



Meeting	SPA Complaints & Conduct Committee
Date	14 November 2023
Location	MS Teams
Title of Paper	SPA Quarterly Report (Q2 – 23/24)
Presented By	Darren Paterson, Head of Workforce Governance
Recommendation to Members	For Discussion & Approval (where applicable)
Appendix Attached	Yes – Appendix A - SPA Complaints Overview Appendix B – Dip-Sampling Report Police Scotland Complaints Q4 2022/23 Appendix C – Review of Complaints against ACU/PSD Officers and Staff Appendix D – Independent Review Draft Impact Measures for SPA Recommendations Appendix E - SPA Complaints Quarterly Report Q2 – 23/24

PURPOSE

The purpose of this report is to:

- Update the Committee on complaints and conduct matters including key statistics reflecting the position at the end of Q2, 2023/24.
- Update the Committee on findings from dip-sampling of Police Scotland complaints from Q4, 2022/23; and review of Police Scotland complaints in respect of PSD/ACU officers/staff from 2019 to Q4, 2022/23.
- Seek approval to submit recommendation 32 (from the Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing) for discharge via national governance structures.
- Seek approval of proposed impact measures in respect of recommendations (from the Independent Review) for which the SPA was singly or jointly responsible.

The paper is presented in line with:

- *Scottish Police Authority Committee Terms of Reference*

The paper is submitted:

- *For Discussion & Approval (where applicable)*

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

Appendix A provides an overview of the complaint handling responsibilities of the SPA with explanatory text on reporting terminology.

The SPA Complaints Quarterly Performance Report, including key statistics reflecting the position at the end of Q2 2023/24, is attached as Appendix E to this report and provides comparison to the previous 7 quarters.

2.2. Workload Management

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

2.3. Dip-Sampling of Police Scotland Complaints

Appendix B provides a report on SPA dip-sampling of complaints closed by Police Scotland during Q4 2022/23. A summary of key findings and recommendations is outlined below.

Key Findings

- Of the 78 cases reviewed, 68% were found to have been concluded within 40 working days
- The average timescales for concluding non-criminal cases (exclusive of FLR) was 138 working days
- As with the Q3 sample, in complaints subsequently abandoned, delays were identified in the time taken to contact the complainer once the complaint had been passed for allocation
- As with the Q3 sample, there continue to be a small number of instances of inaccurate or incomplete record-keeping.
- In 1 case, a non-criminal complaint was incorrectly assessed as being suitable for, and closed via, frontline resolution.

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- Timescales have generally increased compared to the Q3 sample. Whilst complexity may be a contributing factor in terms of those cases requiring investigation, this does not explain the length of time taken in respect of cases resolved via FLR, nor account for delays in respect of making initial contact with complainers or in their subsequent allocation for FLR/investigation.
- With the exception of the above points, all cases have otherwise been deemed to have been handled appropriately in terms of the CAPSOP (and, in turn, the PIRC Statutory Guidance).

Recommendations

- As identified from the Q3 sample (and the findings of the SPA/PIRC Joint Audit of Police Scotland's initial triage of complaints), Police Scotland should monitor: timescales following the initial assessment of the complaint and contact with the complainer; and record keeping.

2.4. **Audit of Police Scotland Complaints about ACU/PSD**

Appendix C provides a review of all closed complaints made about officers and staff from Police Scotland's Anti-Corruption Unit (ACU) and the Professional Standards Department (PSD)

Key Findings

- The average time taken for concluding all cases was 49 working days.
- Of the 29 cases reviewed, the Authority had previously been notified of 10.
- The Authority was not notified of the outcome of any of the 29 cases.
- Where the Authority had previously been notified of cases, a number of these did not include complaint reference numbers or did not specify that these were complaints against an ACU/PSD officer or staff member.
- All files which required the 6 stage process to be followed were found to have been handled appropriately.

Recommendations

- Police Scotland should ensure that, when a complaint is made about ACU/PSD officers or staff, it should be allocated a separate reference number and recorded as such on Centurion

- Police Scotland should ensure that the Authority is notified of all ACU/PSD complaints and outcomes.
- Notification to should include the appropriate complaint reference number.

2.5. **Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing**

Recommendation 32

The Review recommended that *SPA and PS should consider together what role the SPA Complaints and Conduct Committee, or the Policing Performance Committee, might have in relation to the discussion of ethical issues in policing in Scotland.*

As previously reported, this recommendation had a wider focus than the Complaints & Conduct Committee, with an action identified to develop a Framework setting out the Authority's approach to oversight of ethical issues.

