



Title: Complaints against West Midlands Police
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Purpose of paper

1. The purpose of this paper is to provide an overview of the work of the Professional Standards Department (PSD). The data included in this report covers the last financial year April 2021 until March 2022 and the data for the current year runs from April 2022 to the end of September 2022 (unless otherwise stated).
2. As detailed in this report the regulations governing this area of business changed in February 2020 so comparison of data from years prior to February 2020 does not necessarily provide a like for like comparison.

Background and role of the Professional Standards Department

3. The principle of policing by consent relies on the trust and confidence that the public has in the police service and the wider law enforcement community. PSD plays an important role in the maintenance of that trust and confidence.
4. National events during the period of this report such as the IOPC, Operation Hotton report relating to the Met, the Casey review into the Met misconduct review, all reinforce how this trust and confidence can be seriously undermined.
5. It is therefore, essential that such issues are dealt with openly and robustly in accordance with the College of Policing Code of Ethics, the home office Statutory Guidance on Professional Standards and IOPC Statutory Guidance on the Police Complaints System (February 2020).

Demand

6. Prior to September 2022, the West Midlands Police PSD establishment had been proportionately a lot smaller than other forces, yet continues to deal with some of the most complex investigations as the second largest police service.
7. Between November 2021 and March 2022, PSD was subject to West Midlands Police priority-based budgeting process (PBB). This process reviews all areas of the departments to ensure efficiency and effectiveness. This process often results in significant cost savings by reducing staff numbers.
8. The PBB review of PSD identified gaps in the resourcing model. As a result of this process, PSD gained a staffing uplift of 15 members of staff across the department. A key area of this staff investment for prevention and intervention work (P and I) is discussed later in this paper.
9. In relation to most similar forces, Greater Manchester Police, Merseyside Police and West Yorkshire Police; as a result of the PBB uplift West Midlands Police are now more aligned to the staffing models of their most similar group forces. The structures of all forces are different and West Midlands Police have a P and I team which other forces do not. Greater Manchester has more investigation staff than West Midlands.
10. The detailed work undertaken during the PBB process should support PSD to deliver a more effective and efficient service.
11. The make-up of the department is approximately 50% police officers and 50% police staff. There are both full time and part time staff within the department and 18% of the department are from under-represented groups.
12. The work of PSD is supported across the force by Standards Managers on each NPU and department. Standards Managers act as the PSD lead for their areas of business and are the single point of contact for PSD matters to support delivery of messaging and reflective practice.
13. As detailed in last year's paper the regulation changes in February 2020 in part contributed to a significant increase in the numbers of complaints recorded from the public which created large numbers and a significant backlog.

14. As detailed later in the report, the number of conduct matters being dealt with by PSD has increased, this may be as a result of the work of the PSD P and I team raising awareness and other campaigns such as 'upstander not bystander'.
15. The challenges that the department has faced in the last 12 months relate to backlogs in complaints (1300 at peak), a backlog in aftercare vetting (1500 at peak) and as detailed above an increase in conduct matters. This report details how these issues have been managed and are now under control. The staffing uplift detailed from PBB should ensure that these significant backlogs do not recur.

Regulations

16. The regulations governing the management of police officer and police staff misconduct changed in February 2020. The legislation under the Police and Crime Act 2017 introduced a number of changes designed to achieve a more customer-focused and proportionate complaints system.
17. The complaints system was expanded to cover a broader range of matters. Formerly, the way that the term "complaint" was defined meant that it related solely to the conduct of an individual officer/member of staff. Now a complaint can be made about a much wider range of issues including the service provided by the police as an organisation. This was designed to increase access to the police complaints system. There is a new definition of complaint under the February 2020 regulations:

"Expression of dissatisfaction with the police force which is expressed (whether in writing or otherwise) by or on behalf of a member of the public."
18. The changes under the February 2020 regulations were designed to ensure that matters can be dealt with at the most appropriate level, in a timelier manner, supporting both the efficiency and fairness of the complaints system. There is still provision for the most serious matters to be investigated independently by the Independent Office for Public Complaints (IOPC). Other changes aim to increase the focus on learning and improvement. A new process which encourages officers to reflect and learn from any mistakes or errors: - Reflective Practice Review Process (RPRP) has been introduced. These changes aim to increase the emphasis on finding solutions and improving the overall policing service, rather than focusing on an exclusively punitive approach to errors and mistakes.

Complaints

19. Since April 2022, 1897 complaint cases have been recorded. This highlights the upward trend in the number of complaints received by the PSD since the introduction of the new regulations. The Service Recovery Team are responsible for initial assessment, triage, resolving expressions of dissatisfaction and complaint without investigation and determining whether a complaint needs to be recorded formally. There is currently a high volume of complaints.

20. In November 2021 there was a backlog of complaints of 802, this number increased to c1350 in January 2022. The backlog cases had all been cleared by July 2022, this reduction was achieved by weekly performance monitoring, new approaches to workload management across the department and training inputs to staff. A number of temporary staff were recruited to support the work in this area of business to focus solely on and reduce this backlog. There is no longer a backlog and many complaints are managed within a day, this has also impacted positively on the time taken to finalise these complaints.

Performance year	Number of cases recorded	Forecast (cases recorded by end of financial year)	Number of cases finalised
2019-2020	914		406
2020-2021	4194		3360
2021-2022	4536		4753
2022-2023	1897	4400	2666
Total	11541		11185

Figure 1: Recorded and finalised cases

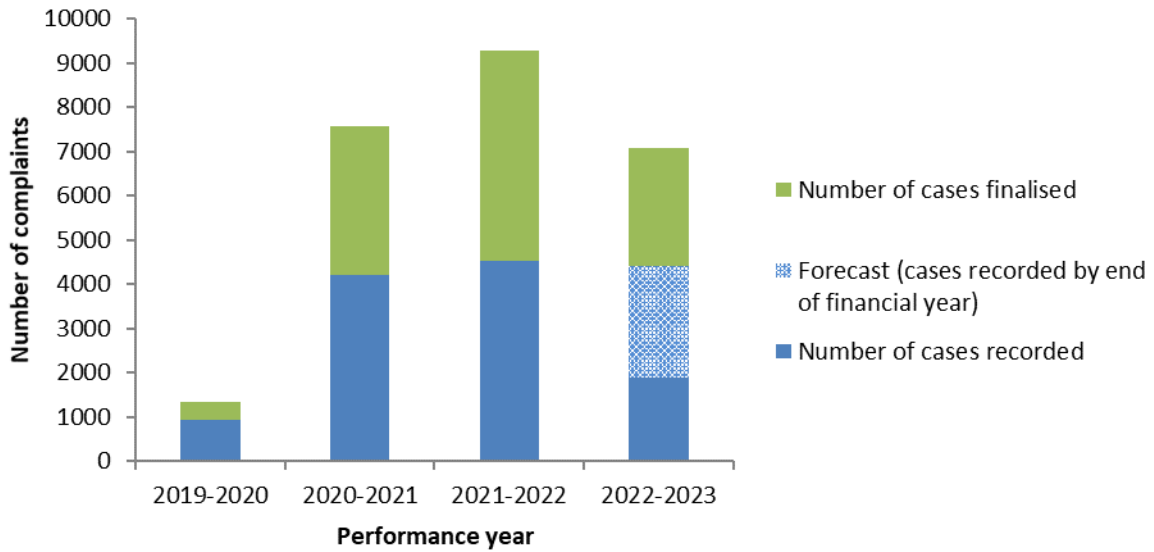


Figure 2: total number of complaints recorded and finalised. (2022/23 – 6 months data finalised)

21. The work to reduce the significant backlog of complaints is reflected in the number of cases finalised in 2021/22 with more cases finalised than complaints received in each year.

