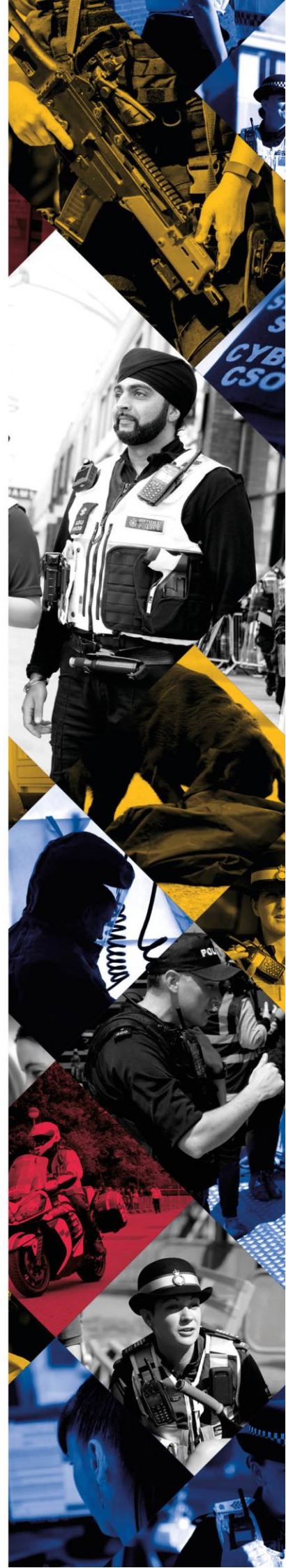




# Professional Standards Department

## Quarter Report

Quarter 4 | 2021-22



## 1. PURPOSE AND RECOMMENDATION

- 1.1 The purpose of this report is to provide a narrative to accompany the Independent Office for Police Conduct (IOPC) National Police Complaints Information Bulletin and an update on misconduct outcomes and vetting.
- 1.2 There are no recommendations made requiring a decision.

## 2. INTRODUCTION & BACKGROUND

- 2.1 The IOPC has previously produced a National Police Complaints Data Bulletin on a quarterly basis which included comparative data against the Most Similar Forces (MSFs) and nationally. It provided an overview of the number and types of complaints; timeliness; the number of appeals to the force and the IOPC; and the outcome of these appeals. Under the new regime the 10-day recording target has been removed to allow forces time and flexibility to resolve matters at an early stage.

**NOTE:** The IOPC have decided not to publish the Qtr 4 bulletin data at this stage, in order to protect the integrity of the data. Therefore, this performance report is based on Professional Standards Department (PSD) data only for quarter 4 with the exception of vetting data.

- 2.2 A brief overview of Conduct cases concluded in this period is also included; however, where the case was held in public, full details will already have been published on the force website.
- 2.3 The force vetting data is a quarter behind all other data in this report due the way it is configured on the recruitment system. The reporting of the vetting data for this performance report is for quarter 3.

## 3. ISSUES FOR CONSIDERATION

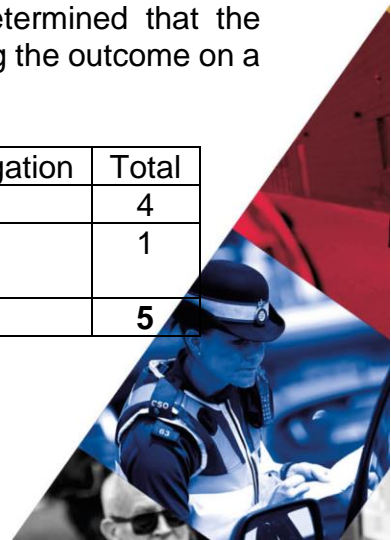
### 3.1 Appeals/Reviews

IOPC Reviews: There were no IOPC Appeals/ Reviews in quarter 4.

Office of the Police and Crime Commissioner (OPCC)

There were 5 OPCC reviews received in quarter 4; 3 related to Investigation, 2 to Non-Investigation. 1 of the reviews (Non-Investigation) determined that the outcome was reasonable and proportionate. PSD are awaiting the outcome on a further 4 reviews.