Since this recommendation was raised the Authority and Police Scotland have agreed, and jointly signed, a [Memorandum of Understanding](#) which provides a guide to early and effective identification, and appropriate engagement, between both organisations when Police Scotland is considering a new and emerging strategy, policy or practice to improve the safety and wellbeing of persons, localities and communities in Scotland, and which are likely to be of significant public interest.

In the spirit of this MoU, and to ensure that ethical issues are identified and considered at the earliest point possible, Police Scotland and the Authority of developed the (i) Rights Based Pathway and (ii) the Data Ethics Framework.

The Rights Based Pathway assesses data ethics and public interest considerations when developing and implementing technology to support policing in Scotland. The Data Ethics Framework assesses all data related and data driven technology projects that go through Police Scotland's Change process. The triage process identifies where ethical challenges may lie, provides a pathway to enhanced internal and external scrutiny and provides advice to projects to ensure that data and data driven technology is used legally and ethically. Additionally, Police Scotland has a well-established independent ethics advisory group that provides valuable insight

and challenge around the ethical issues that may arise following any change to operational police practice.

Both the Rights Based Pathway and the Data Ethics Framework mandate that in the situation where ethical concerns meet a certain threshold that the proposal will be brought to the SPA's Policing Performance Committee for consideration. The SPA has also committed to undertake an annual assessment of the Rights Based Pathway and any papers that have been considered with ethical implications. This annual assessment will form part of the SPA's Annual Report and Accounts each year.

Both the [Rights Based Pathway](#) and the [Data Ethics Framework](#) were considered by the Policing Performance Committee at its meeting in June 2023.

In light of the above, and acknowledging that ethical issues in relation to the Code of Conduct or complaints will be reported via the current route to this Committee where appropriate, it is proposed that this recommendation be submitted via national governance and reporting arrangements for consideration of discharge. The Chair of the Policing Performance Committee has provided written endorsement in this regard.

Oversight of Impact

Following discussion in November 2022 and June 2023, the Committee sought clarity in respect of oversight arrangements regarding the impact of actions completed by both the SPA and Police Scotland to enable discharge of non-legislative recommendations.

At the meeting of the national Practitioner Working Group on 25 October 2023, Scottish Government confirmed that assurance on impact or ongoing review and improvement in respect of implementation of non-legislative recommendations is for relevant partners to answer, emphasising the need for routine monitoring of impact in order that they are prepared to provide evidence to Parliament and to the public that the intended improvement outcomes have been achieved.

Appendix D sets out a suite of proposed impact measures in respect of recommendations for which the SPA was singly or jointly

responsible (noting that, inclusive of the above, there are 3 outstanding).

2.6. Stakeholder Meetings

The National Complaint Handling Development Group (NCHDG) met on 18 September 2023, chaired by Superintendent Kate Stephen. In addition to finalising its revised Terms of Reference, the group discussed the following areas of future focus: audit, performance and analysis; communications and accessibility; guidance and SOPs; organisational learning culture; training; and benchmarking. Linked to the above, discussions included planned review of the Police Scotland Complaints about the Police SOP; progress against the recommendations of the earlier joint SPA/PIRC audit; and plans for a forthcoming PIRC audit. The next meeting will be arranged before the end of the calendar year, at which it is intended that the Scottish Public Services Ombudsman will be invited to present to the group, in line with a recommendation from the Angiolini Review.

The Strategic Oversight Group (SOG) has not met since the last Committee meeting.

2.7. Engagement with Other Organisations

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.

Following an international plenary meeting of the project in September 2022, a further stakeholder event is taking place in December 2023, focussing on improving public awareness of the complaints system (including targeting vulnerable and hard to reach groups) and providing complainant support to access and navigate the complaints systems.

Further information is available on the [project website](#).

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.

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 and, if content, to approve the following (in respect of the Independent Review):

- Submission of recommendation 32 for discharge via national governance structures; and
- Proposed impact measures in respect of recommendations for which the SPA was singly or jointly responsible.

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Appendix A

SPA Complaints Overview

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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).
- As of 20 October 2023, there are 15 officers of senior rank in Police Scotland and 637 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. relevant complaint; grievance; whistleblowing concern; criminal allegation; misconduct 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.

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Appendix B

Dip Sampling of Police Scotland Complaints

Q4 2022-23

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Introduction

The information and evidence collected during the exercise was assessed against the Police Scotland [Complaints about the Police Standing Operating Procedure](#) (CAPSOP) and the Police Investigations & Review Commissioner (PIRC) [Statutory Guidance on the handling of complaints about the police in Scotland](#).

