



Agenda Item 3

Meeting	Complaints and Conduct Committee
Date	27 February 2025
Location	Online
Title of Paper	Police Scotland Professional Standards Department Quarterly Performance Report (Q3 – 24/25)
Presented By	Assistant Chief Constable Stuart Houston and Chief Superintendent Helen Harrison, Professional Standards Department.
Recommendation to Members	For Discussion
Appendix Attached	Appendix A – Performance Report (Q3 – 24/25) Appendix B – Misconduct Outcomes Appendix C – The Standard

PURPOSE

To report to Members of the Complaints and Conduct Committee, for the purposes of noting, statistical information on the overarching performance activity in relation to complaints and conduct matters about members of Police Scotland for period (1 April 2024 – 31 December 2024).

Members are invited to discuss the content of this report.

1. BACKGROUND

- 1.1 The attached performance report provides data relating to the period ending Quarter 1 (1 April 2024 – 31 December 2024).
- 1.2 Data contained in this report is management information and is correct as at 20/01/2025, unless elsewhere specified.

2. FURTHER DETAIL ON THE REPORT TOPIC

- 2.1 There are no further details on this report.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications in this report.

4. PERSONNEL IMPLICATIONS

- 4.1 The nature of the matters reported inevitably leads to implications for both individual and wider personnel matters. These are considered on a case-by-case basis to ensure welfare, conduct and both individual and organisational learning opportunities are identified and addressed.

5. LEGAL IMPLICATIONS

- 5.1 There are no legal implications in this report.

6. REPUTATIONAL IMPLICATIONS

- 6.1 As per Item 4.1, each case is assessed for individual and organisational reputational risks and implications and appropriate action taken.

7. SOCIAL IMPLICATIONS

- 7.1 The nature of the data reported in this paper is related to complaints about the police and conduct matters. By its very nature, the subject matter implies a level of negative social, community and equalities impact. By addressing the individual matters and thereafter considering holistically that which has been

reported, Police Scotland seeks to mitigate the negative impact of those cases reported.

8. COMMUNITY IMPACT

8.1 As per 7.1 above.

9. EQUALITIES IMPLICATIONS

9.1 As per 7.1 above.

10. ENVIRONMENT IMPLICATIONS

10.1 There are no environmental implications in this report.

RECOMMENDATIONS

Members are invited to discuss the content of this report.

OFFICIAL



Professional Standards (PSD) SPA Performance Report - Quarter 3 of 2024/25

Meeting Date: 27 February 2025

PSD - Summary of Preventions

PREVENTIONS AND PROFESSIONALISM PROGRAMME

The Preventions and Professionalism Tactical and Operational Groups continue to meet on a bi-monthly basis to drive prevention activities aligned to the themes and trends identified through complaint and conduct investigations.

Momentum continues with the online prevention engagement sessions with first- and second-line managers. The most recent session focussing on prevention and correct handling of complaints attracted 160 participants. The next session scheduled for February will focus on use of force. Learning from these sessions is augmented through publication of the Standard Newsletter. The force wide survey which included questions relating to organisational culture and values took place over the summer months. Results are being evaluated and options going forward are being further considered around a more focussed evaluation of the Values Campaign and its impact upon reporting of sexual and domestic incidents.

A number of ethical dilemmas are being presented at Ethics Advisory Panels including the Youth Advisory Panel which is made up of elected members to the Scottish Youth Parliament and an Independent Advisory Panel. Discussions and feedback from these panels will be used to inform policy and decision making going forward. Police Scotland have been invited to join the committee for a UK wide Public Sector Ethics Network which will bring together a range of public sector organisations and academics to share learning, expertise, emerging trends and preventions work.

THE STANDARD NEWSLETTER AND PUBLICATION OF MISCONDUCT OUTCOMES

The eighth Misconduct Outcomes edition is due to be published in February 2025. Engagement with Line Managers and Senior Management Teams by PSD form part of business as usual and encourages the use of these products to generate discussion at team briefings to further reinforce preventions messaging and learning.

The seventh edition of The Standard newsletter was published in January 2025 and is attached at Appendix C of this report. This addition looks at the most common cause for complaints about the police with a focus on prevention, early resolution and roles and responsibilities.

