



**STRATEGIC POLICING AND CRIME BOARD**  
3 September 2013

**Professional Standards  
Quality of Service**

**1. Purpose of Report**

1.1 The purpose of this report is to provide members of the Strategic Policing Crime Board with an overview of the recent work of the Professional Standards Department of West Midlands Police.

**2. Background**

2.1 This report provides statistics and explanation regarding the number of complaints dealt with by WMP, the type of allegations the complaints relate to and the numbers of complaints that have been referred to the IPCC. The report then goes on to detail the outcome of the complaints received, the timeliness of the investigations and the results of appeals.

**3. Complaints Against the Police**

3.1 For the year 1 April 2012 to 31 March 2013 the Force (as compared to 2011 to 2012) has:

- reduced complaints against the police by 13%;
- improved contact with complainants from 73% to 85%;
- improved contact with staff subject of complaints from 75% to 88%;
- improved the time it takes to carry out Local Resolution from 43.7 days to 40.1 days;
- improved the time it takes to deal with complaints subject of investigation from 102.5 days to 97.1 days.

## An explanation of Business Process

### **3.2 The following information relies on data that was recorded as of 31 July 2013**

<b>How Many Complaints are yet to be concluded?</b>	
<b><u>Cases recorded in</u></b>	
Apr 2013 - Jul 2013	412
Apr 2012 - Mar 2013	303
Apr 2011 - Mar 2012	49
Apr 2010 - Mar 2011	12
<b>Total</b>	<b>776</b>

3.3 This chart shows the number of complaints that are still to be concluded by reference to the financial year in which they were recorded, therefore showing the current workload of the force in relation to complaints against the police.

3.4 The 12 outstanding complaints from April 2010 – March 2011 have been reviewed due to the length of time they have been under investigation. It has been noted that 5 cases are linked to one complaint whereby the investigation has been completed but on the request of the PCC they were reopened temporarily for a review to take place, 3 cases were subject of appeal to the IPCC and have been returned to the Force for further work to be done, 2 cases are subject of sub-judice, hence pending the result of a criminal investigation before the misconduct matter can be dealt with, and 1 case is being supervised by the IPCC and investigated by an outside force, however there are also sub-judice issues. One case is still showing on the figures because, although the investigation has been completed, it is still within the appeal period.

<b>How Many Complaints are yet to be concluded?</b>	
<b><u>by timeliness</u></b>	
Less than one month old	141 (including 10 pending appeal)
Between 1 and 3 months old	199 (including 33 pending appeal)
Between 3 and 6 months old	158 (including 47 pending appeal)
Between 6 and 12 months old	175 (including 97 pending appeal)
Over 12 months old	103 (including 79 pending appeal)
<b>Total</b>	<b>776 (including 266 pending appeal)</b>

3.5 This chart shows the number of complaints that are still to be concluded by reference to the age of the complaint since it was recorded, therefore showing the current workload of the force in relation to complaints against the police. By referring to the age of the complaint, it can be seen that 266 of the 778 have been finalised however those 266 cases are pending due to the appeal process. This leaves 512 cases that are still subject to current investigation or attempts at Local Resolution.

### Appeals

3.6 Under the 2008 Regulations the appeal body was the IPCC. This changed with the 2012 Regulations when in November 2012 only appeals in the more serious cases would be considered by the IPCC, all remaining appeals are sent to the police force Professional Standards Department to consider. Currently the IPCC have approximately a six month turnaround time for considering appeals which impacts on the timeliness of outstanding complaints. West Midlands Professional Standards are currently dealing with appeals within the 28 days.