Sample Size

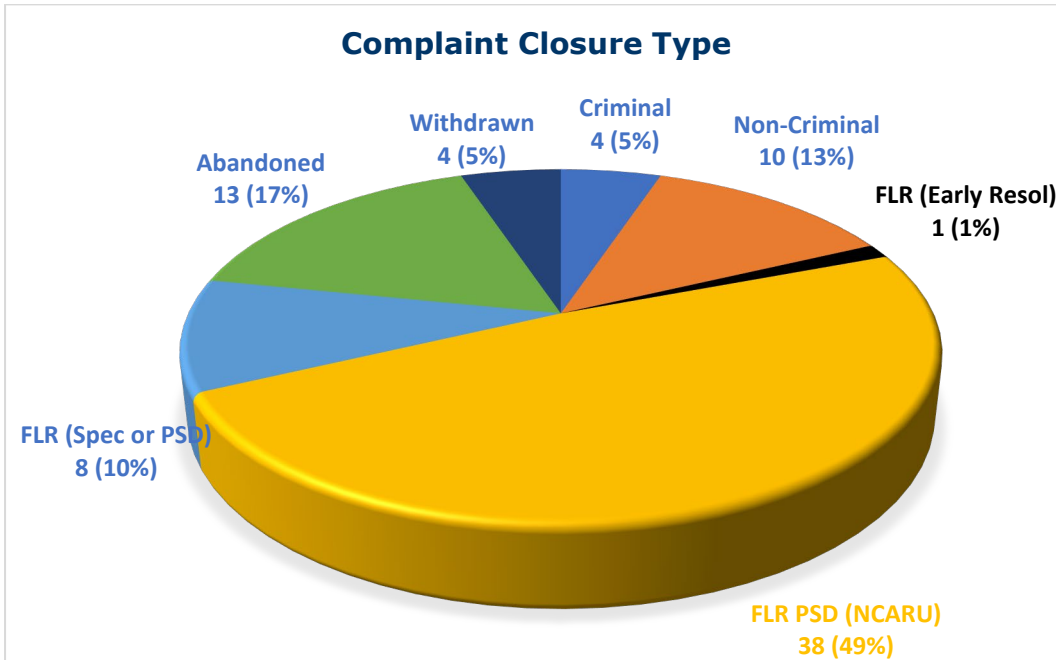
This report covers complaints closed by Police during Q4 2022/23. A random selection of 78 (5% of 1571 total complaints) were selected for review (comprising West (38), East (22) and North (18) Command Areas).

Complaint Closure Type

Of those cases reviewed during this exercise, the following Complaint Closure Types were identified:

Type	Definition
Frontline Resolution	Early Resolution <ul style="list-style-type: none">Complaints resolved by Divisional supervisors PSD (National Complaints Assessment & Resolution Unit) <ul style="list-style-type: none">Complaints received and resolved by the Unit (following assessment of suitability for FLR) PSD (Non-Criminal Investigations) or Specialist Division <ul style="list-style-type: none">Complaints resolved via FLR following allocation for investigation (subject to assessment of suitability for FLR)
Non-Criminal	Complaints where no criminal allegations included, where: <ul style="list-style-type: none">FLR has not been achieved; orFLR is not considered to be appropriate where the complaint is considered to be serious or complex in nature (i.e. of a nature which may later justify proceedings for misconduct or which allege serious failures in policing services)
Criminal	Complaints where reasonable inference a crime may have been committed
Abandoned	<ul style="list-style-type: none">Complaints closed where complainer cannot be contacted & does not respond to a request to make contact within 14 calendar daysIf the complainer subsequently makes contact the original complaint will be re-opened.

Withdrawn	<ul style="list-style-type: none">• Complaints withdrawn by the complainer at the initial NCARU assessment stage. Complainer advised to contact PSD should they reconsider.• Written statement required from complainer where request to withdraw following allocation for investigation. Criminal complaints may continue to be investigated.
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Key Findings

1. Front Line Resolution - Early Resolution

1 complaint was reviewed, which was well-handled by Division:

- Closure time – 3 working days from receipt of complaint

2. Front Line Resolution - PSD (National Complaints Assessment & Resolution Unit)

Of 38 complaints reviewed:

- All were correctly assessed as suitable for FLR & resolved accordingly
- Average time to allocate for FLR – 8 working days from receipt of complaint
- Average closure time – 8 working days from receipt of complaint
- In 2 cases, insufficient information recorded on how resolved

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- In 1 case, it was not recorded that the complainer was satisfied with the way in which their complaint had been dealt with, nor any details provided regarding outcome
- In 2 applicable cases, it was not recorded that the subject officer and supervisor were notified of the complaint and that the matter had been resolved

