



Meeting	SPA Complaints & Conduct Committee
Date	15 November 2022
Location	MS Teams
Title of Paper	Organisational Learning
Presented By	Darren Paterson, Head of Workforce Governance
Recommendation to Members	For Discussion
Appendix Attached	Yes – Appendix A - Relevant Complaints Appendix B - Complaint Handling Reviews

PURPOSE

The purpose of this report is to update the Committee on a review conducted by the SPA Complaints Team into trends and learning opportunities identified in relation to the handling of relevant complaints by the SPA over the period 2017/18 - 2021/22.

The paper is presented in line with:

- *Scottish Police Authority Committee Terms of Reference*

The paper is submitted:

- *For Discussion*

1 BACKGROUND

- 1.1. This review builds upon a report containing key statistics of note over the past 5 years presented to the SPA Complaints & Conduct Committee at its meeting held on 31 May 2022.
- 1.2. In addition, this review follows a report presented to the Committee in December 2018 which contained key statistics from the first five years of the SPA's inception, April 2013 - March 2018, identifying overall trends within complaints handling.
- 1.3. This review provided an opportunity to compare current complaint handling trends and learning opportunities against findings from the 2018 report.
- 1.4. It is important to note that while this review focuses on relevant complaints, the 2018 report looked at all cases received by the Authority, some of which were relevant complaints whereas others may have progressed as grievances, misconduct allegations, whistleblowing concerns or criminal allegations.

2 FURTHER DETAIL ON THE REPORT TOPIC

2.1. Capturing Learning Opportunities

- 2.1.1. The SPA is committed to promoting a culture of organisational learning and opportunities are identified through a variety of sources including complaint handling. Opportunities for learning are identified by the Complaints Team and included in the final report provided to Committee for determination. This matter was identified as a learning point in the 2018 report which recommended that learning be specifically captured by the Complaints Team at the conclusion of each case.
- 2.1.2. Once a complaint has been concluded, the PIRC may, at the request of the complainer, examine the manner in which a relevant complaint has been dealt with, known as a Complaint Handling Review (CHR). In reviewing a complaint, the PIRC may identify opportunities for improvement in the handling of the complaint and may make recommendations, identify learning points or issue a direction for the complaint to be reconsidered. CHRs provide the Authority with opportunities to capture organisational and individual learning.

2.2. Themes

2.2.1. The SPA receives a relatively low number of relevant complaints in comparison to those handled by Police Scotland. Appendix A shows a breakdown of complaints received by the Authority.

2.2.2. Given the low numbers involved and breadth of possible complaint types, it is to be expected that there is little in the way of common themes or trends evident in the complaints received by the Authority. However the following themes have been identified:

2.2.3. Complaints about senior officers not responding to correspondence

In response to previous complaints, the National Complaint Handling Development Group agreed a process to address this issue. In light of the fact that such complaints are still being received, further engagement is required to identify further measures to reduce the number of such complaints being received by the SPA.

2.2.4. Quality of Service (QoS) complaints

QoS is an overarching complaint category and, although it covers a broad range of activities, some learning points have been identified and are noted at Section 2.4.

2.2.5. Categorisation of complaints

A number of complaints received in 2017/18 and 2018/19, upon investigation, related to grievance-type issues or HR matters. At the time of receipt these were recorded as relevant complaints, although subsequently progressed via another route, such as the Grievance procedure. Since then, the publication of Dame Elish Angiolini's preliminary report¹ on complaint handling informed updates to the SPA's complaints handling procedures to provide clearer categorisation of complaints. Accordingly, complaints now received which relate to grievances or HR matters will be categorised as such upon initial assessment.

2.3. **Learning from complaint handling**

¹ Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing. Preliminary Report, June 2019. The Rt. Hon. Dame Elish Angiolini DBE QC.
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2.3.1. During the course of the past five years, four CHR's containing recommendations have been issued to the Authority by the PIRC (see Appendix B). These recommendations related to the SPA being asked to conduct further enquiries into a complaint and/or provide a further response to the complainer.

2.3.2. Amendments were subsequently made to the SPA's complaints handling documentation to include the creation of (i) a checklist to ensure enquiries are thoroughly completed and (ii) a suite of template response letters. The requirement for the creation of standard template letters was also identified as a learning point in the 2018 report. No complaints received in the past three years have resulted in the PIRC issuing recommendations regarding the Authority's handling of relevant complaints.