Performance year	Number of cases recorded	Number of allegations
2019-2020	914	1421
2020-2021	4194	5168
2021-2022	4536	5497
2022-2023	1897	2276
Grand Total	11541	14362

Figure 3: Number of Complaint Cases and allegations recorded

Please note, each complaint case can contain a number of distinct allegations, sometimes against different officers/staff.

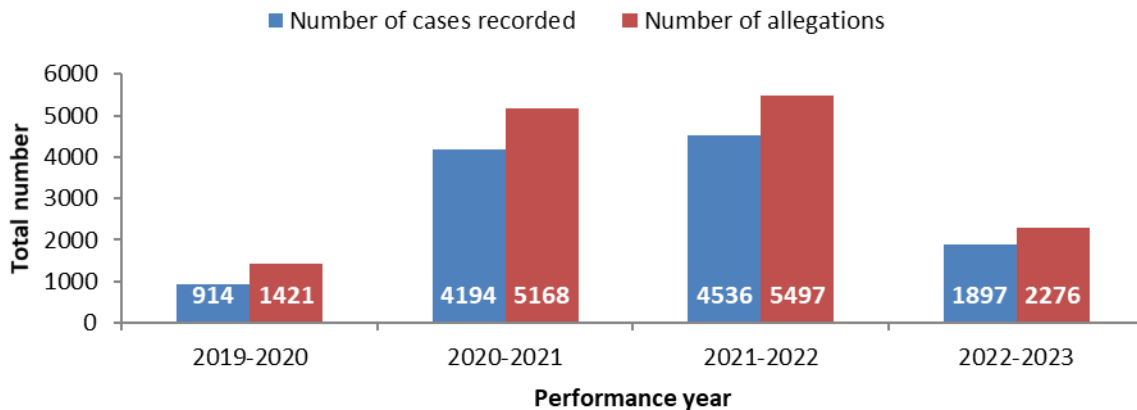


Figure 4: number of complaint cases and number of allegations made by financial yr.

22. The number of complaints recorded for 2022/23 is predicted to be a reduction on 2021/22. It is believed this is as a result of changes to processes as a result of reviews and feedback. A significant amount of work has been undertaken to understand the detail of complaints and dissatisfaction and the development of signposting options on the complaints website to matters such as track my case is believed to be attributable to this predicted decrease.

23. Centurion is the computer platform used to record and manage complaints. WMP PSD was the first force to take advantage of the FIS Centurion health check service that enabled the manner in which PSD used their complaints recording system to be externally examined. This health check provided recommendations which were fully implemented, supported by a full training program that has enabled our data capture to be the best it has ever been.

24. Accurate data is key to understanding themes and trends and driving behaviour change and organisational learning. Data is extracted monthly identifying what the allegations are and clustering them into key themes. The data is presented to the PSD SLT at the Performance Meeting and also shared to the Deputy Chief Constable at the Quarterly Performance Review Meeting. The data is shared at the Standards Manager’s Meeting and used by the PSD Prevention and Intervention Team to drive their area of business.

Length of time to deal with Complaints

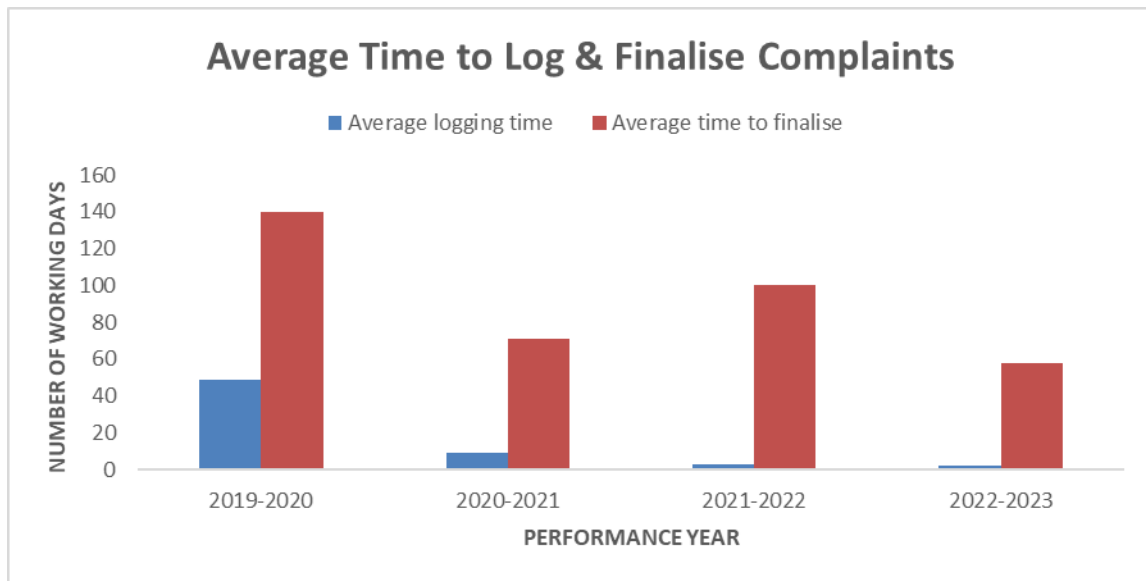


Figure 5: Working days to log and finalise complaints.

25. The removal of the backlog has positively impacted on the amount of time taken to resolve complaints as well as a service recovery approach to complaints resulting in a reduction in the time taken to resolve matters. Early contact is made with complainants to understand their concerns and complaint and seek suitable resolution.

Complaint Themes/trends

Top allegations (Type Description)	2020-2021	2021-2022	2022-2023
Police action following contact	1353	2524	1201
General level of service	553	504	141
Use of force	231	262	121
Decisions	391	255	105
Unprofessional attitude and disrespect		201	62
Impolite language/tone		195	86
Total		3941	1716

Figure 6: Top allegations (description) figures for full year 2021 – 2022 and Apr to Sept 2022