### How many Complaints have been recorded?

<i>Cases recorded in</i>		<i>Year on Year comparison</i>
Apr 2013 - Jul 2013 ( <i>part year</i> )	531	(projected 19% increase)
Apr 2012 - Mar 2013	1341	12% reduction
Apr 2011 - Mar 2012	1538	18% reduction
Apr 2010 - Mar 2011	1876	

3.7 Having seen the current workload, from two perspectives, this chart shows the number of complaints that were recorded in the current and recent previous financial years, (with comparison provided) which allows some consideration of the work that has been completed. The projected increase identified above is determined by an assumption that the current trend of the period April 2013 to July 2013 will continue for the remainder of the year. This may of course not occur and the variance could be higher or lower depending on the numbers of actual complaints recorded.

3.8 The increase in complaint numbers was anticipated due to the changes introduced with the 2012 Regulations. Since November 2012 all "Direction and Control" complaints are now recorded as a complaint against police. Prior to November 2012 all "Direction and Control" complaints were recorded on a separate database called "Quality Of Service" held on LPU's and Departments. This database is no longer used and all "Direction and Control" complaints are recorded as complaints against police and captured within these figures. An example of a "Direction and Control" complaint might be a member of the public complaining there are not enough foot patrol officers in Walsall town centre.

3.9 In addition to complaints that are recorded, the force may make decisions to not record complaints. This chart shows the numbers of complaints that were not recorded. There is an appeal process to the IPCC for complaints not recorded. The following tables show the number of complaints not recorded, the reason for not recording and the appeal status. The changes with the 2012 Regulations saw changes to the grounds required for not recording, therefore the numbers are shown on different tables below.

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### How many Complaints have NOT been recorded, and why?

#### Apr 2013 - Jul 2013

<i>Reason</i>	<i>Amount</i>	<i>Appeal</i>	<i>Outcome</i>
Vexatious, oppressive or abuse of procedures	6	2	1 Awaiting decision; 1 Not Upheld
Repetitious and previously concluded	12	1	1 Awaiting decision;
Already subject of complaint	2	nil	
Not within provisions of Police Reform Act	2	1	1 Awaiting decision
Fanciful	1	nil	
<b>Total</b>	<b>23</b>		
No Recording decision made.		7	3 Awaiting Decision; 1 Not upheld; 2 Not valid; 1 Upheld and complaint recorded

#### Apr 2012 - Mar 2013

<i>Reason</i>	<i>Amount</i>	<i>Appeal</i>	<i>Outcome</i>
<i>2008 Regulations</i>			
Does not fall within the provisions of the Act	25	7	7 Not upheld
Has been made by a person serving with the police	4	nil	
Has been made under the Police Act 1996	2	1	1 Not upheld
Is solely about direction and control	67	nil	
Already subject of complaint	5	2	2 Not upheld
<i>2012 Regulations</i>			
Vexatious, oppressive or abuse of procedures	3	2	1 Not Upheld; 1 Not valid
Repetitious and previously concluded	19	6	2 Upheld and complaint recorded; 4 Not upheld
Complaint is fanciful	3	1	1 Not upheld
Has previously been withdrawn	1	1	1 Upheld, to give further information
Already subject of complaint	14	6	3 Not Upheld; 1 Upheld No Action.
<b>Total</b>	<b>143</b>		2 Upheld complaint recorded;
No Recording decision made.		13	7 Upheld complaint recorded; 1 Upheld further information required; 1 Upheld No action; 1 Not Valid; 3 Not Upheld

3.10 Having identified the number of complaints recorded, or not, each complaint (representing a dissatisfied member of the public) may be made up of more than one allegation. *e.g. One person makes one allegation that the arresting officer used excessive force and one allegation that later while in detention, the Custody Sergeant failed to deal with them correctly.* The result of this is that there will be one complaint recorded but two allegations recorded, hence a higher number of allegations recorded than complaints.