2.4. **Learning from complaint circumstances**

2.4.1. Learning points from specific complaints are noted below. In each circumstance, no further complaints relating to similar matters have been received by the SPA to date.

2.4.2. SPA

Four complaints received in 2017/18 related to confidentiality or data protection matters resulting from two particularly complex cases. A learning point was identified and the Committee asked that staff be reminded about the need for confidentiality in dealing with any information obtained in the course of their duties. Mandatory data protection training is now in place.

One complaint in regard to Forensic Services identified two areas of improvement relating to particular procedures. One action, resulting in an update to a specific procedure, has been completed. The second action informed wider, linked, activity which has led to further procedural changes being progressed.

A complaint in relation to productions led to a procedural change with verification now required to ensure that productions are available in advance before confirmation is sent to defence agents.

2.4.3. SPA and Police Scotland

A complaint in relation to scene examination identified individual learning for officers and staff regarding communication with members of the public.

2.4.4. Police Scotland

One complaint identified a possible inconsistency in policy relating to the wearing of insignia on police uniforms. Police Scotland subsequently reviewed and updated its uniform policy.

2.5. **Conclusion**

2.5.1. At its meeting held in May 2022, the Committee was advised that the Complaints Team had completed a benchmarking exercise to review SPA Complaints Handling Procedures against the SPSO Model Complaints Handling Procedure and the ISO 10002:2018 - Quality Management - Customer Satisfaction. The exercise concluded that the SPA procedures are broadly in alignment with both and no major differences were identified. Members were advised that points of good practice were noted and would be incorporated into the SPA Complaints Team processes.

2.5.2. Accordingly the Team has introduced a process for identifying and recording learning opportunities identified through the Authority's handling of complaints. The 2018 report also noted a learning point for the Authority to establish such a process. Learning has previously been captured and recorded in individual complaints files, however this information is now held in a central location for ease of recording and reporting.

2.5.3. This report highlights how the Authority's complaints processes have evolved in terms of identifying and capturing learning opportunities, evidenced by the adoption of learning from the 2018 report. The Complaints Team will continue to develop processes to ensure that learning is embedded in the handling of complaints.

3 FINANCIAL IMPLICATIONS

3.1. There are no financial implications in this report.

4 PERSONNEL IMPLICATIONS

4.1. There are no personnel implications in this report.

5 LEGAL IMPLICATIONS

5.1. There are no legal implications in this report.

6 REPUTATIONAL IMPLICATIONS

6.1. There may be reputational implications associated with this report as it serves to highlight trends in respect of complaints handling. The Authority is committed to promoting a culture of organisational learning and opportunities are identified through a variety of sources including complaint handling.

7 SOCIAL IMPLICATIONS

7.1. There are no social implications in this report.

8 COMMUNITY IMPACT

8.1. There are no community implications in this report.

9 EQUALITIES IMPLICATIONS

9.1. There are no equality implications in this report.

10 ENVIRONMENT IMPLICATIONS

10.1. There are no environmental implications in this report.

RECOMMENDATIONS

Members are invited to discuss the contents of this report.

Appendix A

Relevant Complaints

Complaints about Senior Officers

	2017/18	2018/19	2019/20	2020/21	2021/22	Total
Not responding to correspondence	2	4	4	6	8	24
Grievance- type issue ²	3	1	0	0	0	4
Other	9	4	7	6	2	28
Total	14	9	11	12	10	56

Complaints about SPA/ SPA Staff

	2017/18	2018/19	2019/20	2020/21	2021/22	Total
QoS	4	7	8	3	2	25
HR- type issue ³	0	11	0	0	0	10
Other	4	0	0	0	0	4
Total	8	18	8	3	2	39

Appendix B

Complaint Handling Reviews

	2017/18	2018/19	2019/20	2020/21	2021/22	Total
No of requests for CHR	6	8	2	1	0	17
No of CHRs conducted	2	3	0	1	0	6
CHR Outcome- Recommendation	1	1	0	0	0	2
CHR Outcome- Reconsideration	1	1	0	0	0	2
CHR Outcome- No Further Action	0	1	0	1	0	2

^{2,3} At the time of receipt these were recorded as relevant complaints, although subsequently progressed via other processes