3. Front Line Resolution - PSD (Non-Criminal Investigations) or Specialist Division

Of 8 complaints reviewed, 1 non-criminal complaint was incorrectly categorised and dealt with via FLR. Of the remainder:

- Average time to allocate for FLR – 25 working days from receipt of complaint
- Average closure time – 54 working days
- In 1 case, records incorrectly state closure took 415 working days. However, the case was resolved via FLR after 19 working days, but reopened under the same file when the complainer resurrected the same complaint over a year later.
- In 1 case, closure took 162 working days to conclude. However, this was as a result of numerous initially unsuccessful attempts by PSD to engage the complainer
- In all cases, complainer satisfaction was recorded
- In all applicable cases, subject officer and supervisor notification of complaint receipt and resolution was recorded

4. Non-Criminal

Of 10 complaints reviewed:

- All complaints acknowledged within 3 working days (in line with CAPSOP)
- Average time to allocate for investigation – 8 working days from receipt of complaint (compared to 17 days in Q3 sample). CAPSOP states 3 working days or as soon as reasonably practicable.
- 1 complaint concluded within 40 working days (compared to 4 in Q3 sample)

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- Average closure time – 138 working days¹ from receipt of complaint (compared to 88 days in Q3 sample). In 1 case, which took 259 working days to close, Police Scotland provided apology, citing that the department had been exceptionally busy.
- Apologies are consistently provided for delays in concluding complaints.

5. Criminal

Of 4 complaints reviewed:

- All complaints handled in line with CAPSOP (including referral to COPFS where applicable) – no issues found
- Average closure time – 119 working days from receipt of complaint (compared to 98 days in Q3 sample)

6. Abandoned

Of 13 complaints reviewed, 1 complaint resolved via FLR incorrectly categorised as abandoned. Of the remainder:

- In all cases, up to 5 attempts were made to contact the complainer, & a 14 day letter issued, before they were abandoned.
- 7 handled appropriately
- 4 had significant delays (between 74 & 119 working days) from allocation to initial attempts to contact the complainer
- Average time to allocate (for FLR/investigation) – 31 working days from receipt of complaint (compared to 19 days in Q3 sample)
- Average time to establish abandonment after allocation – 20 working days (compared to 68 days in Q3 sample)

7. Withdrawn

Of 4 complaints reviewed, 1 complaint resolved via FLR incorrectly categorised as withdrawn. Of the remainder:

- In one case, no record of reason for withdrawal
- Average time to allocate (for FLR/investigation)– 12 working days from receipt of complaint (compared to 11 days in Q3 sample)

¹ The longest case (from receipt to closure) was 416 working days. However, delay was due to complainer inability to engage (i.e. outwith PSD control) and therefore excluded from the above figure.

Key Findings

- The PIRC Statutory Guidance provides an expectation that policing bodies should respond to complaints requiring investigation within 56 days (40 working days) of receipt. Of the 78 cases reviewed (FLR, non-criminal and criminal), 53 (68%) were found to have been concluded within 40 working days (compared to 64% in the Q3 sample).
- The average timescales for concluding non-criminal cases (exclusive of FLR) was 138 working days (compared to 88 days in the Q3 sample).
- As was identified in the Q3 sample, in complaints that were subsequently abandoned, delays were identified in the time taken for an investigating officer to contact the complainer once the complaint had been passed for allocation (although in all cases details were recorded to show that all reasonable efforts were made to secure the complainer's co-operation before the case was abandoned).
- As was identified in the Q3 sample, there continue to be a small number of instances of inaccurate or incomplete record-keeping.
- In 1 case, a non-criminal complaint was incorrectly assessed as being suitable for, and closed via, frontline resolution.
- Timescales have generally increased compared to the Q3 sample. Whilst complexity may be a contributing factor in terms of those cases requiring investigation, this does not explain the length of time taken in respect of cases resolved via FLR, nor account for delays in respect of making initial contact with complainers or in their subsequent allocation for FLR/investigation.
- With the exception of the above points, all cases have otherwise been deemed to have been handled appropriately in terms of the CAPSOP (and, in turn, the PIRC Statutory Guidance).

