

FOI 15429 Reviews of the Professional Standards Department and the Data Protection Alliance Department in the past 5 years

Request:

I now make a formal request under the Freedom of Information about all reviews of the PSD and the Data Alliance in the past 5 years including HMI reports, special measures adjudication and sanctions by the Information Commissioner on PSD and Data Alliance. Please state clearly who is responsible for PSD and Data Alliance.

Schedule of Response Information:

Following receipt of your request, I can confirm the Office of the Police and Crime Commissioner (OPCC) holds some information relevant to your request.

I have considered your request in 6 parts:

1. All reviews of the Professional Standards Department (PSD) in the past 5 years
2. All reviews of the Data Protection Alliance Department in the past 5 years
3. HMICFRS reports regarding PSD and the Data Protection Alliance Department
4. Special measures adjudication regarding PSD and the Data Protection Alliance Department
5. Sanctions by the Information Commissioner on PSD and the Data Protection Alliance Department
6. Who has responsibility for PSD and the Data Protection Alliance Department.

1. All reviews of the Professional Standards Department in the past 5 years

There have been numerous reviews of the Professional Standards Department in the past 5 years (July 2020 onwards). I have listed these below and provided a brief explanation.

- Complaints handling – Final Report – November 2021 (South West Audit Partnership)

This report is enclosed within this letter entitled Appendix A. Please be aware some information has been removed as it is not relevant to the request.

- Review of public complaint handling within Devon and Cornwall Police – June 2022 (Sancus)

The exemption Section 40(2) Third-party personal data has been applied to parts of this report and the information has been redacted. Section 40(2) is an absolute exemption and therefore does not require the application of a Prejudice or Public



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Interest Test.

This report is enclosed within this letter entitled Appendix B.

- OPCC Complaint Handling Review - December 2023 (Champness Consulting Ltd)

This report is enclosed within this letter entitled Appendix C.

Please be aware that some data relating to Hertfordshire OPCC and Cleveland OPCC within this report is now out of date and inaccurate.

- The PCC's specified information orders (SIOs) – 2022-23 and 2023-24.

The Police and Crime Commissioner has a statutory responsibility to publish a yearly Specified Information Order (SIO) report on the performance of complaint handling.

The most recent SIO report, published in March 2025, covering the period of 1st April 2023 – 31st March 2024 can be found on our website here: [Specified-Information-Order-2023-24-FINAL.pdf](#)

The SIO report for 2022-23 is enclosed within this letter entitled Appendix D.

- PSD Review – March 2024

We previously wrote to you to explain that we were considering the exemption Section 36(2)(b)(i)- disclosure prejudicing the effective conduct of public affairs. Section 36(2)(b)(i) applies to some of the information contained within this report. Section 36(2)(b)(i) of the FOIA states information is exempt if in the reasonable opinion of the qualified person information which would, or would be likely to inhibit the free and frank provision of advice. This exemption is subject to the public interest test. We have considered whether the public interest test favours withholding or disclosing the information.

Factors favouring disclosure

There is a clear public interest in the OPCC and Devon and Cornwall Police being transparent about the performance of, and the challenges experienced by, the Professional Standards Department. Furthermore, this report shows that the force understands the barriers to success and has considered a range of steps to make improvements. Information within this report is also now considered to be historical, as further steps have been taken since the writing of this report to improve the service delivery of PSD, and therefore the likelihood of this information prejudicing the effective conduct of public affairs is much reduced.



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Factors favouring non-disclosure

There is a public interest in the OPCC and Devon and Cornwall Police to be able to consider views provided under the process of candid discussion, to be able to explore a range of options, and to take advice to make resourcing decisions and ensure PSD is achieving its service delivery obligations.

Balance test

On consideration of the balance of the public interest, the OPCC considers that factors favouring the disclosure of the information in this report are stronger than those of withholding the requested information. Taking into account all of the circumstances in this instance, we consider the public interest favours disclosing the information to which the exemption relates.

The report is therefore enclosed within this letter entitled Appendix E.

2. All reviews of the Data Protection Alliance Department in the past 5 years

Following receipt of your request, searches were conducted to locate information relevant to the following part of your request: *reviews of the data alliance in the past 5 years*. This is to inform you that I cannot find any recorded information held by the Office of the Police and Crime Commissioner that will satisfy this part of your request.

3. HMICFRS reports regarding PSD and the Data Protection Alliance Department

His Majesties Inspectorate of Constabulary and Fire Services (HMICFRS) have not conducted any specific reviews of the Professional Standards Department or the Data Protection Alliance Department over the past five years, but these departments may be referenced in HMICFRS' most recent PEEL inspection report of Devon and Cornwall Police which can be found on their website here: [PEEL 2023-25: Police effectiveness, efficiency and legitimacy – An inspection of Devon and Cornwall Police](#)

The Police and Crime Commissioner's response to the PEEL 2023-25 inspection report can be found on our website here: [PEEL-2023-25.pdf](#)

4. Special measures adjudication regarding PSD and the Data Protection Alliance Department

In regard to special measures adjudication, the Professional Standards Department and the Data Protection Alliance Department were not the causes of concern identified by HMICFRS that led to Devon and Cornwall Police being placed into Engage (HMICFRS' enhanced stage of monitoring).



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5. Sanctions by the Information Commissioner on PSD and the Data Protection Alliance Department

Following receipt of your request, searches were conducted to locate information relevant to the following part of your request: *sanctions by the Information Commissioner on PSD and the data alliance*. This is to inform you that I cannot find any recorded information held by the Office of the Police and Crime Commissioner that will satisfy this part of your request.

However, information relating to this part of your request is available on the ICO website: [Chief Constable Devon and Cornwall Police | ICO](#)

6. Who has responsibility for PSD and the Data Protection Alliance Department

DCC James Colwell has overall responsibility of the Professional Standards Department and Mr Mike Stamp, the Director of Legal, Reputation & Risk, has overall responsibility of the Data Protection Alliance Department.



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Appendix A

Complaints Handling- Final Report - November 2021 (South West Audit Partnership)



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Audit Objective

To provide assurance that there is a sound framework in place across Alliance Forces when handling complaints and that the new national guidance is adhered to.

Assurance Opinion



Significant gaps, weaknesses or non-compliance were identified. Improvement is required to the system of governance, risk management and control to effectively manage risks to the achievement of objectives in the area audited.

Number of Actions

Priority	Number
Priority 1	0
Priority 2	3
Priority 3	2
Total	5

Risks Reviewed

The Alliance does not have robust controls in place for complaint handling, leading to missed opportunities to learn from complaints made and resulting in reputational damage by failing to respond to complaints fully or at all.

Assessment

Medium

Key Findings

	A sample of resolved complaints, conduct and performance matters were reviewed for both Forces against the requirements set out under the regulatory framework including the Police Reform Act 2002, Police (Conduct) Regulations 2020, Police (Complaints and Misconduct) Regulations 2020 and Police (Performance) Regulations 2020 as well as the IOPC and Home Office guidance over this area. A variety of data recording and compliance with communication requirement issues were highlighted as part of this testing which have been detailed within sections 1.1 of Appendix 1.
	Complaints handling processes were found to differ between the two Forces despite the Alliance Professional Standards Department responsible for the complaints process at both Forces being an aligned department. For example, we noted the use of different forms to capture and record information and working practices between the two Forces for the same process but could not distinguish why these differed. To ensure the benefits of an 'Alliance' department are achieved, we have raised an action to review end-to-end processes between both Forces in order to identify best practice and efficiency and to ensure the best possible service can be provided to the customer / user.
	The audit sought to consider any performance management information available over complaints. We were informed that data was being reported corporately through the Professional Standards Board however, this was recently reconvened in September 2021 having been put on hold for a year. As such, we were unable to review these for this financial year. We could however confirm Qlik (a data analysing and visualising tool) was being used within Devon & Cornwall Police to report this data to management and that plans were in place to roll this out in early autumn 2021 for Dorset Police. A demonstration of Qlik was provided to us as part of our review and we were satisfied with the information being captured and presented at Devon & Cornwall Police and the plans to deliver this at Dorset Police.

Audit Scope

The audit considered the following:

- A review of complaints handling policies and procedures in place to help direct officers and staff in handling complaints appropriately and in accordance with statutory and regulatory requirements.
- Sample testing of resolved cases from February 2020 to ensure that they are compliant with the regulatory framework.

The audit also sought to consider any performance management information available over this area to assist with decision making. However, this was not possible due to the reasons detailed within the 'Key Findings' section of this report.

Summary

Given the range of issues highlighted through testing of complaint, conduct and performance cases, a number of recommendations have been raised to help strengthen the controls over this area and to improve compliance with the regulatory framework; record keeping; and to help ensure effective / appropriate communication with all relevant parties throughout the complaints handling process. The detailed findings from this review have been documented in Appendix 1 below.

Appendix 1

Findings & Action Plan

1.1 Finding

A sample of 10 complaints, conduct and performance matters formally investigated were reviewed against the requirements set out under the regulatory framework for both Dorset Police and Devon & Cornwall Police. This included the Police Reform Act 2002, Police (Conduct) Regulations 2020, Police (Complaints and Misconduct) Regulations 2020 and Police (Performance) Regulations 2020 (collectively referred to hereafter as the 'regulatory framework') as well as IOPC and Home Office guidance over this area. The key findings are documented below for each Force and supported by resulting actions raised, some of which for example, may pick up a number of findings within an action (in particular for Action 1.1a). Where common issues were identified at each Force, some actions have been raised jointly given that the Professional Standards Department responsible for the complaints process at both Forces is an Alliance Department:

Devon and Cornwall Police

- 4/10 cases were discounted from our sample. In two instances, the cases were found to have been investigated under the old regulations and therefore, not tested. In one instance, the officer we reviewed the cases with did not have access / permission to the case files. In one case, a decision was made not to investigate the matter as the handler could not get hold of the complainant who made the complaint for information required to investigate it. Given the common findings with the six cases we were able to test (and 15 lower-level cases discussed below), we decided not to substitute these four cases.
- In one case, we were unable to confirm whether the person under investigation had been kept informed of the progress of the investigation throughout the case or its outcome as the files related to the investigation were not retained with the Professional Standards Department (PSD) but kept with HR who were assigned to handle the matter.
- In 2/6 cases we could not evidence that the individual assigned to investigate the matter had made a written note to declare whether or not there was anything that could reasonably give rise to a concern about whether they or any member of the investigation team could act impartially (a declaration of interest).
- In 3/6 cases, no Terms of Reference (ToR) was retained on file. In 4/5 cases where there was a complainant, we were unable to confirm whether a ToR had been shared with them. In 1/5 of these cases, a ToR had been referenced within the Investigation Report but we could not confirm whether this had been shared prior to the conclusion of the investigation.
- In 6/6 cases we could not confirm whether a ToR had been shared with the person under investigation.
- In 5/6 case where a copy of the Investigation Report should have been sent to the person under investigation, we were unable to confirm whether this had occurred.
- In 5/6 cases reviewed, we were unable to confirm whether or not the person under investigation had been informed of the outcome. It should be noted in 1/6 of these cases, the case had not yet been finalised in Centurion despite the outcome being determined. When finalised, we have been assured that PSD will notify them of the outcome.
- 1/3 cases where learning was identified, this had not been captured within Centurion.

We also tested a further sample of 15 cases that were handled otherwise than by investigation against compliance with the regulatory framework. The findings have been summarised below:

- In 5/12 cases where there was a person complained about, we could not evidence that they had been informed of the outcome.

Complaints Handling– Appendix 1



Given the variety of issues highlighted from our testing, both Dorset Police and Devon & Cornwall Police may benefit from undertaking regular dip sampling of resolved complaints, conduct and performance matters to ensure that they are compliant with statutory requirements and agreed procedure and to provide assurance over this area. An action has been raised within 1.1d to implement this into the control framework.

1.1a	Action	Priority	2	SWAP Ref.	46128
<p>The Head of Alliance Professional Standards Department has agreed to remind Investigators of their duty to maintain effective communication with the complainant, person under investigation and/or any interested party throughout an investigation. This should include ensuring that:</p> <ul style="list-style-type: none"> An initial assessment of a complaint is captured within Centurion. An acknowledgement is sent to the complainant on receipt of a complaint. The views of the complainant on how to handle the case and their desired outcome are sought at the start of an investigation. A record of the complaint is provided to the complainant to confirm its accuracy and whether it has been fully understood by the Force. The complainant is provided the details of the Investigating Officer handling their complaint. Where a matter is to be referred to the IOPC, the complainant, person under investigation and any interested party is notified accordingly. A Terms of Reference is produced and shared with the complainant and person under investigation prior to the commencement of the investigation to seek their agreement to scope of the investigation, comments and/or concerns. A copy of the Investigation Report is provided to the complainant and person under investigation (if appropriate) and that both parties are notified of the outcome of the investigation. The complainant is notified within 5 working days of an outcome being determined. The OPCC is informed where a case takes longer than 12 months to resolve. Centurion is updated with any learning identified from an investigation. <p>In addition, also to ensure Investigators are reminded to retain all evidence to support the above has occurred centrally within the Professional Standards Department shared drive.</p>		Responsible Officer	Head of Alliance Professional Standards Department		
		Timescales	30/11/2022		
		Priority	3	SWAP Ref.	46130
1.1b		Responsible Officer	Head of Complaint and Misconduct Unit for Dorset Police		
		Timescales	Complete		
1.1c	Action	Priority	2	SWAP Ref.	46131
<p>The Head of Complaint and Misconduct Unit for Dorset Police and Detective Inspector Alliance Professional Standards Investigations for Devon & Cornwall Police have agreed to ensure an Investigator assigned to handle a matter makes a written note to declare whether or not there is anything that could reasonably give rise to a concern about whether they or any member of the investigation team could act impartially (a declaration of interest).</p>		Responsible Officer	Head of Complaint and Misconduct Unit for Dorset Police and Detective Inspector Alliance Professional Standards Investigations for Devon & Cornwall Police		
		Timescales	Complete		

Complaints Handling– Appendix 1



1.1d	Action	Priority	2	SWAP Ref.	46132
The Head of Complaint and Misconduct Unit for Dorset Police and Detective Inspector Alliance Professional Standards Investigations for Devon & Cornwall Police have agreed to implement regular dip checking of resolved complaints, conduct and performance matters to ensure that they are compliant with statutory requirements and agreed processes with regards to communication and recording.		Responsible Officer		Head of Complaint and Misconduct Unit for Dorset Police and Detective Inspector Alliance Professional Standards Investigations for Devon & Cornwall Police	
		Timescales		30/11/2022	

1.2	Finding	The Alliance Professional Standards Department are responsible for handling, managing, and investigating complaints, conduct and performance matter for both Forces. However, processes were found to differ between the two Forces despite being an aligned department. For example, we noted the use of different forms to capture and record information, working practices etc. as part of our review. To ensure the benefits of an ‘Alliance’ department are achieved, we would recommend a review of end-to-end processes in regard to complaints handling at both Forces is undertaken in order identify best practice and efficiencies and to ensure the best possible service can be provided to the customer / user.			
1.2a	Action	Priority	3	SWAP Ref.	46135
The Head of Complaint and Misconduct Unit for Dorset Police and Detective Inspector Alliance Professional Standards Investigations for Devon and Cornwall Police have agreed to undertake a review of end-to-end processes in respect of complaints handling, management, and investigation in order to identify any best practice and efficiencies which could be made to the complaints system and to help align processes with one another.		Responsible Officer	Head of Complaint and Misconduct Unit for Dorset Police and Detective Inspector Alliance Professional Standards Investigations for Devon & Cornwall Police		
		Timescales	31/03/2022		

Appendix B

Review of public complaint handling within Devon and Cornwall Police - June 2022 (Sancus)



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Review of public complaint handling within Devon and Cornwall Police

*Ian Kennedy**
June 2022

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1. Executive Summary

1(1) Changing the culture of policing is not easy, but that was the intention of the Home Office (HO) in updating the police complaints and misconduct systems, by the changes brought in by the 'new' Police Regulations in February 2020. The revised arrangements required significant changes to processes, but also provided opportunities to reduce bureaucracy.

1(2) This review has been commissioned to act as an informed assessment of how those changes have been implemented and the lived experience for complaints as a result of them. A great deal of work and effort by key members of Devon and Cornwall Professional Standards Department (D&C PSD) has been put into applying a new 'learning organisation' approach to complaint handling and to improving the service to the public. It is fair to say that having a global pandemic announced, with all the associated upheaval and restrictions, one month after the Regulations were launched, has brought challenges in seeing changes through.

1(3) For Professional Standard Departments, embedding the ethos of the new Regulations was not a question of simply re-badging old processes, but completely re-engineering the way of working. A move from the bureaucratic blame culture of the previous Regulatory framework for complaint handling to a more mature reflective learning cycle approach takes time and relies on the installing of a firm foundation of trust in all parties involved, internal and external.

1(4) To complete this review, I spent several days in-force meeting with a range of people within PSD and checking processes and systems. Work for other forces nationally allowed me to compare and contrast approaches and progress towards the hoped for 'new world' model. I was impressed by the commitment of those professionals I spoke with. All were keen to deliver a quality service to the public.

1(5) This report provides a number of recommendations that can further enhance the service provided. Good work has already taken place but this has been hampered by some very D&C Police specific circumstances. These include the out-sourcing to Basic Command Units (BCU's) of the majority of complaint handling, staff shortages within PSD, the use of agency staff to fill gaps, technology shortfalls, the joint working arrangements with Dorset Police and the sheer geographic spread of the force. The current processes have backlogs caused by a number of key pinch-points. This leads to overly long complaint handling, follow-up complaints about lack of action with complaints by frustrated complainants, and complaint handling data that cannot be relied on for accuracy. The latter has clear negative impacts upon performance management and the ability to cross compare with other forces.

1(6) The recommendations should not be seen as an addressing of failings by the department or individuals. They should be seen as an integral part of a learning organisation identifying what works and what currently does not. The recommendations are intended to enable activity and improvement by removing blockages.

1(7) There are simple fixes to processes and practices which will bring positive short- and medium-term improvements. Whilst some investment may be necessary in staffing levels, it should save on money currently being spent to work around current issues, reduce significantly complaint handling time, increase the quality of complaint handling, give quality performance data and free up management time in BCU's. It will also mean that the force will meet its statutory regulatory responsibilities which in certain aspects it is currently failing to do.