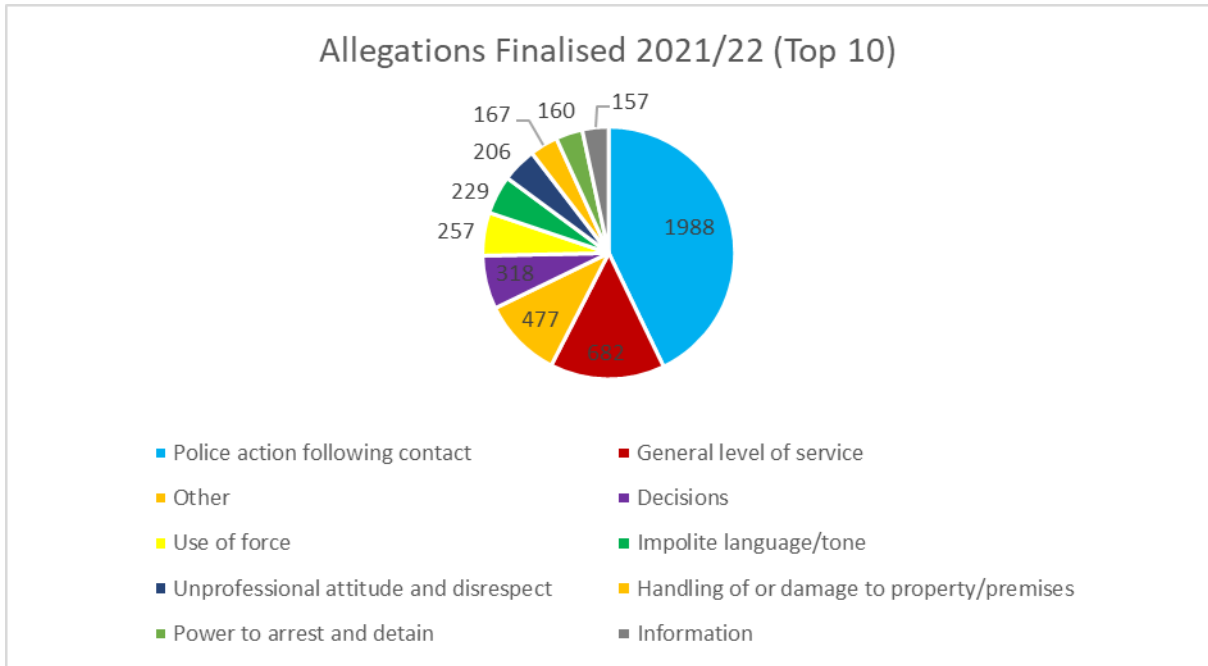


Figure 7: Top allegations finalised for 2021 – 2022

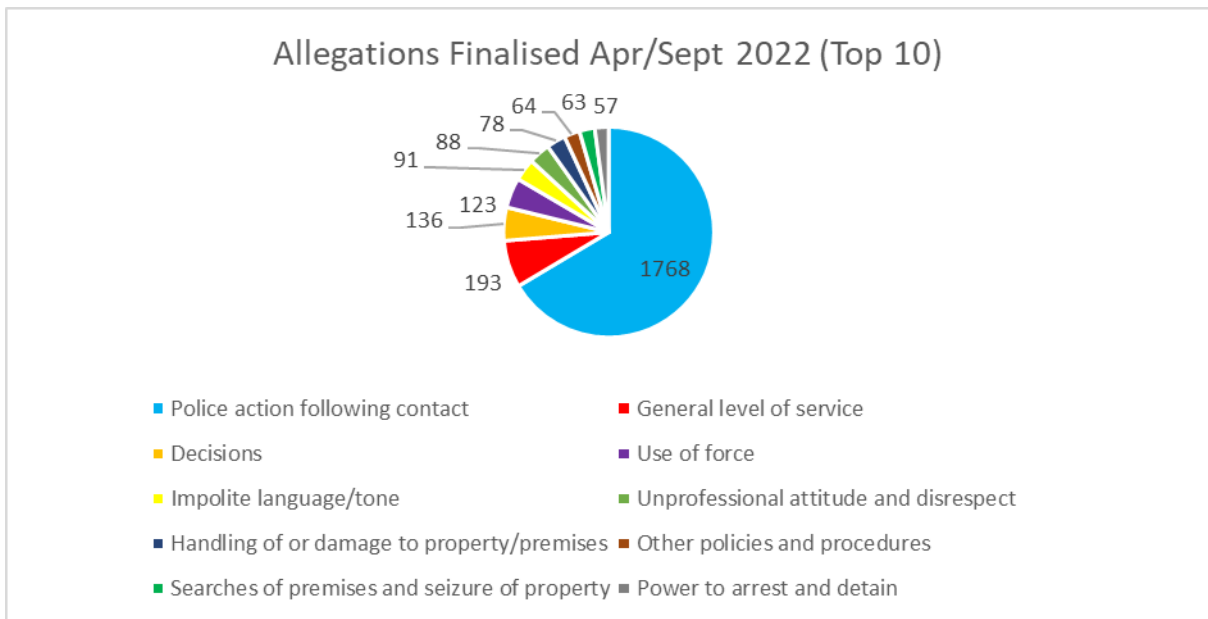


Figure 8: Top allegations finalised April to September 2022

26. WMP trends in complaints remain consistent with previous years and national trends, that is once again police action following contact (delivery of duties and services) remains the top allegation.

27. Accurate data provides confidence that PSD are able to identify any patterns or trends. The data is delivered at the monthly PSD Performance Meeting and any potential action that can be taken to address themes and trends is assigned. The

data is also shared with the local Standards Managers to understand the key themes of police complaints to ensure these behaviours are focussed upon locally. In addition, any specific department or NPU that appears to have a high volume of complaints is made aware via the P and I team to proactively seek to identify learning inputs or other measures as a preventative tool to deliver better service to the public.

28. To ensure early reflection and service improvement a new process has been created since June 2022. All employees who are subject of a complaint by the public are emailed to make them aware of the complaint. This offers the first part of early intervention - an awareness and an opportunity to reflect.
29. Current data reveals the most dissatisfaction originates from 'delivery of service and duties'. This trend has previously been shared with SLT at FCID and their Initial Investigation Team have worked with PSD and Corporate Communications to seek to improve service delivery in this area by ensuring communications and explanations of the rationale for filing. In September 2022 the FCID improvements appeared evident with complaints reducing from 265 complaints in August to 186 in September.
30. 'Individual behaviours' are the second most common allegations which relate to incivility and this is where the intervention of the Prevention and Intervention Team, via the Standards Manager is key to identify any specific officers that are generating complaints.
31. In 2020/21 93% of finalised allegations relating to police action following contact were dealt with outside of Schedule 3. In 2021/22 this figure was 86.6% of all allegations were dealt with outside of Schedule 3. This continues to move more in line with national data and of total allegations finalised April – Sept 2022, 82.8% were dealt with outside of Schedule 3.

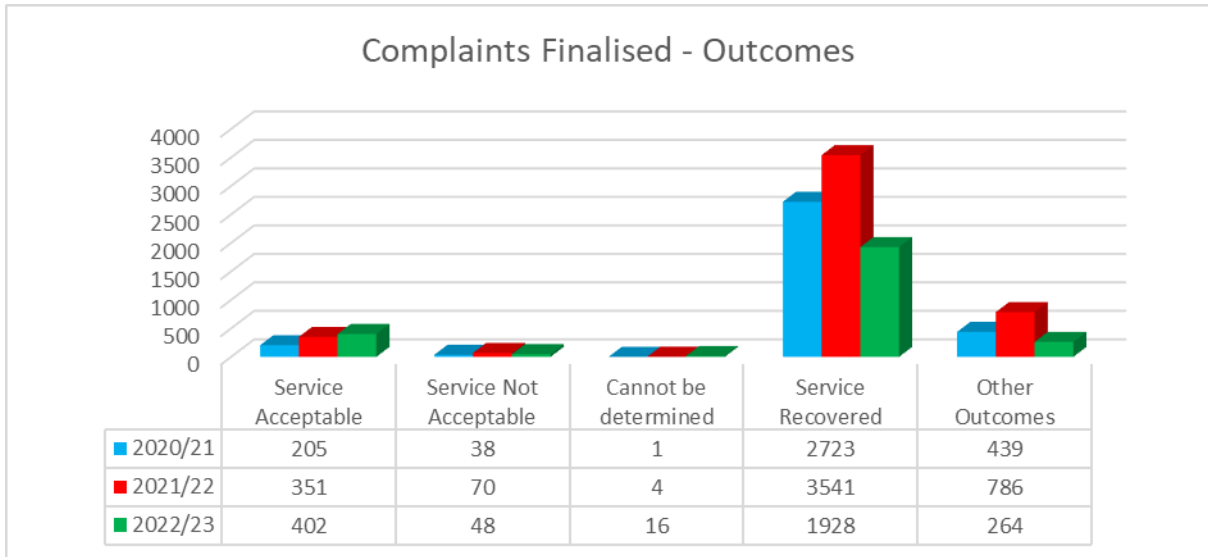


Figure 9: outcomes of finalised complaints last 3 years

32. Please note this data does not cover the last full three years and relates only to data since the new regulations in 2020. 'Other outcomes' includes matters of non-eligibility, de-recorded complaints and matters under old regulations.