Recommendations

- As identified from the Q3 sample (and the findings of the [SPA/PIRC Joint Audit of Police Scotland's initial triage of complaints](#)), Police Scotland should continue to monitor timescales following the initial assessment of the complaint and contact with the complainer. This is particularly reflected in abandoned complaints.
- As similarly identified within the Joint Audit, Police Scotland should monitor record keeping



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Appendix C

Review of Complaints about ACU/PSD Officers and Staff from 2019

Introduction

In June 2016, HMICS published the 'Police Scotland – Counter Corruption Unit Assurance Review' which independently assessed the state, effectiveness and efficiency of Police Scotland's Counter Corruption Unit, now entitled the Anti-Corruption Unit (ACU). The report made 39 recommendations, one of which specifies:

Police Scotland and the Scottish Police Authority should engage with the Crown Office and Procurator Fiscal Service, Police Investigations and Review Commissioner and other stakeholders to review and strengthen the overall approach to the independent scrutiny and oversight of complaints made against Counter Corruption Unit police officers and members of police staff.

In addition, Section 10 of Police Scotland's Complaints about the Police Standard Operating Procedure states:

- All complaints regarding ACU or PSD police officers/police staff are subject to mandatory notification to the Authority.
- All complaints regarding ACU or PSD police officers/police staff will be allocated to an independent investigating officer, external to the department.
- At the conclusion of any complaint investigation the Authority will be informed of the outcome

Prior to 2020, all ACU/PSD complaints received by the Authority were reviewed and reported to the Committee on a quarterly basis (utilising the same process as that used for general dip-sampling exercises). However, as reported previously, this was paused (alongside dip-sampling exercises) due to Covid-19.

This review comprises all ACU/PSD complaints received between May 2019 and May 2023 (i.e. covering the period from which review and reporting on such cases was paused). It should be noted that the review covers the full six-stage complaints process (the current dip-sampling process of wider complaints having been abbreviated to avoid overlap with forthcoming annual audit plans).

Cases Reviewed

This exercise reviewed 29 complaints.

Review of cases

Complaint Type

- Criminal: 1
- Non- Criminal: 17
- FLR: 10
- Withdrawn: 1

Six-Stage Complaints Process

The PIRC [Statutory Guidance](#) describes a six-stage complaints process that all policing bodies operating in Scotland should follow when handling relevant complaints:

- Stage 1. Notification of Complaint
- Stage 2. Recording and Initial Assessment
- Stage 3. Allocation and Enquiry
- Stage 4. Determination
- Stage 5. Identifying Organisational and Individual Learning
- Stage 6. Notification to the Complainer

All 29 complaints were reviewed against the six-stage process and the following points identified:

Stage 1. Notification of Complaint

- 1 case (containing criminal allegations) was sent directly to COPFS and the remaining 28 were notified to PSD. No issues were identified.

Stage 2. Recording and Initial Assessment

- Of the 28 cases notified to PSD, all were correctly recorded and assessed. No issues were identified.

Stage 3. Allocation and Enquiry

- Of the 29 cases allocated for investigation, 12 were allocated to an independent investigating officer external to the PSD area which was subject to the complaint.

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- 16 cases were not independently assessed/investigated. Of those, 10 were of a non-serious/non-complex nature and resolved via FLR.
- 1 case was investigated by PIRC

Stage 4. Determination

- Of the 29 cases, all were determined in line with procedures.
- Where Final letters were appropriate, they contained sufficient detail regarding the determination of the complaint and where any redress should be directed.

Stage 5. Identifying Organisational and Individual Learning

- No organisational or individual learning was identified.

Stage 6. Notification to the Complainer

- Of the 29 cases determined, all were notified to the complainer in line with procedures. No issues were identified.

Key Findings

- Average closure time (all cases) – 49 days from receipt of complaint.
- Of the 29 cases reviewed, the Authority had previously been notified of 10.
- The Authority was not notified of the outcome of any of the 29 cases.
- Where the Authority had previously been notified of cases, a number of these did not include complaint reference numbers or did not specify that these were complaints against an ACU/PSD officer or staff member.
- All files which required the 6 stage process to be followed were found to have been handled appropriately.

Recommendations

- Police Scotland should ensure that, when a complaint is made about ACU/PSD officers or staff, it should be allocated a separate reference number and recorded as such on Centurion
- Police Scotland should ensure that the Authority is notified of all ACU/PSD complaints and outcomes.
- Notification to should include the appropriate complaint reference number.