1(8) In modern policing, a Threat/Harm/Risk approach is used as a model by many for allocation of time and resources. Public complaints are not seen as fitting urgently into that equation and yet complaint handling that does not provide the public with timely and transparent accountability will slowly and enduringly erode their confidence in policing. On a long-term basis, poor complaint handling will fundamentally undermine the very thing that allows forces to police with consent- public confidence in policing.

*Ian Kennedy**

**Ian Kennedy, the reviewer, and report author, is a retired police officer and former Head of PSD for West Yorkshire Police. Since 2012 he has delivered training to all PSD's in England and Wales and assisted with the national roll out of training for the launch of the 2020 Police Regulations on behalf of the Home Office and College of Policing. He has previously reviewed complaint handling processes in a number of forces, including West Midlands Police, Lancashire Constabulary, Durham Constabulary, and the Metropolitan Police.*

2. Introduction

2(1) In 2014 the Home Office began a process of updating the police complaints and misconduct arrangements. The intentions were to ensure a more transparent system that better served the public while reducing bureaucracy and encouraging an open reflective learning culture for the service. As a result, on 1 February 2020 new Regulations and guidance came into effect.

2(2) The new arrangements were, in some cases, a significant departure from those they replaced. The emphasis was intended to shift from a 'blame' culture to one where genuine mistakes, or under-performance in service delivery, could be seen as an opportunity to reflect and learn rather than requiring punishment.

2(3) There was a need for forces, not just Professional Standards Departments (PSD's), to review and change working practices both in order to comply with the new arrangements and to improve their service to the public. Although it is now two years since the changes, forces are still coming to terms with the opportunities presented by the new Regulations. The global pandemic (which became an issue at the same time as the Regulations came into force) has without doubt contributed to the challenges of changing processes.

2(4) Against this background Sancus Solutions was commissioned by the Chief Officer Lead and Devon and Cornwall Police (D&C) PSD management team to undertake a review of their complaint handling processes. The objective was to assess the current situation, identify any improvements and to make recommendations that would improve efficiency.

2(5) The report has been split into sections that focus on Governance, Complaint Handling Structure, Performance, Oversight and Quality Control.

2(6) I am grateful for the positive and helpful approach of all who gave their time to assist in the review, and would like to acknowledge their positive professional approach and their desire to continue to bring about positive change.

3. Methodology

3(1) I visited the force from the 24th to the 26th May, 2022, following research on-line. Interviews were conducted with a range of managers and staff within PSD and also the Office of the Police and Crime Commissioner. The process for dealing with complaints was explored from receipt through to resolution.

3(2) Various data was provided by PSD all of which has been considered. Several examples of letters to complainants were reviewed where the complaint was dealt with by BCU's 'otherwise than by investigation'. The amount of research data surveyed may not be empirical but was a sufficiently large sample to support all the recommendations I will make. These are based on previous experience, processes in other forces and knowledge of the HO/IOPC rationale for the 2020 Regs.

3(3) Whilst the timeframe meant that it was only possible to interview a limited number of people, they were all key to the processes and gave a full and honest insight into how current systems were working. There was insufficient time to carry out an in-depth review of individual cases, but a dip sample of cases dealt with over the last two years across most BCU's gave a balanced picture of force practice.

3(4) The time available did not allow for an assessment to be carried out of the most serious end of complaint handling- those dealt with by way of formal investigation within PSD. However, this is well regulated, subject of close supervision, and will be regularly subject of review by the Independent Office for Police Conduct which, taken together, should mean that it complies with the hoped-for national best practise model.

4. Governance

4(1) The structure of D&C PSD derives its origins from the move to the planned force merger with Dorset Police that is no longer to happen. Currently the two forces are 'working together' with separate governance but still collaborating where possible. Nationally there are few examples of PSD's collaborating, successfully or otherwise, across force boundaries. Most PSD work is locally based- local people complaining about their locally delivered policing service.

4(2) There are only two established PSD collaborations in England and Wales- Bedfordshire/Cambridgeshire/Hertfordshire and separately Norfolk/Suffolk. Each has been in existence for a number of years. The former has seen gains from having a single Counter Corruption Unit based within one of its forces and a single unit for managing administration and meetings/hearings. The latter is based more on a model of Norfolk providing all PSD functions across both forces other than a 'satellite' complaint handling office in Suffolk. In both cases, processes has been synchronised or co-located between the constituent forces.

4(3) The model between D&C and Dorset is different to those two collaborations. Complaint handling processes have not been synchronised, or co-located. There is one Head of PSD part-funded by each of the two forces. Due to the different approaches to PSD work he effectively manages two separate and distinct units working to different patterns, not one collaborated unit. This has been aggravated by the move away from a full merger of the two forces and the reduced importance put on joint inter-force working by non-PSD staff from each force. His single role appears actually to be fulfilling two separate roles- Heads of PSD for D&C and Head of PSD for Dorset.

4(4) Through no fault of his own and despite his best efforts, his ability to 'be present' and influence within both the forces will be limited by time, geography and conflicting force practices and management structures. There may be more benefit to having a Head of PSD in each force with responsibilities for other units within their own force (as opposed to managing across force boundaries) as happens elsewhere in the country with forces of comparable size.

4(5) The Head of PSD role in any force involves significant risk management and heavily regulated decision making that will change people's lives, impact public confidence and manage risk to the public. Performing that role for two separate forces at the same time poses challenges and an increased risk for each of the two forces. There are also issues about OPCC oversight when dealing with staff from another force.

Recommendation 1-

Chief Officer Teams in both forces to initiate a review of the continuing benefit of having a single Head of PSD covering both forces.

5. Structure

5(1) PSD's in England and Wales tend to work to one of two different models for the handling of those lower-level complaints that make up the bulk of the volume which forces receive in a year. The models are based on either a centralised or a devolved model, i.e., all volume complaint handling is managed within PSD or it is out-sourced to the BCU's where the staff are based and where responsibility, for the service delivery complained about, sits.

5(2) Each has its merits, risks and opportunities. The centralised model usually requires an uplift in staff for the force PSD but brings consistency in quality and usually more timely complaint handling. It also frees up operational staff and managers from having to dedicate time or resources to complaint handling, or managing it alongside competing operational demands. The de-centralised model gives accountability for resolving complaints to those responsible for the original service delivery.

5(3) The 2020 Regs changes brought in by the Home Office were based on their desire for the quality of a force's service delivery being the test for complaint handling, to enable learning and improvement. Based on this principle, having a de-centralised model for complaint handling, as in D&C, seems increasingly important. It brings accountability to those delivering the service to fix it when it is not to an acceptable standard. However, those other forces that have adopted it as their complaint handling model have found that a de-centralised model only works where there is tight control and quality assurance of the complaint handling taking place. Training of complaint handling staff is also key to success.

5(4) In D&C complaints are assessed within PSD and those less serious recorded complaints that make up the majority are sent to Single Points of Contact (SPOC's) in each BCU to be dealt with. Those SPOC's are mostly police officer managers, and they in turn allocate the complaint to supervisors within their units. I carried out a review of examples of their work on the PSD Centurion computer system to assess timeliness and quality.

5(5) There were some examples of good practice, but it was evident that there were also many occasions when the complaint handling was less than optimum. These included examples of very simple complaints where-

- the complainant was not spoken to for months,
- processes were followed that had been removed by the Regs changes in February 2020,
- outcomes given were unclear,
- focus still seemed to be on defensive complaint handling or an out-of-date blame focus, and
- outcome letters were poorly worded or breached Regulations.

5(6) There was also a lack of capture of documents gathered or generated during complaint handling which in turn creates significant cost and delay for the OPCC in their review handling and does not enable the Statutory requirement for the force to provide such review documents to the OPCC.

5(7) Experience from other forces shows that such widespread shortcomings in de-centralised complaint handling can be addressed in one of two ways- increased training for those handling complaints and scrutiny of their work, or, alternatively, better support from the centre, and quality assurance of the work.

5(8) I understand the SPOC's and complaint handlers have not received any meaningful training in the provisions of the 2020 police complaints legislation. Shortcomings in their work cannot therefore be criticised on an individual level, although some amongst them are actually performing their role well. The pandemic has hampered significant training taking place over the last two years.

5(9) Whilst training can bring improvements, given the spread of the force area and the number of complaint handlers who are constantly changing and may only ever deal with complaints now and again, I would not recommend a full programme of training delivery, but a targeted delivery would be beneficial.

5(10) The second option would provide the best fix for the issues identified. Having staff within PSD with an understanding of the complaint regulations and national guidance, who could support, and quality assure the work of, frontline complaint handlers could very easily correct a lot of the issues found. This would vastly improve the quality of complaint handling that the public receive and reduce that cycle of extra complaints being made or reviews requested due to the lack of timeliness or quality of the work currently carried out. It would ensure greater consistency of product, more timeliness and allow the basis for a true learning-organisation within the force. A proper performance regime would also be possible within complaint handling. That is currently not possible due to the poor practice and consequent lack of reliable data.

5(11) Such support would also reduce the work for SPOC's as part of the complaint handling process. Given the current SPOC's will already have busy and demanding managerial roles, it would allow more of their time to be devoted to that work.

Recommendation 2-

D&C Police to review if it wishes to continue with a de-centralised model for complaint handling, and, if so, to consider having dedicated staff within PSD to support, and quality assure the work of, frontline complaint handlers. This would negate the need for divisional SPOC's (or reduce their work to simply allocation), improve complaint handling, allow for proper performance management and enable a force learning model.

5(12) Staffing levels were noted to be lower than are seen in other PSD's across the country. Further challenges to this situation were caused by a number of factors with PSD-

- legitimate long-term absence leading to staff covering other roles
- agency staff with limited knowledge of systems filling the resultant gaps
- the use of temporary contracts over protracted periods also led to the loss of skilled knowledgeable police staff members seeking the reassurance of permanent roles elsewhere and leaving
- staff on a mix of Dorset and D&C contracts with differing pay scales and working conditions, affecting tasking and morale.
- Some possible performance issues

5(13) A review of pressures on the current processes within PSD identified 'pinch points' at certain stages. This included both the Assessing Officer (AO) and Deputy Complaint Manager (DCM) roles, both of which are filled on a temporary basis. There is a serving Inspector performing the role of AO on a short-term basis. This post cannot be filled due to the ongoing D&C/Dorset Alliance Business Case. THE DCM role is filled temporarily to cover [REDACTED]. The temporary post-holders are also finding their work increased by the unexpected increase in complaint numbers over the last two years. (a similar increase has been seen in most forces in England and Wales during the same period).

5(14) A desire was identified amongst the PSD management team for quality data around which to build a performance regime. This was echoed by the OPCC staff spoken to, and the frustration on the part of both was evident.

5(15) The supervisors and managers within PSD were all heavily committed to the department performing well and have been working through the various issues that this report highlights. They are however hampered by legacy systems and an ill thought-out model for complaint handling which does not appear to have been based on current numbers of complaints or the individual aspects of D&C Police force. This is aggravated by the apparent under-staffing compared with other forces, and lack of Quality Assurance and support that their de-centralised model should have had built in from inception.

5(16) The hoped-for learning organisation model of the 2020 Home Office Regulations has not been achieved and it is clear that it is not achievable on current staffing levels and processes. The hard work within PSD is being hampered, not enabled, by the processes that are in place.

5(17) To use a common current expression, the admin staff in PSD currently appear to be working to a 'whack-a-mole' approach of managing several backlogs in inputting.

Whichever backlog is biggest gets attention till others overtake it. I am not in a position to fully explain the backlogs but they may be due to low staffing levels, staff shortages, previous levels of home working with associated lack of supervision during the lockdown period and on a limited basis since, reported slow links to the force mainframe for some carrying out home working and some performance issues.

5(18) Having a decided model for the legislation compliant handling and administration of complaints would allow a proper review of staffing levels compared with other similarly constituted PSD's. A re-considered staffing model would in turn reduce the current backlogs, lack of quality control and availability of documents for OPCC in their review function. It would also allow the provision of data that could be relied on for performance management.

5(19) A number of staff are still working from home, though this was more widespread during the pandemic. In order to properly assess staffing levels, supervise staff and manage performance, a balanced approach to hybrid working that includes viable performance management, would allow a better understanding of administrative work demands. It would allow any issues of under-performance or slow-working due to inadequate fast-time connections to the force mainframe to be factored out before assessing correct staffing levels.

Recommendation 3-

A review to take place of staffing levels once processes for complaint handling and quality control/support have been decided upon to ensure there are sufficient resources to ensure they work. Having clear police staff progression paths within the PSD structure would ensure long term resilience and a reduced need for agency staff.

5(20) The Assessor role is a key role as they will decide on courses of action with a complaint, based on their initial assessment. Such roles elsewhere are supported by having a triage person or researcher to conduct sufficient work to be able to give the Assessor a 'package' for each complaint which enables good decision making and therefore an informed allocation of police time and resources to each complaint.

5(21) The role of Assessor in D&C does not have that support. This means that the Assessor spends a significant part of their time checking routine systems, or alternatively at times of high demand, not being able to check basic systems, leading to imprecise or overly cautious decision making. This impacts further down the line with increased work involved in complaint handling or, in some cases, is likely to lead to officer or police staff members receiving notices of investigation that may not be necessary. These have an impact of well-being and could be avoided in some cases if the decision making by the Assessor was better informed. It is through no fault of

the Assessor that the time and information required by them to make good and less risk averse decisions is not available, or available in time, due to having to clear backlogs.

5(22) The use of stand-alone forms by the AO to capture their decision making that then need to be double-keyed onto Centurion causes further delays and backlogs for the already under-resourced admin function. It also delays the first contact for complainants, which is not acceptable and reduces the possibility of successful service recovery or complaint resolution.

5(23) Having three triage people/researchers to support the Assessor, and Deputy Complaint Manager, would bring significant benefits and also allow them to properly record their decision making on Centurion rather than the current system which requires double keying by admin staff of the Assessor's decisions resulting in backlogs of admin work elsewhere.

Recommendation 4-

PSD to consider the creation of three triage/researcher roles to help inform the work of the Assessor role, and provide cover for them at times of unexpected or planned absence, to reduce backlogs and improve decision making, thereby reducing 'extra' work further along the chain.

6. OPCC reviews and oversight

6(1) The OPCC have a statutory requirement to hold the Chief Constable to account for their complaint handling. I was able to identify some meetings which had taken place to this end but a universally identified lack of meaningful and reliable performance data hampers progress in this area. That reduces their oversight to evidence picked up from OPCC Complaint Reviews. I observed, and was aware because of previous work by our company, that conducting reviews is challenging in D&C due to the de-centralised complaint handling and lack of document capture or recording.

6(2) Few complaint handlers in BCU's save documents to a folder that is accessible by the OPCC. PSD Admin, due to their other issues, do not have the capability to upload documents created during complaint handling. Often the only document available to the OPCC Reviewer is the outcome letter sent to complainants, with no other documents to support the work done or decisions made. This results in OPCC reviewers spending significant time engaging with complaint handlers to identify what work they carried out and which documents are relevant. It is an unnecessary waste of time and resource and could be avoided if, as in other forces, admin staffing levels meant that documents could be received and uploaded. Savings from having too few lower grades of staff is resulting in extra cost by staff on higher pay scales 'playing catch-up'. That does not make sense and is not good use of monies from the public purse.

6(3) The lack of reliable data for performance monitoring could be addressed by the recommendations already set out. The issue about lack of access to documents could be addressed by including the OPCC requirements in the review of staffing levels, once any performance issues have been addressed, as per Recommendation 3.

6(4) A practice was identified in the OPCC of a separate audit checklist document being completed for every review. With the benefit now of two years of review completion it was accepted in conversation that the need for the audit form is perhaps not what was expected. With a carefully worded review report it is possible to capture the same information, without the need for the duplication of a separate document. This was accepted and was to be actioned, so no separate recommendation is required.

7. Conclusion

7(1) The most striking shortcoming identified during this review work is the lack of any functioning Quality Assurance regime within the de-centralised model for complaint handling processes within Devon and Cornwall. It should therefore be the first function that is addressed, as it is leading to-

- statutory regulatory requirements placed on the force not being met.
- undue and unacceptable delay for complainants, and officers subject of complaint, in resolving their complaints.
- poor complaint handling by some.
- an inability to assess performance between BCU's in the force, and between the force and others.
- poor quality or incorrect correspondence being sent to complainants, further exasperating their dissatisfaction.

7(2) Having noted the hard work and dedication of many within PSD and in sections of the force in complaint handling, it is disappointing that the lack of quality assurance publicly portrays a poor attitude by the force to complaint handling.

7(3) The current structures and processes in place need to be re-visited, as some are clearly not enabling or supportive. A model should be strived for that triages better (or at all), decides on the correct amount of work, tasks out to an individual who is supported in their work by the centre and where timeliness is a priority, ensures work is captured only once, and sees complainants managed through the processes with a view to achieving learning and development

7(4) Due to issues in the admin flow, only limited reliance can be placed on any statistical information from Centurion, so what is done to that end, is virtually wasted resources.

7(5) I commend the hard work and change that has been brought about in the last couple of years implementing the 'new' Regulations, and look forward to assisting in the planned work for continued improvement by addressing the areas identified in this report.

8. Recommendations

Recommendation 1-

Chief Officer Teams in both forces to initiate a review of the continuing benefit of having a single Head of PSD covering both forces.

Recommendation 2-

D&C Police to review if it wishes to continue with a de-centralised model for complaint handling, and, if so, to consider having dedicated staff within PSD to support, and quality assure the work of, frontline complaint handlers. This would negate the need for divisional SPOC's (or reduce their work to simply allocation), improve complaint handling, allow for proper performance management and enable a force learning model.

Recommendation 3-

A review to take place of staffing levels once processes for complaint handling and quality control/support have been decided upon to ensure there are sufficient resources to ensure they work. Having clear police staff progression paths within the PSD structure would ensure long term resilience and a reduced need for agency staff.

Recommendation 4-

PSD to consider the creation of three triage/researcher roles to help inform the work of the Assessor role, and provide cover for them at times of unexpected or planned absence, to reduce backlogs and improve decision making, thereby reducing 'extra' work further along the chain.

