Complaints & Conduct Committee agenda.

4.5 DC provided an overview of the appendices. LT sought clarity on whether there were any informal internal stretch targets. LT sought clarity on how accessibility and demographic information could be measured and sought further clarity on whether this information could be reported to further committees. LT asked if percentage trend information could be included for those complaints that were received that fell within the SPA remit. Members discussed accessibility within other organisations and processes of best practise. IR advised that examples of best practise were to be looked at and reported back to the Committee.

170216-CCC-004: David Collie to consider Internal Stretch Targets within SPA Complaints Department Progress Report.

170216-CCC-005: David Collie to review if accessibility and demographic information could be reported at future committees.

170216-CCC-006: David Collie to include percentage trend information for complaints received that fell within the SPA remit.

170216-CCC-007: David Collie to look at examples of best practise in reporting accessibility and demographic information within other organisations and report back to the Committee.

4.6 DC advised that there was nothing in place at the moment regarding Internal Stretch targets against statutory guidance; however, this was something they would look at. DC advised that he would look to reflect additional comments made by LT in future reports.

The Chair asked Members if they were content to note the report.

DECISION

Members **NOTED** the SPA Complaints Department Progress Report.

5. Senior Officer Conduct Regulations (David Collie)

5.1 DC provided the paper and advised that since the previous committee meeting further consultation had taken place with the Scottish Chief Police Officers Staff Association (SCPOSA) and noted that the guidance had been updated following comments from that discussion along with comments previously provided by Members.

5.2 MA asked if the sections could be numbered in order to make cross referencing easier.

170216–CCC-008: David Collie to number sections within the document to make cross referencing easier for readers.

5.3 MA sought clarity on how notifications should take place. Members agreed that all notifications should be made in writing.

170216–CCC-009: David Collie to include within the document that all notifications should be made in writing.

5.4 MA noted that it was important to include reasons on why allegations were being referred. Members were content that reasons for allegations being referred are included within the document. MA advised that it would be helpful to have a stipulation on working days and calendar days. LMcN advised that the same discussion arose from the performance regulations and that clarity was sought from Scottish Government. LMcN advised that she would insert a paragraph which defined the terminology. MA advised that in the section on Appeals, where the senior officer does not request a hearing, no mention is made on whether the information may be shared with the senior officer.

170216–CCC-010: David Collie to ensure that reasons for allegations being referred were included.

170216–CCC-011: David Collie to ensure Government wording around working days/ calendar day's terminology is included.

170216–CCC-012: David Collie to ensure that mention is made on whether appeal information may be shared with the senior officer.

5.5 The Chair sought clarity from Members that they were content to **APPROVE** the Senior Officer Conduct Regulations with the changes mentioned above included.

DECISION

Members **AGREED** to **APPROVE** the Senior Officer Conduct Regulations with the changes mentioned above included.

6. Professional Standards Department Performance Update (CS Carole Auld)

6.1 Statistical Return and Appendices/Complaint Outcomes (CS Carole Auld)

6.1.1 LT noted that although it was important to see complaints decreasing it was also important for public complaints to be received to improve accessibility and learning and sought clarity on what was being done to encourage complaints to come forward. The Chair asked CSCA to bring a future paper to the Committee providing evidence which focused on the area of encouragement of complaints to improve accessibility and learning.

170216–CCC-013: Chief Superintendent Carole Auld to bring a paper to the August Committee Meeting providing evidence around the encouragement of complaints in order to improve accessibility and learning.

6.1.2 MA referred to 3% of Front Line Resolution cases that requested further enquiry and advised that it would be helpful to identify if there were any trends, learning or particular issues that could be identified better and what the outcomes of this 3% were.

170216–CCC-014: Chief Superintendent Carole Auld to include trends, learning points and particular issues that could be identified better and what the outcomes of this 3% were.

6.1.3 MA referred to the early intervention process and sought clarity on whether 4 complaints was deemed to be high. DCC Neil Richardson noted that 4 would be unusual for a rural area but not for a

city environment.

6.1.4 GG praised the paper provided by Police Scotland and advised he found it very useful.

6.1.5 The Chair provided a brief overview on his thoughts on the paper and noted that an overwhelming majority of police officers' conduct themselves in a highly professional manner and their best interests are always focused on the community safety of people in Scotland. The Chair added that it was still important to have processes in place for those officers that do not conduct themselves in that manner.

DECISION

Members **NOTED** the report on Complaints About Police Statistical Return.

6.2 Misconduct Hearings (CS Carole Auld)

6.2.1 Chief Superintendent Carole Auld (CSCA) provided an overview of the paper.

DECISION

Members **NOTED** the report on Misconduct Hearings.

6.3 PIRC-Complaint Handling Reviews-Lessons Learned (759-14/193-15) (CS Carole Auld)

6.3.1 Chief Superintendent Carole Auld (CSCA) provided both CHRs and learning points identified from each.

6.3.2 The Chair asked Members if they were content.

DECISION

Members **NOTED** the report on PIRC – Complaint Handling Reviews – Lessons Learned.

6.4 Suspended Officers (CS Carole Auld)

DECISION

Members **NOTED** the report on Suspended Officers.

6.5 Officers on Restricted Duties (CS Carole Auld)

DECISION

Members **NOTED** the report on Officers on Restricted Duties.

7. Senior Officer Performance Regulations - Verbal (Lindsey McNeil)

7.1 LMcN provided a verbal update and reminded Members that the Scottish Government were required to have Senior Officer Performance Regulations and noted that this work had been ongoing. LMcN advised Members that these regulations would be laid before parliament within the next few weeks. LMcN advised that the performance regulation guidance had been circulated over the past year and noted that internal work was being done to ensure that styles and standards were being met as requested.

7.2 LMcN advised Members that her intention was to bring the regulations to the next committee for formal approval before being published.

DECISION

Members **NOTED** the verbal update on Senior Officer Performance Regulations.

The Chair provided Members with a short break at 11.20am to read over the complaints leaflet.

8. AOB - SPA Complaints Department Progress Report – Complaints Leaflet

8.1 MA provided the Complaints team with some rewording suggestions which were accepted by both Members and DC.

8.2 LT provided some areas where wording could be made simpler.

8.3 Members agreed that there was no requirement of the following paragraph under the section of Standards of Professional Behaviour and agreed for it to be removed: -

8.4 *"Often this is delivered under demanding circumstances and, as a result, the service can sometimes fall short of the expectations of the public and the police themselves."*

170216–CCC-015: David Collie to remove "Often this is delivered under demanding circumstances and, as a result, the service can sometimes fall short of the expectations of the public and the police themselves." from the section of Standards of Professional Behaviour.

8.5 The Chair asked Members if they were content to approve the Complaint Handling Leaflet.

DECISION: Members **AGREED** to **APPROVE** the SPA Complaint Handling Leaflet subject to the amendments agreed being implemented.

End.