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Appendix D

Independent Review Draft Impact Measures for SPA Recommendations

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Recommendation	Action	Measures of Impact (& Frequency of Assessment)
<i>Rights & Ethics</i>		
R32 - SPA and PS should consider together what role the SPA Complaints and Conduct Committee, or the Policing Performance Committee, might have in relation to the discussion of ethical issues in policing in Scotland.	Framework setting out SPA approach to oversight of ethical issues (pending discharge)	<ul style="list-style-type: none"> • Evidence of an appropriate level of reporting to the SPA by PS • Evidence of effective SPA oversight • <i>Annual via Committee Effectiveness</i>
R70 - Independent Custody Visitors should, as a matter of course, check with custody officers and with detainees that a third party has been notified of their detention.	ICVS visit checklist (& supporting visitor training) in place	<ul style="list-style-type: none"> • Evidence of quality assurance checks on visit checklist compliance • Evidence of resolution rates where ICVS have raised associated matters with PS • <i>Annual ICVS report</i>
<i>Governance & Accountability</i>		
R29 - The SPA Complaints and Conduct Committee should hold PS to account for delays in investigations into complaints and misconduct. Where there is evidence of excessive delays in PIRC investigations having an effect on policing in Scotland the Committee should raise the matter with the Commissioner	Minimum reporting requirements shared with PS (open)	<ul style="list-style-type: none"> • Evidence of minimum reporting requirements to enable discharge • Delays in complaints & conduct cases can be objectively justified • <i>Ongoing via Committee report</i>
R59 - In order to ensure public confidence in the police, the SPA should confirm each year in its annual report whether or not in its view, based on an informed assessment by the Complaints and Conduct Committee and evidence from the relevant audits, the Chief Constable has suitable complaint handling arrangements in place.	Confirmation included in SPA Annual Report, based on assessment by Complaints & Conduct Committee during the preceding 12 months, and consultation with the PIRC	<ul style="list-style-type: none"> • Evidence of maturity of available assurance information to enable the Committee to make an informed, clear statement • <i>Annual review</i>
R79 - The SPA Complaints and Conduct Committee should scrutinise PS performance in dealing with complaints and hold the service to account where the targets are not being achieved.	Minimum reporting requirements shared with PS (open)	<ul style="list-style-type: none"> • Evidence of minimum reporting requirements to enable discharge • Evidence of targets being identified & reported on • Unmet targets can be objectively justified • <i>Ongoing via Committee report</i>
<i>Transparency & Accountability</i>		
R30 - To increase public confidence in the system the SPA Complaints and Conduct Committee should consider using its minutes as a means of	Public sessions livestreamed & retrospectively accessible. Private items in line with Governance Framework criteria, although seeking equivalent	<ul style="list-style-type: none"> • Evidence of QA checks private items in line with Governance Framework & public version

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sharing with the public more of their substantive discussions and how PS is being held to account in this area; and consider whether some content of the minutes of the private sessions, where some strategic and policy matters are discussed, could be included in the published minutes.	public items where possible. Public version of private minute published in line with agreed safeguards.	<ul style="list-style-type: none"> of private minute only omits matters which meet privacy/confidentiality requirements <i>Annual via Committee Effectiveness</i>
R31 - The SPA Complaints and Conduct Committee's scrutiny function should be reported on in the SPA annual report, drawing out particular trends, highlighting improvements or concerns and using complaints data as an indicator of communities' satisfaction or dissatisfaction with policing services.	Committee-specific annual report published, with summary extract included in SPA Annual Report	<ul style="list-style-type: none"> Evidence of enhanced annual report content, as a result of improved assurance information being reported to Committee <i>Annual review</i>
<i>Equality, Diversity & Inclusion</i>		
R5 - PS and SPA should consider expanding the collection of diversity data and the publication of information in order to enhance their understanding, and public understanding, of attitudes and concerns in different communities.	SPA online complaints form launched to enable improved understanding of diversity of complainants (PS element of recommendation open)	<p>Noting shared recommendation:</p> <ul style="list-style-type: none"> Evidence of improved completion rates in relation to EDI data Evidence of ongoing activity to understand & address residual barriers to completion Evidence of enhanced reporting to Committee in respect of resulting insights <i>Following discharge of recommendation</i>
<i>Conduct & Standards</i>		
PR16 - Complaints against senior officers should be prioritised and dealt with, by both the PIRC and the SPA, as speedily as is reasonable, because of the destabilising impact a prolonged investigation can have.	SPA Complaint Handling Procedures amended to reflect priority to be given to complaints about senior officers	<ul style="list-style-type: none"> Evidence of adherence to CHPs Cases closed within PIRC 56 days where possible Delays can be objectively justified <i>Ongoing via Committee report</i> Withstand future scrutiny via PIRC audit
PR18 - The range of options available to the SPA when a senior police officer is under investigation under the conduct regulations should be clarified and expanded, to provide alternatives to suspension.	SPA Guidance on Conduct Regulations revised to make clear the range of alternatives to suspension	<ul style="list-style-type: none"> Evidence of adherence to Guidance Suspension (& use of alternatives) written objective justification Evidence PIRC content with approach <i>As cases arise</i>
R26 - PIRC should work collaboratively with the SPA to agree and embed a proportionate and effective approach to preliminary assessment (for	SPA Guidance on Conduct Regulations revised in respect of preliminary assessment	<ul style="list-style-type: none"> Evidence of adherence to Guidance Written objective justification in respect of exercise of Reg 8