Appendix C

OPCC Complaint Handling Review - December 2023 (Champness Consulting Ltd)



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Office of the Police and Crime Commissioner, Devon and Cornwall

Complaint Handling Review

Report to the Chief Executive

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1. Executive Summary

- 1.1. The Police and Crime Commissioner for Devon and Cornwall and the Isles of Scilly (PCC) is committed to improving the service Devon and Cornwall Police (D&CP) delivers to its diverse communities, and views the complaints and compliments received as an essential barometer in understanding how well policing is being delivered, and most importantly, in improving service both individually and collectively.
- 1.2. Following a change in legislation in 2017 Police and Crime Commissioners (PCCs) can take a more active role in the police complaints process. The Appropriate Authority role has been transferred back from Dorset within Alliance, creating the opportunity to identify the true picture and the chance to consider options to improve performance.
- 1.3. Currently, control lines from PSD to BCUs are too long, resulting in PSD having no influence over complaint handling in BCUs. Patterns of communication and control are not understood, so the existing system cannot be managed effectively.
- 1.4. This report provides the opportunity to help the PCC and the Chief Constable make an informed and evidence-based decision on how to deliver the complaints service by considering the rationale for the different proposed delivery models presented. It is likely that either the PCC or Chief Constable would need to invest in this area of business regardless of who leads it given current performance and public expectations.
- 1.5. It is proposed that a new 'complaints and recognition' function will be split across an Office of the Police and Crime Commissioner (OPCC)-based complaint resolution function (CRF) and Professional Standards Department (PSD). The CRF would be the principal gateway for all expressions of appreciation and dissatisfaction coming into the force, registering and understanding the feedback, fact checking and resolving complaints at the earliest possible opportunity, mediating low-level civil claims that are connected to such complaints, passing complaints onto PSD where appropriate and necessary, proactively thanking the workforce when necessary, and supporting D&CP in learning, improving and driving best value from public feedback.
- 1.6. No changes are proposed to the mechanisms for handling complaints, conduct matters and Death or Serious Injury (DSI) matters, and for the carrying out of investigations, under Schedule 3 of the Police Reform Act 2002 as amended. These must remain the responsibility of the Chief Constable, the PCC if the Chief Constable is the subject of the complaint, and the IOPC as set out in that Schedule. Neither are there any changes proposed for handling Complaint Reviews. It is recommended that the Chief Constable reviews the resourcing and processes applied to matters under their responsibilities in the light of the decisions taken arising from these proposals.
- 1.7. There is a need to ensure future complaints teams share a similar culture and approach to resolving complaints, despite the differences in the severity of cases they will be working on or their geographic location. The legislation

facilitates a focus on the person and the complaint rather than on the complaints system, and customer service should be central to any shared culture.

- 1.8. The Review considers the various factors necessary for dealing with complaints outside of Schedule 3 effectively and efficiently, with a view to improving public and police confidence in the system and organisational development and learning. Control lines for complaints outside of Schedule 3 are shortened, and patterns of communication and control relating to them understood, so the proposed system can be managed effectively.
- 1.9. It makes the following recommendations:
 - a. A new capability responsible is created for logging and resolving complaints outside of schedule 3 and enabling organisational learning.
 - b. Responsibility for the initial part of the complaints handling process is transferred to the PCC (Option 2).
 - c. To deliver this capability under the PCC a team is created consisting of 9 case handlers supervised by 3 Complaint Resolution Leaders under a single Complaint Resolution Manager. This team will develop and maintain a constructive, collaborative relationship with PSD with robust and transparent working arrangements between the two.
 - d. The transition from the current to the new arrangements is managed by retaining and completing complaints received under the current arrangements through those existing systems. Complaints received from a set go-live date would be dealt with under the new system.
 - e. Subject to further details, the Hertfordshire Complaint Resolution Framework Database is used, with Complaint Handlers inputting data onto Centurion as required. Alternatively, Centurion is upgraded and a review of complaints ICT security and capability undertaken. This approach requires an additional analyst to the staffing levels set out above. Deliverability should be used as the primary criterion for deciding which ICT system to adopt.
 - f. Authority to agree full and final settlement is delegated to the CRF Manager and CR leaders. Formal sub-delegations should be drafted to set out the level of authority given.
 - g. Estimated revenue costs are factored into the forthcoming FY2024-25 budget-setting process. Capital expenditure for ICT systems and any accommodation alterations required is assessed and approved.
 - h. A detailed implementation project plan is developed covering:
 - Team and pan-Force Culture
 - Staffing and training
 - Processes for complaint handling, information management and disseminating organisational learning, including performance metrics and organisational learning products.
 - ICT
 - Accommodation

- i. A formal communications strategy is developed.
- j. Following approval, implementation commences immediately for go-live straight after the pre-election period.
- k. The Chief Constable reviews the structure and processes of Force PSD in the light of the decisions made arising from this Review.
- l. The OPCC reviews the structure and processes of its public contact team in light of the decisions made arising from this Review.

2. Project Scope

- 2.1. The scope is to review existing public complaints systems to assess whether they are fit for purpose, and if identified to deliver reform which achieves the following outcomes:
- Improvement in policing both individually and collectively, by embedding learning from good and bad practice;
 - A local police complaints system that enables the PCC and Chief Constable to identify patterns and trends of dissatisfaction being raised with the force and allows them to address any systemic issues;
 - A new complaints culture across CRF and PSD that supports the organisation more widely in improving policing across Devon and Cornwall and the Isles of Scilly;
 - A high quality, customer service offer for those who are dissatisfied with the policing service they have received;
 - Better public engagement, encouraging the public to share intelligence as a result of greater public trust and confidence in policing;
 - A more transparent and independent police complaints system that has effective local oversight and that provides the public with clear information with which to hold the Force to account, (this does not affect the independent oversight of the IOPC);
 - A reduction in the number of complaint reviews currently upheld by the OPCC.
- 2.2. This project supports the Police and Crime Plan Connected-related commitments to:
- Improving public confidence through world class local policing, by promoting a learning culture with D&CP;
 - Ensuring D&CP is visible and accessible for all our communities, building greater confidence in the police, and enabling our officers to be more responsive to local communities' needs through better communication and intelligence;
 - Giving communities the confidence to deter crime and improve community safety, through enabling D&CP to be more transparent and responsive.
- 2.3. Not in scope of this change:
- Formal recording of a Complaint against the Police inside schedule 3, excluding those against the Chief Constable;
 - Referrals to the Independent Office for Police Conduct (IOPC);
 - The disciplinary and performance management process for issues raised internally;
 - Police misconduct investigations including local resolution thereof.
- 2.4. In developing these proposals, a wide variety of people were spoken to. They included Chief Officers; officers and staff both from PSD and across the Force; staff from Force areas that have already implemented alternative arrangements for complaint handling; and staff from the OPCC.

3. Background – the Case for Change

Relevant Legislative context

- 3.1. Policing and Crime Act 2017 changed the definition of a complaint from ‘any complaint about the conduct of a person serving with the police’ – to a broader scope of any ‘*expression of dissatisfaction* with a force’¹. It also provided for informal resolution of such *expressions of dissatisfaction* as long as they do not meet certain criteria.
- 3.2. Schedule 3 of the Police Reform Act 2002 as amended states that a complaint must be handled in accordance with that Schedule if:
- at any time the complainant indicates a wish for the complaint to be recorded²,
 - or
 - the complaint is one alleging that the conduct or other matter complained of has resulted in death or serious injury (DSI),
 - the complaint is one alleging that there has been conduct by a person serving with the police which (if proved) might constitute the commission of a criminal offence or justify the bringing of disciplinary proceedings,
 - the conduct or other matter complained of (if proved) might have involved the infringement of a person’s rights under Article 2 or 3 of the Convention (within the meaning of the Human Rights Act 1998), or
 - the complaint is of a description specified in regulations made by the Secretary of State³.
- 3.3. Consequently, if a complainant does not wish for it to be recorded, and the relevant appropriate authority does not determine it has to be dealt with under Schedule 3 by virtue of it falling into one or more of the categories above, then the PCC or Chief Constable may attempt to resolve the matter (the *expression of dissatisfaction*) without formal recording it.
- 3.4. If a complaint is dealt with outside of Schedule 3, it and its manner of resolution must still be logged⁴.
- 3.5. This business case explores the issues regarding whether in Devon and Cornwall this is best done by the Office of the PCC or the Police Force.

Current service structure and processes

- 3.6. Complaints are currently handled by the Alliance Professional Standards Department (PSD). This consists of a theoretical single PSD across D&CP and Dorset Police, with Superintendents reporting to the respective DCCs and overseeing the PSD team dealing with D&CP related complaints, misconduct, counter-corruption and vetting. Within the D&CP part of PSD is a Complaint Handling Department consisting of the staff structure set out in Figure 1. The DI reports to a DCI who also oversees other PSD functions.

¹ By amending section 12 Police Reform Act 2002

² Paragraph 2(6A)(a) Schedule 3, Police Reform Act 2002 as amended

³ Paragraph 2(6B)(a) to (d) Schedule 3, Police Reform Act 2002 as amended

⁴ Section 3 IOPC Guidance on capturing data about police complaints, May 2022

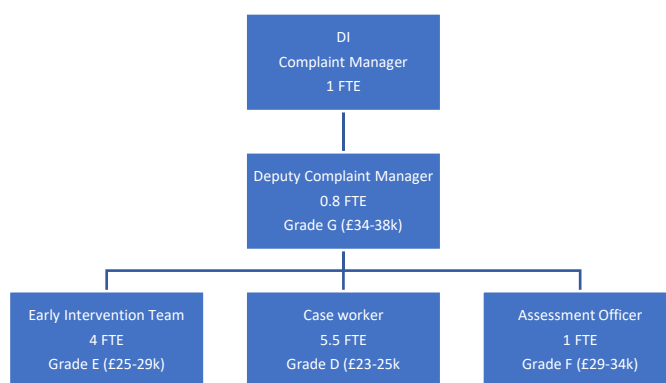
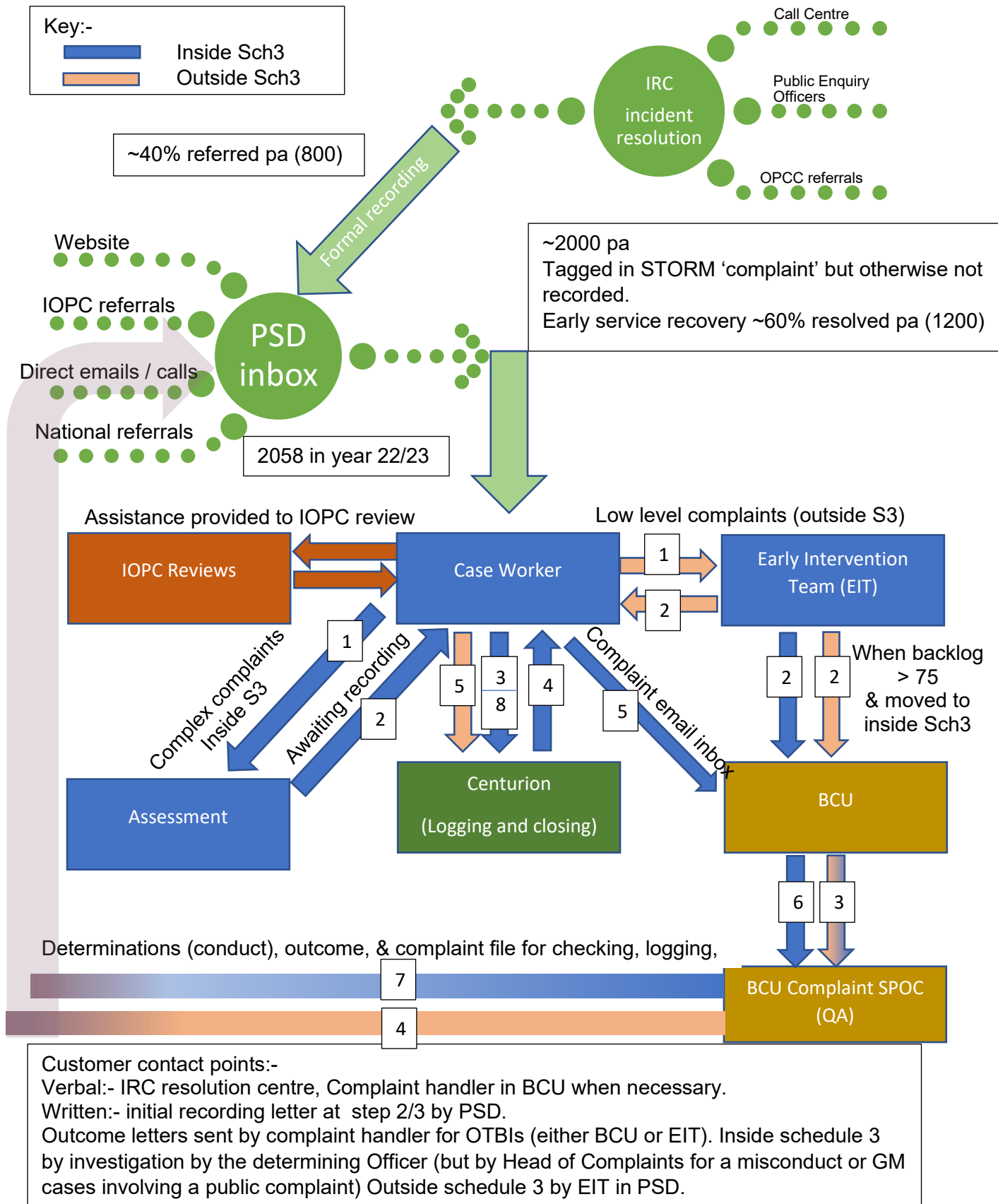


Figure 1 Current Complaint Handling Department Staff Structure

- 3.7. The Appropriate Authority function has been transferred back from Dorset.
- 3.8. As well as matters coming directly into PSD, members of the public express dissatisfaction with the service received through the D&CP call centre and through the OPCC. Complaints judged to be capable of being dealt with outside of Schedule 3 had until recently been managed by Incident Resolution Centres (IRCs). This has resulted in inconsistency of approach, very variable prioritisation, an inability to record outcomes consistently and an inability to collate and disseminate individual and organisational learning.
- 3.9. IRCs were set up in 2021 to manage low and medium risk missing person investigations, completing and updating investigation plans, conducting desktop and telephone enquiries and tasking physical actions to frontline officers. There were centres in each of the Basic Command Units (BCU): Cornwall and the Isles of Scilly; North, East and West Devon; South Devon; Plymouth; and Call Management and Communications Unit (CMCU).
- 3.10. None of the complaints handled by the IRC incidents team under early resolution are recorded unless they are escalated to PSD, and therefore do not figure in national statistics reported to and by the IOPC. PSD have advised there are around 2000 complaints per year, of which around 40% are escalated to PSD.
- 3.11. IRCs are currently being disbanded with Local Allocation Units being created in each BCU. IRC crime and incidents are proposed to be absorbed back into the BCUs. There is currently a working group to develop a different approach, where all complaints suitable for early resolution are triaged and allocated an appropriate resource. PSD have already identified potential risks of people dealing with complaints about themselves, closing logs without the appropriate engagement with the complainant and logs being 're-routed' or transferred directly to PSD. These risks will need to be addressed in whatever processes are adopted to ensure that the appropriate practices are complied with. This will include transferring complaints back to PSD for further management when a complainant isn't satisfied with the early resolution.
- 3.12. The Force state they are developing a draft Prevention and Engagement Strategy. This should help reduce the number of expressions of dissatisfaction coming into the organisation but will not address how such expressions of dissatisfaction should be dealt with.

3.13. Figure 2 below set out current processes.

Figure 2 Complaint routes



Processes numbered in Figure 2 - Complaints outside Sch3

1. Case worker sends such complaints to EIT to handle*
2. EIT return complaint to case worker for logging on Centurion.

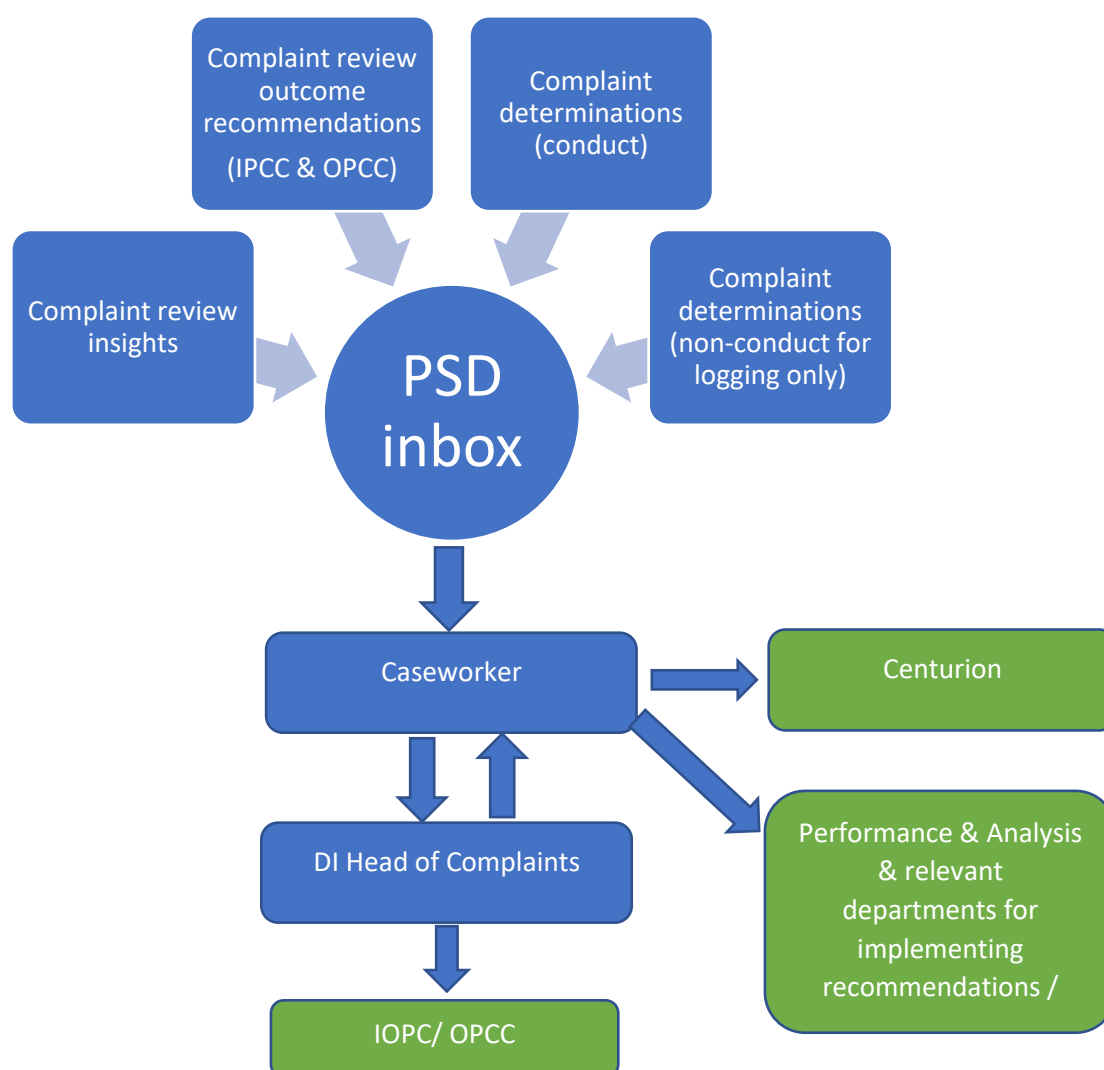
*NB EIT handle complaints inside schedule 3 if they have capacity.