33. The vast majority of cases complaint handlers can service recover the complaint satisfactorily, often by identifying and sharing information the complainant requires such as property return. Where service recovery cannot be achieved the complaint will be recorded under schedule 3.

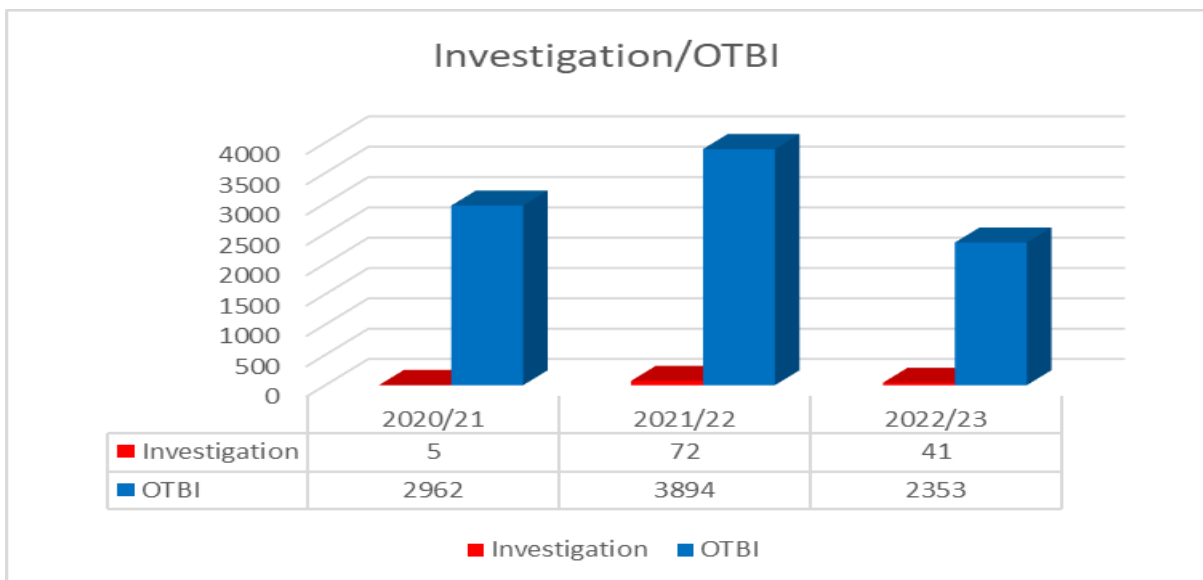


Figure 10: how complaints are handled since 2020

34. Matters which are not service recovered are dealt with otherwise than by investigation (OTBI). Sometimes service recovery is not appropriate or service recovery is not agreed by the complainant it is recorded under schedule 3.

35. The ability to service recover matters at the earliest opportunity provides complainants with the information they require. As can be seen in the graphs below there are very small numbers of reviews requested as a result of service recovery and following reviews in the majority of cases the work undertaken to resolve the matter is reasonable and proportionate.

36. There is no automatic right to review when a matter is service recovered, this can however be requested by the complainant. Where matters are recorded under Schedule 3, complainants will have an automatic right to review upon request which may be the Office of Police and Crime Commissioner (OPCC) or the Independent Office of Police Complaints (IOPC). Further details can be found in the accompanying paper from the OPCC.

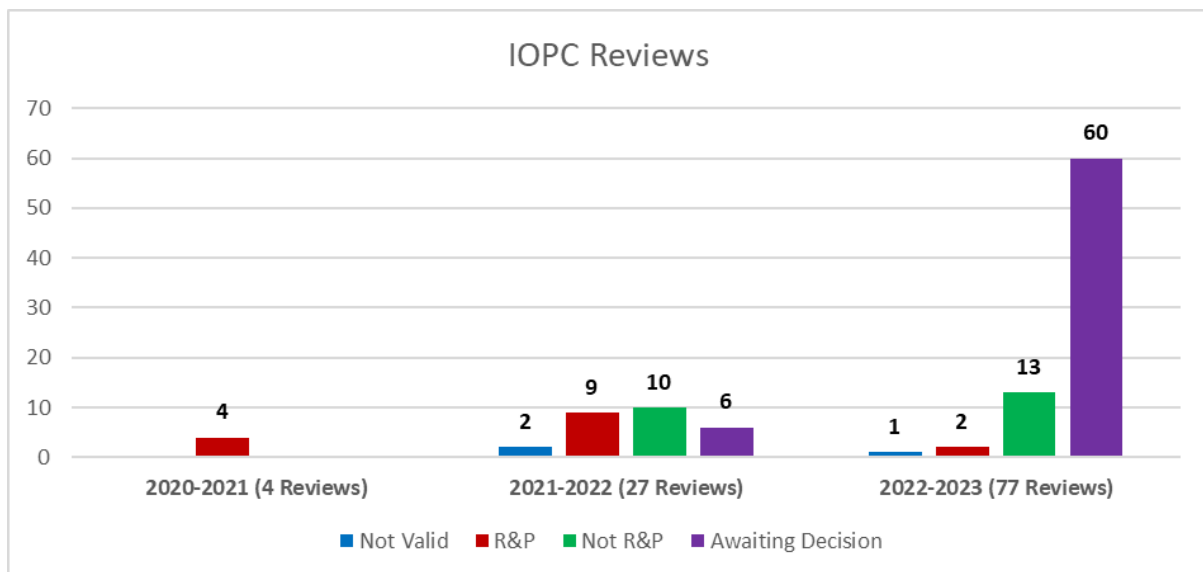


Figure 11: Number of reviews requested of IOPC and outcomes

37. The IOPC currently have a backlog of approximately 6 months in dealing with reviews submitted as demonstrated in the number awaiting decision.

38. The numbers of complaint matters recorded where a review is requested remain small and a smaller percentage of these require further work.

39. The review will consider whether the response provided by PSD is reasonable and proportionate (R & P) or not. Where the response provided by PSD is deemed not to be reasonable and proportionate further activity will be undertaken by PSD in line with the reviewee direction.

40. Where service is not acceptable this may result in reflective practice for individuals or organisational learning. Other outcomes include identification from the complaint of misconduct relating to officers or staff which would be subject to an investigation.

