



Meeting	SPA Complaints & Conduct Committee
Date	15 November 2022
Location	MS Teams
Title of Paper	SPA Quarterly Report
Presented By	Darren Paterson, Head of Workforce Governance
Recommendation to Members	For Discussion
Appendix Attached	Yes – Appendix A – SPA Complaints Overview Appendix B - SPA Complaints Performance Report

PURPOSE

The purpose of this report is to update the Committee on complaints and conduct matters including includes key statistics reflecting the position at the end of Q2, 2022/23.

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 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 Q2, 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. The National Complaint Handling Development Group (NCHDG) has not met since the last Committee meeting.

- 2.3.2. 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 has not met since the last Committee meeting.

2.4. Engagement with Other Organisations

- 2.4.1. 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.

- 2.4.2. An international plenary meeting of the project took place on 2 September 2022, where an update was provided on the wider

project and international partners from UK, Germany, Canada and France provided an overview of complaint handling systems in their respective countries. The meeting was attended by Members of the Committee and SPA officials, as well as representatives from other relevant stakeholder organisations.

2.5. Improvement Activity

2.5.1. 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.

2.6. Organisational Learning

2.6.1. 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 a broader organisational learning report is being provided as a separate agenda item at this meeting

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 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.

¹ 3% of cases received in Q2 2022/23 were within SPA's remit, compared to 12% for the reporting period as a whole.

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.



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Appendix A

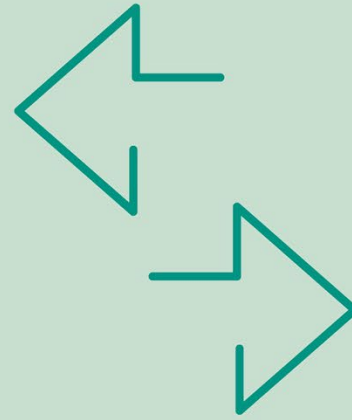
SPA Complaints Overview

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

Q2 2022/23

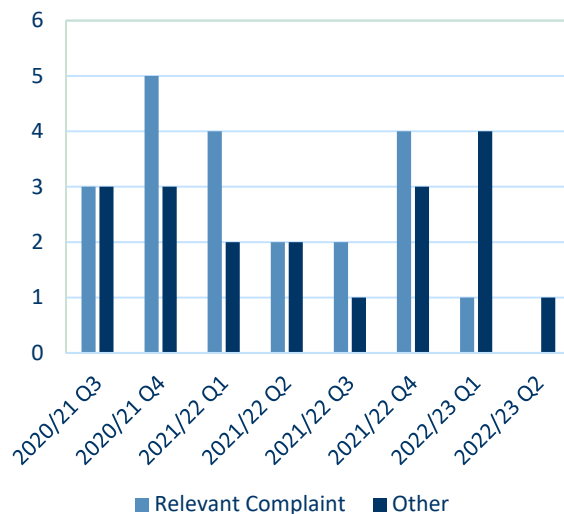


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Highlights (8 quarter view)

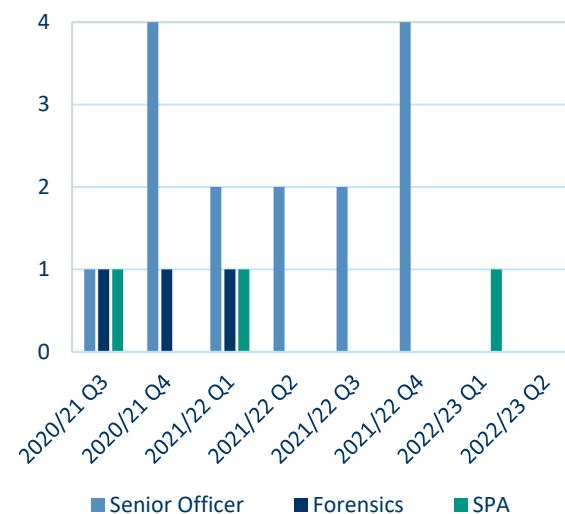
- Consistent trend in volumes of relevant complaints and allegations
- Majority of relevant complaints relate to senior officers
- 79% of allegations relate to On Duty complaints and the remaining 21% relate to complainers' dissatisfaction with the Quality of Service received
- Early stage resolution continues to be an effective means of addressing complaints of a less serious nature (39% of allegations resolved)
- Average time to close relevant complaints has reduced over the reporting period with 3 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 53% 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