When there is a backlog of complaints outside Sch3:

2. EIT may send complaint to BCU if they have more than 75 in the queue, but only if the complaint is inside Schedule 3. BCU then handle complaint.
3. BCU send complaint to SPOC for QA
4. SPOC sends complaint to PSD inbox.
5. Case worker receives complaint outcome and documents and logs onto Centurion.

Complaints that require assessment inside Sch3

1. Case worker sends complaints requiring assessment to assessment officer.
 2. Assessment officer sends complaint back to Case worker for logging.
 3. & 4 Case worker logs onto Centurion
 5. Case worker sends complaint to BCU via email.
BCU handle complaint.
 6. BCU send complaint to SPOC for QA
 7. SPOC sends complaint to PSD inbox.
 8. Case worker receives complaint outcome and documents and logs onto Centurion.
- 3.14. Systems accessed during these processes include Centurion, Storm, Niche, Unifi, CRASH, DEMs, PNC, PRONTO and Redbox.

Figure 3 Post complaint process**Value for money statements**

- 3.15. The HMICFRS Value for Money dashboards assess the costs of providing functions. For each functional area the value for money rate is per 1000 of the population for each force. In a report dated March 2023 PSD Officers extracted the following information from the dashboard for the 12 months to end March 2022. The total cost was estimated by multiplying the rate/1000 population by the mid-year population estimates provided in the latest police force area data tables.
- 3.16. The total population for the alliance was estimated by summing the mid-year population estimates provided in the latest police force area data tables for both forces. The alliance cost rate was calculated by dividing the overall alliance cost (£) estimate by the estimated total population. The alliance cost rate was compared to the national rate/1000 population from the Value for money dashboard for each functional area.

The total Alliance Professional Standards costs (net revenue expenditure) equates to £3m or £1.15 net revenue expenditure per population. For England & Wales the cost per population is £2.52. Overall, the alliance PSD

function is low cost at less than half the cost of professional standards on average in England and Wales.

Devon and Cornwall has the 3rd lowest cost per population in England & Wales at £0.96 which is estimated to be an overall total cost of £1.7m and just 38% of the national figure. It also has the second lowest number of staff (FTE/1000 population).

Both forces have increased their spend between 2015/16 and 2021/22 by approximately 20%. However, the increase for England & Wales over the same period is significantly higher at 59%, suggesting that investment decisions in the Alliance have not kept pace with national trends. A question that arises is whether the higher increases in the average costs for England & Wales are driven by changes in APP or legal requirements.

Complaint Performance: Volumes and Handling times

3.17. Data drawn from IOPC records by PSD show the following.

Table 1 Cases Received

Year	20/21	21/22	22/23
Total Cases	1619	1981	2058
Inside S3	858	1065	1092
Outside S3	761	916	966

Table 2 Allegations

Year	20/21	21/22	22/23
Total Allegations	3531	2698	3439
Inside S3	1509	2028	1956
Outside S3	996	1137	1177

NB Total complaints both inside and outside Sch 3 is different to total allegations received, as not all allegations received were handled in the same period. There can be more allegations than complaint cases as individual complaints can contain more than one allegation.

Table 3 Cases Finalised

Year	20/21	21/22	22/23
Inside S3	206	545	555
Outside S3	N/K	N/K	N/K

3.18. IOPC data for Q1 in 2023-24⁵ shows that D&CP have performed consistently worse than the national average and Most Similar Forces at both time to log complaints and to contact complainants, taking twice as long as the national average in both measures. This significantly reduces the potential for early resolution and improving trust and confidence in the Force.

⁵ Police complaints information bulletin Devon and Cornwall Police - Q1 - 23-24 p2

- 3.19. IOPC data relating to numbers of cases and allegations shows D&CP are comparable to other forces. However, this data cannot be relied upon because of the large number of complaints that are not logged on Centurion (see process above), and therefore not reported to the IOPC.
- 3.20. In Q4 of 2022-23 the Force resolved 39% of complaints (274) outside of Schedule 3. In Q1 of 2023-24 this rose to 41% (168).
- 3.21. Initial contact with Complainants is not handled promptly with a median consistently in excess of 10 days.
- 3.22. The average number of working days to finalise allegations outside of Schedule 3 is considerably worse than Most Similar Forces and twice the National Average. The data in the IOPC table below is for the Reporting Period: 01 April 2023 - 30 June 2023 (Q1 2023/24)⁶.

Table 4 IOPC Allegation timeliness

Average number of working days to finalise allegations	D&CP	Same Period Last Year	MSF Average	National
Outside of Schedule 3	40	38	26	17
Under Schedule 3 - not subject to investigation	113	93	132	94
Under Schedule 3 by local investigation	286	251	193	166
Under Schedule 3 - by directed investigation	0	0	0	0
Under Schedule 3 - by independent investigation	0	0	0	312

Complaint Handling Performance within PSD

- 3.23. Current typical processing time for complaints outside schedule 3 (demand / resource implications on EIT and outside schedule 3 complaint handlers) is approximately 0.5 days, considering recording, processing and actual time taken (logging, considering national factors, contact with complainant, fact finding etc).
- 3.24. Current typical processing time for complaints inside schedule 3 (demand / resource implications on PSD processes only as complaint handling remains with others) is approximately 0.5 to 2 days, considering recording, processing and actual time taken (logging, considering national factors, contact with complainant, fact finding etc).
- 3.25. The typical length of time a complaint inside schedule 3 takes to investigate, to understand time implications for keeping customers informed (needing to keep customers informed every 28 days) is harder to estimate. These are more complex, require accounts and may need papers serving if conduct related. They could involve interviews and so are much harder to predict. Obligations under statutory guidance apply, and if not concluded within 12 months the relevant review body has to be advised. Over the last year the Force have reported no investigations over 12m to either the OPCC or IOPC.

⁶ Police complaints information bulletin Devon and Cornwall Police - Q1 - 23-24 pp6 and 13

From PSD data reported to the Standards and Ethics Board, this is not an accurate reflection of the current situation, with 436 complaint cases where handling is over 12m reported for Q2 2023-24. This provides further evidence of the need for change.

Public correspondence received by PCC about complaints that are not Complaint Review requests

- 3.26. Since September 30th 2022 the OPCC has logged 910 items which have been classified as 'force service delivery' issues. The OPCC currently employs a member of staff (0.6FTE at grade 7) to deal with them. These include complaints about the police handling of an ongoing complaint, but also complaints not yet registered by the police (therefore sent to the OPCC in error). It is estimated about 60% of these items are expressing dissatisfaction with the way in which their issue is being handled by the police. It is impossible to quantify which element of the process (PSD, BCU etc.) they are disappointed in. Some of these would be the responsibility of the OPCC under Option 2 or 3, and some wouldn't.
- 3.27. Given the public contact the PCC about a variety of issues, not just regarding 'force delivery issues', the OPCC should review the structure and processes of its public contact team in light of the decisions made arising from this Review.
- 3.28. Lack of contact and timely updates by PSD are the primary issue. Representative examples include:

PSD are continuing to refuse my request to record this complaint. I was written to some time ago by the OPCC informing me I could get this complaint recorded and thereby request a review. However, they will not record it.

I'm emailing because once again D&C Police have not contacted me with my complaints.

I made an online complaint a few months ago and nothing seems to have progressed so I'm following up.

I am shocked to learn that my complaint has not be recorded as a formal complaint and I'd therefore ask A) why not and B) call upon PSD to now do so.

I've been advised to contact you, to complain about the service I received from Devon and Cornwall police. I've been to professional standards for Devon and Cornwall who say that an inspector or an office will be in touch, but nobody gets in touch with me.

I have not received any reply or even an acknowledgement of the email that I sent to Devon and Cornwall Police Professional Standards Department.

The only time we have EVER had communication from the OIC is when we have made a complaint first.

I made two complaints back in March of this year and the only indication that anything is being done is a response from your department saying "In terms of your complaint, I have been notified that this has been allocated to ...; I have had no contact from [them]"

*I have tried to reply to *** but the system won't let me reply.*

We have received no updates, messages emails etc. This has been in excess of 3 months now.

At this stage, I have not had the decency of a confirmation email to confirm my complaint is being investigated. I feel that I am being ignored.

Complaint Reviews

- 3.29. Complaint Reviews are handled internally within the OPCC. Complaint Review data shows a worsening position. The number of Complaint Review requests received by the OPCC has been increasing for some time. In the first quarter of 2023-24 Complaint Review requests had increased by 18% (increasing by 6 to 40) compared with the previous quarter (34 in Jan-Mar 2023). Compared with the same quarter the previous year the number of requests for review had increased by 5% (2).
- 3.30. The 12-month rolling average of complaints resulting in a complaint review to the OPCC (the conversion rate) in May 2022 was 24% and in May 2023 was 35%. The typical (median) rolling average had been 23%. The number of valid reviews outstanding as of 30 June 2023 was 27.
- 3.31. In the first quarter of 2023-24, the number of reviews that were upheld by the OPCC decreased slightly compared with the same quarter last year (down 5 to 10). This meant that 32% (10) of complaints reviewed by the OPCC were upheld in April to June 2023, compared to 38% (15) in the same period in the previous year, and 35% (8) in the previous quarter (Jan – Mar '23).
- 3.32. Compared with other Force areas, Complaint Reviews result in almost twice as many (proportionately) findings of complaints not handled reasonably and proportionately as Most Similar Forces and the National Average⁷.
- 3.33. Most complaints were upheld in quarter 1 due to them not being addressed in full by the force (29%, 5), and inadequate explanation provided (29%, 5). In the previous quarter, 58% (7) had not been addressed in full, and 25%, (3) had been inadequately explained. 12% (2) reasons for upholding were for administrative errors resulting in delays, and for incomplete review of all information relevant to the complaint in reaching an outcome.
- 3.34. The OPCC mostly (70%) recommended that matters were referred back to the Force for further explanation and/or enquiries. This was similar to the previous quarter, where most (83%) complaints were referred back to the Force for further explanation or enquiries. Of the responses received in quarter 1 to 5th July, the Force accepted 59% of the OPCC's

⁷ Police complaints information bulletin Devon and Cornwall Police - Q1 - 23-24.p11

recommendations in full. This had been a large decrease on the previous quarter when 92% of recommendations had been accepted.

- 3.35. The higher proportion of Complaint Reviews, the large proportion of referrals from those Reviews back to the Force and the high proportions of recommendations accepted, coupled with the adverse comparison with other Forces, all suggest that the Force are not handling expressions of dissatisfaction well.

Civil claim handling

- 3.36. Civil claims below £1000 in value are currently dealt with at the Administration Hub in Bodmin. Claims above that value are handled by the Force Legal Service.

Additional Concerns

- 3.37. The same complaint can be recorded in multiple places. For example, a complaint received incorrectly into the OPCC is then sent onto the Force and recorded, or one received in the CMCU is logged on STORM as a complaint, and subsequently passed to a BCU for resolution before going to PSD for recording at the complainant's request. This results in duplication of effort and means a customer receives a different process depending on the route of the complaint. Conversely, current systems mean it is also possible for complaints to be not logged or recorded at all.
- 3.38. Currently there is no standard procedure for responding to expressions of appreciation made by members of the public and each department follows its own methods of acknowledgement, therefore the force has limited corporate knowledge of what and who is working well.
- 3.39. The organisation is missing out on opportunities to learn lessons and share best practice from information gained with the involvement of the complaint process.
- 3.40. The organisations still see examples of old legislative framework templates, and other incorrect templates being used, with no offer of referral to relevant review bodies.
- 3.41. PSD has no performance or analytical support. They currently use operational staff to fulfil these capabilities.
- 3.42. Call handling and recording are both in Engage phase with HMIC. There are concerns that expressions of dissatisfaction are 'resolved' without being recorded, and therefore without the learning being captured and disseminated. Based on tagging within STORM it is estimated about 2000pa expressions of dissatisfaction are not logged (see Figure 2 above).

Internal Audit findings and recommendations

- 3.43. In November 2021 the D&CP Internal Audit Service reported on an Audit of Complaint Handling across the Alliance between Dorset and D&CP. The report states: *"Given the range of issues highlighted through testing of complaint, conduct and performance cases, a number of recommendations have been raised to help strengthen the controls over this area and to*

improve compliance with the regulatory framework; record keeping; and to help ensure effective / appropriate communication with all relevant parties throughout the complaints handling process". They found that the Alliance did not have robust controls in place for complaint handling, leading to missed opportunities to learn from complaints made and resulting in reputational damage by failing to respond to complaints fully or at all.

- 3.44. A number of recommendations were made and accepted, all due for completion by November 2022. Performance has not improved since.

Sancus Review findings and recommendations

- 3.45. In June 2022 Sancus reported on an independent Review of public complaint handling within D&CP. The following are key extracts from that report.

- *"Good work has already taken place but this has been hampered by some very D&C Police specific circumstances. These include the outsourcing to Basic Command Units (BCU's) of the majority of complaint handling, staff shortages within PSD, the use of agency staff to fill gaps, technology shortfalls, the joint working arrangements with Dorset Police and the sheer geographic spread of the force. The current processes have backlogs caused by a number of key pinch-points. This leads to overly long complaint handling, follow-up complaints about lack of action with complaints by frustrated complainants, and complaint handling data that cannot be relied on for accuracy. The latter has clear negative impacts upon performance management and the ability to cross compare with other forces."*(1.5)
- *"In modern policing, a Threat/Harm/Risk approach is used as a model by many for allocation of time and resources. Public complaints are not seen as fitting urgently into that equation and yet complaint handling that does not provide the public with timely and transparent accountability will slowly and enduringly erode their confidence in policing. On a long-term basis, poor complaint handling will fundamentally undermine the very thing that allows forces to police with consent- public confidence in policing."* (1.8)
- *"Based on this principle, having a de-centralised model for complaint handling, as in D&C, seems increasingly important. It brings accountability to those delivering the service to fix it when it is not to an acceptable standard. However, those other forces that have adopted it as their complaint handling model have found that a de-centralised model only works where there is tight control and quality assurance of the complaint handling taking place. Training of complaint handling staff is also key to success."* (5.3)
- *"In D&C complaints are assessed within PSD and those less serious recorded complaints that make up the majority are sent to Single Points of Contact (SPOC's) in each BCU to be dealt with. Those SPOCs are mostly police officer managers, and they in turn allocate the complaint to supervisors within their units. I carried out a review of examples of their work on the PSD Centurion computer system to assess timeliness and quality."*(5.4)

- *“There were some examples of good practice, but it was evident that there were also many occasions when the complaint handling was less than optimum.” (5.5)*
- *“There was also a lack of capture of documents gathered or generated during complaint handling which in turn creates significant cost and delay for the OPCC in their review handling and does not enable the Statutory requirement for the force to provide such review documents to the OPCC.” (5.6)*
- *“I understand the SPOC’s and complaint handlers have not received any meaningful training in the provisions of the 2020 police complaints legislation.” (5.8)*
- *“D&C Police to review if it wishes to continue with a de-centralised model for complaint handling, and, if so, to consider having dedicated staff within PSD to support, and quality assure the work of, frontline complaint handlers.” (5.11)*
- *“The supervisors and managers within PSD were all heavily committed to the department performing well and have been working through the various issues that this report highlights. They are however hampered by legacy systems and an ill-thought-out model for complaint handling which does not appear to have been based on current numbers of complaints or the individual aspects of D&C Police force. This is aggravated by the apparent under-staffing compared with other forces, and lack of Quality Assurance and support that their de-centralised model should have had built in from inception.” (5.15)*
- *“The hoped-for learning organisation model of the 2020 Home Office Regulations has not been achieved and it is clear that it is not achievable on current staffing levels and processes. The hard work within PSD is being hampered, not enabled, by the processes that are in place.” (5.16)*
- *“Having a decided model for the legislation compliant handling and administration of complaints would allow a proper review of staffing levels compared with other similarly constituted PSD’s. A re-considered staffing model would in turn reduce the current backlogs, lack of quality control and availability of documents for OPCC in their review function. It would also allow the provision of data that could be relied on for performance management.” (5.18)*
- *“The Assessor role is a key role as they will decide on courses of action with a complaint, based on their initial assessment. Such roles elsewhere are supported by having a triage person or researcher to conduct sufficient work to be able to give the Assessor a ‘package’ for each complaint which enables good decision making and therefore an informed allocation of police time and resources to each complaint. The role of Assessor in D&C does not have that support.” (5.20, 5.21)*
- *“The most striking shortcoming identified during this review work is the lack of any functioning Quality Assurance regime within the de-centralised model for complaint handling processes within Devon and*

Cornwall. ... the lack of quality assurance publicly portrays a poor attitude by the force to complaint handling.” (7.1, 7.2)

- *“A model should be strived for that triages better (or at all), decides on the correct amount of work, tasks out to an individual who is supported in their work by the centre and where timeliness is a priority, ensures work is captured only once, and sees complainants managed through the processes with a view to achieving learning and development.” (7.3)*
- 3.46. Sancus made a range of recommendations intended to enable activity and improvement by removing blockages. To date, those recommendations have not been implemented.
- 3.47. The IOPC continue to recognise the findings of these independent assessments. They observe that D&CP complaint handling is under-resourced. Whilst they recognise the good staff within PSD, they also observe there is no control of complaints sent to BCUs, whose staff have no training and carry pre-existing workloads which they understandably prioritise.