## **Allegation Types**

*The complaints recorded contained the following allegation types.*

### **Apr 2013 - Jul 2013**

Operational policing policies	10
General policing standards	1
Operational management decisions	1
Serious non-sexual assault	7
Sexual assault	2
Other assault	139
Oppressive conduct or harassment	58
Unlawful/unnecessary arrest or detention	42
Discriminatory Behaviour	28
Irregularity in evidence/perjury	44
Corrupt practice	17
Mishandling of property	64
Breach Code A PACE (Stop & Search)	11
Breach Code B PACE (Searching premises & seizing property)	26
Breach Code C PACE (Detention, treatment & questioning)	28
Breach Code D PACE (Identification of persons by police)	1
Lack of fairness and impartiality	63
Multiple or unspecified breaches of PACE	1
Other neglect or failure in duty	290
Other irregularity in procedure	29
Incivility, impoliteness and intolerance	174
Traffic irregularity	5
Other	13
Improper disclosure of information	23

<b>Total</b>	<b>1,077</b>
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### **Apr 2012 - Mar 2013**

Operational policing policies	2
Organisational decisions	4
Operational management decisions	2
Serious non-sexual assault	13
Sexual assault	9
Other assault	362
Oppressive conduct or harassment	155
Unlawful/unnecessary arrest or detention	126
Discriminatory Behaviour	80
Irregularity in evidence/perjury	117
Corrupt practice	42
Mishandling of property	138

Breach Code A PACE (Stop & Search)	25
Breach Code B PACE (Searching premises & seizing property)	70
Breach Code C PACE (Detention, treatment & questioning)	91
Breach Code D PACE (Identification of persons by police)	5
Breach Code E PACE (Audio recording of interviews)	1
Lack of fairness and impartiality	128
Multiple or unspecified breaches of PACE	10
Other neglect or failure in duty	704
Other irregularity in procedure	67
Incivility, impoliteness and intolerance	442
Traffic irregularity	4
Other	30
Improper disclosure of information	68
<b>Total</b>	<b>2,695</b>

3.11 Having recorded a complaint against the police, the force is required in certain circumstances to refer cases to the Independent Police Complaints Commission.

<b><u>How many complaints were referred to the IPCC?</u></b>	
(By reason for referral)	
<b><u>Apr 2013 - Jul 2013</u></b> (Part year)	
Criminal offence or discriminatory behaviour likely to lead to discipline	5
Death or serious injury	6
Relevant offence (see explanatory note)	6
Serious assault	14
Serious corruption	2
Serious sexual offence	0
Taser	1
Voluntary	7
<b>TOTAL (out of 531 recorded) (7.7%)</b>	<b>41</b>
<b><u>Apr 2012 - Mar 2013</u></b>	
Criminal offence or discriminatory behaviour likely to lead to discipline	19
Death or serious injury	15
Relevant offence (see explanatory note)	7
Serious assault	26
Serious corruption	14
Serious sexual offence	2
Taser	1
Voluntary	11
<b>TOTAL (out of 1341 recorded) (7.3%)</b>	<b>95</b>

*Note: Relevant Offence in relation to IPCC Referrals is 'any offence for which the sentence is fixed by law or any offence for which a person of 18 years and over (not previously convicted) may be sentenced to imprisonment for seven years or more (excluding any restrictions imposed by Section 33 Magistrates Court Act 1980).*

3.12 Where a case is referred to the IPCC they will determine whether the matter should be returned to the force to investigate themselves, or whether the IPCC should have some level of involvement (in Supervised or Managed cases) or take on the whole investigation as an Independent Investigation.

<b><u>IPCC Referred back to Force</u></b>	
<b>Apr 2013 - Jul 2013</b>	<b>31</b>
<b>Apr 2012 - Mar 2013</b>	<b>76</b>

<b><u>How many complaints were not required to be referred to IPCC?</u></b>	
<b>Apr 2013 - Jul 2013</b>	<b>490</b>
<b>Apr 2012 - Mar 2013</b>	<b>1246</b>

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3.13 The following is a summary of the cases either retained by the IPCC as Independent Investigations, or determined some level of IPCC intervention, these are classified as either Supervised or Managed by the IPCC. The difference between the three classifications is as follows:

- Independent means investigated and managed by the IPCC with very little involvement from the Force.
- Managed means the IPCC take complete control of the investigation but use PSD staff to carry out the majority of the investigation.
- Supervised means the investigation is managed by PSD with each stage being approved by the IPCC.

