

Meeting	SPA Complaints & Conduct Committee
Date	18 August 2022
Location	MS Teams
Title of Paper	SPA Quarterly Report
Presented By	Head of Workforce Governance
Recommendation to Members	For Noting
Appendix Attached	Yes – Appendix A – SPA Complaints Overview Appendix B – SPA Complaints Performance Report

PURPOSE

This is a report to the Complaints and Conduct Committee containing information and updates on complaints and conduct matters. The report includes key statistics reflecting the position at the end of Q1, 2022/23.

The paper is presented in line with:

- *Scottish Police Authority Committee Terms of Reference*

The paper is submitted:

- *For Noting*

1 BACKGROUND

- 1.1 This is a regular agenda item, containing updates on complaints and conduct matters within the SPA.

2 FURTHER DETAIL ON THE REPORT TOPIC

2.1 SPA Complaints Performance

- 2.1.1 Appendix A provides an overview of the complaint handling responsibilities of the SPA with explanatory text on reporting terminology.
- 2.1.2 The SPA Complaints Performance Report (includes key statistics reflecting the position at the end of Q1, 2022/23) is attached as Appendix B to this report.

2.2 Workload Management

- 2.2.1 Detail on ongoing workload is presented as a separate agenda item at the private session of this meeting.

2.3 Stakeholder Meetings

- 2.3.1 As noted previously, from February 2021 a new terms of reference was established for the Strategic Oversight Group (SOG) as part of the national governance structure established to oversee implementation of recommendations from the Dame Elish Angiolini report, but with meetings having a partitioned agenda to allow for discussion of ongoing shared operational matters, in line with the original terms of reference for the group. In respect of the latter, the SOG last met on 25 May 2022, with discussion continuing in respect of development of new on-call guidance, and feedback following implementation of the new model for assessment and investigation by PIRC of complaints against Police Scotland of alleged Article 3/5 human rights breaches.
- 2.3.2 The National Complaint Handling Development Group (NCHDG) has not met since the last Committee meeting. Following recent discussion, partners have agreed that this would be an opportune time to reflect on and review the purpose and remit of the group, in light of significant progress made against its originally intended purpose in bringing practitioners from partner organisations together to address a number of practical issues, as well as the establishment of separate national arrangements in respect of recommendations arising from the Dame Elish Angiolini Review. It is

envisaged that the Group will meet again in the Autumn, with an initial focus on review of its Terms of Reference.

2.4 Joint Audit SPA/ PIRC

2.4.1 An update will be provided by PIRC as a separate agenda item at this meeting.

2.5 Wider SPA Complaints Team Activity

2.5.1 The SPA Head of Workforce Governance and Complaints & Conduct Manager recently attended a Police Scotland PSD Induction Day to understand the approach taken for induction for new staff. The event provided a useful overview of all PSD departments, as well as enabling inputs from the SPA and the PIRC to outline their respective functions.

2.5.2 The SPA Complaints & Conduct Manager also recently attended the Police Scotland Misconduct Hearings – Chair and Assessors Training course, which provided an opportunity to gain an understanding of the approach adopted by Police Scotland in relation to misconduct matters.

2.6 Engagement with Other Organisations

2.6.1 The SPA continues to participate in an international research project on Police Accountability, one of the objectives of which is to develop international standards for independent procedures, resourcing, and good practice in the handling of complaints against law enforcement agencies. Interviews have taken place with the SPA Head of Workforce Governance and SPA Complaints & Conduct Manager, and members of the SPA Complaints & Conduct Committee. One of the next steps in the project is a stakeholder event in the autumn which the SPA has been invited to attend.

2.7 Improvement Activity

2.8 Measures continue to be taken to reduce the number of cases received that are outwith the remit of the SPA¹ and ensure that members of the public are signposted appropriately when making a complaint. To date, these have included:

- Introduction of an online complaints form;

¹ 17% of cases received in Q1 2022/23 were within SPA's remit, an increase compared to 12% for the reporting period as a whole.

- Updates to the SPA website, including a QR code to direct complainers to the Police Scotland complaints webpages;
- Dip-sampling of complainers to understand their rationale for contacting the SPA;
- Identification of required update to the 'guide for complaints about the police' multi-agency leaflet for members of the public;
- Consideration of utilising the 'Oventus' text messaging service; and
- Exploring options to seek User Experience feedback.

2.9 Organisational Learning

The SPA is committed to promoting a culture of organisational learning. Opportunities are identified through a variety of sources including the handling of complaints within the remit of the SPA and PIRC Complaint Handling Reviews (CHRs) if applicable. No specific organisational learning opportunities have been identified during this reporting period, although the Complaints Team is currently reviewing broader organisational learning identified over recent years, with a view to reporting to the next Committee meeting.

3 FINANCIAL IMPLICATIONS

3.1 There are no financial implications associated with this paper.

4 PERSONNEL IMPLICATIONS

4.1 There are no personnel implications associated with this paper.

5 LEGAL IMPLICATIONS

5.1 There are no legal implications associated with this paper.

6 REPUTATIONAL IMPLICATIONS

6.1 There are reputational implications associated with this paper. The report (alongside corresponding reports from Police Scotland and the PIRC) serves to highlight trends in respect of complaints received and performance in respect of complaints handling, enabling the Committee to seek assurance in this important area, recognising its key link to public confidence in policing in Scotland.