Summary

- 3.48. Despite the efforts of those within PSD in particular, Force performance in relation to complaint handling has not improved to the point where it is even comparable with national averages.
- 3.49. The current and proposed devolved structures mean the Force has had no ability to influence complaint handling quality for several years, resulting in consistently slow and poor complaint handling performance. Control lines from PSD to BCUs are too long, resulting in PSD having no influence over investigations in BCUs.
- 3.50. Patterns of communication and control are not understood, so the existing system cannot be managed effectively.
- 3.51. Current apparent spend on complaint handling is very low compared with other forces. Current real costs are hidden in local policing units.
- 3.52. Learning is not captured from low level issues - those dealt with outside of Schedule 3. The Force cannot even be certain of the scale of such issues. Public contact with the OPCC suggests that scale is considerable.
- 3.53. Successive independent reviews have concluded that the no-longer-new “learning organisation” complaints regime has not yet been implemented successfully within D&CP; that the problem lies within the structures and systems employed within D&CP; that those systems are not fit for purpose, and that a new approach is required.
- 3.54. Given the systemic issues identified, the proposed PSD structure is as unlikely to address and improve performance as the current structure.
- 3.55. The Internal Audit Report and Sancus Review are attached as Appendices C and D respectively.

4. Learning from Other Areas that have adopted Option 2 or 3.

- 4.1. The 3 statutory options available are summarised in the Home Office diagram at Figure 4.

	Model 1*	Model 2*	Model 3*
Receiving & making initial contact with complainant	POLICE	PCC	PCC
Handling complaints outside of Schedule 3 and recording complaints	POLICE	PCC	PCC
Keeping complainants and interested parties updated and informed of outcome.	POLICE	POLICE	PCC
Investigating complaints	POLICE	POLICE	POLICE
Complaint Reviews	PCC	PCC	PCC

Figure 4 Areas of responsibility under the 3 statutory options

- 4.2. Four forces have so far implemented complaint handling Option 2 or 3 formally: Cleveland, North Yorkshire, Hertfordshire and Wiltshire. They have all been contacted for an explanation of their processes and approach, and conversations held with all of them. Northumbria adopted it informally (before the legislation was passed). Northamptonshire are starting the journey to implement Option 2.
- 4.3. The IOPC have been approached and they have shared their observations about the operation of Options 2 and 3. Their overarching position is that they will support anything that improves policing professional standards and complaint handling.

Workloads and resource

- 4.4. North Yorkshire say they handle over 1300 complaints per year, resolving 80% of those outside of schedule 3 on average. This is significantly higher than the number reported to IOPC (approximately 720 pa) because they only log complaints that are passed to PSD. This also results in them returning 0 cases resolved outside of schedule 3 to IOPC. Their Customer Service team sits within a Public Confidence Directorate within the OPCC, and consists of a Customer Service Manager, a Senior Customer Service Advisor supervising three Customer Service Advisors (i.e., 3 complaint handlers supervised by 2 managers). They struggle to manage the workload, particularly if carrying a vacancy for any reason, and consider the resource insufficient for the workload.
- 4.5. Cleveland handle an average of 150 complaints per calendar month (approximately 1800 pa), resolving 79% on average. Cleveland only log

complaints that are not resolved immediately. If not dealt with immediately they log, triage and make further attempts at resolution, escalating a complaint to PSD for formal recording if required. They handle 94% of all complaints and have a satisfaction rate of 54%. They have 6 complaint handlers plus a manager and have struggled to manage the workload. They are reducing their offer to the public as part of addressing this (see paragraph 4.9 below)

- 4.6. Hertfordshire handle an average of 120 complaints per calendar month (approximately 1400 pa), resolving 46% on average. However, they state that they also handle the bulk of the work for those complaints that are ultimately recorded by their PSD under schedule 3 and not investigated, which would add a further 41% (i.e., they state they handle and almost finalise 87%). Hertfordshire certainly finalise a greater proportion under schedule 3 without investigation than Cleveland. North Yorkshire's IOPC figures are distorted by their approach to logging complaints. Herts have 6 complaint handlers overseen by 3 supervisors/managers, with a good mix of policing and outside customer service experience. They consider this to be appropriately resourced: they have sufficient resilience for leave, but not for sickness.
- 4.7. Wiltshire handle a reported average of 120 complaints per calendar month (approximately 1400 pa, ranging from 100 to 150 pcm), resolving 40% of those outside of schedule 3. They finalise a further 47% of complaints inside schedule 3 without an investigation. This approach appears to be comparable to, but not quite as successful as Hertfordshire's (see Other Learning, below). Wiltshire now have a backlog of complaints, and to help manage this they have recently ceased to log queries and requests for clarification as complaints, which they used to do. Wiltshire have a team of 4.5 FTE Complaint Handlers, plus 1 administrative support and 1 manager.

Adoption of Option 2 versus Option 3

- 4.8. Whilst stating that they were formally adopting option 3, North Yorkshire took the position that once a complaint was to be handled by PSD within schedule 3, then the customer would be given the opportunity to choose who conducts the contact role. They have therefore adopted a hybrid model.
- 4.9. Cleveland initially implemented option 3, but with final notices coming from the Force to simplify matters. 28-day notices etc came from the OPCC as they found that complainants came back to the OPCC anyway. However, they are now in the process of handing back management of contact of complaints within schedule 3 to PSD. They found it added unnecessary work and are considering reverting to Option 2 to streamline processes and reduce resource requirements.
- 4.10. Hertfordshire did not pursue Option 3 and opted for Option 2 from inception. Their view was that the Complaint Resolution team would add no value to the complainant or process by acting as a post-box for PSD and would just introduce additional hand-offs.
- 4.11. Wiltshire adopted Option 2, with PSD handling contact with complainants for allegations PSD manage.

IT systems used

- 4.12. North Yorkshire and Cleveland use the police side of Centurion, not the OPCC side, to improve identification and communication of learning. Use of Centurion eliminates double entry of complaints that have to be transferred to PSD for management or resolution. Cleveland maintain a performance framework for their complaint handling function, based on Centurion and like PSD. Wiltshire use Centurion for complaint management, but do not use Centurion for organisational learning. The Force is looking to do so but have no clear plans as yet. If pursued to its logical conclusion, this will result in a national approach to the developers of Centurion, which is likely to take some considerable time to materialise as a result.
- 4.13. Hertfordshire do not use Centurion as they do not consider it flexible enough, nor do they think it adequate to promote organisational learning. They developed their own database, which is IOPC compatible and is significantly more flexible and easier to identify organisational learning from. It has enabled the collation and presentation on the advantages of Body Worn Video. Local complaint factors have been identified in addition to the national factors and can be added and deleted locally without requiring national agreement. They are able to report performance quarterly by local policing area (they have 10).
- 4.14. The disadvantage of the Hertfordshire system is that complaints that are passed onto PSD for handling inside schedule 3 need re-entering onto Centurion. These are much fewer in number than prior to implementation, and data can be copied and pasted rather than re-keyed, so they consider this disadvantage is significantly outweighed by the advantages of their own database.
- 4.15. All force areas with Options 2 or 3 have enabled members of the public to make a complaint via both the Force and OPCC websites, feeding into a central repository.

Other learning

- 4.16. Cleveland have a Service Level Agreement between the Force and OPCC setting out the respective obligations. This is not replicated in other areas.
- 4.17. Training on police processes is required before complaint handlers can take up their role. However, if staff can be recruited with good customer care, summarising, letter writing and telephone skills they can be given experience of policing and taught the regulatory framework they will work within. The hardest part of the role is dealing with the public, getting the right skills and attitude.
- 4.18. A mix of policing and non-policing experience within the complaint handling team is beneficial as the individuals bounce experiences and ideas off each other.
- 4.19. Wiltshire had planned a mixed team but for various reasons ended up 'lifting and shifting' staff from the Force despite the business case. As a consequence, they did not get the change in approach. They report that a

new Complaints Manager from outside policing is now driving a shift towards the right culture.

- 4.20. Successful service recovery is dependent upon understanding a complainant and their complaint at the outset.
- 4.21. Customer expectations can be unjustifiably heightened if a complaint is passed on from service recovery to PSD, and this needs to be managed.
- 4.22. Customer service teams get better at securing evidence as they handle more complaints, enabling them to pass this evidence onto the Force if referred, reducing the workloads of PSD.
- 4.23. Some areas considered undertaking a public consultation prior to formally deciding to move to Option 2 or 3. However, if this would not change the decision such an approach is not merited.
- 4.24. Seeking a customer service accreditation can be considered. This would involve public consultation.
- 4.25. Hertfordshire have developed a Complaint Handler's training pack and a Complaint Resolution Team Framework which can be made available.
- 4.26. Hertfordshire also undertake a survey of all complainants who receive a final notice, which informs development of the service.
- 4.27. Success is dependent upon PSD and OPCC working together. Forces and OPCCs want to serve the public well, and therefore both support better triage and service recovery.
- 4.28. It takes 18 to 24 months from launch before systems are embedded and the real benefits of the change are realised.
- 4.29. The possibilities for and value of organisational learning from such a system are not to be underestimated. A "train not blame" culture leading to identification of prevention opportunities and officer and staff welfare issues would be almost priceless to an organisation aiming to improve its performance and the wellbeing of its people.

5. Options and Analysis

- 5.1. There are 5 main options: Option 1, Option 2, Option 3, a hybrid between Options 2 and 3, and the creation of a complaint resolution team within PSD rather than within the OPCC.
- 5.2. Within each of Options 2, 3 and the hybrid Option there are then further sub-options:
 - (a) just logging complaints and then passing them to the Force to handle, which adds no value and therefore is not considered further.
 - (b) logging and resolving complaints outside of schedule 3: this approach will improve the process and outcomes for complainants and for officers and staff subject to complaints. However, the organisation would miss out on opportunities to learn lessons and share best practice from information gained with the involvement of the complaint process, as it does now. Therefore, this is not considered further either.
 - (c) logging, resolving and enabling organisational learning.
- 5.3. There is a risk that new processes focus on the negative learning rather than both the positive and negative. There is opportunity to include wider feedback about all services offered by D&CP. It is important to know when things are working well and equally when things are not. The force should be in a position to learn lessons from mistakes, be able to put things right and ensure apologies are made where necessary, whilst celebrating all that is good about D&CP. By doing this, the public will feel passing on feedback is worthwhile, lessons will be proactively learnt and ultimately, policing in Devon and Cornwall will improve. This is only possible if there is an easy way to collate positive feedback from members of the public. Sub-option (c) provides that option.
- 5.4. It is therefore recommended that logging and resolving complaints outside of schedule 3, and enabling organisational learning is sought.

Option 1

- 5.5. Option 1 is the do-nothing option and reflects the status quo whereby the Force handle all complaints and the PCC is responsible for the performance of complaints system locally, including being the Review body. Option 1 does not provide a central point for understanding and communicating lessons learnt from either complaints or compliments. It does not address the resourcing, cultural or performance issues. It is not recommended.

Option 2- Complaint Handling and Organisational Learning

- 5.6. Option 2 moves responsibility to the PCC for the initial part of the complaints handling process, including:
 - The ability to resolve issues outside of the complaints system where appropriate;
 - The duty to make initial contact with a complainant to understand how best their issue might be resolved; and

- The recording of complaints
- 5.7. A PCC-led service allows a complaints resolution team to focus on customer service and learning rather than compliance with complex legislation, fostering a different culture. A PCC-led service also adds independence to the process.
 - 5.8. Formal assessments should remain with PSD given their skills and experience and given they will be undertaking investigations and resolutions post assessment. Informal assessment resting with the CRF however will allow for quick and effective service recovery without involving another party into the process and maintains independence of the CRF. Oversight of the complaints system remains with the PCC but recommending courses of action to the Chief Constable as and when necessary. Referrals to the IOPC remain with PSD.
 - 5.9. Control lines for complaints outside of Schedule 3 would be shortened, and patterns of communication and control relating to them understood, so the proposed system can be managed effectively.
 - 5.10. This Option has been shown to significantly improve complaint handling. Force areas that have implemented this Option have improved the proportion and time to finalisation of cases resolved outside of Schedule 3 and reduced the number of complaints that require investigation. They report increased capacity to investigate more serious allegations. Crucially it allows for the introduction of a different, more customer-focussed culture. It enables a focus on the swift resolution of complaints whenever that is appropriate. It introduces independence and greater objectivity to low-level complaint handling. It embodies the principles of procedural justice, both for complainants and for those complained about.
 - 5.11. Proper data and information management through the centralisation of logging and resolution of complaints would enable organisational learning. In order to maximise this Option either the use of Centurion would need to be optimised, or a new ICT solution be introduced.
 - 5.12. This is the recommended Option.

Option 3 - Complaint Handling, Organisational Learning and Contact Management

- 5.13. Option 3 moves responsibility to the PCC for the initial part of the complaints handling process, including:
 - The ability to resolve issues outside of the complaints system where appropriate;
 - The duty to make initial contact with a complainant to understand how best their issue might be resolved;
 - The recording of complaints; and adds
 - Responsibility for all statutory duties regarding contact with the complainant throughout the complaint process
- 5.14. The observations pertinent to Option 2 also all apply to Option 3.
- 5.15. The additional responsibility for all contact with complainants throughout the complaint process adds significant practical implications. Contact regarding

complaints dealt with outside of schedule 3 would be handled by the CRF as under Option 2. However, Option 3 sees the CRF undertaking such contact for complaints being handled by the PSD. This would require additional resource.

- 5.16. For complaints inside schedule 3, necessarily managed by PSD, this sees the CRF act as a post-box for the PSD, receiving and passing on communications from PSD to complainants and vice versa. Hertfordshire and Wiltshire rejected this option from inception, and Cleveland are now rowing back from taking on this responsibility.
- 5.17. The responsibility for managing such communications will not be sufficient to allocate to a defined person or persons but would have to be distributed amongst other responsibilities. Therefore, a distinct resource to fulfil this responsibility is not identifiable and cannot be readily isolated within PSD or the CRF. Adoption of this option will result in duplication of resource between PSD and CRF to manage the collation of the response (within PSD) and the communication of it (within CRF).
- 5.18. Whilst some complainants will value their contact and communications managed by someone independent of the police, experience from other areas has shown that the vast majority are not so concerned about that, and just want the information and updates on the progress of their complaint.
- 5.19. For the reasons set out above this option is not recommended.

Option 4 - Hybrid option

- 5.20. Option 4 is essentially the same as Option 2 but giving the complainant the option to have their contact throughout the handling of their complaint handled either by PSD or by someone independent of the police – the CRF. This would require an additional step in the process for Model 2 to be implemented, and additional resource planned into the CRF to manage this. There is likely to be inefficiencies through both PSD and CRF having to deliver this capability. The volume or proportion of the public who will opt for one over the other is impossible to predict, and therefore the resourcing for this option difficult to estimate.
- 5.21. If the policy intent is to provide the option for complainants to have their complaint (appear to be) managed as independently as possible from the Force, then this option could be considered.

Option 5 - Creation of a complaint resolution team within PSD

- 5.22. This option involves the creation of a complaint resolution team as in Option 2, placing it within PSD as opposed to within the OPCC. This option lacks the independence of Option 2. Successful implementation would place significant burden on a department already managing a significant and ongoing workload of complaints within schedule 3, and wrestling with an organisational structure that has not been able to improve complaint handling performance over a considerable period of time.
- 5.23. To be successful a CRF the function needs to be created with a different culture: one that puts the complainant first, that listens, that prioritises and

deals with issues extremely promptly, however trivial they may seem compared to other issues policing has to deal with. It is submitted that has a far greater chance of success outside of the Force than within it. Whilst there are people within PSD who appreciate the need for such a culture, the reality of the work all PSDs have to undertake will require them to prioritise the more serious issues that fall within their responsibility.

- 5.24. As noted above (paragraph 3.11), should complaint handling be devolved to BCUs PSD have already identified potential risks within their proposed structures of people dealing with complaints about themselves, closing logs without the appropriate engagement with the complainant and logs being 're-routed' or transferred directly to PSD. These risks will need to be addressed in whatever processes are adopted to ensure that the appropriate practices are complied with. This will include transferring complaints back to PSD for further management when a complainant isn't satisfied with the early resolution. It will be easier to mitigate, or even remove entirely, those risks for complaints outside of Schedule 3 within the OPCC than within BCUs.
- 5.25. Complaints within schedule 3 may include misconduct matters and are more likely to require professional investigation. Complaints outside of schedule 3 by their very nature involve neither risk of disciplinary action nor require more than preliminary enquiries. Dealing with them separately maximises the opportunity to enhance the performance of both, allowing a new OPCC-based function to create a different culture to the handling of complaints outside of the legislative framework, whilst allowing PSD to focus on their established skill set within the legislative framework.
- 5.26. Public expectations have changed since the pandemic and levels of public confidence in policing have been affected by a number of national policing issues. These have affected confidence in D&CP just as it has other forces. Done well, introducing a CRF into the OPCC rather than PSD will promote confidence by virtue of its being independent. It will also take away from the Force an issue that may inhibit the Force getting out of HMICFRS Engage.
- 5.27. Customer service training is needed across the force irrespective of whether a CRF is placed within the OPCC or PSD.
- 5.28. Taking these likely success factors into account, this option is not recommended. The PCC will have the option to transfer customer service management back to the Force once it is running well and the Force can cope.

6. Proposal / Recommendations and next steps

6.1. If either Option 2 or Option 4 is approved the following areas will need to be finalised and implementation plans developed:

- Culture
- Staffing
- Processes for complaint handling, information management and disseminating organisational learning.
- A suitable ICT system
- Accommodation (Determined by access to good staff)
- Financial implications

Culture

6.2. Such a service would strive to be:

- Fair to the customer and those being complained about
- Open to criticism and feedback, doing things differently and celebrating the good
- Helpful to all those who make contact, proactively supporting the public and D&CP

6.3. The team will seek to be innovative and forward thinking. There is scope for online reporting of feedback, live-chat and video call functionality. Compliments received into the team will be processed quickly, learning as much as possible about the incident and passing compliments directly onto the workforce and supervisors.

6.4. Complaints will be resolved during the initial contact where possible, and where not possible, within 48 hours of the initial contact. Complaints which need to be formally recorded will be passed onto PSD on the same day where possible, and always within 48 hours. Customers always have the right for their complaint to be formally recorded.