	Investigation	No Investigation	Total
No Data	3	1	4
Outcome of Complaint Not Reasonable and Proportionate	0	1	1
<b>Total</b>	<b>3</b>	<b>2</b>	<b>5</b>



Force Appeals: (old regulations) - There were no force appeals in quarter 4.

### **Complaint Regulations 2020**

The new complaints regulations commenced on 1<sup>st</sup> February 2020. This has changed the way that complaints are now dealt with. They are split into:

- 1) Non schedule 3 (Logged); this allows complaints to be dealt with outside of the Police Reform Act 2002, previously regarded as dissatisfaction.
- 2) Schedule 3 (Recorded) which relate to complaints dealt with under the Police Reform Act 2002, whereby the complainant can request a review if they are not satisfied. Schedule 3 complaints are further split into Special Procedures (Misconduct/Gross Misconduct), the review body being the IOPC; or Non-Special Procedures (handled reasonably and proportionately), the review body being the OPCC.

### **Complaint Cases Recorded in quarter 4 - Schedule 3**

Recorded during 01/10/21 and 1/12/21 were 49 cases. This brings us back down to normal levels with Q1 being the exception.

	Total complaints recorded	Finalised during this period
Q1 21/22	79	8
Q2 21/22	45	14
Q3 21/22	40	13
<b>Q4 21/22</b>	<b>49</b>	<b>17</b>

There are currently **41** live Schedule 3 complaints being investigated. This does not include any pending review. There are 2 Live complaints relating to Old Regulations.

### **Complaint Cases Recorded in quarter 4, Non-Schedule 3**

Logged during 01/10/21 and 3/12/21 were 89 cases.

	Total complaints recorded	Finalised during this period
Q1 21/22	107	106
Q2 21/22	113	113
Q3 21/22	94	92
<b>Q4 21/22</b>	<b>89</b>	<b>89</b>

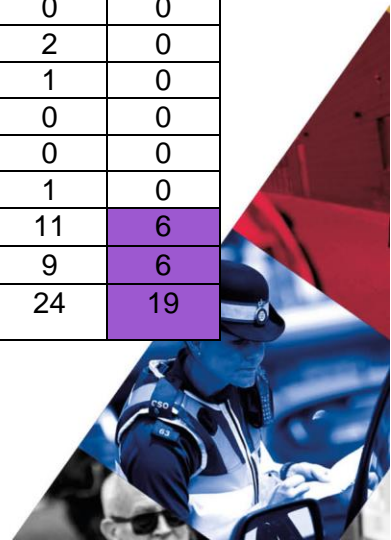
There is currently No live Non-Schedule 3 complaints.

## Allegations Recorded: (combination of schedule 3 and Non Schedule3)

The below table illustrates the top three groups of complaints:

1	A Delivery of Duties and Service	151
2	B Police Powers, Policies and Procedures	53
3	H Individual Behaviours	46

Allegations recorded by Qtr and Year to Date				
	Qtr 1 21/22	Qtr 2 21/22	Qtr 3 21/22	Qt4 21/22
Category	No	No	No	
A1. Police action following contact	159	121	100	97
A2. Decisions	35	35	35	24
A3. Information	30	30	24	26
A4. General level of service	13	16	10	4
B1. Stops, and stop and search	3	1	3	4
B2. Searches of premises and seizure of property	11	11	6	12
B3. Power to arrest and detain	9	5	2	10
B4. Use of force	17	18	8	10
B5. Detention in police custody	20	15	8	8
B6. Bail, identification and interview procedures	7	2	1	4
B7. Evidential procedures	9	4	3	0
B8. Out of court disposals	1	0	0	1
B9. Other policies and procedures	1	1	2	4
C1. Handling of or damage to property/premises	8	3	0	6
D1. Use of police systems	1	2	1	0
D2. Disclosure of information	7	6	2	2
D3. Handling of information	1	2	1	2
D4. Accessing and handling information from other sources	0	0	1	1
E1. Use of police vehicles	0	0	1	1
F1. Age	1	0	0	0
F2. Disability	1	1	1	0
F6. Race	8	1	0	1
F.7 Religion or belief	0	0	0	0
F10. Other	1	2	2	0
G. Irregularity in evidence/perjury	0	0	1	0
G1. Organisational corruption	1	0	0	0
G5. Obstruction of Justice	0	0	0	0
G6. Abuse of position for other purpose	0	2	1	0
H1. Impolite language/tone	14	14	11	6
H2. Impolite and intolerant actions	17	14	9	6
H3. Unprofessional attitude and disrespect	47	46	24	19