PIRC/PSD TRAINING EVENT

Practitioner meetings with PSD and PIRC continue to take place to ensure learning and improvement remains ongoing. Learning from Compliant Handling Reviews (CHR) continues to be captured and shared forcewide through regular engagement with local and national divisions.

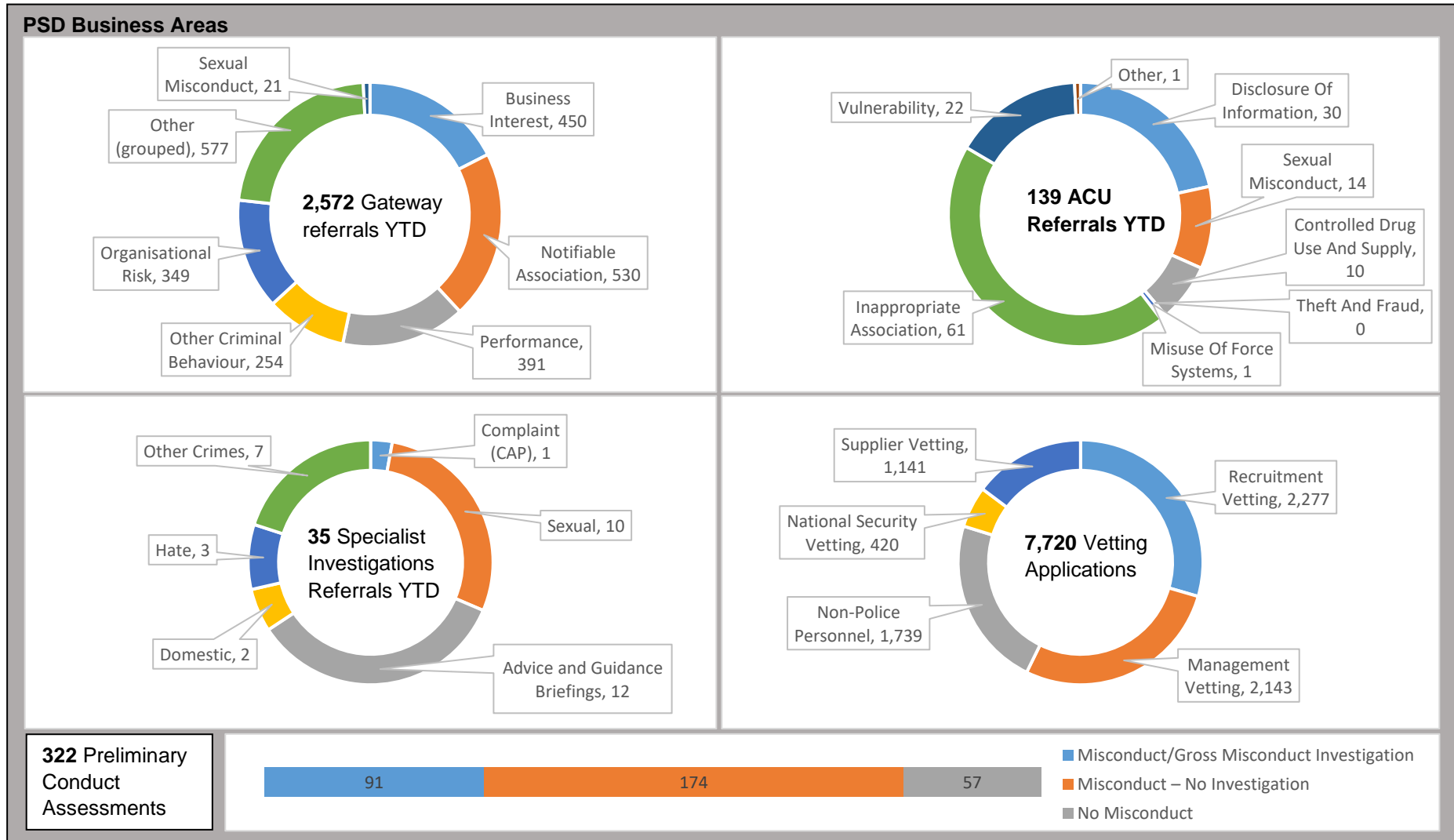
PSD Learning and Development are working closely with probationer training to further improve understanding of the Standards of Professional Behaviour and embed learning in everyday practice. Additional material is being developed to create a “Gold Standard” input which is fully accessible.