6.5. There is scope for this team to be given a budget with which to resolve complaints not involving alleged misconduct, foregoing the need for formal legal involvement on some occasions, but this needs further consideration and detailed analysis of risks before progression. This could however save money in the longer term by dealing with contentious matters in a different way, avoiding future legal costs.

6.6. Feedback from the team to the wider organisation will be central to the new approach, and an organisational learning bulletin is crucial; refocusing on the good and on the lessons the organisation needs to learn. An interactive approach is recommended, for example videos from customers talking about the impact police actions have had on them (ideally with the workforce member involved too), members of the public expressing thanks etc. Details will need to be finalised with the Force on how best to deliver this. A formal communications strategy is recommended.

Staffing

6.7. Of the areas that have implemented Option 2 or 3, Hertfordshire is the one that appears to have got the staffing arrangements more closely optimised for

their workload. They and Wiltshire also appear to have the most compliant logging, recording and reporting processes. Herts have 6 Complaint Resolution Case Handlers under 2 Complaint Resolution Leaders managed by 1 Complaint Resolution Team Manager. They handle an average of 120 complaints per calendar month, approximately 1400 pa.

- 6.8. As noted above, the number of complaints received within D&CP cannot be accurately identified. Estimates of over 2000 unrecorded complaints per annum have been made, this is on top of the 2058 cases reported to IOPC. These include a significant proportion of complaints about complaint handling. An effective and efficient CRF will bring the number of complaints down by eliminating complaints about the handling of complaints. Based on Complaint Review data, it is estimated that these could be as many as 40%.
- 6.9. Taking into account the respective Force sizes (Hertfordshire has around 2260 officers to D&CP's over 3700), a workload proportionate to Hertfordshire's capacity would be in the region of 2300 complaints. Applying the same proportions to the Hertfordshire Complaint Resolution Team, D&C would need 9 or 10 case handlers, plus supervision of 2 or 3 complaint resolution leaders and 1 manager.
- 6.10. The function would have the aspiration to reduce the number of complaints, in particular removing complaints about complaints, through efficient handling. With that in mind a team of 9 case handlers should suffice. Whilst supervisory ratios of 1 to 4 or 5 are acceptable, given the need to provide resilience 3 rather than 2 complaint resolution leaders is recommended.
- 6.11. If a good ICT system that supports Organisational Learning be adopted (see below), further analytical capability would not be required. The Customer Service Manager and Complaint Resolution Leaders should be able to provide such capability. If, however, one is not sourced and the function has to rely on Centurion, then an additional analyst post would be required.
- 6.12. This would result in a team structure set out in Figure 5, with the Analyst post dependent upon the IT system used.

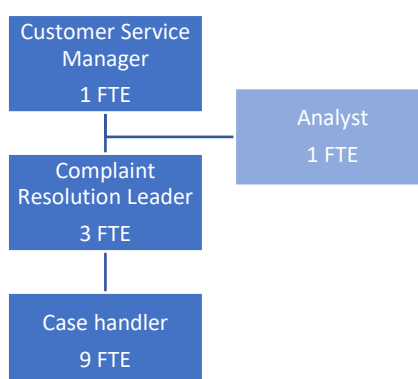


Figure 5 Proposed team structure

- 6.13. Draft Job Descriptions are at Appendix A.
- 6.14. It is proposed that the team would be placed under the OPCC Director of Accountability and Standards. The primary drivers for these proposals are

performance improvement and dissemination of organisational learning, not just customer service. Communication support will be required for internal and external communications, which can be provided by the OPCC Communications team.

- 6.15. The process for populating the team structure will be determined by the Force Management of Change Guide, and the Transfer of Undertakings (Protection of Employment) Regulations (TUPE).
- 6.16. Once the team design including salaries (following the SERCO job evaluation process) and location has been finalised, a mapping exercise must be undertaken to ascertain whether there may be any Force staff eligible for transfer under TUPE. PSD staff will then be the subject of a process under the Force Management of Change Guidance to confirm whether they are to be transferred or not. This should involve collective consultation with trade union representatives, sharing proposed new structures, including job descriptions/role profiles and grades with affected staff.
- 6.17. Once this has been finalised, affected staff can be transferred in and vacancies recruited into.
- 6.18. Experience from other areas consistently shows that managed, blended experience from both within and outside policing is optimal.

Processes for complaint handling and information management.

- 6.19. A draft process for complaint handling and information management is set out in Appendix B.
- 6.20. The CRF will triage all complaints from members of the public. All complaints received into CRF from the public are logged onto the CRF database. CRF will make initial contact with complainants outlining the legislation on complaints handling, their remit, options for reasonable adjustments and next steps for dealing with their complaint. They will include a breakdown of their complaint issues and pair these with the relevant IOPC allegation categories. CRF will either try to resolve low level dissatisfactions or directly pass onto PSD after logging onto the CRF database which will then send PSD a notification via the CRF database. In those cases, an acknowledgment will be sent to the complainant confirming that the complaint will be dealt with by PSD. There are some allegation categories (IOPC Categories) that CRF are unable by law to resolve outside of the complaints system (for example discrimination, sexual assaults etc). Allegations of this nature, whereby if proven true would likely result in criminal proceedings or disciplinary actions against the officer, will be deemed high priority and referred within 24 hours to PSD.
- 6.21. Under Option 2, once in the formal complaints process, PSD will have all contact with complainant. Under Option 4, upon referral to PSD, complainants will be given the choice of whether PSD or CRF manage their contact.
- 6.22. If CRF attempt to service-recover a complaint the following process is followed:

- Complaint received either directly from PSD, D&CP website (online complaint form), IOPC and emails from Force, Executive support and CMCU.
- Triaged by CRF Leader according to Triage document devised in partnership with PSD and IOPC.
- Once threshold is ascertained (LOW/MEDIUM/HIGH) and it is deemed appropriate for CRF to handle outside schedule 3 it will be allocated to a case handler
- Case handler will read and assess complaint in conjunction with IOPC allegation categories and request further information where possible.
- Case handler will add onto the CRF database.
- Case handler will formulate and send an acknowledgment. An acknowledgement will detail the reference number for the complaint that has been added to the CRF database, an outline of the complaints process, how it works, their right to have their complaint dealt with inside schedule 3. If it must be dealt with inside schedule 3, they will inform them of the PSD process. They also explain what CRF can provide them in terms of expectations, reasonable adjustments and advise them of the next steps. They will outline the aspects of their complaint and associated IOPC allegation category and determine if it is an organisational complaint, complaint about an unknown officer or if it is specific to a member of staff, in which case their details are added to the allegation. They will then outline an action plan on what steps will be taken to address the issues and provide the complainant with the option for resolution.
- Case handler will then conduct initial enquiries into the complaint. This will involve using Force systems as applicable, and checking relevant legislation, policies and processes. They will also liaise with the Force to ascertain officer's account (where relevant and via sergeant only) and for further information around particular policies/processes and service provided to complainant. Case handlers will be required to identify if the complainant is a victim, suspect or witness of a crime. If so, the relevant crime number is to be added to the CRF database. This will enable CRF to identify specific areas of dissatisfaction within victims and where and how service can be improved.
- Case handler will also signpost certain applicable aspects of the complainant's correspondence to relevant agencies and external organisations.
- Once all relevant information has been obtained, the case handler will begin to formulate the final response. The format to be used will be reconfirming allegations with IOPC categories; adding findings; summary and conclusions for each allegation separately then highlighting to the complainant any learnings identified and how this will be taken forward.
- If responses are not received in a timely manner the timescales adhered to will be a 5-day chaser to the Force following up on previous emails CRF have sent for information requested. A "holding" email will also be sent to the complainant providing them with an update that CRF are still dealing with their concerns and will be in touch in due course.

- The case handler will update the CRF database throughout the course of the complaint handling. A contemporaneous log of what actions they have performed, with any corresponding attachments will be added to the work log. Once the final response has been sent the case handler will complete the mandatory fields including, national complaint factors, outcome per allegation, if the complaint was valid (legitimate grievance), if BWV was available and assisted in the complaint handling. Any tags (which highlight local complaint issues). VCOP breaches will also be checked and added where applicable to highlight victim service failings.
- If the complainant replies to the final response, they may raise a number of further questions and issues that will need looking at or they may specify that they wish for their complaint to now be transferred to PSD. If this is the case, CRF will need to add any new allegations onto the CRF database and allocate accordingly. The relevant fields on the CRF database will need completing, a courtesy email will sometimes be sent to police officers or staff that had been assisting on the complaint and a further email to the complainant advising the date it was transferred to PSD and reason for transferral.
- For all PSD referrals there will be a quality assurance carried out by the team leader to ensure the recording decision is accurate and all IOPC allegations have been inputted with corresponding information. It will be a safety check that no allegations have been missed and any causes of concern for welfare have been identified.
- All CRF complaints inputted onto the CRF database will be quality assured by the team leader to ensure quality of data input and accuracy. This will be monitored to identify trends coming through for particular CSP's and any emerging issues .e.g., crime allocation back logs.

Processes for disseminating organisational learning.

- 6.23. In addition to logging and resolving complaints, there is a substantial amount of work required to develop the learning and trends from complaint handling. If CRF only carry out an administrative function of handling and resolving a complaint, then there will be no opportunity for lessons to be learned and the policing culture and service to the public cannot be improved.
- 6.24. The converse to this is that the Force needs to be open to organisational learning and development.
- 6.25. To implement effective organisational learning as a result of complaint handling, CRF will also undertake the following:
- Attend and compile reports and presentations for Boards such as Force Performance Board, Audit and Risk Committee, Standards and Ethics Board ,Continuous Improvement Board and for internal and external auditors as required.
 - Attend and compile reports and presentations for BCU reports, including CMCU case studies for training (poor calls/learning/trends).
 - PSD meetings and IOPC oversight meetings
 - Officer training course input.
 - Multi agency meetings (if required to manage regular and persistent complainants)

- Stop and search data and BWV examples for Community Scrutiny Panel.
- Presentations for Home office and IOPC
- Input into courses/training aids

6.26. It is suggested that PSD should adopt similar approaches to disseminating organisational learning. Ideally, single communications combining the learning from CRF and PSD should be disseminated.

IT system

6.27. There are 2 information technology options: Centurion and the Hertfordshire Complaints Resolution Framework Database.

Centurion

- 6.28. Use of Centurion as the database for both recorded complaints (under Schedule 3 Police Reform Act 2002 as amended) and logged expressions of dissatisfaction (dealt with outside of that Schedule) is well established. Using Centurion would eliminate duplicating data entry upon the transfer of a complaint from the CRF to PSD. Reporting to IOPC is automated. Additional costs for an analyst would be incurred (see above).
- 6.29. D&CP currently use version 7.1.1 of Centurion and are due an upgrade to the latest version. The most up to date version of Centurion is 7.2.3. This version has already been paid for and is available to the Force to use. It is hoped the Force will upgrade to this version by the end of November 2023.
- 6.30. There is one significant disadvantage to using Centurion. Critically it cannot collate and identify organisational and individual learning in a sufficiently precise manner to allow the organisational development required.
- 6.31. Organisational Learning can be captured in all individual cases. There is a report available called 'Lessons Learnt - by Type' which enables Forces to extract information filtered determined by their requirements: date parameters, individual learning relating to a specific employee or organisational learning as captured above. It does not provide analysis of that data. This report is available in the current version of the application used by D&CP as well as future ones.
- 6.32. Because it is a nationally procured system it is not flexible and cannot be adapted for local issues. Any changes must be requested through the National Centurion User Group. No requests have been received to alter or amend this report. Should this be a required, requests must first be directed through the SW Regional Centurion User Group. Consequently, development of more sophisticated organisational reporting will not be swift.
- 6.33. Creating mechanisms for identifying organisational as well as individual learning, and mechanisms for establishing that such learning has been applied, are key objectives of this Complaint Handling Review. The version of Centurion used by D&CP is not capable of delivering this. If this option is pursued Centurion would need to be upgraded and a review of complaints ICT security and capability undertaken.

Hertfordshire Complaints Resolution Framework Database

- 6.34. The Hertfordshire Complaints Resolution Framework Database would have to be used by the CRF alongside PSD's use of Centurion. It provides good capability for collating and identifying organisational and individual learning in a sufficiently precise manner to allow the organisational development required. It also provides for automatic reporting to IOPC.
- 6.35. There are 2 issues with its use. Firstly, costs and potential implementation timelines need to be determined as Hertfordshire had not considered allowing another Force to use the system and are in the process of calculating these. Cost of purchase should offset the need for additional analytical capability (see above). Secondly, on the handover of a complaint from CRF to PSD, data has to be copied and pasted in Centurion. Whilst the number of complaints that this would apply to are predicted to be significantly smaller than at present, this does add additional burden to either PSD or CRF staff. If this system is adopted, it is recommended that the CRF Complaint Handler inputs the information onto Centurion when they forward it to be recorded, as they would be familiar with the nature and content of the complaint.
- 6.36. There is a simple trade-off between (as yet undetermined) cost of purchase, additional data entry and potential delay against organisational learning capability. Subject to the cost of purchase, timing and ease of implementation, the Hertfordshire Framework Database is the recommended approach. This cannot be finalised until that further information is known.
- 6.37. A decision about ICT systems must be made prior to launch and be integral to implementation. Should the Hertfordshire Framework Database be unsuitable for any reason, Centurion can be used as a fall back.

Accommodation

- 6.38. Accommodation for 14 people is required. This allows for either ICT solution, Because of the nature of the work and public contact, for staff welfare reasons flexible working is not as appropriate as for other functions. To ensure suitable recruitment, the function should be located within commutable distance from a population density, preferably one that is likely to include people with customer service expertise.

Financial implications

- 6.39. Current costs are hidden in local policing units. Potential savings are also therefore hidden, but the proposal should result in releasing policing capacity at the front line.
- 6.40. Current and predicted financial constraints must be factored in alongside the existing public and political climate and expectations regarding police standards.
- 6.41. The estimated maximum staffing costs are set out below. Accommodation costs have been excluded as it is expected that existing accommodation would be used. Other on-costs are included, based on pay scales in September 2023 with a 3% uplift assumed from 2024. Grading of staff has

been estimated, and so final grades and therefore costs will be subject to SERCO evaluation grading.

- 6.42. The estimated staffing costs vary dependent upon the ICT solution approved.
- 6.43. If Centurion is selected as the preferred ICT solution, an additional part-time support administration officer. The staffing costs are estimated as set out in Table 5. Forces can upgrade to the latest version at any time by downloading the version(s) from the developer's website. All the software versions listed on that website are covered by the forces' AMC charges - there are therefore no additional costs associated with these new releases.
- 6.44. Purchase and running costs of the Hertfordshire Complaint Resolution Framework Database have not yet been ascertained due to time constraints. Staffing costs are estimated as set out in Table 6.
- 6.45. Staffing costs are estimated to be in the range £475k to £557k, depending upon the ICT solution selected. These costs will not be incurred until FY2024-25 (see Timing of Implementation, below) and so need to be factored into the forthcoming budget-setting process. If staff do transfer from PSD and are not replaced following a Force Review, then costs will reduce accordingly.

Bottom of Scale

	Basic Pay	Oncost	Full Cost	Post Numbers	2023/24 Total Cost	2024/25 Pay Award	2024/25 Total Cost
	£	£	£		£	£	£
Grade 4	24,921	6,729	31,650	10	316,497	9,495	325,992
Grade 6	30,783	8,311	39,094	3	117,283	3,518	120,802
Grade 9	46,674	12,602	59,276	1	59,276	1,778	61,054
				14	493,056	14,792	507,848

Top of Scale

	Basic Pay	Oncost	Full Cost	Post Numbers	2023/24 Total Cost	2024/25 Pay Award	2024/25 Total Cost
	£	£	£		£	£	£
Grade 4	27,351	7,385	34,736	10	347,358	10,421	357,778
Grade 6	33,915	9,157	43,072	3	129,216	3,876	133,093
Grade 9	51,252	13,838	65,090	1	65,090	1,953	67,043
				14	541,664	16,250	557,914

Table 5 Estimated staffing costs with Centurion

Bottom of Scale

	Basic Pay	Oncost	Full Cost	Post Numbers	2023/24 Total Cost	2024/25 Pay Award	2024/25 Total Cost
	£	£	£		£	£	£
Grade 4	24,921	6,729	31,650	9	284,847	8,545	293,392
Grade 6	30,783	8,311	39,094	3	117,283	3,518	120,802
Grade 9	46,674	12,602	59,276	1	59,276	1,778	61,054
				13	461,406	13,842	475,248

Top of Scale

	Basic Pay	Oncost	Full Cost	Post Numbers	2023/24 Total Cost	2024/25 Pay Award	2024/25 Total Cost
	£	£	£		£	£	£
Grade 4	27,351	7,385	34,736	9	312,622	9,379	322,001
Grade 6	33,915	9,157	43,072	3	129,216	3,876	133,093
Grade 9	51,252	13,838	65,090	1	65,090	1,953	67,043
				13	506,928	15,208	522,136

Table 6 Estimated staffing costs with Hertfordshire Framework Database**Timing of implementation**

- 6.46. There are three main factors affecting the timing of implementation:
- The urgent need to improve complaint handling performance. It is understood this is likely to be highlighted by the forthcoming HMICFRS inspection.
 - The pre-election period for PCC elections, likely from the end of March to mid-May 2024.
 - Lead-in times for ICT changes, HR processes, recruitment and training, which mean that even with immediate commencement of implementation the function would not go live until FY2024-25.
- 6.47. Following approval, implementation needs to commence either immediately for go-live straight after the pre-election period (realistically the earliest start given ICT issues), or implementation itself commences after the pre-election period, resulting in a go-live date probably in December 2024 / January 2025. This would not preclude an earlier implementation of the updates to Centurion if that ICT solution were adopted (see above).
- 6.48. Given the urgent need to improve complaint handling performance, it is recommended that implementation commences immediately upon approval.

Handling of backlog / pre-CRF complaints

- 6.49. It is recommended that the transition from the current to the new arrangements is managed by retaining and completing complaints received under the current arrangements through those systems. Complaints received from a set go-live date would be dealt with under the new system.

- 6.50. This approach will give clarity to staff during the transition, and enable the new CRF to focus on delivery, implementation and embedding of the new system. If the CRF were to take on the backlog it would be doomed to failure as it could never handle the volume of work.
- 6.51. The approach runs the risk of members of the public complaining about an old-system matter (taking too long for example) to the new system. In such cases the new system should take over the whole of the complaint as resolution of the original matter would resolve resolution of the secondary complaint.