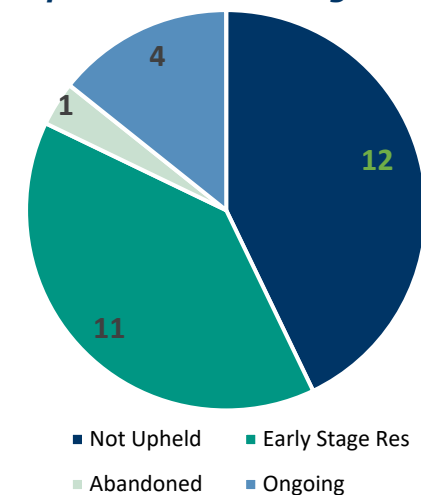


- The majority of relevant complaints (71%) relate to senior officers, although absolute volumes remain low
- Within these complaints, there were 28 individual allegations made. The split of these allegations mirrors that of the complaints, with 75% relating to senior officers

Beyond the first chart (Cases received) all other charts in this report refer to relevant complaints only

Determination

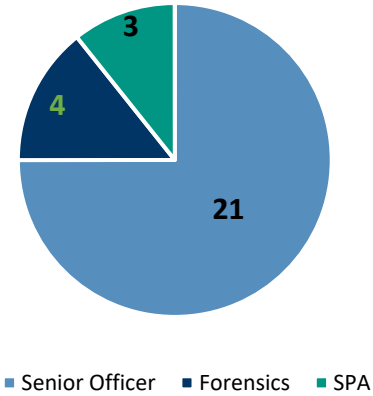
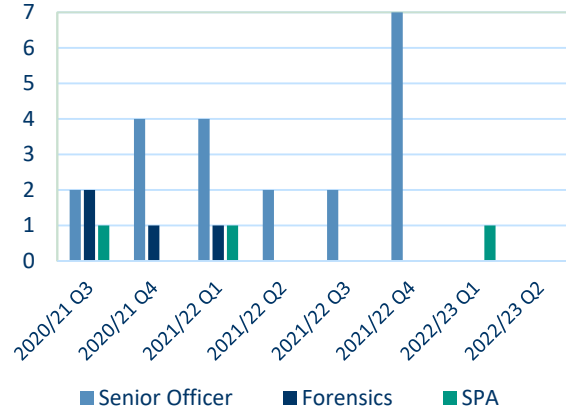
8 quarter view of allegations



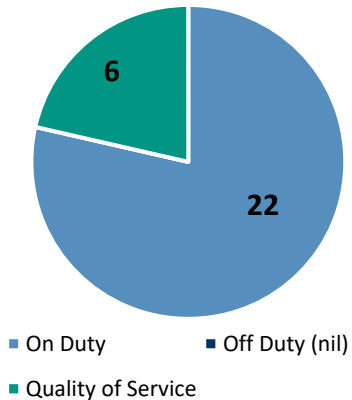
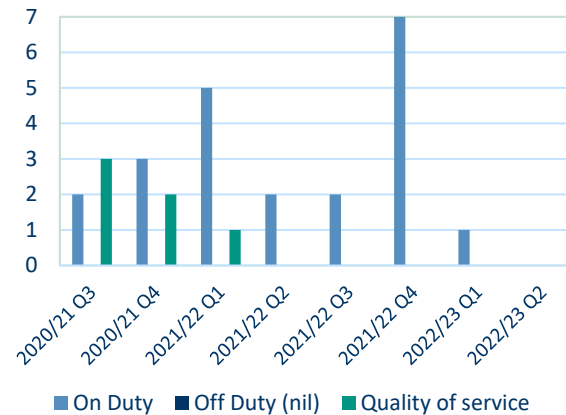
- 43% of allegations not upheld
- 39% resolved by early stage resolution (ESR) via explanation, assurance or apology
- 4 ongoing allegations all relate to complaint(s) received in Q4 2021/22

Allegations by subject

Drill down from 'Subject of complaints' on previous page



Allegations by category



Timescales to close

	2020/21		2021/22				2022/23	
	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
Closed	3	5	4	2	2	3	1	0
Ave. working days to close	80	13	25	6	9	22	14	0
Cases closed beyond 40 working days								
Closed	1	0	1	0	0	1	0	0
Days to close	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:

- 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