Number of complaints referred to the IOPC (from query of referrals to IOPC)

Year	Complaints Referred
2020 - 2021	57
2021 - 2022	48
2022 - 2023	17

Figure 12: Number of complaints referred to the IOPC

41. Under Paragraph 4, Schedule 3 of the PRA 2002 referral to the IOPC is required under a set criterion for matters such as serious corruption, serious assault. Initial scoping is undertaken before a decision on referral is made. The above data relates to referrals arising from complaints, referrals will also be made arising from matters recorded in the first instance as conduct or death and serious injury (DSI).

42. Feedback from IOPC reviews indicates that the investigation has not been reasonable and proportionate and may request further lines of enquiry are pursued. Regular meetings take place with the IOPC to explore themes from reviews. There is no standard of how “reasonable and proportionate” is utilised by the review caseworkers within the IOPC and this continues to be an area for joint working.

Areas of interest arising from the dip sampling sessions that have taken place in 2022 **Discrimination**

43. Complaints of discrimination continue to be received, with those relating to race and disability the greatest numbers. Complaint handlers ensure all complainants are spoken to and any allegations that would amount to criminal or disciplinary proceedings, if proven will be automatically recorded as a Schedule 3 complaint providing the complainant with a right of review. It may in some circumstances

remain appropriate to service recover a matter where the initial allegation is one of discrimination once this allegation has been explored with the complainant and PSD.

Complaints about discrimination

Total number of discriminatory allegations per financial year

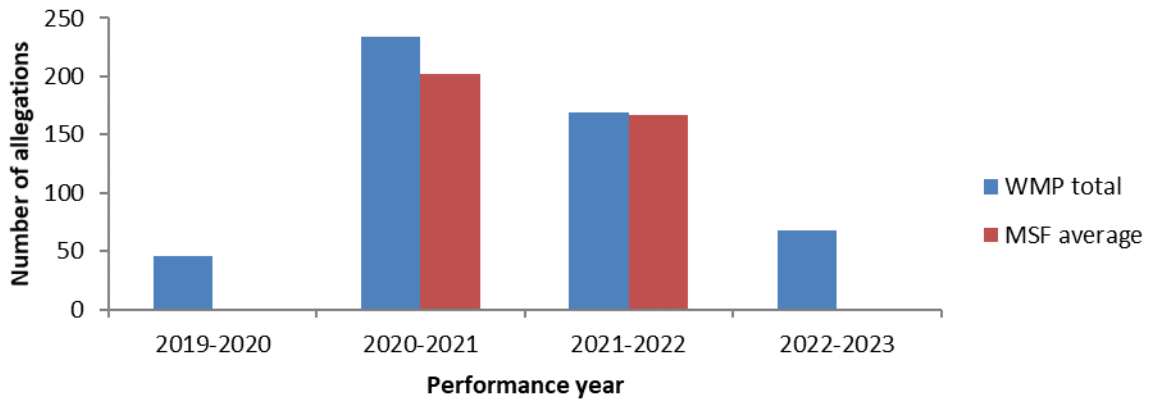


Figure 13: Table populated from IOPC Bulletin data and added WMP for 2022/23 (no MSF data available at this time) in relation to allegations of discrimination.

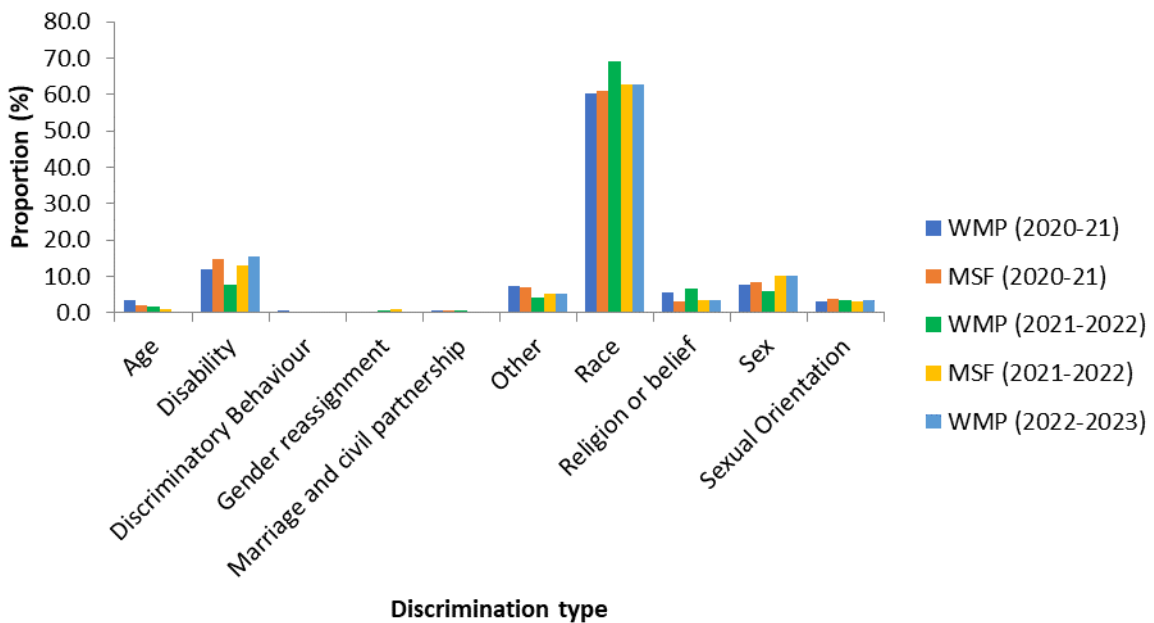


Figure 14: type of discrimination in allegation for WMP and MSF

44. Identification of matters relating to discrimination is essential to understand themes and trends, good practice has been adopted and all matters are recorded on Centurion with markers to ensure they are easily identifiable and searchable.

Complaints alleging discrimination are investigated in line with the national guidelines produced by the IPCC (now IOPC).

45. PSD staff receive training and support for dealing with these cases, for example use of subject matter experts within the fairness and belonging team to provide advice and guidance. Cultural competence training is due to be rolled out to all West Midlands Police staff.
46. The DCC/head of PSD chairs the bi-monthly Stakeholder Engagement Group (SEG). This is a meeting of staff association leads who meet to discuss concerns, trends and support and develop ideas for solutions.
47. Staff associations/stakeholders also attend the bi-monthly disproportionality focus group chaired by PSD. Here, data is examined in detail in relation to matters of disproportionality and seeks to use subject matter experts' knowledge and experience to positively impact on this disproportionality. Recent examples include vetting refusals where external scrutiny groups including PSD IAG members have examined the data and proposed alternative ways of working. A change to the authority level of misconduct meeting chairs has significantly increased the diversity of the cadre responsible for the management of these meetings as a result of stakeholder engagement and suggestion.

Incivility

48. Individual behaviours is the second most common allegations which relates to incivility. To ensure early reflection and service improvement a new process has been created since June 2022. All employees who are subject of a complaint by the public are emailed to make them aware of the complaint. This offers the first part of early intervention-an awareness and an opportunity to reflect.
49. The Prevention and Intervention team via the Standards Manager intervene with officers/staff who regularly come to notice and generate complaints.
50. Learning in relation to complaints usually arises from cases that have been fully investigated either by the PSD Investigations Team or the IOPC. Having reviewed the learning recorded by the Service Recovery Team the one case of most relevance was learning for Force Contact around training call handlers in communication style and terminology.

