



Complaints & Conduct Committee

6 June 2023

Minutes of the Complaints & Conduct Committee held on 6 June 2024 via MS Teams

Board Members present:	Katharina Kasper (Committee Chair) Paul Edie (Committee Member) Catriona Stewart (Committee Member) Fiona McQueen (Committee Member)
Board Member apologies:	
In attendance:	<p><u>SPA</u> Darren Paterson, Head of Workforce Governance Stuart Milne, Complaints Officer Colette Craig, Governance Support Officer</p> <p><u>Police Scotland</u> Assistant Chief Constable Stuart Houston Chief Superintendent Helen Harrison Superintendent Melanie Wade Superintendent Kate Stephen</p> <p><u>PIRC</u> Ilya Zharov, Head of Reviews and Policy Raymond Brown, Head of Investigations</p> <p><u>HMICS</u> Maggie Pettigrew, Lead Inspector</p>

1. Introduction and Welcome:

1.1 Chair's Opening Remarks

The Chair welcomed attendees to the meeting and congratulated ACC Stuart Houston in his new permanent role as Assistant Chief Constable.

1.2 Apologies

DCC Alan Speirs, PS and Chris Brown, SPA.

Declarations of Interest and Connections

None.

1.3 Any Other Business

None.

1.4 Decisions on taking business in private (Item 9 – 12)

Members **AGREED** to take Items 9 – 12 in private.

2. Minute and Actions from previous meeting:

2.1 Minute from meeting held on 27 February 2024 for approval

Members **AGREED** the Minute of the meeting held on 27 February 2024 as an accurate record of the meeting.

2.2 Public Minute of Private Meeting held on 27 February 2024 for approval

Members **AGREED** the Public Minute of the private meeting held on 27 February 2024 as an accurate record of the meeting.

2.3 Public Minute of Private Meeting held on 25 April 2024 for approval

Members **AGREED** the Public Minute of the private meeting held on 25 April 2024 as an accurate record of the meeting.

2.4 Rolling Action Log and Matters Arising

- Closure of action 20230106-CCC-005 *Consider how diversity information can be drawn on for both officers and complainers in the absence of a system update* - Members were content that this action is closed on the

understanding that Police Scotland bring forward a wider report within the next 12 months on resulting data, ensuring a dual focus with complainers' diversity and officers and staff subject to complaints.

(Item placed on the work plan for 2025/26)

- Closure of action 20230106-CCC-005 *Consider how diversity information can be drawn on for both officers and complainers in the absence of a system update* - Members were content that this action is closed on the understanding that Police Scotland bring forward a separate future update on wider Centurion functionality and developments.
(Item placed on the work plan for 2025/26)
- Closure of action 20232208-CCC-006 *(Draw out operational improvements within the performance report to show concrete evidence of learning from complaints)* - Members were content that this action is closed on the understanding that Police Scotland produce an annual report which will incorporate quarterly information and provides narrative on whether the learning process is working.
(Item placed on the work plan for 2025/26)
- Closure of action 20232208 -CCC-005 – The Chair paid tribute to Police Scotland and SPA colleagues for working closely with SPA to discharge outstanding recommendations. DPaterson noted that one of the recommendations was around committee oversight of complaints and the other around the scrutiny of ongoing complaints and delays. DPaterson noted the need for trend analysis across all allegation categories. As per previous years, this comprehensive data would be within the committee annual report allowing this recommendation to be closed. In terms of the 2nd recommendation, there has been much development, with a report to the private session on Police Scotland Ongoing Non-Criminal Complaints, therefore proposed to members that this recommendation is also submitted for closure if they are content with the report submitted. It was agreed that discussions in private session would be required in the first instance.
- Closure of action 20231411 -CCC-003 - Members noted concerns around the use of term low level and non-deserving and the due respect it shows against complaint handling and asked that thought was given to the categorisation of complaints. PS agreed around the importance around the use of language and reassured members that they would continue to develop practises and thinking around the experience of those raising complaints. Members agreed that this action could be closed.

- Closure of action 20230106-CCC-002 (*Consider an informal session on around Irregularity in Procedure and Quality of Services. Consider including a discussion document which could be linked into dip sampling and the PIRC Audit to bring all together as a package*) - Police Scotland to consider a critical assessment on current complaint categorisation types, approach to triage, any known issues and scope for improvement. (*New action for current financial year – noted below as 20240606-CCC-001*)
- Closure of 20242702 -CCC-002 (*PS to consider the approach to understanding complainant satisfaction (aside from proportion who seek a review), including exploration of practice elsewhere, with a view to discussing as part of the future deep dive.*) - Police Scotland to introduce future reporting on feedback received on complainant satisfaction. PS and SPA colleagues to engage on the best way to do this.
(*Item placed on the work plan for 2025*)

The Committee **APPROVED** the action log, noted the updates provided and **AGREED** the following new action;

20240606-CCC-001: Following the closure of 20230106-CCC-002 - Police Scotland to consider a critical assessment on current complaint categorisation types, approach to triage, any known issues and scope for improvement.