H4. Lack of fairness and impartiality	12	18	5	5
D. Oppressive Conduct or harassment	0	0	1	0
H5. Overbearing or harassing behaviours	21	8	7	10
J2. Sexual harassment	0	0	1	0
K1. Discreditable Conduct	0	5	0	2
L. Breach Code B PACE	0	0	1	0
L1. Other	6	0	3	1
Q. Lack of fairness and impartiality	0	0	0	0
S. Other neglect or failure in duty	0	0	8	0
<b>Total</b>	<b>461</b>	<b>383</b>	<b>283</b>	<b>266</b>

Complaint Allegations have decreased by 6% during quarter 4 compared to quarter 3 2021/22.

During Quarter 4 there have been 2 complaints (Non-Schedule 3) which has been COVID19 related. This is a decrease from previous quarters one allegation arose from an officer not wearing a mask. The other related to disclosure of information to an employer relating to a gathering at a home.

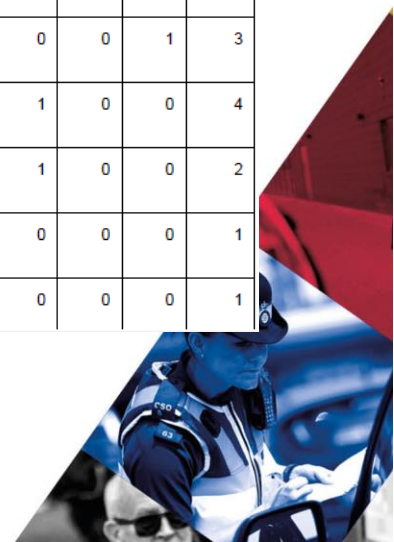
## Allegations Finalised in (Quarter 4)

(Note: there are still allegations within the data below under Old Regulations)

### Combined figures

NUMBER OF ALLEGATIONS

	Case to answer	No case to answer	No further action required	Not determined if the service acceptable	Not Resolved - NFA	Not Upheld - by PSD	Resolved	The service provided was acceptable	The service provided was not acceptable	Upheld - by PSD	Withdrawn	Total
A1. Police action following contact	0	0	17	8	3	0	46	15	8	0	8	105
A2. Decisions	0	0	3	1	1	0	10	6	5	0	3	29
A3. Information	0	0	1	2	0	0	9	16	0	0	1	29
A4. General level of service	0	0	0	0	0	0	4	3	1	0	1	9
B1. Stops, and stop and search	0	0	0	0	0	0	1	1	1	0	0	3
B2. Searches of premises and seizure of property	0	0	0	1	0	0	8	3	0	0	0	12
B3. Power to arrest and detain	0	0	0	0	0	0	1	9	0	0	0	10
B4. Use of force	0	2	0	0	0	0	2	6	0	0	0	10
B5. Detention in police custody	0	0	0	0	0	0	2	6	1	0	1	10
B6. Bail, identification and interview procedures	0	0	0	0	0	0	3	1	0	0	0	4
B7. Evidential procedures	0	0	0	1	0	0	0	1	1	0	0	3
B8. Out of court disposals	0	0	0	0	0	0	1	0	0	0	0	1
B9. Other policies and procedures	0	0	0	0	0	0	1	2	0	0	0	3
C1. Handling of or damage to property/premises	0	1	1	0	0	0	3	1	0	0	0	6
D. Oppressive conduct or harassment	0	0	0	0	0	1	0	0	0	0	0	1
D2. Disclosure of information	0	0	0	0	0	0	1	1	0	0	1	3
D3. Handling of information	0	0	0	0	0	0	1	2	1	0	0	4
D4. Accessing and handling of information from other sources	0	0	0	0	0	0	1	0	1	0	0	2
F10. Other	0	0	0	0	0	0	0	1	0	0	0	1
F2. Disability	0	0	0	0	0	0	0	1	0	0	0	1