7 SOCIAL IMPLICATIONS

7.1 There are no social implications associated with this paper.

8 COMMUNITY IMPACT

8.1 There are no community implications associated with this paper.

9 EQUALITIES IMPLICATIONS

9.1 There are no equalities implications associated with this paper.

10 ENVIRONMENT IMPLICATIONS

10.1 There are no environmental implications associated with this paper.

RECOMMENDATIONS

Members are requested to note the content of this paper and request additional information if required.

Appendix A

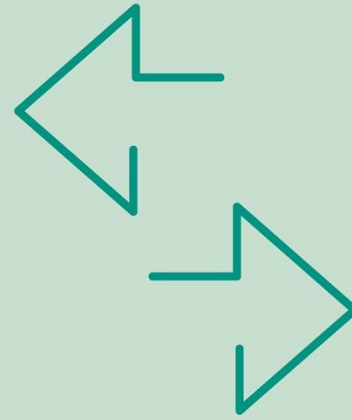
SPA Complaints Overview

SPA Complaints Overview

- A complaint is an expression of dissatisfaction and the SPA is responsible for handling complaints about: the SPA itself (including Forensic Services); members of SPA Corporate/Forensic Services staff; and senior officers of Police Scotland (i.e. Assistant Chief Constable, Deputy Chief Constable and Chief Constable).
- There are currently 13 officers of senior rank in Police Scotland and approximately 620 SPA staff working across SPA Corporate and Forensic Services functions.
- On receipt of a complaint, the SPA will complete an initial evaluation to determine who the complaint is about and if it is within its remit. For cases within the SPA remit, the initial assessment will ensure they are categorised and dealt with in the most appropriate manner (i.e. a relevant complaint; grievance; whistleblowing; misconduct; criminal allegation; or a miscellaneous case (which refers to enquiries or other correspondence received by the SPA)).
- A 'relevant complaint' is defined in legislation and is essentially a non-criminal complaint made by a member of the public. The SPA Complaints Performance Report mainly provides statistical information on relevant complaints within the remit of the SPA.
- A single complaint may consist of a number of component parts that can be determined separately. For the purposes of this report, these are referred to as 'allegations' and each complaint may include multiple allegations.
- The handling of relevant complaints are subject to the oversight of the PIRC, who have an expectation that such complaints should be completed within 40 working days.

SPA Complaints Performance Report

Q1 2022/23

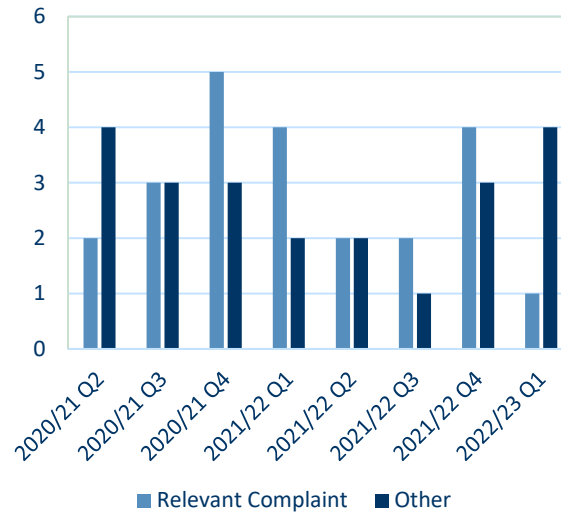


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Highlights (8 quarter view)

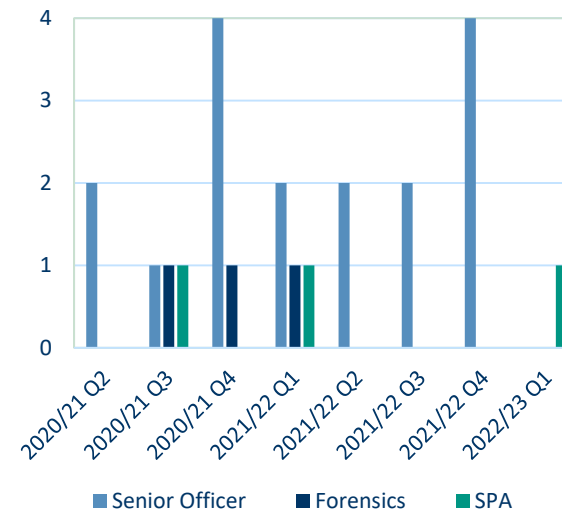
- Consistent trend in volumes of relevant complaints and allegations
- Majority of relevant complaints relate to senior officers
- 80% of allegations relate to On Duty complaints and the remaining 20% relate to complainers' dissatisfaction with the Quality of Service received
- Early stage resolution continues to be an effective means of addressing complaints of a less serious nature (37% of allegations resolved)
- Average time to close relevant complaints has reduced over the reporting period with 4 complaints completed beyond the targeted completion time of 40 working days
- Data excludes complaints received that are outside the SPA's mandate