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<p>Regulation 8 of the senior officer conduct regulations) until such time as new regulations come into effect.</p>		<ul style="list-style-type: none"> • Written objective justification in respect of decision to progress via conduct route (or not) • Evidence PIRC content with approach • <i>As cases arise</i>
<p><i>Training & HR</i></p>		
<p>PR17 - Further training for complaints and conduct officers in SPA should be consolidated and broadened in order to ensure the right skillset and up to date knowledge of complaint handling best practice in other sectors.</p>	<p>Completion of formal qualifications, supplemented by additional training, review of wider best practice & PSD secondment. Ongoing CPD identified via MyCareer & through access to wider partner opportunities</p>	<ul style="list-style-type: none"> • Evidence of ongoing CPD activity • Evidence of effective complaint handling (internal & external sources) • <i>Annual via Committee Effectiveness, SMT & MyCareer</i>

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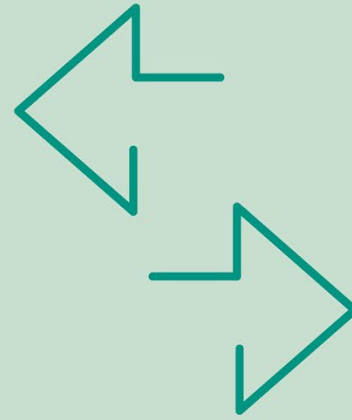
Appendix E

SPA Complaints Quarterly Report Q2 – 23/24

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SPA Complaints Performance Report

Quarterly Report
Q2 2023/24

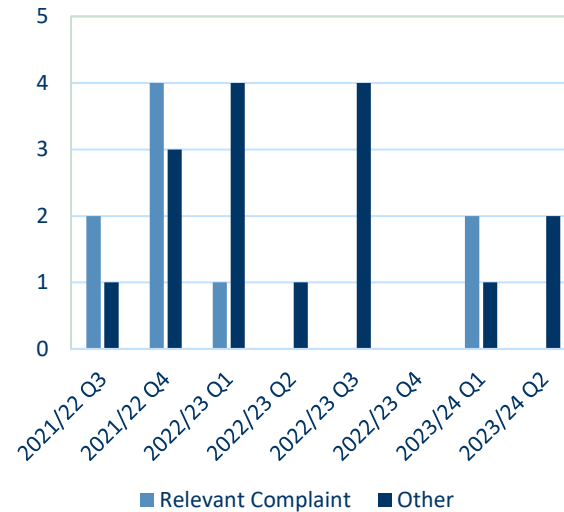


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Highlights (8 quarter view)

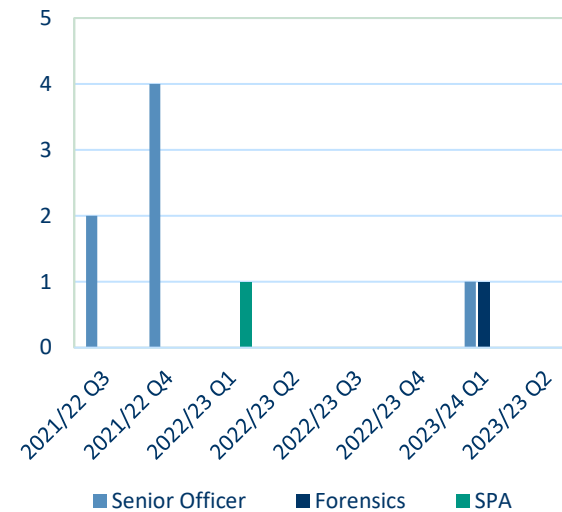
- Recognising that no relevant complaints were received in 50% of the reporting period (including Q2), volumes of complaints and allegations received continue largely to remain consistent
- Majority of relevant complaints, and allegations, relate to senior officers
- 92% of allegations relate to On Duty complaints and the remaining 8% 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 (42% of all allegations received)
- Of the 9 complaints closed over the reporting period, 78% were completed within the targeted completion time of 40 working days
- At the end of Q2, no allegations are ongoing
- Data excludes complaints received that are outside the SPA's mandate

Cases received



- Across 8 quarter period 36% 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