F6. Race	0	0	0	0	0	0	0	2	0	0	0	2
H1. Impolite language/tone	1	0	0	2	0	0	2	1	0	0	0	6
H2. Impolite and intolerant actions	0	0	1	2	0	0	4	2	0	0	0	9
H3. Unprofessional attitude and disrespect	0	0	1	6	0	0	10	9	3	0	0	29
H4. Lack of fairness and impartiality	0	0	0	2	0	0	3	5	1	0	0	11
H5. Overbearing or harassing behaviours	0	0	2	0	0	0	4	3	2	0	0	11
K1. Discreditable conduct	0	0	0	0	0	0	1	0	0	0	0	1
L. Breach Code B PACE	0	0	0	0	0	0	0	0	0	1	0	1
L1. Other	0	0	0	0	0	0	1	0	0	0	0	1
Q. Lack of fairness and impartiality	0	0	0	0	0	2	0	0	0	0	0	2
S. Other neglect or failure in duty	0	0	0	0	0	7	0	0	0	1	0	8
T. Other irregularity in procedure	0	0	0	0	0	1	0	0	0	0	0	1
Total	1	3	26	25	4	11	119	97	25	2	15	328

Of the 328 allegations resolved during this period, 62% related to schedule 3 complaints; 13% were resolved by NFA; 38% related to Non-Schedule 3 complaints and 15 allegations were withdrawn. 26 allegations (6 complaint cases) moved from Non-schedule 3 to Schedule 3 as complainants were dissatisfied after initial handling.

#### Cases Finalised in Quarter 4

Albeit timeliness is no longer a Key Performance Indicator nationally Gwent PSD resolve most complaints in a timely manner. The below table shows the cases that have been finalised during Quarter 4, 77% of the complaints resolved within 30 days relate to Non-Schedule 3 complaints.



## Investigation Times

Organisational complaint

### SUMMARY

			No further action required	Not determined if the service acceptable	Not Resolved - NFA	Resolved	The service provided was acceptable	Withdrawn	Total Cases
Complaint	(A) 0 - 30 days	1	12	1	2	87	7	3	113
	(B) 31 - 60 days	0	0	0	0	0	1	0	1
	Total	1	12	1	2	87	8	3	114

### 3.2 Distribution of Complaints

The distribution of complaints in Quarter 4 is not disproportionate to the staffing levels in both Local Policing Areas.

West having 83 Cases, 46 of which were finalised under Non-Schedule 3.

East having 43 Cases, 24 of which were finalised under Non-Schedule 3.

### 3.3 Equality Monitoring of Complainants

The force records most complaints via Single Online Home. Complaints are either recorded on-line; by staff via 101 or at the station. As can be seen by the below tables, the data remains consistent throughout the quarters in relation to protected characteristics. The Joint Strategic Equality Plan will drive any work in relation to engagement, awareness and any identified themes.





**Note: 1 complaint case can contain more than one complainant**

Ethnicity	% 2020/21		2021/22 Q1		2021/22 Q2		2021/22 Q3		2021/22 Q4	
	%	No.s	%	No.s	%	No.s	%	No.s	%	No.s
White	77%	562	74%	145	73%	118	72.5%	104	73%	102
Unknown	18%	132	18%	35	22%	35	23.5%	34	23%	32
Asian	2%	17	2%	4	2.5%	4	3%	4	0.5%	1
Black	2%	14	4%	7	2%	3	1%	1	1.5%	2
Other	1%	8	2%	4	0	0	0	0	2%	3
No Data	0	0	0	0	0.5%	1	0	0	0	0
<b>Total</b>		<b>733</b>		<b>195</b>		<b>161</b>		<b>143</b>		<b>140</b>

