

**COMPLAINTS AND CONDUCT COMMITTEE
19 May 2021**

**Minute of the Scottish Police Authority Complaints and Conduct
Committee held by videoconference on Wednesday 19 May 2021.**

Committee Members

Alasdair Hay (Chair)
Paul Edie
Grant Macrae
Fiona McQueen

Scottish Police Authority

Chris Brown, Deputy Chief Executive, Resources
Darren Paterson, Head of Workforce Governance
Stuart Milne, Complaints and Conduct Co-ordinator
Graham Ravenscroft, Complaints and Conduct Co-ordinator
Karen Vallance, Governance Support Officer

Police Scotland

ACC Alan Speirs
Chief Superintendent Andy McDowal

PIRC

Ilya Zharov

1. Welcome and Apologies

The Committee Chair welcomed attendees to the meeting and confirmed the video conference contingency arrangements. All attendees provided introductions.

The Committee resolved to:

- **NOTE** no Committee Member apologies;
- **NOTE** no declarations of interest;
- **ADOPT** the minute of the 3 March 2021 meeting.
- **NOTE** the action log and that there were no matters arising.

- **AGREE** that, in accordance with paragraphs 20 of the SPA Standing Orders, the Committee would consider items 7-11 in private for the reasons set out on the agenda.

2. SPA Quarterly Performance Report (Q4) – Darren Paterson

Members considered the report which provided information and updates on complaints and conduct matters, including key statistics reflecting the position at the end of Q4, 2020/21. Darren Paterson (DPaterson) highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Members noted the number of allegations out with remit had been an issue for some time and sought clarity on when the website would be updated to alleviate the issue. Members were advised a number of areas of the website redesign project had progressed and the current timescale for completion was September 2021.
- Members were advised that due to the small number of complaints that fell within the remit, further work was required to highlight themes and learning within future reports.
- Members were informed the SPA Complaints team have 40 days to respond to a complaint from when it is received. This timing includes agreeing heads of complaint. Regular contact is made with the complainer and the complainant is advised at the earliest opportunity once a clear indication of the complaint is known.
- Members were informed future website redesign work would look at accessibility for those groups unable to contact SPA through usual means.

The Committee resolved to:

- **NOTE** the SPA Quarterly Performance Report.

3. Police Scotland Professional Standards Quarterly Performance Report (Q4) – ACC Alan Speirs

Members considered the report which provided the statistical information relating to the investigation of complaints about members of Police Scotland for the period 1 January 2021 – 31 March 2021. ACC Alan Speirs (ACCSpeirs) provided an overview of the report and highlighted a number of key points as detailed in the paper.

In discussion the following matters were raised:

- Members were informed that as per the legislation all instances of Taser discharge, PAVA discharge and presentation of a firearm are automatically referred to the PIRC.
- Members were informed that any allegation that is made in relation to conduct is considered but not every instance may be a conduct matter.
- Members sought further information on the origin of complainers and were informed of the number of ways people can make a complaint: in person, through 101 and through online mechanisms. Regarding the profile of complainers, Members were informed Police Scotland are working to establish a sophisticated process to understand the data.
- Members were informed a complaint will not be upheld unless there is, on the balance of probability, significant evidence that it happened.
- Members were advised there may be a misconduct allegation with no further action. Police Scotland try to discharge Conduct legislation in the spirit they were intended, which was to provide learning, improvement and development. As a result, not all misconduct assessments will result in formal actions, with a number of alternative actions taken such as through performance regulations.
- Members sought clarity if the new complaint handling model had an impact on Front Line Resolution (FLR) outcomes and if targets would be set. ACCSpeirs responded that there was no change to the handling of FLR and targets were not set. However, during the peak of Covid-19, Police Scotland sought to maximise the number of complaints resolved through FLR and 65-70% were resolved in this manner. Analysis is undertaken on issues resolved through FLR to confirm they met the criteria and the national model provides the opportunity to better analyse data collated.
- Members were informed there were 4/5 key areas and 160-170 staff within the Professional Standards department.
- Members were informed that Covid-19 related complaints were mainly around policing style rather than against specific Officers. Other Covid-19 complaints were in relation to physical distancing and use of PPE. ACCSpeirs confirmed the number of Covid-19 complaints had reduced in the last quarter and it was expected the number will continue to decrease. Members were informed that Covid-19 complaints during the first lockdown were used as a barometer to determine the public mood and response to lockdown, and contributed to shaping the changing approach of policing during the pandemic.

The Committee resolved to:

- **NOTE** the Police Scotland Professional Standards Quarterly Performance Report (Q4).

4. PIRC Quarterly Report on Police Scotland Handling of Complaints –Ilya Zharov

Ilya Zharov (IZharov) advised Members that up until 2020 the way statistics for Front Line Resolution were recorded did not allow room for analysis however the change in system has helped.

Members considered the report which provided the statistical information relating to PIRC Complaint Handling Reviews. IZharov provided a summary of the report and highlighted a number of key points as detailed in the paper.

The Committee explored the reasons behind the number of reviews relating to the quality of final complaint letters, and discussed the ways letter writing can be improved.

The Committee resolved to:

- **NOTE** the Police Scotland Professional Standards Quarterly Performance Report (Q4).

5a. Review of Complaints Handling, Investigations and Misconduct in Relation to Policing – SPA Update –Darren Paterson

Members considered the report which provided an update on work being progressed to address recommendations arising from the Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing, led by Dame Elish Angiolini. DPaterson provided a detailed summary of the paper.

The Committee resolved to:

- **NOTE** the report

5b. Review of Complaints Handling, Investigations and Misconduct in Relation to Policing – Police Scotland update – ACC Speirs

ACCSpeirs advised Members Police Scotland had delivered the vast amount of recommendations from the Interim report and were progressing those recommendations raised from the final report.

ACCSpeirs undertook to provide a written update to the next Committee.

The Committee resolved to:

- **NOTE** the update.

6. Complaints and Conduct Committee Work Plan

Members were informed the work plan was a rolling 12 month plan, which was kept updated with any arising areas of business.

The Committee resolved to:

- **NOTE** the work plan.

The Chair concluded the public session of the committee.