Complaint resolution Neighbourhood Teams

51. When dissatisfaction is brought to the attention of local supervisors they are encouraged to seek to resolve it. The actions the supervisor takes will be documented on the Controlworks log.

52. When these matters are captured on Controlworks logs they will not feature in PSD data sets. When the complaints legislation changed, with the expected increase in demand for bigger Forces it was accepted by the Home Office and IOPC that larger forces were only required to capture dissatisfaction that was brought to the attention of PSD's and not required to capture what was handled locally. Data is therefore not available for dissatisfaction recorded outside of PSD.

53. The monthly PSD Service Confidence meeting examines the detail of members of staff who are subject to multiple or repeat complaint/conduct matters. The Standards Managers are made aware to manage these repeat behaviors which include incivility so that WMP Conversations can be held with these employees and cross referencing can take place linked to performance and welfare. P and I inputs offer guidance on all standards of professional behavior for staff and officers and thus offer opportunity to learn and reflect on behaviors moving forward. P and I track and monitor all learning including organisational learning to flag trends and themes to standards managers to address.

54. When complaints are reviewed PSD staff look at opportunities for learning either for individuals or the organisation. P and I track and monitor these re trends and themes and liaise with standards managers in order to do this and act upon the trends and themes.

Body Worn video

55. Body worn video (BWV) is an asset to complaint handling. It provides an independent view of what has taken place and sometimes can assist in either corroborating or immediately negating a complaint that has been made.

56. In line with force policy BWV is not required to be switched on at all times. Availability or non-availability of BWV is not data that is captured on Centurion. Following consultation with key stakeholders, force policy will be amended to encompass sharing of BWV footage with complainants on a case by case basis.

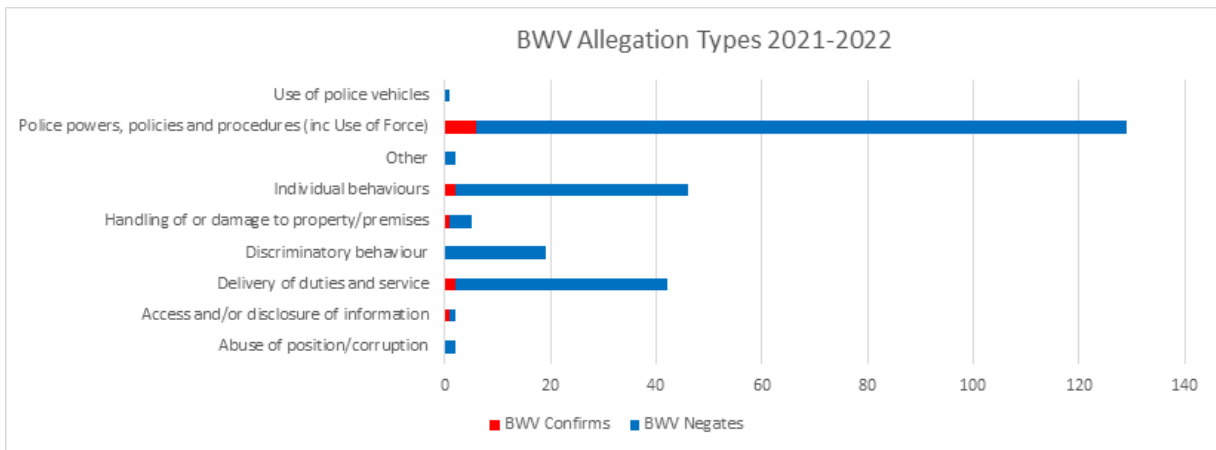


Figure 15: Use of BWV in complaint cases and allegation types 2021/22

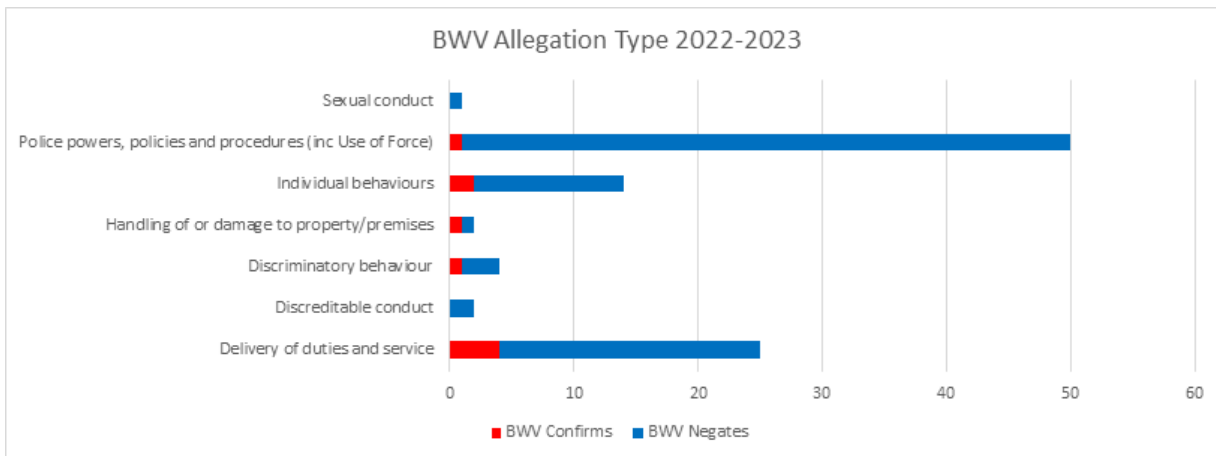


Figure 16: Use of BWV in complaint cases and allegation types 2022/23

57. BWV footage supports the ability to quickly review the matter and complaint. As can be seen in the majority of cases the BWV negates the complaints made. There has been an increase in the matters relating to delivery of duties and services in 2022/23 where the complaint is supported by BWV. This may relate to matters such as communication style, incivility.

58. One of the hugely valuable opportunities that BWV footage provides, is the ability to minimise the effect on community tension; in relevant cases, the sharing of footage with local IAG members allows us to quickly provide the full context of a situation where sometimes only edited/still images are circulating on social media which cause concern. This has assisted in appealing for calm and assisting where information in the public domain has been misinterpreted or misrepresented.

Complaint satisfaction

59. The force does not currently have any measures in place to assess complainant satisfaction at the end of the complaints process; there is a right of appeal (the Review Process via OPCC or IOPC) which complainants can invoke if they are unsatisfied with the formal outcome however, this is not a direct measure of satisfaction. Under a previous pilot for Fairness in Policing within PSD, emails asking about satisfaction were sent to complainants, but a negligible response rate meant that process was not effective. PSD are exploring ways to improve engagement and response rate going forward.
60. In 2022, the customer journey was subject to a six-week deep dive by the Business Transformation Team seeking to identify opportunities for efficiencies, improvements and use of technology. As a result of this work, changes have been made to the reporting form, making it easier for members of the public to secure information and remove unnecessary demand from the system. This has also included a feedback box to improve service delivery

Accountability

61. The department has quality assurance processes in place, volume of work and limited resources creates challenges for this. Supervisory checks are built in at each stage of the investigation, including setting terms of reference for investigations, reviewing progress and making recommendations at the conclusion of an investigation.
62. The OPCC arrange dip sampling sessions to review anonymised reports and provide feedback on their findings.
63. PSD also have a well-established Independent Advisory Group (IAG) who meet on a bi-monthly basis. This group provide supportive and critical feedback to PSD and when requested are actively involved in dip samples and scrutiny groups, as detailed recently relating to vetting disproportionality.
64. The department engages in peer review processes involving other forces to ensure good practice is shared and learning developed. In June 2022 West Midlands PSD hosted a regional counter corruption conference.