Disability	2020/21		2021/22 Q1		2021/22 Q2		2021/22 Q3		2021/22 Q4	
	%	No.s	%	No.s	%	No.s	%	No.s	%	No.s
No data	88%	644	92%	180	91%	147	94%	134	89%	125
Unknown	6%	45	7%	13	6.5%	10	5%	8	6%	9
Mental Health	1.5%	11	0.5%	1	2.5%	4	0	0	2%	3
Physical	1%	5	0	0	0	0	0	0	0	0
Learning Difficulty	0.5%	1	0	0	0	0	0	0	1%	1
Sensory	0	0	0	0	0	0	0	0	0	0
Prefer not to say	0.5%	4	0.5%	1	0	0	0	0	0	0
Other	0.5%	3	0	0	0	0	1%	1	2%	2
None	3%	20	0	0	1%	2	0	0		0
<b>Total</b>		<b>733</b>		<b>195</b>		<b>161</b>		<b>143</b>		<b>140</b>

Sexual Orientation	2020/21		2021/22 Q1		2021/22 Q2		2021/22 Q3		2021/22 Q4	
	%	No.s	%	No.s	%	No.s	%	No.s	%	No.s
No data	12%	90	1%	2	1%	2	1%	2	1%	2
Heterosexual	62%	454	68%	133	58%	93	66%	94	63%	88
Unknown	13%	95	16%	31	28%	44	20%	28	18%	25
Prefer not to say	8%	58	13%	25	10%	17	8.5%	12	14%	20
Gay/ Lesbian	2%	16	0.5%	1	2%	3	3%	4	2%	3
Bisexual	1%	8	0.5%	1	1%	2	1%	2	1%	1
Other			1%	2	0	0	0.5%	1	1%	1
<b>Total</b>		<b>733</b>		<b>195</b>		<b>161</b>		<b>143</b>		<b>140</b>

### 3.4 Conduct

<b>Conduct</b>			
<b>Reporting Period</b>	<b>Number</b>	<b>Reporting Period</b>	<b>Number</b>
Q1 2020/21	6	Q1 2021/22	9
Q2 2020/21	4	Q2 2021/22	9
Q3 2020/21	2	Q3 2021/22	15
Q4 2020/21	7	<b>Q4 2021/22</b>	<b>13</b>
<b>Total</b>	<b>19</b>	<b>Total</b>	<b>46</b>

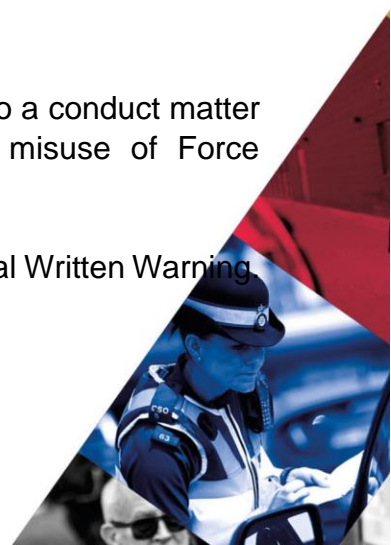
The number of conduct cases has increased dramatically compared to last year. In the main conduct relates to off duty behaviour, however during this quarter 8 out of the 13 conducts raised relate to on duty behaviour. This has resulted in a temporary uplift of staff pending the PSD review.

### 3.5 Misconduct Outcomes for Q4 2021/22

There was one Police Staff hearing during quarter 4.

1. A Police Staff Member appeared at a hearing relating to a conduct matter for 6 allegations of Confidentiality surrounding the misuse of Force systems.

The findings were proven, and the staff member received a Final Written Warning.



### 3.6 External scrutiny

There are currently 5 live Independent IOPC investigations; 3 of which relate to 3 separate complaints which involve the same officer; 1 relates to a complaint and there is 1 DSI matter.

One investigation involving two separate conduct matters has finalised and the officer received a custodial sentence for two counts of Misconduct in a Public Office. This matter will be proceeding to a misconduct hearing for a former officer.