<b><u>IPCC Independent</u></b>		<b>OUTCOMES</b>
<b>Apr 2013 - Jul 2013</b>		
1.	Criminal / Discipline Death or serious injury	Current Investigation
2.	Relevant offence	Current Investigation
3.	Voluntary	Current Investigation
4.	Serious assault	Current Investigation
5.	Voluntary	Current Investigation
<b>Apr 2012 - Mar 2013</b>		
7.	Criminal / Discipline	Current Investigation
8.	Criminal / Discipline Death or serious injury	Current Investigation
9.	Serious assault	Current Investigation
10.	Serious corruption	Current Investigation
11.	Serious corruption	Current Investigation
12.	Serious corruption	Current Investigation
13.	Serious corruption	Current Investigation
14.	Serious corruption	Current Investigation

<b><u>IPCC Managed</u></b>		<b>OUTCOMES</b>
<b>Apr 2013 - Jul 2013</b>		
None		
<b>Apr 2012 - Mar 2013</b>		
1.	Relevant offence	Current Investigation
2.	Voluntary	Current Investigation



**IPCC Supervised****OUTCOMES****Apr 2013 - Jul 2013**

1.	Death or serious injury	Current Investigation
2.	Serious assault	Current Investigation
3.	Serious assault	Current Investigation
4.	Serious assault	Current Investigation

**Apr 2012 - Mar 2013**

5.	Criminal / Discipline	Local Resolution
6.	Criminal / Discipline	Current Investigation
7.	Death or serious injury	UPHELD - Management Action
8.	Serious assault	NOT UPHELD UPHELD - Management Action
9.	Serious assault	Current Investigation
10.	Serious assault	Current Investigation
11.	Serious corruption	UPHELD - No Action Required
12.	Voluntary	NOT UPHELD
13.	Voluntary	

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3.14 The remainder of cases fall to the force to investigate without further reference to the IPCC and the following charts show the current status of the cases recorded since April 2012, and divided between those matters dealt with by Professional Standards Department and those dealt with by Local Policing Unit or Police Departments.

<b><u>Force Investigation</u></b>	
<b><u>by Professional Standards</u></b>	
<b>Cases Recorded Apr 2013 - Jul 2013</b>	<b>204</b>
Current Investigation	128
Sub Judge (need to await the outcome of criminal proceeding)	21
Appeal Made	4
Pending Appeal	21
Finalised	30
<b>Cases recorded Apr 2012 - Mar 2013</b>	<b>545</b>
Current Investigation	68
Sub Judge	21
Appeal Made	33
Pending Appeal	35
Finalised	388
<b><u>by Local Policing Unit</u></b>	
<b>Cases Recorded Apr 2013 - Jul 2013</b>	<b>319</b>
Current Investigation	189
Sub Judge	9
Appeal Made	5
Pending Appeal	27
Finalised	89
<b>Cases recorded Apr 2012 - Mar 2013</b>	<b>776</b>
Current Investigation	58
Sub Judge	6
Appeal Made	40
Pending Appeal	29
Finalised	643

3.15 Complaint cases dealt with by the Professional Standards Department will involve all those cases that are assessed as being likely to lead to criminal or misconduct proceedings if the facts are proven. Local Policing Units and Force Departments will deal with those less serious complaints which are suitable to be dealt with by way of Local Resolution.

3.16 The outcomes of complaints are determined and recorded in accordance with legislation and IPCC Statutory guidance.

The different available outcomes are:

3.17 **Local Resolution**: The force may carry out Local Resolution of a complaint where there is no likelihood of misconduct or criminal proceedings resulting from a complaint and can agree actions with the complainant and officer subject of complaint of how to resolve the complaint, usually through development or apology and improvement of service delivery.