65. The accountability of the department is to the Deputy Chief Constable, through quarterly performance review meetings (QPR), departmental performance monitoring is in place monitoring weekly and monthly performance.

Prevention and Intervention

66. In line with other areas of policing, the PSD P and I team have been established to shift focus to a plan of data driven prevention, intervention and engagement to drive down threat, risk and demand. The prevention and intervention approach has been a temporary approach during 2020/21 and as a result of Covid19 had not been able to fully embed this approach. PBB saw an uplift in staffing for this team who have delivered a significant amount of work and supportive products since January 2022, this includes NPU/Departmental profiles, force wide standards of behaviour inputs, vulnerability conversations, management of organisational learning and reflective practice, dilemma of the month learning scenarios. The team have recently developed and launched the PSD passport and seek to engage in academic research pieces in the future.

67. All students entering policing via the numerous routes have a detailed input about policing standards which is delivered by a member of the PSD department. IOPC recommendations from concluded cases involving police officers are already published and available for public scrutiny. Matters which have been concluded at misconduct hearings and were held in public are published on the force website along with a written precis to enable learning for those reading.

Annual integrity Health checks

68. The annual integrity health check online platform has been developed to ensure every member of staff is aware of the Standards of Professional Behaviours and relevant policies that are linked to this such as change of circumstances and business interests. Every member of the organisation will have a line manager conversation and appraise themselves via the online platform of the relevant policies and learning videos. In line with Operation Santos this approach supports all staff displaying the highest standards.

69. To ensure that matters are not subject to unnecessary delay there are mechanisms in place where immediate learning is identified, this is cascaded to the appropriate local senior leadership team to prevent further recurrences whilst the matter is investigated.

HMICFRS/IOPC Recommendations

70. There are currently no outstanding historic HMICFRS actions relating to PSD, outstanding matters have now been progressed satisfactorily and signed off.

71. The HMICFRS inspection into vetting, misogyny and misconduct of 2 November 2022 details 43 recommendations and 5 areas for improvement (AFI). These are not all for police forces, some relate to NPCC lead for vetting, College of Policing. WMP will go through these actions and assess our position against each of them.

	Recommendation	Detail	Progress
1	Spotlight report 2019 - APSP	Record national corruption categories Effective monitoring of force systems Links between PSD and third sector support agencies	Recording in line with categories takes place Ability to monitor force systems in place Good liaison and training in place with third sector agencies in particular in relation to VAIWG matters
2	Spotlight report 2019 - APSP	Skilled staff intelligence/investigation	Wide variety of skills and experience within PSD in particular as a result of PBB staffing uplift
3	Peel assessment 2018	Counter corruption strategic assessment and control plan	Strategic assessment, control plan and delivery plan in place
4	Peel assessment 2018	Effective monitoring of force systems	As at 1

72. There are no outstanding IOPC recommendations for West Midlands Police.

Op Santos

73. In March 2022 Deputy Chief Constable Jardine launched Operation Santos. The ambition of Operation Santos being to ensure that West Midlands Police is an organisation where the highest standards of behaviour are demonstrated by all and where our values guide us to be the best at everything we do. Where everyone acts with courage and fairness and stands up for the right things. Where unreasonable and unfair behaviour is challenged and the Force has a culture which respects all and does the right thing on every occasion.

74. A number of the immediate actions of Operation Santos were in direct response to the IOPC learning following the Operation Hotton investigation into behaviours in the Met police. This included SLT visibility at remote policing locations and supervisor's moral courage training.

75. Operation Santos activity is governed via monthly Force Leadership Conference reporting into DCC Jardine.

Moral Courage Training

76. Moral Courage has been developed to help our leaders build capabilities in the Belonging section of the Leadership Framework. Specifically, the learning increases skills around building trust, inclusive leadership and increasing engagement. The learning is made up of five blended modules and runs from May 2022 to November 2022. To date over 900 first line Leaders have engaged in the learning with a view to getting as many Leaders as possible trained by the end of November 2022.

77. Following this, there will be a self-guided online Moral Courage learning package made available to everyone in the organisation.

Misconduct

78. A summary of the numbers of misconduct meetings, hearings and also police officer accelerated/special case hearings with the outcomes and comparison to previous years.

Disciplinary Proceedings Type	2019-2020	2020-2021	2021-2022	Apr 22 - Oct 22	Total
Former Officer Hearing	4	2	1	4	11
Would Have Been Dismissed	2	0	1	4	
Would Not Have Been Dismissed	0	1	0	0	
First Written Warning	2	0	0	0	
No Action	0	1	0	0	
Appeals	0	0	0	0	
Police Officer Accelerated Hearing/ Special Case Hearing	5	2	3	1	11
Dismissal Without Notice	5	2	3	1	
Appeals	0	0	0	0	
Police Officer Hearing	7	11	6	6	30
Dismissal Without Notice	4	2	1	2	
Dismissal Without Notice if Gross Misconduct	0	0	0	0	
Reduction in Rank	0	0	1	0	
Final Written Warning	1	5	3	0	
Written Warning	0	0	0	2	
Not Proven	2	4	1	0	
Appeals	0	0	0	2	

Police Officer Meeting	14	11	15	12	52
Management Advice	4	4	2	0	
Final Written Warning	1	1	5	3	
Written Warning	7	2	5	6	
Referred for RPRP	0	0	1	0	
No Action	2	2	0	0	
Not Proven	0	2	2	2	
Appeals	0	0	0	1	
Police Staff Accelerated / Meeting	4	3	2	2	11
Final Written Warning	3	1	2	2	
First / Written Warning	1	2	0	0	
No Further Action	0	0	0	0	
Reflective Practice (Post 1st May 22)	0	0	0	0	
Appeals	0	0	0	0	
Police Staff Disciplinary Hearing	5	18	15	7	45
Dismissal Without Notice	0	7	8	5	
Alternative to Dismissal	0	0	0	0	
Final Written Warning	2	6	4	1	
First / Written Warning	2	2	1	0	
No Further Action	1	0	0	0	
Not Proven	0	2	1	0	
Discontinued	0	1	0	0	
Reflective Practice (Post 1st May 22)	0	0	0	0	
Appeals	0	0	1	1	
Post-Employment Staff Discipline Hearing	4	5	3	6	18
Would Have Been Dismissed	2	5	3	6	
Management Action	2	0	0	0	
Alternative to Dismissal	0	0	0	0	
Final Written Warning	0	0	0	0	
First / Written Warning	0	0	0	0	
No Further Action	0	0	0	0	
Reflective Practice (Post 1st May 22)	0	0	0	0	
Appeals	0	0	0	0	
Former Officer Accelerated Hearing/ Special Case Hearing	9	3	7	5	24
Would Have Been Dismissed	8	3	7	5	
Final Written Warning	1	0	0	0	
Appeals	0	0	0	0	
Grand Total	52	55	52	43YTD	202

Figure 17: – Number of disciplinary proceedings that took place by type per financial year

79. The misconduct support team are responsible for progressing investigations to misconduct proceedings. The staffing uplift has enabled the timeliness of cases being finalised (from initial allegation to conclusion of meeting/hearing) to increase significantly along with more detailed performance measures to help us understand and address delays in processes. Covid19 did result in a large backlog of cases which have now being progressed.