There are currently 3 managed IOPC conduct investigations. These were investigated by another force and were formally handed back to Gwent to undertake the misconduct process. Misconduct proceedings are currently in progress.

There is one directed IOPC conduct investigation being undertaken by Gwent PSD; the matter is currently being prepared for misconduct charges.

### 3.7 Vetting

Note: due to the functionality of the recruitment system (OLEEO), vetting data will be one quarter behind.

3.8

<b>Vetting Data 2021/2022</b>				
<b>Vetting Completed – 2021/2022</b>				
<b>Vetting Data</b>				
2021/2022	Q4	Q1	Q2	Q3
	177 148 through OLEEO 29 not through OLEEO	174 104 through OLEEO 70 not through OLEEO	205 199 through OLEEO 6 not through OLEEO	151 137 through OLEEO 14 not through OLEEO
Contractors/outside agency	266	252	208	184
Vetting Health Checks	38	44	54 54 though OLEEO	34 34 though OLEEO
MV Annual Assessments	68	79	126	108
<b>Total</b>	<b>549</b>	<b>564</b>	<b>593</b>	<b>477</b>

### Vetting Refusals – 2021/22

	Q4	Q1	Q2	Q3
Previous conviction / caution	9	13	6	13
Financial Vulnerability	3	0	3	3
Negative Intelligence	5	11	5	6
Associates	3	1	0	1
Residency	2	0	0	1
Non-disclosure	1	3	0	5
<b>Total</b>	<b>23</b>	<b>28</b>	<b>14</b>	<b>29</b>

### Vetting Refusals- Protected Characteristics (Police officer / staff)

Please note that the below data relates to applications that went through OLEEO only.

	Q4	Q1	Q2	Q3
BAME	6 received 0 refused	2 received 0 refused	14 received 1 refused	4 received 0 refused
Sexual Orientation	10 received 0 refused	3 received 0 refused	19 received 1 refused	11 received 2 refused
Disability	8 received 0 refused	0 received 0 refused	0 received 0 refused	0 received 0 refused
Gender Reassignment	0 received 0 refused	0 received 0 refused	0 received 0 refused	0 received 0 refused
Male	75 received 3 refused	33 received 2 refused	130 received 8 refused	71 received 3 refused
Female	73 received 2 refused	45 received 0 refused	96 received 1 refused	80 received 5 refused



Decisions Following Vetting Appeals- Protected Characteristics- (Police officer / staff) 2021				
	Q4	Q1	Q2	Q3
BAME Accepted	0	0	0	No panel in this quarter
BAME Rejected	1	0	1	
Sexual orientation Accepted	0	0	1	
Sexual orientation Rejected	0	0	2	
Disability Accepted	0	0	0	
Disability Rejected	0	0	1	
Gender Reassignment	0	0	0	
Gender Reassignment	0	0	0	

## 4. COLLABORATION

4.1 Nothing to add

## 5. NEXT STEPS

5.1 • The Home Office have released additional requirements to the Specified Information Order (SIO) which dictates what information PCC's have to publish on their website. The Home Office guidance recommends that the narrative should include:

### 1. How the force is measuring complainant satisfaction.

Benchmarking has been undertaken with other forces and there is limited use of customer satisfaction surveys within PSDs. Sergeant Briggs has devised a survey question set with Analyst Deb Crooke, which is currently being reviewed for circulation early summer.

**2. Progress updates on implementing relevant recommendations made by the IOPC and/or HMICFRS in relation to complaints handling, or where recommendations were not accepted an explanation as to why.**

This is fed back to us after the review point by either the IOPC or the Local Policing Body (LPB). Once they have made relevant recommendations PSD have 28 days to respond. If any matters have been raised after the Investigation has been reviewed, the complainant would be directed to make a new complaint using the on - line platform.

There have been no HMICFRS recommendations in relation to complaint handling.

A mechanism is being developed to pull out any recommendations from IOPC/LPB to monitor progress.