3.18 **Not Upheld**: This is an outcome of an investigation where on the balance of probabilities, the allegations in the complaint cannot be supported.

3.19 **Upheld**: This is an outcome of an investigation where on the balance of probabilities, the allegations in the complaint are supported. Action will be identified as a result of an upheld complaint. The action might be one of the following:

- Management Action. This is intended to address minor failings of officers with the intention of improving how they do their job and provide a better service to communities.
- Management Meeting. This forms formal misconduct proceedings and occurs whereby the officers behaviour falls below the “Standards Of Professional Behaviour” and is considered too serious to deal with as immediate Management Action. A Management Meeting is chaired by a Superintendent and the purpose of the Meeting is to consider if the case against the officer is proven on the balance of probabilities. If the case against the officer is proven the chair must then decide upon the appropriate outcome. The options are: Management Action, Written Warning (which remains live for 12 months) or a Final Written Warning (which remains live for 18 months)
- Misconduct Hearing. This is also formal proceedings and occurs whereby the officers behaviour falls so far below the “Standards Of Professional Behaviour” that dismissal should be an option. A Misconduct Hearing is chaired by a member of the Command Team (Assistant Chief Constable or above) and if the case is proven then all of the above outcomes are an option with the additional option of Dismissal.

3.20 **De Recorded**: This is where a complaint is recorded in error (usually administrative error where a duplication of recording takes place).

3.21 **Disapplication**: This is an IPCC term that the force or IPCC can authorise in certain circumstances. Disapplication means that the force, either on its own, or with authority from the IPCC, can decide to take no action, or no further action in relation to a complaint. The reasons this may be approved are:

1. where the complaint is over 12 months since the incident alleged and no good reason has been shown for the delay in making the complaint;
2. the same complaint has already been made by or on behalf of that complainant;
3. The complainants name or address has not been identified;
4. The complaint is either vexatious, oppressive or an abuse of the complaints process;
5. The complaint is repetitious and has previously been dealt with.

3.22 **Discontinuance**: The force or IPCC can authorise discontinuance in certain circumstances. Discontinuance means that the force, either on its own, or with authority from the IPCC, can decide to take no action, or no further action in relation to a complaint. The reasons this may be approved are:

1. where the complainant refuses to cooperate and it is not reasonably practicable to continue the investigation;
2. the matter is suitable for Local Resolution;
3. The complaint is either vexatious, oppressive or an abuse of the complaints process;
4. The complaint is repetitious and has previously been dealt with.

3.23 **Dispensation**: The force or IPCC (under the 2008 Regulations) can authorise disapplication in certain circumstances. Dispensation means that the force, either on its own, or with authority from the IPCC, can decide to take no action, or no further action in relation to a complaint. The reasons this may be approved under the 2008 Regulations for the IPCC) are similar to disapplication.

Under the 2012 Regulations, the force can authorise dispensation where:

1. The complaint investigation has been suspended until the end of criminal proceedings: and
2. The complainant fails to indicate after the conclusion of those proceedings that he wants the complaint resumed; and
3. Reasonable steps have been taken to contact the complainant to ascertain their wishes and the complainant says NOT to start the investigation or FAILS to give such an indication within 28 days of a letter sent asking for such a decision AND
4. The matter does not amount to a Recordable Conduct Matter.

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3.24 The next chart shows how cases recorded between the dates shown have been concluded.