80. Since April 2022 there have been an increased number of proceedings compared with the previous years. This is due to an increase of staff within the misconduct support team as a result of PBB uplift, greater direction and new focus provided by the newly created Sergeant role.

81. It is predicted that there will be more accelerated hearings in 2022/23 than previous years. All cases continue to be reviewed to identify opportunity to progress the most serious types of cases through this process. This ensures prompt removal from policing of those who do not uphold standards and undermine public trust and confidence and ensure individuals are placed on the College of Policing Barred List to prevent them securing employment with other forces and creating risk.

<u>DISCIPLINARY PROCEEDING TYPE</u>	<u>DIVERSITY BREAKDOWN</u>
FORMER OFFICER HEARING	3 White British 1 unknown 1 any other White background
POLICE OFFICER ACCELERATED HEARING/SPECIAL CASE HEARING	4 White British
POLICE OFFICER HEARING	1 Asian Bangladeshi 5 white British 1 Asian Indian 1 Black Caribbean 1 any other mixed background 1 any other Asian background
POLICE OFFICER MEETING	20 White British 1 Asian Indian 1 any other White background 1 Asian Pakistani 1 Black Caribbean 1 unknown
POLICE STAFF ACCELERATED MEETING	3 White British 1 Asian Pakistani
POLICE STAFF DISCIPLINARY HEARING	1 Asian 1 Asian other 1 Asian Bangladeshi

	1 Asian Pakistani 1 Asian Indian 16 White British 1 unknown/not stated
POST EMPLOYMENT POLICE STAFF DISCIPLINE HEARING	1 Asian other 1 Asian Pakistani 1 Black Caribbean 1 White British 5 unknown/not stated
FORMER OFFICER ACCELERATED HEARING/SPECIAL CASE HEARING	10 White British 1 White Asian 1 Black Caribbean

Figure 18: Diversity Data for financial year 21-22 & April 22 to October 22 for disciplinary outcomes

82. The diversity data relating to misconduct proceedings and outcomes does not highlight any matters of disproportionality. The disproportionality focus group meets bi monthly to examine the data and seek to understand and improve processes to reduce disproportionality. There remains disproportionality in some areas of PSD such as vetting, where work is ongoing such as deep dives with key stakeholders and IAG members.

83. There is an expectation that investigations will, in the majority of cases, take between 6-12 months to complete, although they may take less time than this where straightforward, matters over 12 months require notification to the OPCC.

84. The majority of PSD investigations were completed within 12 months, however there are often reasons why investigations can take much longer; these include where there are delays due to criminal proceedings, illness, forensic examination of phone or computer material. Regulation 13 of the Police (Complaints and Misconduct) Regulations 2020 requires PSD to notify the OPCC of investigations which have not been completed in the “relevant” period. In 2021/22 there were 15 such notifications, in 2022/23 to date there have been 15 such notifications.

Vetting

85. As of November 2021, the number of Aftercare Vetting applications overdue was 1495. At the end of January 2022, the vetting team successfully completed a three-year aftercare project, bringing vetting for all police officers and staff up to date. All police officers and staff in the work place have at least the minimum required level of recruitment vetting. There are an additional 40 officers/staff who are yet to be re-vetted, who are not in the workplace (long term sick, suspended, family leave, career break). In July 2022, HMICFRS formally signed off the outstanding actions for vetting as complete.
86. To ensure future compliance with Vetting APP, a Qlik dashboard linked to robotics is being utilised, which is able to send out a request for re-vetting prior to vetting levels expiring. A dedicated vetting aftercare team is responsible for the ongoing vetting of current employees.
87. The vetting team have met all targets for the national police officer uplift project and have a dedicated team responsible for officer and staff recruitment vetting. An uplift of 2 vetting officers was authorised through PBB in March 2022, to facilitate a more in-depth open source and social media research of applicants. The additional research is essential for identifying risky individuals and ensuring WMP only employ people who will protect the most vulnerable in society.

Vetting Team Structure

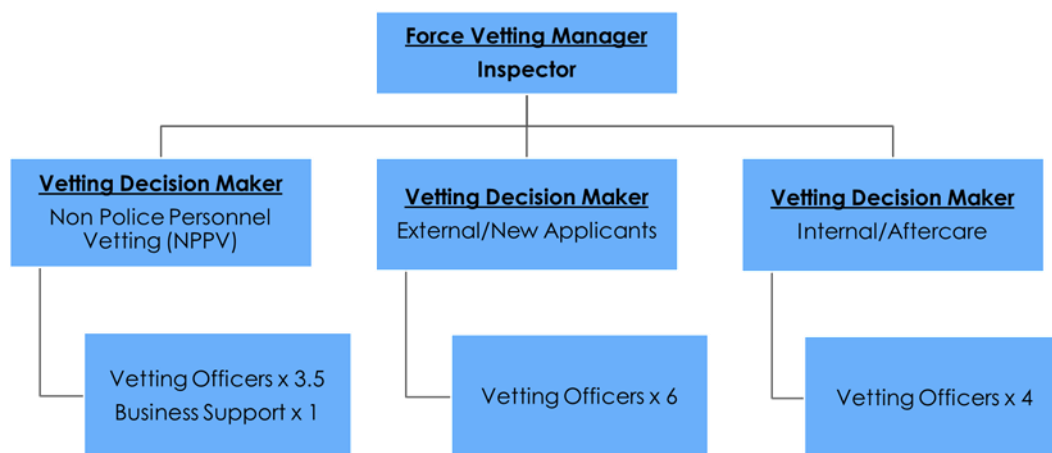


Figure 19: Vetting team structure

Counter Corruption

88. West Midlands Police Counter Corruption Unit (CCU) are a discreet proactive investigation team that form part of the Professional Standards Department. The

CCU consists of a sensitive intelligence unit and an operations team that together, provide a covert capability to identify, research, develop and investigate concerns of corruption.

89. The team receive, proactively generate, and develop intelligence for onward investigation. They maintain confidential reporting mechanisms such as an internal referral process (The Corruption Line) to facilitate confidential reporting by members of the policing family. As well as a number of external reporting mechanisms including partner agencies and crime stoppers. The team proactively develop and generate intelligence from live investigations, open source, and the use of audit and monitoring capabilities achieved through lawful business practice.

90. The team provide an accredited detective capability to progress proactive and reactive investigations, utilising a range of tactics, carrying out enforcement action and managing the subsequent proceedings, disclosure and file build.

91. Together the unit is able to provide a sensitive and discreet service from the generation of intelligence, through to conclusion at criminal and disciplinary proceedings. Due to the sensitive nature of the work undertaken by the department, further updates can be delivered directly to the PCC.

Finance

92. The current budget for 2022/23 is £89,500 and does not include regular staffing costs. This is broken down into £43,400 officer and staff overtime and £46,100 for other costs within the department such as travel and specialist services.

Legal Implications

93. Compliance with the regulations is a requirement, and enables us to demonstrate transparency, and build trust and confidence. It also enables us to undertake our employment responsibilities to our staff, and be confident that due process is followed in the most serious cases where staff are dismissed.

Next Steps

94. The board is asked to note the contents of this report.