Cases received



- Across 8 quarter period 51% of cases received (within SPA remit) classed as relevant complaints
- 'Other' cases include grievances, whistleblowing, misconduct allegations, criminal allegations etc
- Most cases received outside of SPA remit related to matters that have since been brought to the attention of Police Scotland's Professional Standards Department (PSD)

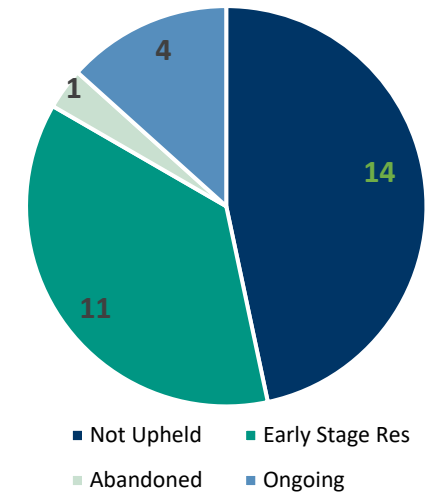
Subject of complaints



- The majority of relevant complaints (74%) relate to senior officers, although absolute volumes remain low
- Within these complaints, there were 30 individual allegations made. The split of these allegations mirrors that of the complaints, with 77% relating to senior officers

Determination

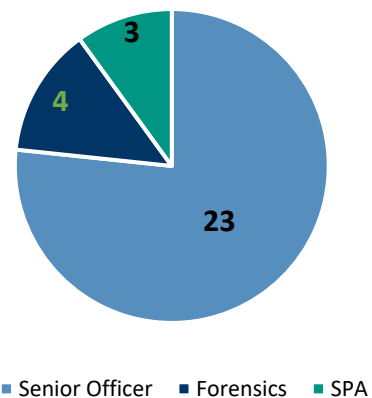
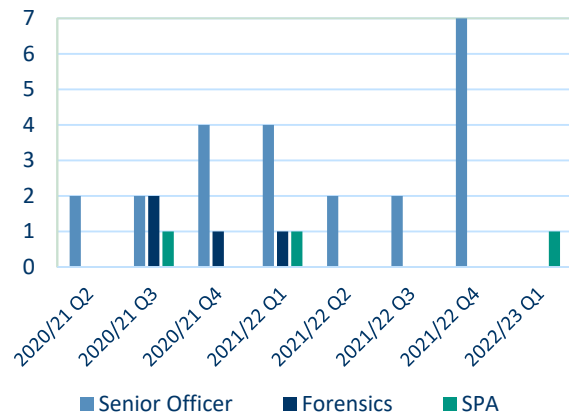
8 quarter view of allegations



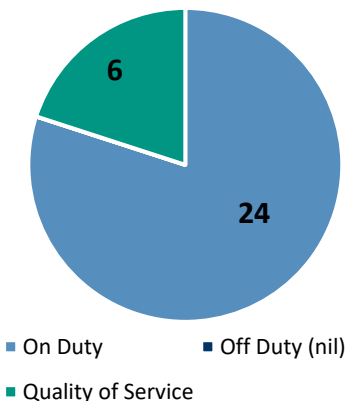
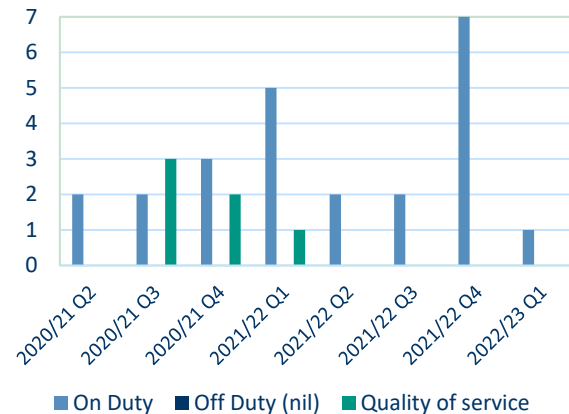
- 47% of allegations not upheld
- 37% resolved by early stage resolution (ESR) via explanation, assurance or apology
- 4 ongoing allegations all relate to complaint(s) received in Q4 2021/22

Allegations by subject

Drill down from 'Subject of complaints' on previous page



Allegations by category



Timescales to close

	2020/21			2021/22				2022/23
	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1
Closed	2	3	5	4	2	2	3	1
<i>Ave. working days to close</i>	30	80	13	25	6	9	22	14
Cases closed beyond 40 working days								
Closed	1	1		1	0	0	1	0
<i>Days to close</i>	44	232		74			51	

While the SPA aims to deal with relevant complaints within 40 working days, each complaint is unique and a number of factors (such as complexity and seriousness) can impact timescales. The cases closed over 40 working days above can be attributed to:

- Complexity of case necessitated a longer investigation
- Requirement for a full case review by Forensic Services before presentation to the Committee
- Large volumes of documentation provided by the complainer, in addition to further information required from outside the SPA which was not readily available
- Multiple requests for the complainer to submit additional information to allow the investigation to progress