

Minute of Scottish Police Authority Complaints and Conduct Committee

Meeting	Scottish Police Authority Complaints & Conduct Committee Meeting.	Date/Venue	18 th May 2016, Pacific Quay, Glasgow.
Meeting Called By	Ian Ross, Chair	Start Time	10:00
Reference Meeting No	SPACCCM-180516	End Time	11:20

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	Robin Johnston (RJ)	Head of Legal (SPA)
Moi Ali (MA)	Authority Member	Eric Leggat (EL)	Solicitor (SPA)
Douglas Yates (DY)	Authority Member	David Collie (DC)	Complaints & Conduct Manager (SPA)
		Stuart Milne (SM)	Complaints Officer (SPA)
		John MacLean (JMCL)	
		Colette Craig (CC)	Committee Co-ordinator (SPA)
		Carole Auld (CSCA)	Chief Superintendent – Head of Professional Standards (PSoS)
		Iain Livingstone (DCCIL)	Deputy Chief Constable (PSoS)

OPENING REMARKS

NOT PROTECTIVELY MARKED

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

1.1 The Chair welcomed attendees and observers to the Public Session of the Complaints & Conduct Committee Meeting of the Scottish Police Authority and welcomed DCC Iain Livingstone to the meeting and congratulated him on his new role within Police Scotland.

APOLOGIES

1.3 Apologies were received from Lisa Tennant and Graham Ravenscroft

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 Moi Ali (MAli) referred to paragraph 4.3 on page 3 and asked for "whist there may be value in observing the process" before "she did not find it appropriate".

180516-CCC-001: Colette Craig to amend the minute of the 17th February 2016 to reflect the comments of Moi Ali.

2.2 Approval was sought for the Minutes of the Complaints & Conduct Committee Meeting held 17th February 2016.

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 MAli referred to action 170216-CCC-002 and noted having an interactive form on the SPA website was a fundamental part of the complaints process and that it is something that should be in place. The Chair agreed and asked Lindsey McNeill (LMcNeill) to comment. LMcNeill advised that the feedback from IT was that it could not be put in place due to the IT platform that was being rolled out. The Chair noted the Committees significant degree of frustration on the point and advised that he would now discuss the situation with the CEO.

180516-CCC-002: Ian Ross to discuss the committees concerns about not having an interactive complaints form on the SPA website with John Foley.

3.2 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

4. SPA Complaints Department Progress Report (David Collie)

4.1 David Collie (DC) provided Members with an overview of the paper.

4.2 MAli referred to internal stretch targets and noted that, at 10.45 Average Time Taken (working days) to provide complainers with a first update, the target was already being met and the internal

stretch target did not seem sufficient.

NOT PROTECTIVELY MARKED

4.3 George Graham (GGraham) noted that he was anxious around the stretch target on time taken to provide a complainer with the first update and noted the importance around the quality of work at the early stages of a complaint. GGraham advised that he was more concerned that there were processes in place for public who wanted to complain. Members discussed the importance of having the correct signposting in place for those who wanted to place complaints.

4.4 Douglas Yates (DYates) noted the importance of having realistic stretch targets. The Chair agreed and noted that there was a need for a degree of ambition of how things were handled internally. The Chair asked MAli how she would like Internal Stretch Targets developed. MAli advised that it would be worthwhile gaining some user feedback on what was the most important aspect for people when providing a complaint.

4.5 MAli advised that consideration should be given to basing the Stretch Targets on what was currently being achieved and try to reduce that whilst maintaining quality. The Chair asked Officers to reflect on those comments and bring forward proposals to the next committee. Development around the thinking of external targets based on the work being carried out by the PIRC.

4.6 MAli suggested SPA Officers refer to the Ombudsman Association which would provide an evidence based source of information around the things that are valued by complainers.

180516–CCC-003: SPA Officers to reflect on the comments provided by members regarding stretch targets and bring forward proposals to the August Committee to allow Members to have further discussion and agree a way ahead.

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

DECISION

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

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

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

5.1.1 Chief Superintendent Carole Auld (CSCAuld) provided an overview of the paper.

5.1.2 DYates sought clarity on whether any complaints had been received that resulted in a change of processes and procedures within PSD. CSCAuld advised that much of it had come down to individual officer learning in relation to explanation of the law or police powers. CSCAuld advised that any organisational changes were now being taken to a strategic forum which would bring forward organisational learning points that had been established. CSCAuld advised that organisational learning would be factored into the report for the next quarter onwards.

5.1.3 GGraham referred to tolerance levels and sought clarity on how the tolerance levels were established and what was the longer term thinking. GGraham also sought clarity on the strategic notions around tolerance levels. CSCAuld advised that tolerance levels came about during discussions within PSD. CSCAuld advised that a review of the language would be taking place. CSCAuld advised that the strategic position was that a lot of work was being carried out within various specialisms to discuss targets, reports, learning and record in a policy fashion that the police have learned from it.