**3. A summary of any mechanisms put in place to identify and act on themes or trends in complaints.**

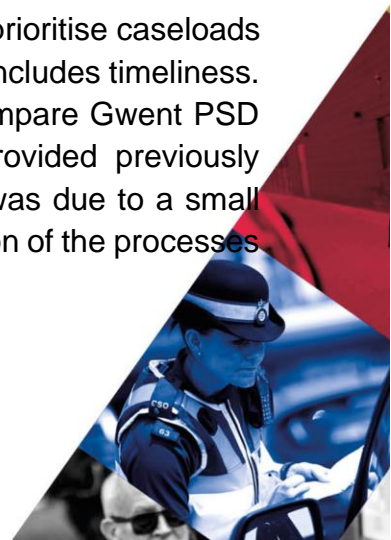
The process adopted to address themes and trends is quite dynamic. In essence the Sergeants attend Force training days where these are highlighted to a wider audience. The PSD Sergeants are encouraged to meet with LPA (Local Policing Area) Chief Inspectors monthly to summarise the themes with an expectation that they are filtered through SMT's. If there is a more obvious trend in between meetings direct conversations with Inspectors overseeing the officers who they supervise take place.

Both Sergeants in PSD are working towards completing a monthly newsletter to go out via the beat. There is also regular liaison with the victim's hub lead to follow up on cases where victims don't feel they have had the right service.

**4. A summary of systems in place to monitor and improve performance in the timeliness of complaints handling.**

Reviewed monthly at the department Senior Management Team meeting.

The Inspector meets with the team every Monday morning to prioritise caseloads and then with Sergeants monthly to monitor workloads which includes timeliness. The IOPC report will be produced on a quarterly basis to compare Gwent PSD with our MSF (Most Similar Forces). The data already provided previously identified Gwent as an outlier in respect of timeliness. This was due to a small number of cases which were protracted and complex. A revision of the processes



and focus on cases has not only reduced workloads but improved timeliness within the team.

**5. The number of written communications issued by the force under regulation 13 of the Police (Complaints and Misconduct) Regulations 2020 where an investigation has not been completed within a “relevant period”.**

One

**6. Quality Assurance mechanisms in place to monitor and improve the quality of its responses to complaints.**

This is monitored via feedback from National newsletters around good and poor practice and through dynamic updates from the LPB about any recommendations post investigation.

**7. Details of the administrative arrangements the PCC has put in place to hold the chief constable to account for complaints handling e.g., frequency of meetings and a summary of discussions.**

A Performance report is delivered at SPB chaired by the PCC on a quarterly basis.

## **FINANCIAL CONSIDERATIONS**

6.1 None.

## **7. PERSONNEL CONSIDERATIONS**

7.1 PSD review commenced. All staff are engaged with the process.

## **8. LEGAL IMPLICATIONS**

8.1 None

## **9. EQUALITIES & HUMAN RIGHTS CONSIDERATIONS**

9.1 This report has been considered against the general duty to promote equality, as stipulated under the Joint Strategic Equality Plan and has been assessed not to discriminate against any particular group.



9.2 In preparing this report, consideration has been given to requirements of the Articles contained in the European Convention on Human Rights and the Human Rights Act 1998.

## 10 RISK

10.1 None

## 11. PUBLIC INTEREST

11.1 In producing this report, has consideration been given to 'public confidence'? **Yes**

11.2 Are the contents of this report, observations and appendices necessary and suitable for the public domain? **Yes**

11.3 If you consider this report to be exempt from the public domain, please state the reasons: N/A

11.4 Media Stakeholder and Community Impacts: N/A

## 12. REPORT AUTHOR

12.1 Detective Superintendent Leanne Brustad

## 13. LEAD CHIEF OFFICER

13.1 Deputy Chief Constable Amanda Blakeman

## 14. ANNEXES

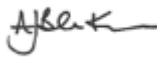
14.1 None

## 15. CHIEF OFFICER APPROVAL

15.1 I confirm this report has been discussed and approved at a formal Chief Officers' meeting.

I confirm this report is suitable for the public domain.

Signature:



Date: 10.05.2022