<b>OUTCOMES of Force Finalised Cases</b>			
<b><u>by Professional Standards</u></b>		<b><u>by Professional Standards</u></b>	
<b>Cases Recorded Apr 2013 - Jul 2013</b>		<b>Cases recorded Apr 2012 - Mar 2013</b>	
De Recorded	2	De Recorded	5
Disapplication - by Force	6	Disapplication - by Force	15
Disapplication - by IPCC	0	Disapplication - by IPCC	1
Discontinued - by Force	0	Discontinued - by Force	2
Discontinued - by IPCC	0	Discontinued - by IPCC	1
Dispensation - by Force	0	Dispensation - by Force	20
Dispensation - by IPCC	0	Dispensation - by IPCC	28
Local Resolution	6	Local Resolution	90
Not Upheld	4	Not Upheld	148
Upheld	1	Upheld	25
Withdrawn by Complainant	11	Withdrawn by Complainant	53
<b>Total</b>	<b>30</b>	<b>Total</b>	<b>388</b>
<b><u>by Local Policing Unit</u></b>		<b><u>by Local Policing Unit</u></b>	
<b>Cases Recorded Apr 2013 - Jul 2013</b>		<b>Cases recorded Apr 2012 - Mar 2013</b>	
De Recorded	0	De Recorded	1
Disapplication - by Force	0	Disapplication - by Force	3
Disapplication - by IPCC	0	Disapplication - by IPCC	0
Discontinued - by Force	0	Discontinued - by Force	0
Discontinued - by IPCC	0	Discontinued - by IPCC	0
Dispensation - by Force	0	Dispensation - by Force	0
Dispensation - by IPCC	0	Dispensation - by IPCC	1
Local Resolution	66	Local Resolution	245
Not Upheld	12	Not Upheld	267
Upheld	2	Upheld	75
Withdrawn by Complainant	9	Withdrawn by Complainant	51
<b>Total</b>	<b>89</b>	<b>Total</b>	<b>643</b>

3.25 The next chart shows the number of cases and their outcomes, that have been concluded between the dates shown.

<b>OUTCOMES of Force Finalised Cases</b>			
<b><u>by Professional Standards</u></b>		<b><u>by Professional Standards</u></b>	
<b>Cases Finalised Apr 2013 - Jul 2013</b>		<b>Cases Finalised Apr 2012 - Mar 2013</b>	
<i>(Irrespective of when recorded)</i>		<i>(Irrespective of when recorded)</i>	
De Recorded	3	De Recorded	2
Disapplication - by Force	16	Disapplication - by Force	2
Disapplication - by IPCC	1	Disapplication - by IPCC	0
Discontinued - by Force	1	Discontinued - by Force	1
Discontinued - by IPCC	0	Discontinued - by IPCC	4
Dispensation - by Force	11	Dispensation - by Force	20
Dispensation - by IPCC	1	Dispensation - by IPCC	36
Local Resolution	24	Local Resolution	90
Not Upheld	76	Not Upheld	189
Upheld	26	Upheld	48
Withdrawn by complainant	25	Withdrawn by Complainant	53
<b>Total</b>	<b>184</b>	<b>Total</b>	<b>445</b>
<b><u>by Local Policing Unit</u></b>		<b><u>by Local Policing Unit</u></b>	
<b>Cases Finalised Apr 2013 - Jul 2013</b>		<b>Cases Finalised Apr 2012 - Mar 2013</b>	
<i>(Irrespective of when recorded)</i>		<i>(Irrespective of when recorded)</i>	
De Recorded	0	De Recorded	2
Disapplication - by Force	0	Disapplication - by Force	0
Disapplication - by IPCC	0	Disapplication - by IPCC	0
Discontinued - by Force	3	Discontinued - by Force	1
Discontinued - by IPCC	0	Discontinued - by IPCC	0
Dispensation - by Force	0	Dispensation - by Force	3
Dispensation - by IPCC	0	Dispensation - by IPCC	1
Local Resolution	114	Local Resolution	259
Not Upheld	106	Not Upheld	353
Upheld	37	Upheld	107
Withdrawn by Complainant	23	Withdrawn by Complainant	56
<b>Total</b>	<b>283</b>	<b>Total</b>	<b>782</b>

### 3.26 Timeliness of investigations analysed over time

<b>Timeliness of Investigations (Average Days – Target below 110)</b>			Achievement
	April 2012 to March 2013	April 2011 to March 2012	Actual
FORCE	97	103	-6

3.27 This chart shows an overall improvement in the time taken to conclude complaints against the police by way of investigation.