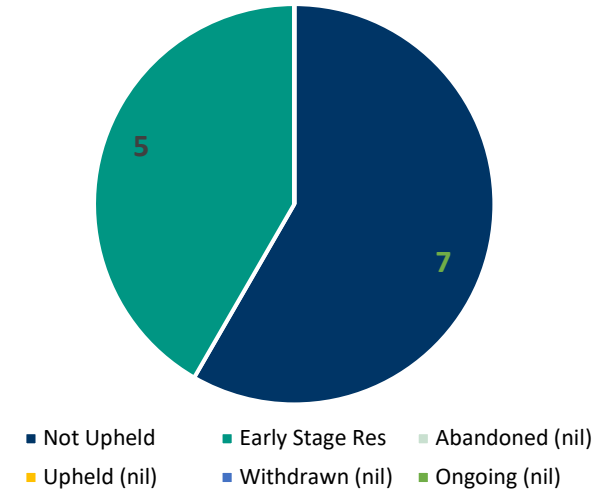


- The majority of relevant complaints (78%) relate to senior officers, although absolute volumes remain low
- Within these complaints, 12 individual allegations were made. The split of allegations broadly mirrors that of the complaints, with 83% relating to senior officers

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

Determination

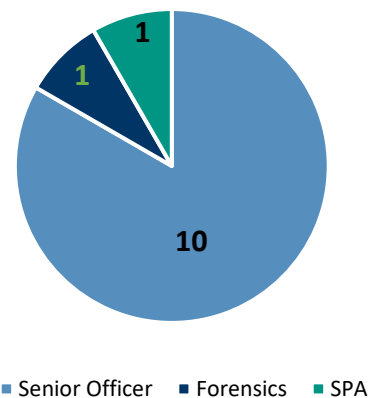
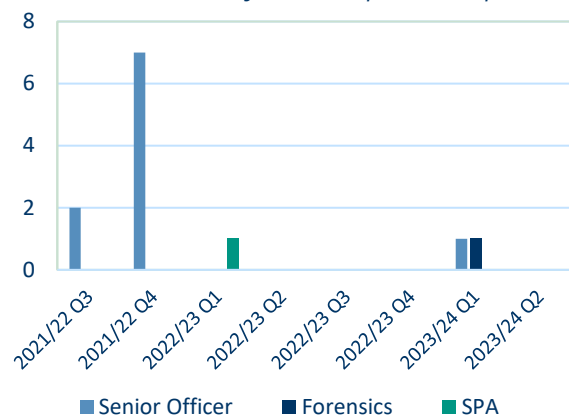
8 quarter view of allegations



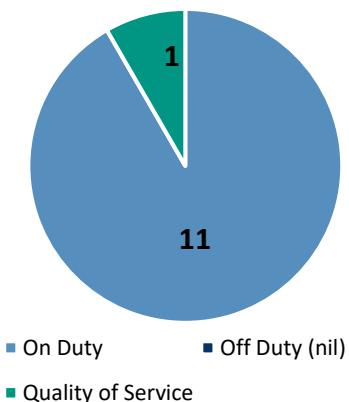
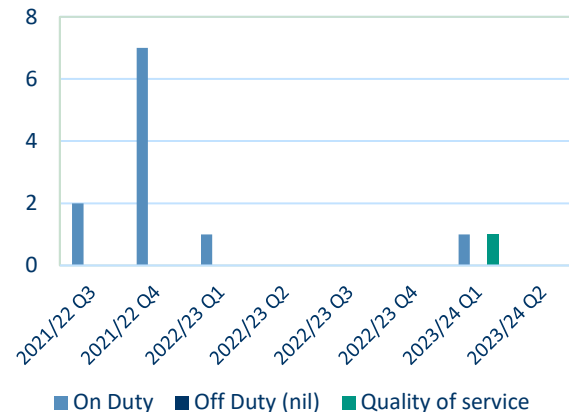
- Of the cases closed during the reporting period, 42% of allegations were resolved by Early Stage Resolution (ESR) via explanation, assurance or apology
- Of the remaining 58% which required a formal determination, no allegations were upheld.

Allegations by subject

Drill down from 'Subject of complaints' on previous page



Allegations by category



Timescales to close

	2021/22		2022/23				2023/24	
	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
Closed	2	4	1	0	0	0	2	0
Ave. working days to close	9	58	14	0	0	0	27	0
Cases closed beyond 40 working days								
Closed	0	2	0	0	0	0	0	0
Days to close		51 166						

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:

- Multiple requests for the complainer to submit additional information to allow the investigation to progress
- Complexity of enquiries and investigation undertaken