Work is ongoing with recruitment to develop additional content around expected standards of professional behaviour for inclusion at the point of application.

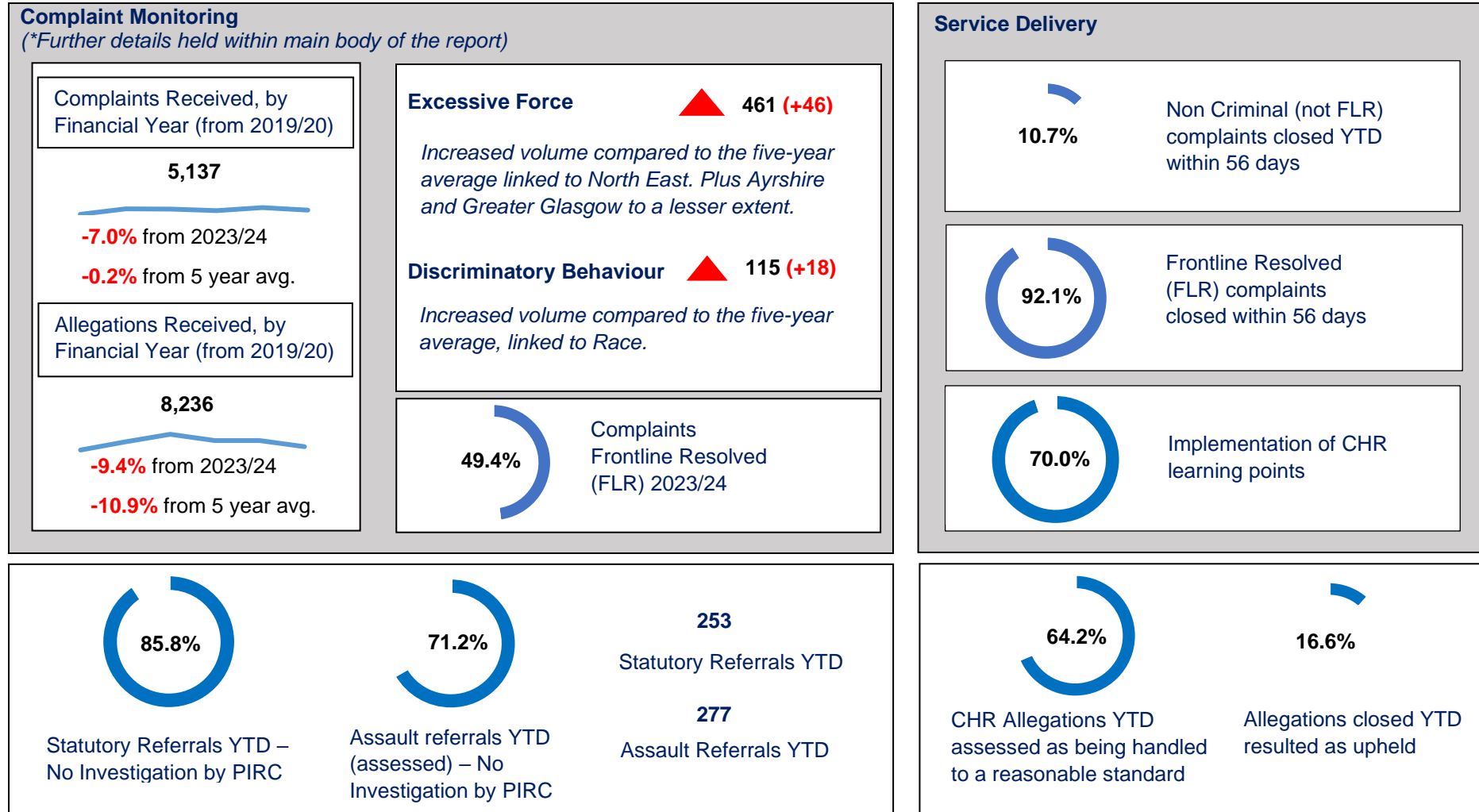
POLICE (ETHICS, CONDUCT AND SCRUTINY) (SCOTLAND) BILL

Police Scotland continues to work closely with stakeholders to contribute to the progress of the Bill which was passed at stage 3 of the parliamentary process on 15th January and now awaits Royal Assent. Reports have now been published and are available on the Scottish Government website. A project team is currently working on training material to ensure changes relative to the Bill are fully understood and are implemented in compliance with incoming legislation.