<b>Timeliness of Local Resolution (Average Days – Target below 28)</b>			Achievement
	April 2012 to March 2013	April 2011 to March 2012	Actual
FORCE	40	44	-4

3.28 This data shows that while overall the time taken to deal with Local Resolution has improved we are still not meeting the target. Work is ongoing with all our Appropriate Authorities (Chief Inspectors assigned to managing LPU & Departmental complaints) to reduce this time scale.

3.29 Contact with Complainants at least every 28 days

<b>Contact with Complainants</b>			Achievement
	April 2012 to March 2013	April 2011 to March 2012	Actual
FORCE	85%	73%	+12%

3.30 Our target is 100% compliance in this area. While this chart shows significant improvement in this area there is still some way to go to achieve contact with complainants at least every 28 days. Work is ongoing with Appropriate Authorities on every LPU/Dept and the figures are shared at Force level. On a positive note, all but one LPU (Birmingham South) have seen an improvement in this area of business.

### **Appeals**

3.31 At the outcome of an investigation or Local Resolution of a complaint, as well as any decision to take no action by way of Disapplication or Discontinuance, a complainant will have a right of appeal to either the force or the IPCC, as determined by the force with reference to seriousness of the allegation.

3.32 The following charts show details of the IPCC and Force appeals, their categories and outcomes for all complaints recorded between April 2012 to 31 July 2013. 22<sup>nd</sup> November 2012 is when the Force began considering appeals in less serious cases due to the changes within the Regulations, hence this data begins in November 2012.

**IPCC APPEALS - Apr 2012 to Jul 2013**

<b><u>Category</u></b>	<b><u>IPCC Decision</u></b>	
Disapplication	Not Upheld	1
Local Resolution Outcome	Awaiting decision	3
	Not Valid	1
	Upheld	1
Local Resolution Process	Not Upheld	3
	Not Valid	2
	Upheld	4
Outcome of a Police Investigation	Awaiting decision	66
	Not Upheld	45
	Not Valid	17
	Upheld	31
Findings of a Police Investigation	Not Upheld	1
<b>Total</b>		<b>175</b>

**Force Appeals - 22 November 2012 to 31 July 2013**

<b><u>Category</u></b>	<b><u>Force Decision</u></b>	
Application of Disapplication	Not Upheld	3
	Not Valid	1
Outcome of a Police Investigation	Not Upheld	13
	Upheld	3
Outcome of Local Resolution	Not Upheld	3
	Upheld	3
<b>Total</b>		<b>26</b>

**Recordable Conduct Matters**

3.33 Recordable Conduct Matters are allegations against officers that are identified internally within the organisation and are outside of the complaints against the police system.

**Totals of Recordable Conduct Matters**

Conducts	April 2012 to March 2013	April 2011 to March 2012	Difference +/-
Force	291	276	15

3.34 This chart shows an overall increase in the number of Recordable Conduct Matters recorded in the most recent 12 months, with disparate data across the LPU's.



## **Categories of Conduct Allegations**

<b>Conduct Allegations</b>	<b>11/12</b>	<b>12/13</b>
Honesty and Integrity	61	54
Authority, Respect and Courtesy	34	31
Equality and Diversity	6	4
Use of Force	12	12
Order and Instructions	42	44
Duties and Responsibilities	61	58
Confidentiality	36	35
Fitness for Duty	1	3
Discreditable Conduct	134	137
Challenging and Reporting Improper Conduct	2	1
<b>Grand Total</b>	<b>389</b>	<b>379</b>

## **Combined Conduct and Complaint Investigation**

### **Suspended Officers**

(as at 31 July 2013)