2.5 Decisions since last meeting

None.

3. Police Scotland Professional Standards Annual Performance Report

Assistant Chief Constable Stuart Houston (ACCSHouston) provided opening comments around work carried out internally within PSD. Chief Superintendent Helen Harrison (CSHHarrison) provided an overview of the report, during discussions the following matters were raised;

The Chair welcomed the deep dive into the race category and sought clarity on whether the data detailed included Frontline Resolution Complaints (FLR). CSHHarrison confirmed yes and noted that work was being done with all staff associations, including diversity associations, to breakdown some barriers, gain some understanding around impactful factors and learn from each other. The Chair asked that future reports update members on engagement with diversity staff associations in relation to discriminatory behaviour allegations and resulting learning. Members also asked for further information on discriminatory allegations upheld and results of further analysis of those divisions identified as primary drivers of increases.

Members had a detailed discussion around race allegations, noting that what was being presented to members was the outcome of the service delivery and interactions with the public, therefore there is a need to understand the time lag. CSHHarrison assured members that there was a timely review and assessment of matters carried out by PS.

Members sought clarity on where complaints in relation to Stop and Search data was reported. ACCSHouston advised that this data was being managed and overseen by ACC Local Policing West, however, PSD will look to report it within quarterly data going forward.

The Chair referred to recent introduction of the Public Order Hate Crime Act and sought clarity on whether any of that data had yet filtered into the complaints area. ACCSHouston advised that as of the end of May 2024 there had been 57 complaints against the police, with 22 of those being related to the new act. From those 22, 12 were not relevant complaints, the remaining 10 are being progressed and addressed as a hate crime occurring and the police had not dealt with it appropriately. ACCSHouston noted the amount of work being done in this area and assured members that there is a well-managed and joined-up approach with other portfolio areas around the use of the legislation.

The Chair noted that there has been the highest number of complaints to date, a trend that members were aware of due to the transparency of PS and members note that it is difficult for PS to understand exactly why and whether it is a good or bad thing. The Chair noted that conversations around what good should look like will continue within and out with the committee. The Chair thanked PS for the better set of data that will allow better scrutiny to take place.

Members **NOTED** the report and **AGREED** the following actions:

20240606-CCC-002: Assistant Chief Constable Stuart Houston to ensure future reports specifically highlight/include the following:

- **Engagement with diversity and all staff associations in relation to discriminatory behaviour allegations and resulting learning.**
- **Information on discriminatory allegations upheld and results of further analysis of those divisions identified as primary drivers of increases.**

20240606-CCC-003: Assistant Chief Constable Stuart Houston to ensure Complaints in relation to Stop and Search data to be provided along with quarterly data going forward.

4. SPA Annual Report

Darren Paterson (DPaterson) provided a report updating the Committee on complaints and conduct matters including key statistics reflecting the position at the end of Q4, 2023/24. The report also included key statistics over the past 5 years, 2019/20 to 2023/24. During discussions the following matters were raised;

The Chair asked DPaterson to provide an overview of the work and membership of the National Complaints Handling Group (NCHDG). DPaterson advised that this is a practitioner working group, chaired by Police Scotland with the PIRC and SPA operating as critical friends. Members are informed on the groups key areas of focus and noted that overall, in the spirit of collaboration, it is about enhancing complaint handling performance. The Chair noted members interest in the work of this group and asked that the committee are provided with an update on the developments being progressed by the NCHDG and for this update to become part of the committee work plan. *(Item added to committee work plan)*

Members **NOTED** the report.

5. PIRC Annual Report on Police Scotland Handling of Complaints and Investigation Referrals

Members were provided with a report detailing key statistics reflecting the annual position for 2023/24. Ilya Zharov (IZharov) provided a detailed summary of the report which noted statistical information in relation to PIRC Complaint Handling Reviews (CHR's). During discussions the following matters were raised in relation to CHR's:

Members sought clarity that recommendations issued by the PIRC to PS are followed up on. IZharov advised that every recommendation is recorded and remains open until the recommendation is implemented, to ensure it is of good standard, PSD always run further responses past the PIRC. IZharov advised that the implementation rate is extremely high and believes the process is working well.