Handling of low-level financial claims

- 6.52. To facilitate resolution of complaints outside of Schedule 3 that involve a low-level financial claim, authority to agree full and final settlement could be delegated to CRF staff. It is recommended that is limited to the CRF Manager and CR leaders.
- 6.53. The level of authority (maximum amount capable of being agreed) should be determined after consideration of the nature of claims received. It is of note that authority has been given to the Administration Centre in relation to other low-level claims up to £1000. It is suggested this should be the maximum amount capable of authorisation within the CRF. Training would be required for CR leaders and the CRF manager, but that would form part of the induction / introductory training.

7. Risks and mitigation

- 7.1. *The wrong resource is identified to manage the nature and volume of work.* Learning from other areas shows that this is usually under-estimated and therefore insufficient. If capacity is not sufficient the approach will fail, risking significant reputational damage. As long as the workload estimates provided by the Force are reasonably accurate, this risk is mitigated by the learning from other areas being applied through the proposals above.
- 7.2. *The right culture is not created.* Manager and some staff taken from outside the Force, coupled with dedicated training for the complaint resolution team and whole-force communications setting out new arrangements, will help mitigate this.
- 7.3. *Data is weak and therefore need to build capacity to cope with potential volumes not just actuals.* A robust, well-supported ICT solution is required to mitigate this risk. It is easier to lose capacity than add it in, particularly if the new system is not succeeding at the start. This is also mitigated by the approach to the handling of the backlog in finalising complaints.
- 7.4. *Systems / processes do not get embedded.* This includes the risk of disconnection between BCUs, PSD and the CRF. This will be mitigated by a clear implementation plan and good training, both for CRF and PSD staff and for the wider Force. There is the potential to use Hertfordshire Guidance and staff (as the apparently most successful implementation and running of Option 2) to train D&CP and OPCC staff irrespective of whether their ICT system is used.

8. Communications

- 8.1. A Communications and Engagement plan will be required, both for internally across the Force and IOPC (what is happening and why) and externally with the public of Devon and Cornwall (how to go about getting your issues addressed). Learning from other areas' communications should be applied, for example the Hertfordshire website is very clear.

9. Conclusion (decisions)

- a. A new capability responsible is created for logging and resolving complaints outside of schedule 3 and enabling organisational learning.
- b. Responsibility for the initial part of the complaints handling process is transferred to the PCC (Option 2).
- c. To deliver this capability under the PCC a team is created consisting of 9 case handlers supervised by 3 Complaint Resolution Leaders under a single Complaint Resolution Manager. This team will develop and maintain a constructive, collaborative relationship with PSD with robust and transparent working arrangements between the two.
- d. The transition from the current to the new arrangements is managed by retaining and completing complaints received under the current arrangements through those existing systems. Complaints received from a set go-live date would be dealt with under the new system.
- e. Subject to further details, the Hertfordshire Complaint Resolution Framework Database is used, with Complaint Handlers inputting data onto Centurion as required. Alternatively, Centurion is upgraded and a review of complaints ICT security and capability undertaken. This approach requires an additional analyst to the staffing levels set out above. Deliverability should be used as the primary criterion for deciding which ICT system to adopt.
- f. Authority to agree full and final settlement is delegated to the CRF Manager and CR leaders. Formal sub-delegations should be drafted to set out the level of authority given.
- g. Estimated revenue costs are factored into the forthcoming FY2024-25 budget-setting process. Capital expenditure for ICT systems and any accommodation alterations required is assessed and approved.
- h. A detailed implementation project plan is developed covering:
 - Team and cross-Force Culture development
 - Staffing and training
 - Processes for complaint handling, information management and disseminating organisational learning, including performance metrics and organisational learning products.
 - ICT
 - Accommodation
- i. A formal communications strategy is developed.
- j. Following approval, implementation commences immediately for go-live straight after the pre-election period.
- k. The Chief Constable reviews the structure and processes of Force PSD in the light of the decisions made arising from this Review.
- l. The OPCC reviews the structure and processes of its public contact team in light of the decisions made arising from this Review.

Appendix A Draft Job Descriptions

ROLE PROFILE	CUSTOMER SERVICE MANAGER	
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SECTION 1: PRINCIPAL RESPONSIBILITY

Principal Responsibility	<p>To create and drive a customer experience improvement strategy leading to a more customer service focussed approach to policing within Devon and Cornwall.</p> <p>To manage a small team responsible for the resolution of dissatisfaction enquiries from the public at the earliest opportunity.</p> <p>To supervise the assessment and resolution of dissatisfaction enquiries in a professional, courteous and speedy manner to the satisfaction of the complainant. Where appropriate ensure dissatisfaction enquiries are referred to the Professional Standards Department (PSD) for formal recording and allocation of an investigator and in all cases keeping the complainant full advised.</p> <p>In particular to:</p> <ul style="list-style-type: none"> • Work collaboratively with key internal and external stakeholders in order to achieve improvements to the customer experience across multiple channels. • Proactively develop a customer service approach to policing and use dissatisfaction enquiries and feedback to contribute to organisational learning. • Supervise the effective allocation of work to ensure that dissatisfaction enquiries are accurately recorded and resolved at first point of contact where possible or escalated to PSD for formal recording and investigation in line with agreed timescales. • Plan and manage both individual and team development through regular supervision, conduct appraisals and performance monitoring and discuss with Line Manager, identify skills and knowledge gaps at both individual and team level and identify training and development needs, discussing development with Lone Manager. • Act as the lead point of contact for complainants, investigators, third party reporters and external agencies and liaise with mediators as appropriate to facilitate the successful resolution of dissatisfaction enquiries. Resolve service delivery issues and escalate to supervision where necessary. • Lead on the monitoring and progress of complaints. Collate performance information e.g., in respect of timeliness, incorrect processing and remedial action and evaluate complaints data to identify trends, best practice and lessons learned in order to contribute to a reduction in complaints received by the Force. • Develop, manage and maintain effective customer relationships by reviewing satisfaction survey results and follow up with complainants to assist where possible in resolving outstanding issues. • Supervise the effective operation and maintenance of local databases and national computerised databases in order to contribute to the collection, collation and dissemination of information. <p>This list of duties is not restrictive or exhaustive and the postholder may be required to carry out duties from time to time that are either commensurate with/or lower than the grade of the post.</p>
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	<p>In addition, there is a function intrinsic to this role. An employer's duty of care and current legislation allows the Force to establish if a potential applicant could carry this out, either with or without reasonable adjustments. This function is:</p> <ul style="list-style-type: none"> Working in an Environment with potential for conflict, violence (verbal/physical) etc. <p>To assist in ensuring applicants would be able to undertake this function of the role, a medical assessment via a questionnaire will be undertaken and may subsequently require a consultation with the Occupational Health Support Unit.</p>				
Role Type/Family	OPCC Staff	Grade	tbc	Vetting Clearance	MV
Medical Assessment	Standard			JE Ref.	
Political Restrictions	This role is subject to Political Restrictions				

Role-Specific Training and CPD to be undertaken.	<ul style="list-style-type: none"> Centurion (Police Complaints system) Development and maintenance of knowledge of police complaint and misconduct legislation.
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SECTION 2: ESSENTIAL CAPABILITIES & EXPERIENCE *(For selection purposes)*

Formal Qualifications required	<ul style="list-style-type: none"> Evidence of educational performance to level 4 level (A level or equivalent) with a proven ability to learn and apply learning effectively. GSCE in English and maths. 	
Essential experience and specialist skills and knowledge	<ul style="list-style-type: none"> At least 3 years' proven experience working in a busy customer service improvement / complaints environment in a complex organisation Knowledge and passion for customer experience programmes Visionary leader who has contributed at senior leadership level A track record in delivering multiple organisation-wide transformation initiatives Exceptional influencing skills and the ability to work collaboratively with teams across a complex organisation Extensive knowledge of process improvement and project management principles Evidence of continuing professional development such as membership of appropriate professional bodies Ability to audit processes against standards and formulate recommendations Effective decision making and problem-solving skills. Excellent interpersonal, negotiation and communication skills in all forms. Ability to plan and prioritise workloads. The relevance and application of EDHR, FOI and Data Protection laws 	
Essential Behavioural Competencies	<ul style="list-style-type: none"> Effective communication Problem solving Planning and organising Community and customer focus 	<ul style="list-style-type: none"> Negotiating and influencing Respect for race and diversity Strategic perspective Openness to change

ROLE PROFILE	COMPLAINT RESOLUTION LEADER	
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SECTION 1: PRINCIPAL RESPONSIBILITY

Principal Responsibility	<p>To assess and resolve where possible, complaints against Devon and Cornwall Police in line with the Independent Office of Police Conduct's (IOPC) Statutory Guidance and legislation and to manage the workflow and members of the team and to provide support to the Customer Service Manager.</p> <p>In particular to:</p> <ul style="list-style-type: none"> • To manage and supervise the Complaint Resolution Case Handlers responsible for dealing with the resolution of dissatisfactions from the public at the earliest opportunity, including triage and allocating dissatisfactions received to the team. • To provide support to the Customer Service Manager for their role. This will consist of preparation of reports for presentation at executive team level in the OPCC and Force, data analysis and presentations to the constabulary and external agencies; preparation and presentation of data and processes to the IOPC; training and supervision of Complaint Resolution Case Handlers; training staff in other areas of the police complaints handling regime, internal and external to Devon and Cornwall; supervising the effective allocation of work to ensure all dissatisfactions are accurately recorded and resolved at first point of contact where possible or initially handled or referred to PSD where applicable; delivering presentations and data for the purposes of development of organisational learning and to identify themes and trends where required. • To provide support and resilience to the Case Handlers and Customer Service Manager where required. Assisting in the development of processes and policies and carry out IOPC stakeholder engagement where required, additionally to carry out research and administrative functions as and when required to facilitate various complaint resolution work streams. • Initially assess by exploring, where possible the complaint with the complainant and Complaint Resolution Case Handlers. Agree an action plan to address their concerns. Ensure the remit of the police complaints system is explained to them and manage expectations by discussing suitable options and likely outcomes. To accurately record onto database having identified and selected allegation options in accordance with IOPC categories. To review relevant police systems, liaise with the Force and update the database with all actions and correspondence. Prepare detailed and tailored responses in a clear balanced manner addressing all points initially raised providing a suitable outcome. • To quality assure the team complaints for the correct recording, IOPC categorisation and administrative requirements. This will produce high quality and consistency across the team. Where the complainant remains dissatisfied after initial handling, the referral process will begin. At this point, their complaint will need to be referred to the formal recording stage at Professional Standards Department (PSD) • To be responsible for team appraisals feeding back to Customer Service Manager, so any decisions can be made on training and progression. To deal with team queries, individuals' development and any welfare issues with the Customer Service Manager.
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	<p>This list of duties is not restrictive or exhaustive and the postholder may be required to carry out duties from time to time that are either commensurate with/or lower than the grade of the post.</p> <p>In addition, there is a function intrinsic to this role. An employer's duty of care and current legislation allows the Force to establish if a potential applicant could carry this out, either with or without reasonable adjustments. This function is:</p> <ul style="list-style-type: none"> Working in an Environment with potential for conflict, violence (verbal/physical) etc. <p>To assist in ensuring applicants would be able to undertake this function of the role, a medical assessment via a questionnaire will be undertaken and may subsequently require a consultation with the Occupational Health Support Unit.</p>				
Role Type/Family	OPCC Staff	Grade	tbc	Vetting Clearance	MV
Medical Assessment	Standard			JE Ref.	
Political Restrictions	This role is subject to Political Restrictions				

Role-Specific Training and CPD to be undertaken.	<ul style="list-style-type: none"> Centurion (Police Complaints system) Development and maintenance of knowledge of police complaint and misconduct legislation.
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SECTION 2: ESSENTIAL CAPABILITIES & EXPERIENCE *(For selection purposes)*

Formal Qualifications required	<ul style="list-style-type: none"> High standard of written and spoken English with a minimum GCSE (or equivalent) C grade or above achieved 	
Essential experience and specialist skills and knowledge	<ul style="list-style-type: none"> At least 3 years' proven experience working in a public facing environment Ability to remain calm and professional under pressure Excellent communication skills Time management and ability to work on own initiative A team player willing to be flexible with a positive work ethic Experience of the police complaints handling regime since February 2019 Experience of managing workload independently and supervising staff. 	
Essential Behavioural Competencies	<ul style="list-style-type: none"> Effective communication Problem solving Community and customer focus 	<ul style="list-style-type: none"> Negotiating and influencing Respect for race and diversity Openness to change

ROLE PROFILE	COMPLAINT RESOLUTION CASE HANDLER	
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SECTION 1: PRINCIPAL RESPONSIBILITY

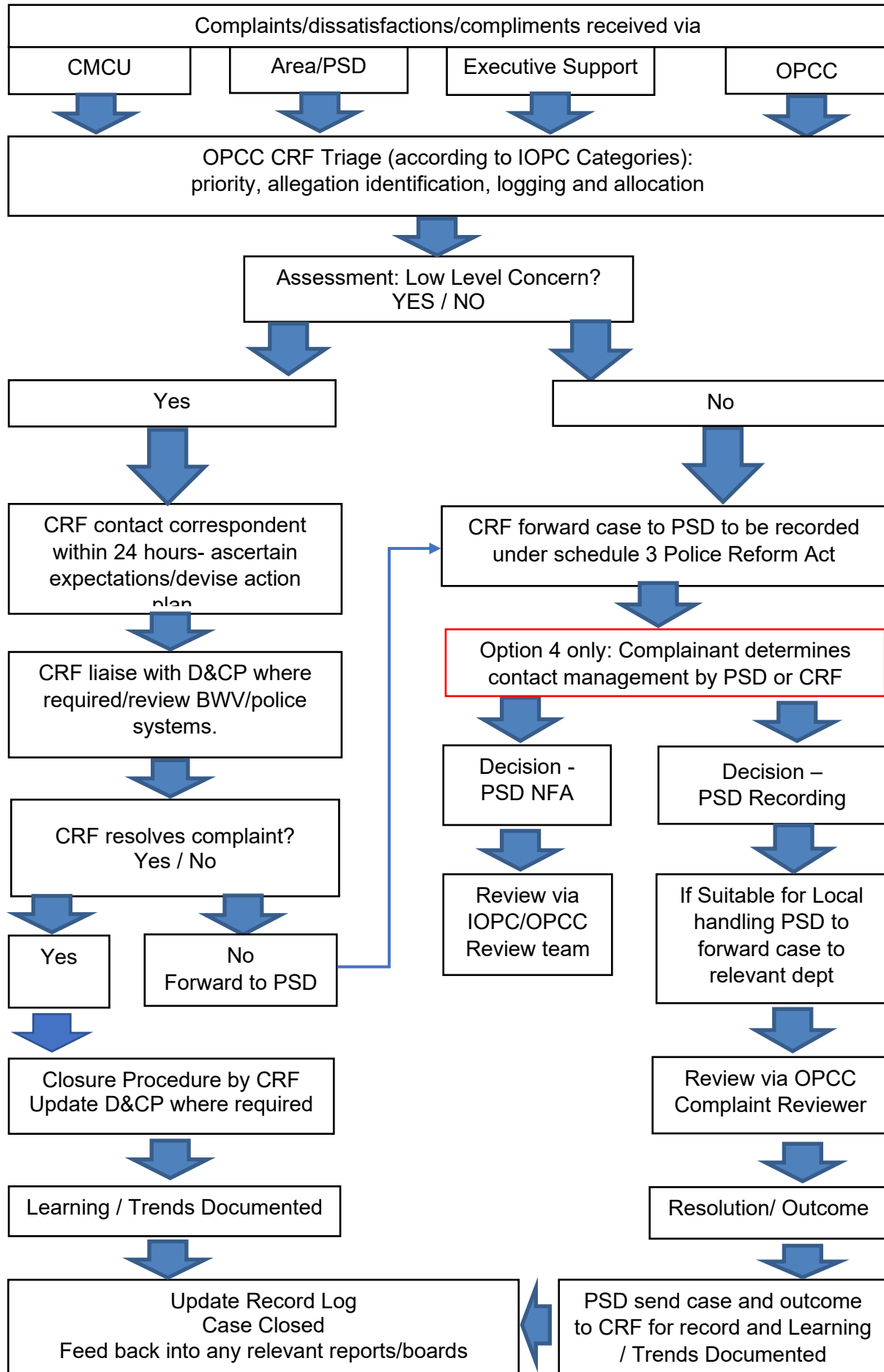
Principal Responsibility	<p>To assess and resolve where possible, complaints against Devon and Cornwall Police in line with the Independent Office of Police Conduct's (IOPC) Statutory Guidance and legislation.</p> <p>In particular to:</p> <ul style="list-style-type: none"> • To be the initial point of contact for public complaints received via a variety of methods, such as online complaint forms, telephone calls etc. • Explore fully the complaint with the complainant and agree an action plan to address their concerns. Ensure the remit of the police complaints system is explained to them and manage expectations by discussing suitable options and likely outcomes. • Identify the best method of communication with the complainant and consideration to be given for any reasonable adjustments that may be required, such as braille or an interpreter etc. • Accurate recording of the complaint onto a bespoke database, having identified and selected allegation options in accordance with IOPC categories. • Carry out agreed action plan by reviewing the relevant police systems, liaising with the constabulary and updating the database with all actions and correspondence. • Prepare detailed and tailored responses in a clear balanced manner addressing all points initially raised providing a suitable outcome. • Where the complainant remains dissatisfied after initial handling, the referral process will begin. At this point, their complaint will be need to be referred to the formal recording stage at Professional Standards Department (PSD) • All complaint handlers are to adhere to Data Protection legislation and GDPR requirements. • Complaint handlers are to identify any opportunities for service improvement or training needs in order to contribute to the reduction in complaints received by the force. <p>This list of duties is not restrictive or exhaustive and the postholder may be required to carry out duties from time to time that are either commensurate with/or lower than the grade of the post.</p> <p>In addition, there is a function intrinsic to this role. An employer's duty of care and current legislation allows the Force to establish if a potential applicant could carry this out, either with or without reasonable adjustments. This function is:</p> <ul style="list-style-type: none"> • Working in an Environment with potential for conflict, violence (verbal/physical) etc. <p>To assist in ensuring applicants would be able to undertake this function of the role, a medical assessment via a questionnaire will be undertaken and may subsequently require a consultation with the Occupational Health Support Unit.</p>
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Role Type/Family	OPCC Staff	Grade	tbc	Vetting Clearance	MV
Medical Assessment	Standard			JE Ref.	
Political Restrictions	This role is subject to Political Restrictions				
Role-Specific Training and CPD to be undertaken.	<ul style="list-style-type: none"> Centurion (Police Complaints system) Development and maintenance of knowledge of police complaint and misconduct legislation. 				