5.1.4 MA advised that there would be real value in looking at complaints data from different sources in order to obtain real organisational learning. CSCAuld advised that there was a need for analytical work. DCC Iain Livingstone (DCCILivingstone) advised that there was intent to build on Organisational Learning and Development throughout Police Scotland and noted that there were currently good pockets of practise.

180516–CCC-004: Chief Superintendent Carole Auld to look at complaints data from different sources in order to obtain real organisational learning.

5.1.5 The Chair suggested that ~~Mo Ali, David Collie and Chief Superintendent Carole Auld~~ and DCollie to explore this further and thinking about subsequent steps that may begin to address points raised. The Chair advised that this would then highlight the need for any additional work needing to be carried out.

180516-CCC-005: Mo Ali, David Collie and Chief Superintendent Carole Auld to have a meeting to further discuss points raised in order to identify if there is a need for further work to be carried out.

5.1.6 MAli referred to table 4 and Early Intervention and asked for future reports to detail outcomes, learning and how learning was being shared.

180516-CCC-006: Chief Superintendent Carole Auld to include outcomes and learning from early intervention and advise how learning was being shared within the force.

5.1.7 DYates advised that he would like to see some dip sampling of FLRs to provide further assurance to Members.

180516-CCC-007: Chief Superintendent Carole Auld to provide dip samples of FLRs to provide further assurance to Members.

DECISION

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

5.2 Misconduct Hearings (CS Carole Auld)

DECISION

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

5.3 PIRC-Complaint Handling Reviews-Lessons Learned (302-15) (CS Carole Auld)

5.3.1 CSCAuld advised that no learning had been gained, however, there were detailed recommendations from PIRC that required Police Scotland legal involvement.

DECISION

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

5.4 PIRC Investigation Report – (Operation Rusky) (CS Carole Auld)

5.4.1 CSCAuld advised that the force accepted that the firearm had been discharged due to negligence and could have been prevented. CSCAuld confirmed that the officer had been removed from the role and advised that lesson points had been taken forward.

DECISION

Members **NOTED** the PIRC Investigation Report – (Operation Rusky)

5.5 Suspended Officers (CS Carole Auld)

DECISION

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

5.6 Officers on Restricted Duties* (CS Carole Auld)

DECISION**NOT PROTECTIVELY MARKED**

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

6. Guidance on Senior Officer Conduct Regulations (David Collie)

6.1 DCollie provided the paper and highlighted some key changes. Robin Johnston (RJohnston) provided support to the comments of DCollie.

6.2 DYates referred to page 5, paragraph 2.1.1 and sought clarity on the definition of "police representative" and whether the representative could be nominated by "the senior officer or staff association", rather than "the senior officer's staff association". The Chair asked the legal team to confirm and if there was flexibility around the matter an amendment could be made to the document.

180516-CCC-008: Robin Johnston to confirm the definition of "police representative".

DECISION

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

7. Guidance on Senior Officer Performance Regulations (John MacLean)

7.1 John MacLean (JMacLean) provided the paper. JMacLean advised that some key themes that had been raised were not detailed within the paper and provided further information to Members. JMacLean advised that both HMICS and SCOPSA asked if the guidance fulfilled the procedural ability to implement the regulations in practice. JMacLean confirmed that the guidance document was not designed to do that but was an endorsed document to provide parameters and clarity around the regulations.

7.2 GGraham sought clarity that the panel would be required once a case had reached a hearing performance hearing. JMacLean confirmed that was the case.

7.3 LMcNeill provided Members further context around the Senior Officer Performance Regulations and noted that there would be guidance and processes for the regulations.

7.4 The Chair asked if there were any additions or removals that Members would like made to the Panel Selection process. GGraham suggested senior health or criminal justice partners. The Chair asked officers to explore those suggestions.

180516-CCC-009: SPA Officers to explore the option of having Senior Health and Criminal Justice Partners on the Panel Selection Process.

7.5 GGraham highlighted his doubts around having The National Police Chiefs' Council on the panel. JMacLean advised that in relation to the regulations it stated that there should be a representative with experience of police work within the UK. GGraham was content.

7.6 GGraham referred to the need to have a substantive and supportive appraisal system. JMacLean advised that there was a paper going to the HRRC in relation to that in June 2016. DCCILivingstone advised that Angela Terry and John Gillies had been working on benchmarking and identifying best practise in order to roll out Personal Development Conversation (PDC).

DECISION

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

8. Dip Sampling of Police Scotland Closed Complaints*

8.1 DCollie provided an overview of the paper and thanked Police Scotland for their help and

assistance with the exercise.

NOT PROTECTIVELY MARKED

8.2 CSCAuld advised that individual learning and organisational learning outcomes had been identified.

8.3 Members agreed that it was a valuable exercise.

DECISION: Members **NOTED** the Dip Sampling of Police Scotland Closed Complaints report.

9. AOB

9.1 MAli asked if the date of the next meeting could be rescheduled for her to be in attendance.

180516-CCC-010: Colette Craig to reschedule the timings of the August Committee and advise attendees.

End.

APPROVED