The Chair sought clarity on what the CHR statistics tell the committee about the operational efficiency of the PS Complaint Handling Process and whether there are any concerns from the PIRC. IZharov advised that there has been a period where the specific complaint handling training within PSD was not as coordinated and regular. This matter is now addressed with a 4-day course held every 6 months which will increase the quality of police complaint handling. In addition, the practitioner forums will be key in

allowing direct conversations with complaint handlers and for them to fully understand the PIRC Statutory Guidance.

The Chair noted the importance of considering internal quality checks on the work of complaint handlers to improve the efficiency of the process. CSHHarrison reassured members that line manager oversight, support to complaint handlers and commitment to training, reviewing, and reflecting are all areas being looked at to improve, develop and move forward.

Raymond Brown (RBrown) provided an overview on the Investigation Referrals. During discussions the following matters were raised in relation to Investigation Referrals:

The Chair welcomed the positive work being done and asked from a reporting perspective asked for the committee to receive updates on Police Scotland's response to all recommendations. RBrown noted that the detail is within the report, however, advised that he would consider and revise how that data could be reported in future reports.

The Chair asked that once the current audit was complete that it was circulated to members as early as possible. In addition, members have requested an update to the next committee on the previous join audit.

Members **NOTED** the report and **AGREED** the following actions;

20240606-CCC-004: Ilya Zharov to provide members with early sight of the audit ahead of the next committee.

20240606-CCC-005: ACC Stuart Houston to provide narrative on how recommendations are progressed to completion by PS.

PIRC colleagues left the meeting.

6. Police Scotland Professional Boundaries Report

Members were provided with an update regarding ongoing activity within Professional Boundaries. During discussions the following matters were raised;

Members welcomed the recommendations noted with the report and how longer-term actions linked into other pieces of work. The Chair sought clarity on when members would see different strands of activity and action plans noting that timelines remain outstanding. CSHHarrison noted that there are 3 outstanding recommendations from the previous review therefore committed to bring an update on them, along with an update on

the domestic review that was carried out. The Chair welcomed this offer and noted the importance of providing a fuller picture from a public confidence perspective, noting what has been discharged and what has been mainstreamed to become business as usual.

Members sought clarity on whether they would receive more granular detail and evidence around what was identified and assurance about what will be taken forward. Members also noted the importance for a position paper, both public and private. The Chair agreed that a position paper would be beneficial for the domestic cases and asked that for the purposes of public confidence it was important to take this forward. Members further asked that some consideration was given to how complainants coming into this reporting. CSHHarrison advised that she would take that away for consideration for a private session, however, noted the want to provide as much as possible in the public session in terms of the work that is taking place.

Members sought clarity on whether the complainants are notified around the handling of their complaints. CSHHarrison advised that she did not believe direct contact took place, however, she would take that back to the team to consider it being factored in where appropriate as there could be more learning gained from that.

Members **NOTED** the report and **AGREED** the following actions:

20240606-CCC-006: Chief Superintendent Helen Harrison to provide more detailed private report on domestic review findings.

20240606-CCC-007: Chief Superintendent Helen Harrison to consider the nature of contact with complainants, including whether they can be notified around the handling of their complaints if appropriate.

7. HMICS Assurance Review of Vetting – Action Plan

ACCSHouston provided members with Police Scotland's Improvement Plan to address the recommendations contained within the recent *HMICS Assurance review of vetting policy and procedures within Police Scotland* report, published on 03 October 2023. During discussions the following matters were raised;

Members welcomed the report, detail within the plan and approach being taken. Members sought clarity on whether there was a detailed time plan that sat behind this action plan. ACCSHouston advised that was currently being worked on as different recommendations require different timeframes. ACCSHouston advised that 18 months would be great to

address all recommendations, however, as this is a culture change for the organisation it is important not to rush it and cause anxiety within the workforce.

Maggie Pettigrew (MPettigrew) from HMICS advised that they are pleased with the work that has been taken forward by PS and appreciate the magnitude of some of the recommendations, however, HMICS will stand by the importance of these recommendations in terms of public confidence. MPettigrew noted that the delay around the APP which is a concern around the delay of some recommendations. MPettigrew noted the need for further engagement between HMICS and PS around Recommendation 10 and Recommendation 14 before they are implemented and discharged. MPettigrew noted that the risk-based approach being taken to the recommendations by PS is being welcomed by HMICS.

Members **NOTED** the report.

8. Complaints and Conduct Committee Work Plan

Members **NOTED** the report.