SECTION 2: ESSENTIAL CAPABILITIES & EXPERIENCE *(For selection purposes)*

Formal Qualifications required	<ul style="list-style-type: none"> High standard of written and spoken English with a minimum GCSE (or equivalent) C grade or above achieved 	
Essential experience and specialist skills and knowledge	<ul style="list-style-type: none"> At least 3 years' proven experience working in a public facing environment Ability to remain calm and professional under pressure Excellent communication skills Must be a team player willing to be flexible with a positive work ethic 	
Essential Behavioural Competencies	<ul style="list-style-type: none"> Effective communication Problem solving Community and customer focus 	<ul style="list-style-type: none"> Negotiating and influencing Respect for race and diversity Openness to change

Appendix B Complaint Resolution Process Flow Chart



Appendix D

Specified Information Order (SIO) 2022-23



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Office of the Police and Crime Commissioner for Devon and Cornwall Annual assessment of police complaint performance 2022/23

Date: December 2023

All police and crime commissioners have certain duties in relation to the handling of complaints. They can also choose to take on responsibility for certain additional functions that would otherwise sit with the Chief Constable.

The Police and Crime Commissioner for Devon and Cornwall has taken the responsibility for carrying out reviews of the handling of police complaints where she is the relevant review body (Model 1), and the Chief Constable has retained responsibility for all other elements of the complaint handling process.

A police and crime commissioner has to monitor all complaints against the police force, its officers, and staff; this includes receiving information about complaints and conduct investigations that have not been completed within 12 months of the date of opening, and every 6 months thereafter so that the reasons for delays can be identified and challenged. Police and crime commissioners have a duty to hold the Chief Constable to account for the exercise of the Chief Constable's functions under Part 2 of the Police Reform Act 2002 in relation to the handling of complaints and conduct matters.

Every year, the police and crime commissioner must issue an assessment of performance in handling police complaints.

For the period April 2022 – November 2023, the Commissioner has identified areas for improvement through her internal monitoring of police complaint performance governance structures and has commissioned a review of process to inform the future operating model of the police complaints system in Devon and Cornwall.

In 2021/22 the Force recognised the need for improvement in complaint handling, in particular in quality control and organisational learning arising from complaints.

The Police and Crime Commissioner is assured that significant steps have been taken to deliver change in 2022/23, including the establishment of a dedicated Devon & Cornwall (rather than a joint Devon & Cornwall and Dorset) Lead Superintendent to head up the Professional Standards Department (PSD), and have brought the [Appropriate Authority](#) role - previously undertaken for Devon & Cornwall and Dorset Police by the Deputy Chief Constable for Dorset - back into Devon & Cornwall and the Deputy Chief Constable for Devon & Cornwall Police has taken on this role

However, despite these changes the Commissioner is not assured that sufficient progress has been made towards improving performance.

As a result of her assessment of police complaint performance for 2022/23, and the ongoing and much needed national focus on improving police professional standards, the Commissioner has set out the following improvements for Devon & Cornwall Police over the coming year, and has committed to agreeing a framework for holding the Chief Constable to account for ethical and professional policing in compliance with the impending revised Police Code of Ethics, and the implementation of recommendations arising from the national reviews on policing culture and standards.

Required improvements for 2023/24

- to work with the Commissioner's office to undertake a survey of complainant satisfaction and to report on that survey.
- that progress against all recommendations relating to complaint handling is reported to her on a regular basis through existing governance structures.
- that there is greater oversight of the impact of learning from actions taken to tackle themes arising from complaints and that this is reported to her on a regular basis through existing governance structures.
- the Chief Constable has been unable to provide the Commissioner with information to provide acceptable oversight of the handling of individual complaints that have approached or exceeded statutory timeframes and the Commissioner has set an expectation that this will be resolved within the next 12 months.
- the Commissioner is not assured that there are adequate quality assurance mechanisms to monitor and improve quality of responses and has set an expectation of the Chief Constable that this will improve, and will be regularly monitored to assess progress.
- that further action is taken to ensure that national guidance for handling allegations of discrimination is followed by complaint handlers.

Complainant satisfaction

A mechanism to measure complainant satisfaction is to seek customer feedback. At this time, current staffing levels in the police complaints department do not allow for this to be done.

One of the ways in which the police monitor complainant satisfaction is through the percentage of complainants who have received an outcome to their complaint handled under the [police complaint and misconduct legislation](#), and who remain dissatisfied and request a review into the outcome of their complaint.

The numbers of complaint reviews that are upheld by the Police and Crime Commissioner or Independent Office for Police Conduct (IOPC) allows the police to understand whether dissatisfaction may be justified and where improvements should be made.

In the period April 2022 to March 2023, 154 review requests were completed. This is 15 fewer than in the previous year (a 9% decrease) however there was a decrease in the number of review requests received, 129 compared with 167 in the previous year. A total of 34% (40) of complaints reviewed by the Police and Crime Commissioner's Office were found to be upheld, and 43% (13) of complaints reviewed by the Independent Office for Police Conduct were found to be upheld. This compares nationally with 19% of reviews undertaken by Police and Crime Commissioners found to be upheld, and 40% of reviews undertaken by the IOPC found to be upheld.

The majority of recommendations made from these reviews were agreed by the police and continuous improvement opportunities identified by these recommendations are considered by local teams.

- The Commissioner has requested that the police work with the Commissioner's office to undertake a survey of complainant satisfaction and to report on that survey.

Recommendations in relation to complaints handling

Recommendations from Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) or the IOPC are recorded and tracked by the police performance and analysis department.

The Police and Crime Commissioner has a role in the monitoring of progress towards the implementation of recommendations made by HMICFRS and / or the IOPC in relation to complaints and conduct handling by the police, and if the recommendations have not been accepted, requires an explanation as to why.

In her assessment for 2021/22, the Commissioner requested improvements in the provision of assurance to her that Devon and Cornwall Police were taking steps to progress actions arising from HMICFRS and IOPC recommendations relating to complaints, and in particular that updates on the four HMICFRS recommendations made in that period were provided.

Updates to the four recommendations have been provided, and the Commissioner is assured that progress is being made. She is particularly pleased about the proactive steps being taken by the Head of the Professional Standards Department to improve force-wide performance in providing regular updates to complainants about progress made towards their complaint investigation.

Seven learning recommendations were made by the IOPC to Devon and Cornwall Police following complaint / conduct investigations in this period and two recommendations were made following complaint reviews.

Recommendations can relate to any police department or function and are therefore often progressed outside of the complaint handling department. Progress against recommendations is monitored by the Performance and Analysis Department.

The recommendations made by the IOPC and the response from Devon and Cornwall police to those recommendations can be located on [the IOPCs website](#).

- The Commissioner has requested that progress against all recommendations relating to complaint handling is reported to her on a regular basis through existing governance structures.

Themes and trends in complaints, and action taken

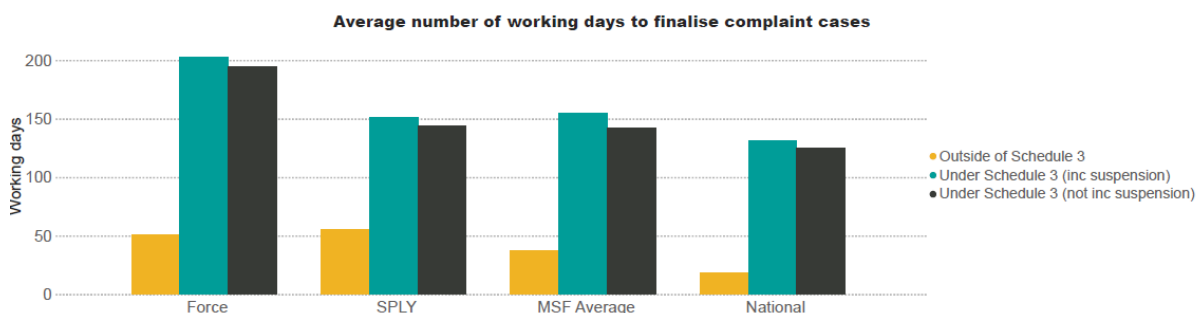
The police Professional Standards Department actively monitor and report on the types of complaints received. In April 2022-March 2023, 2058 complaint cases were recorded as received by Devon and Cornwall Police, comprising of 3439 separate allegations. The majority of these allegations (1981) were regarding the delivery of duties and service, and of these, 196 upheld that the service was not acceptable.

An overview of types of allegations is provided to the OPCC on a regular basis. During this reporting period, the Commissioner has received assurance that action is being taken by the police to act on themes identified by complaints through performance meetings held at basic command unit level, however there is less transparency on the impact that such actions are having on police standards and service delivery.

- The Commissioner has requested that there is greater oversight of the impact of learning from actions taken to tackle themes arising from complaints and that this is reported to her on a regular basis through existing governance structures.

Timeliness of complaint handling

In the period April 2022 to March 2023, Devon and Cornwall police complaint handling times were higher than the national average, and this is a worsening picture compared to the same period last year as shown below.



However, whilst the average time to finalise a complaint remains high, the Commissioner has noted significant improvements in the average time taken to contact and log complaints since April 2021.

	April 21 Mar 22 (days)	April 22 – Mar 23 (days)	April 23 – June 23 (days)
Average time taken to contact complainants	19	9	9
Average time taken to log a complaint	21	11	11

The Commissioner has identified that improvements to provide earlier contact with complainants has negatively impacted on the capacity to record and allocate complaints to handlers resulting in longer overall handling times, but that this is an area that the Head of Professional Standards and police complaint managers are focussing on to identify options that will deliver improvements.

The Commissioner is assured that the timeliness of complaint handling is being monitored and that there is a drive to improve this at a strategic level and will continue to monitor the delivery of these improvements.

The number of complaint and conduct investigations that have not been completed within 12 months.

On a rolling basis, police and crime commissioner's must receive information from the police about complaints and misconduct investigations that have not been completed within 12 months, those that are nearing 12 months and that are still ongoing, and to receive updates every 6 months until such time as the investigation concludes. This is so that the reasons for delays can be identified and questioned, and where possible remedial action taken to bring investigations to a conclusion.

In October 2023, there were 436 complaint investigations that had exceeded 12 months to conclude, compared with 128 at the end of June 2023. The Commissioner has been assured that this increase is not a true reflection of complaint investigations that are ongoing but is because of capacity in the department causing a delay in closing complaints on the data system and that work is ongoing to establish an accurate reflection of how many complaint investigations have been underway for longer than 12 months.

The Commissioner has been advised that there is also no capacity in the professional standards department to comply with the requirement to advise her each time a local investigation is open for longer than 12 months (and every six months after that). This includes complaint, conduct and death or serious injury investigations, and should provide information including the date the complaint was made or the date on which the conduct or matter came to the police's attention, the progress of the investigation and the reason for the length of time being taken to complete it.

- Therefore, the Commissioner has not been provided with information to provide good oversight of the handling of individual complaints that have

approached or exceeded these timeframes and has set an expectation that this will be resolved within the next 12 months.

Quality Assurance mechanisms in place to monitor and improve the quality of police responses to complaints

The Commissioner has been assured that the police are seeing greater improvements in quality of responses to complainants by police complaint handlers, but is aware through her own complaint review function that there is still much work to be done.

The objective of re-centralising complaint quality assurance processes to provide greater oversight and improve the quality of responses has not been achieved, and improvements have not been demonstrated.

- The Commissioner is not assured that there are adequate quality assurance mechanisms to monitor and improve quality of responses and has set an expectation of the Chief Constable that this will improve, and will be regularly monitored to assess progress.

How the police are complying with Equality Diversity and Human Rights (EDHR) legislation in the handling of complaints and misconduct

The Commissioner receives statistical information on the ethnicity and gender of people making complaints to the police on a quarterly basis through established reporting procedures. There is a desire to expand this reporting to include disability, religion and other protected characteristics to enable the police to better understand whether particular groups of people are receiving an equitable service. The ability for the police to achieve this relies on complainants providing the information when they make a complaint, and this information is not always provided.

When handling complaints of discrimination, the police have advised the Commissioner that complaint handlers are required to consider national guidance provided by the Independent Office for Police Conduct and supply them with the guidance when a complaint is allocated. However a spot check undertaken by the Commissioner's staff during this period found no evidence that this requirement was being complied with.

- The Commissioner has therefore requested that further action is taken to ensure that national guidance for handling allegations of discrimination is followed by complaint handlers.

Administrative arrangements the Police and Crime Commissioner has put in place to hold the chief constable to account for complaints handling

The Commissioner has put in place arrangements to hold the Chief Constable to account via an internal Police Standards and Ethics Board, the Police and Crime Joint Executive Board, and regular dialogue between the OPCC and the police professional standards department – who handle police complaints and misconduct allegations.

The Commissioner is satisfied that arrangements to hold the chief constable to account are in place whilst recognising further opportunities for improvement.

Appendix E

PSD Review



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PSD REVIEW - MARCH 2024

Headlines

- Increase in conduct matters over the last two years – 58%
- Staffing within PSD has not kept pace with the volume of work. Lower than most forces
- Investigations and case files are generally good and determinations are of a high standard.
- The percentage of reports investigated as conduct matters and the percentage that result in hearings and meetings is in line with the national average, as is the manner of case disposal.
- The staff associations and the IOPC all commented favourably about their interactions with the PSD.
- Backlogs now exist in nearly all areas of professional standards functions.
- Pinch points - Assessments, determinations, and hearings all experience waiting times far greater than normal.
- Paucity of information being routinely collected or analysed relating to performance.
- Backlogs in the recording of information, both at the initial allocation stage and at finalisation.
- Data collected nationally relating to conduct matters appears to be inaccurate due to the poor recording practices.
- Report makes recommendations on many different areas but difficulties can be overcome without addressing the recommendations relating to an increase in the available resources.

PSD REVIEW - MARCH 2024

- Conduct investigations come from public complaints and internal reporting
- Public complaints presently have a backlog
- If misconduct suspected - complaint is sent to assessments officer (backlog)
- If assessed as potential misconduct - sent to Case Workers to log on Centurion (backlog)
- Then sent to BCU (if criminal and off duty) or PSD for investigation
- If BCU, PSD start a parallel conduct investigation.
- When criminal enquiry complete. (NFA or court result) PSD attempt to complete the Conduct investigation
- When Conduct investigation complete – file to Determinations Officer (backlog of 3 weeks)
- If positive – file to Hearings Officer – Backlog of 30 cases
- Case should be finalised on Centurion – Entries not being made

PSD REVIEW - MARCH 2024

INCREASE IN CASES

Year Case Recorded	2022	2023	% change
Gross Misconduct	62	98	+58%
Misconduct	43	57	+33%

	DCP	N.Yorks Police	SWP	Nationally
Cases Investigated	58.1%	76.2%	53%	56%
Referred to disciplinary proceedings	17.3%	27.2%	14.9%	16.7%

	Northumbria Police	Wiltshire Police	Gloscestershire Police	A&S	D&CP
Staffing in PSD (not inc Vetting)	62	26	36	63	45
Conduct matters investigated 2022 and 2023	204	199	150	356	345
DSI's 2022 and 2023	363	558 (65 referred)	85 (71 referred)	330 (195 referred)	305 (168 referred)

PSD REVIEW - MARCH 2024

TIMELIENESS

Data for 2022 and 2023 in calendar days		
	Hearings	Meetings
Start of investigation to determination	443	308
From determination to hearing/meeting outcome	84	134
Start of investigation to hearing/meeting outcome	527	442

	Northumbria Police	Wiltshire Police	Gloscestershire Police	A&S	D&CP
Hearings 2022 and 2023 (one outlier removed)	30	32	18		26
Average length of time from investigation to hearing (calendar days)	520	430	349.5		527
Dismissals	25	16	13		25

Police force	Less than 3 months	3 months to less than 6 months	6 months to less than 9 months	9 months to less than 12 months	12 months to less than 18 months	18 months to less than 24 months	24 months or more	Median days to finalise
Avon and Somerset	22	9	4	2	7	1	-	92
Devon and Cornwall	17	19	5	11	17	13	6	296
Dorset	2	-	-	-	1	-	-	57
Gloucestershire	9	6	8	2	11	2	1	226
Wiltshire	17	10	1	5	3	4	4	135

PSD REVIEW - MARCH 2024

In relation to conduct investigations, there are some obvious pinch points in the system at present which are:

- The assessment process.
- The lack of priority for police perpetrated allegations.
- The determination process.
- Arranging hearings.

Lack of 'joined up' working within PSD and a lack of doing anything outside of the 'day job'. The need for greater investment in training and CPD and about transparency, through meetings, briefings and newsletters

Lack of information being collected or analysed. Nothing beyond the day job. Backlogs in information recording.

DCP is unlikely to improve the response to, or time scales of, conduct matters without reviewing the data and identifying best practice. Whilst PSD staff are diverted from their normal roles to fill gaps elsewhere this is almost impossible.

PSD REVIEW - MARCH 2024

An increase in staffing (2 additional posts) at the assessment and determination stages will speed the conduct process up and allow additional supervision (this is urgently needed) and the time for staff to work more closely with investigators and will allow for more contact and discussion. The inclusion of the Hearings Officer in this team, with ever present advice from a dedicated lawyer, will allow for closer working and better decision making at an earlier stage.

An analyst and administrator are needed in general PSD to collect and analyse data and allow better communication

Additionally, two Police Staff Investigator posts at each PSD area would be able to reduce current issues with a growing workload and could assist the Assessment Officer with fact finding to ensure relevant matters were effectively 'screened out' prior to allocation. Thereby reducing workload and timeliness. These resources could be at PIP 1 level and could assist greatly in areas such as the DSI reports. These staff could be assisted at times of high demand by agency staff

An additional DCI would be of enormous benefit to cover all the areas mentioned in this report but also to provide support for the D/Supt and the CCU (and PPDA investigations if adopted by PSD).

Review of staffing in CCU