



<b>Meeting</b>	<b>SPA COMPLAINTS AND CONDUCT COMMITTEE</b>
<b>Date</b>	<b>15 November 2022</b>
<b>Location</b>	<b>Video Conference</b>
<b>Title of Paper</b>	<b>Professional Boundaries – Progression of Recommendation</b>
<b>Presented By</b>	<b>Chief Superintendent Catriona Henderson</b>
<b>Recommendation to Members</b>	<b>For Discussion</b>
<b>Appendix Attached</b>	<b>Yes</b> <b>Appendix A – Professional Boundaries – Case Review</b>

**PURPOSE**

To provide a progress update to SPA Complaints and Conduct Committee members in respect of the PSD case review of complaints and conduct matters impacting on professional boundaries.

Members are invited to discuss the content of this paper.

## **1. BACKGROUND**

- 1.1 The conviction and whole life sentencing of a former police officer in London has led police forces across the UK to address the resultant concerns of communities in respect of serving police officers and staff members who commit sexual crimes and in particular, those officers and staff who abuse their position of trust to do so.
- 1.2 On 21<sup>st</sup> October 2021, DCC Professionalism, Digital and Transformation commissioned a review of all complaints and conduct matters which contain sexual circumstances between 1<sup>st</sup> January 2017 and 21<sup>st</sup> October 2021 which were reported to or within Police Scotland.
- 1.3 The purpose of this review being to ensure Police Scotland has discharged its responsibilities in relation to the management of risk relating to reports or complaints which include sexual circumstances, sexual offending or misconduct by officers or staff of Police Scotland, and where appropriate Police Scotland has fully investigated and progressed matters within relevant legislation, powers and regulations.
- 1.4 The review identified several recommendations, the progress of which is outlined in Appendix A.
- 1.5 Police Scotland continues with the long term commitment to robustly tackle matters breaching professional boundaries.

## **2. FINANCIAL IMPLICATIONS**

- 2.1 There are no financial implications in this report.

## **3. PERSONNEL IMPLICATIONS**

- 3.1 There are no personnel implications in this report.

## **4. LEGAL IMPLICATIONS**

- 4.1 There are no legal implications in this report.

## **5. REPUTATIONAL IMPLICATIONS**

- 5.1 There are clear reputational implications associated with this paper. Public confidence in the police depends on police officers and staff demonstrating the highest levels of personal and professional behaviour.

5.2 Police Scotland is committed to providing a victim focussed approach to the investigation of matters compromising professional boundaries, harnessing all opportunities to protect victims and preventing such crimes occurring.

5.3 Through selection, vetting, training, supervisory practice and communication we seek to prevent breaches of professional boundaries.

5.4 Police Scotland has a strategy in place to formalise and address this subject, evidencing our progress and governance surrounding this matter.

## **6. SOCIAL IMPLICATIONS**

6.1 There are no social implications in this report.

## **7. COMMUNITY IMPACT**

7.1 There are community impact implications associated with this paper. Where public trust is affected, this could negatively impact on confidence to report.

## **8. EQUALITIES IMPLICATIONS**

8.1 There are no equality implications in this report.

## **9. ENVIRONMENT IMPLICATIONS**

9.1 There are no environmental implications in this report.

## **RECOMMENDATIONS**

Members are invited to discuss the content of this paper.

**OFFICIAL**



## **Appendix A**

# **Professional Standards Case Review – Professional Boundaries – Progress Update**

Produced by: Professional Standards Department – November 2022

**OFFICIAL**

**Contents**

Key Analytical Findings 01/01/22 – 30/06/22..... 3  
Progress Update.....4  
Organisational Learning.....5

## **Background**

Police Scotland commissioned a review of all complaints and conduct matters which contain sexual circumstances between 1<sup>st</sup> January 2017 and 21<sup>st</sup> October 2021 which were reported to or within Police Scotland to ensure it has discharged its responsibilities in relation to the management of risk and has fully investigated and progressed matters within relevant legislation, powers and regulations.

The review was charged to focus on those reports which stem from complaints or conduct allegations across the following business areas:

- **Complaints about the Police**
- **Referrals through Professional Standards Department (PSD) Gateway Assessment Unit**
- **Anti-Corruption Unit related referrals, intelligence reports and investigations**
- **PSD Misconduct**
- **Vetting**

An overview of grievance related matters was also included to highlight the scale, range and outcomes in respect of any related grievances.

Analytical work has continued with 49 reports being recorded between October 2021 and December 2021. The most prevalent reports being made relating to Inappropriate Comments and Inappropriate Behaviour.

## **Key Analytical Findings – 01/01/22 – 30/06/22**

Following are the key findings during the above period:

- 84 reports received by Police Scotland between 01 January 2022 – 31 July 2022.
- Reports related to 72 named individuals and 12 unknown persons.
- The most prevalent reports received related to sexual assault followed by inappropriate messages.
- 26 reports related to off duty matters and 53 reports related to on duty matters.
- To date 20 matters have been reported to COPFS.

## Progress Update

- Of the 19 recommendations from the PSD Case Review, 12 are complete and 7 are currently in progress.
- Engagement meetings between Police Scotland PSD and COPFS Criminal Allegations Against the Police Department (CAAPD) and Sexual Offences have been instigated and continue in effort to explore opportunities for improvement and learning.
- A PSD Preventions & Professionalism Board to drive standards and outcomes, supported by a preventions and phased tactical plan is in place. The Board has met 4 times since May 2022.
- The PSD Preventions & Professionalism programme to improve standards, empowering officers and staff to challenge behaviours through ethical leadership, PSD support, education and early intervention has now been constructed. It is anticipated this programme will be launched November / December 2022.

The programme demonstrates Police Scotland's firm commitment to prevent such instances, supporting officers and staff to challenge, using innovative approaches to deliver preventative messaging, and adopting best practice from relevant NPCC fora.

The programme is based on 5 priority themes which will raise awareness from the point of recruitment through to stages of lateral development:

- **Standards of Professional Behaviour**
- **Professional Boundaries**
- **Training**
- **Communication**
- **Vetting**

Relevant messaging and activity will be delivered under each of our ten Standards of Professional Behaviour to promote awareness and understanding through a 12 months calendar of activity.

The programme will also deliver bespoke activity in respect of Professional Boundaries and includes an 8 minute animation clip on sexual misconduct and abuse of position and is based on good practice gleaned via NPCC.

- In addition to this work, a review of the recent findings of Baroness Casey's Interim Report on Misconduct and also HMICFRS Investigation of Vetting, Misconduct and Misogyny is underway, seeking to identify lessons learned and further inform our strategies and next steps.

## OFFICIAL

- Police Scotland continues to have visible representation across relevant groups led by National Police Chiefs Council (NPCC) to ensure it remains abreast of trends as well as current in respect of broader organisational good practice and learning.
- Police Scotland continues to actively encourage and support the reporting and challenging of inappropriate behaviour through facilitation of internal, external and anonymous reporting mechanisms.

### **Organisational Learning**

The 4Action platform is now live for the recording and progression of all matters of organisational learning. This platform will be used to improve the coordination and implementation of learning, as well as measuring success. All learning derived from Professional Boundaries activity is recorded on the 4Action platform and taken forward through departmental and business area Governance Groups. The progress of delivery of learning and recommendations is monitored and documented to ensure implementation.