1. Inspector Business Interest (Conduct)
2. Constable - Business Interests (Conduct)
3. Sergeant – Sexual Offence (Conduct)
4. Constable – Sexual Offence (Conduct)
5. Constable – Sexual Offence (Conduct)
6. Constable – Sexual Offence (Conduct)
7. Constable – Sexual Offence (Conduct)
8. Constable – Sexual Offence (Conduct)
9. Special Constable - Sexual Offence (Conduct)
10. Constable - Misconduct in Public Office (Conduct)
11. Constable - Misconduct in Public Office (Conduct)
12. Constable - Honesty and Integrity (Conduct)
13. Constable - Unlawful Imprisonment (Complaint)
14. Constable - Unlawful Imprisonment (Complaint)
15. Constable - Information Disclosure (Conduct)
16. Constable - Off duty Assault (Conduct)
17. Constable - Off duty Harassment (Conduct)
18. Constable – Theft (Conduct)
19. Constable – Theft (Conduct)

3.35 During the financial year April 2012 to March 2013, there was a total of 10 officers and staff members suspended. Of those, 3 individuals resigned while under investigation; 6 cases are ongoing investigation or proceedings and one was dismissed following proceedings.

3.36 In recent months there has been an increase in the number of officers suspended. Some aggravating factors relate to proactive work streams around “Abuse Of Authority Through Sexual Exploitation” and data protection matters. Both of these areas of work have been highlighted by the IPCC and will be discussed later in the document.

<b>Outcomes of Proceedings</b>	
April 2012 to March 2013	
<b><u>Misconduct Hearings</u></b>	
Dismissal Without Notice	10
Final Written Warning	1
Management Advice	1
<b>Total</b>	<b>12</b>
<b><u>Misconduct Meetings</u></b>	
Final Written Warning	9
Written Warning	16
Management Advice	11
No Further Action	23
<b>Total</b>	<b>59</b>

3.37 The outcomes of the above Misconduct Hearings and Misconduct Meetings include both complaints and conduct matters.

#### **4. Ongoing Proactive Work**

##### **Abuse Of Authority Through Sexual Exploitation**

4.1 The IPCC and ACPO have jointly carried out a piece of work raising concerns around officers abusing their authority for sexual gratification, paying particular attention to vulnerable people. A joint report was released in September 2012 with recommendations for Forces dealing with such cases and it was also newly categorised as “corruption”. The Force Professional Standards Department has carried out training for all 1<sup>st</sup> and 2<sup>nd</sup> line supervisors in company with HR and Learning & Development to highlight the issues and providing guidance and support in dealing with cases. The ongoing “Pride In Our Police” campaign is also being proactively used to highlight the issues. The proactive work has resulted in an uplift of referrals, however due to the old recording processes it is difficult to calculate the real increase.

### Data Protection Offences

4.2 The Force has redesigned the process for assessing matters of breaching data protection. The message is now if an officer breaches data protection they should expect to lose their job. This is supported by IPCC, ACPO and the Police Federation. This message has also been passed out to all 1<sup>st</sup> and 2<sup>nd</sup> line supervisors through the training previously mentioned and is also a major part of the "Pride In Our Police" campaign.

### Abuse Of Steroids

4.3 Nationally it has been recognised that Forces have robust processes in place to deal with officers who are Class "A" drug users, but this does not generally extend to inappropriate use of Steroids. Work has just begun as a region (West Midlands Police, Warwickshire, West Mercia and Staffordshire Police) led by West Midlands to review how each Force deal with inappropriate use of Steroids.

### Disproportionality Within Professional Standards Investigations

4.4 This work has been ongoing for the past 12 months and will be the subject of a separate Strategic Policing And Crime Board update.

## **5. FINANCIAL IMPLICATIONS**

5.1 The business of Professional Standards is in accordance with Priority Based Budgeting agreements.

## **6. LEGAL IMPLICATIONS**

6.1 The approach to Professional Standards work is reflective of the Force Values and Vision and complies with relevant legislation within the Police Reform Act 2002, the Police Reform and Social Responsibilities Act 2011 and subordinate Regulations.

## **7. RECOMMENDATIONS**

7.1 The Board is asked to note the contents of this report.

Head of Professional Standards