PSD Service Delivery Dashboards



PSD Service Delivery Dashboards



PSD Service Delivery Dashboards – Executive Summary

- A total of **5,137** complaints were received during 2024/25 YTD (-**7.0%** decrease from the PYTD and -**0.2%** decrease against the five-year average).
- **49.4%** were Frontline Resolved (FLR), a decrease from the PYTD rate of **52.1%**.
- **94** CHRs were received YTD, with **64.2%** of allegations reviewed found to be handled to a reasonable standard (**+5.8%** from PYTD).
- Approximately **1.8%** of complaints reported are subject of CHR.
- **253** statutory referrals were made to PIRC, a **15.0%** increase from the PYTD. Of these, **85.8%** resulted in no investigation by PIRC.
- A total of **80** Police officers were suspended and a further **121** subject to duty restrictions at the conclusion of Q3 YTD, with **16** members of Police staff also suspended at this time.
- **24** misconduct hearings in respect of Gross Misconduct were scheduled YTD with **6** dismissals, **1** required to resign and **4** formal warnings issued. A further **12** allegations were concluded with resignation prior to a hearing. The remaining **1** hearing was concluded as no misconduct.

Complaints Received

5,137 complaints were received YTD, -7.0% from the PYTD and -0.2% decrease from the five-year average. Complaints YTD are at a reduced level, affirmed by this volume sitting within the upper and lower confidence limits (i.e. 95 times out of 100 the number of complaints YTD will range between 4,943 and 5,345), based on the current YTD and the prior five year-to-date periods.

- 2,536 complaints (49.4%) were Frontline Resolved (FLR), compared with 52.1% PYTD.
- 26.9% were Non-Criminal (1,383), 11.3% Abandoned (578), 5.0% Withdrawn (255), 1.1% Ongoing (55), 0.0% not relevant complaint (2) plus 6.4% Criminal (328).

North Command

- 1,177 complaints received YTD, -10.4% from PYTD and -3.4% against the five-year average.
- Decreases are noted across all territorial divisions in the North, compared to the PYTD and the five-year average (except no change in North East against the five-year average). Each divisional YTD volume sits within confidence limits. Allegations of Excessive Force in North East division are however an increase of note (+24 from PYTD; +27 from the five-year average).

East Command

- 1,565 complaints received YTD, -6.9% on the PYTD and -2.3% against the five-year average.
- Although decreases are widespread, increases in Edinburgh (+1.3% from the five-year average) plus Lothians and Scottish Borders (+4.4% from PYTD) were identified. All territorial divisions sit within confidence limits, except Forth Valley (which is below the limits). Irregularity in Procedure allegations, specifically Insufficient Enquiry carried out (+17) and Provide insufficient updates to the complainer (+11), primarily influence the Edinburgh increase against the five-year average. In Lothian and Borders, increases from the PYTD in Excessive Force (+14 from PYTD, +4 from the five-year average) and Neglect of Duty (+9 from PYTD, +10 from the five-year average) were identified.

Chart 1: Complaints Received, by YTD Period

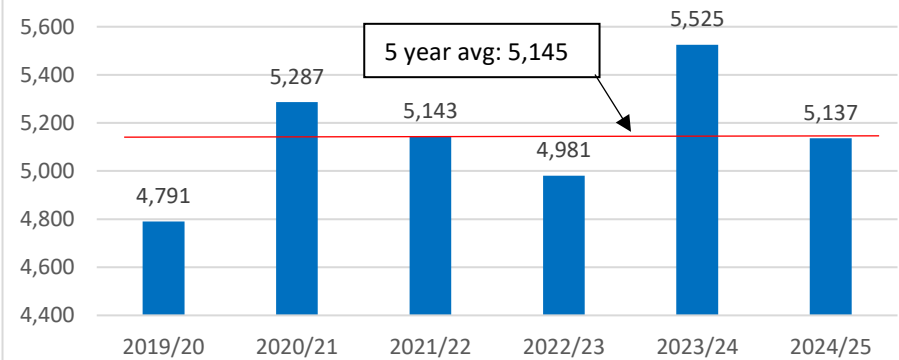
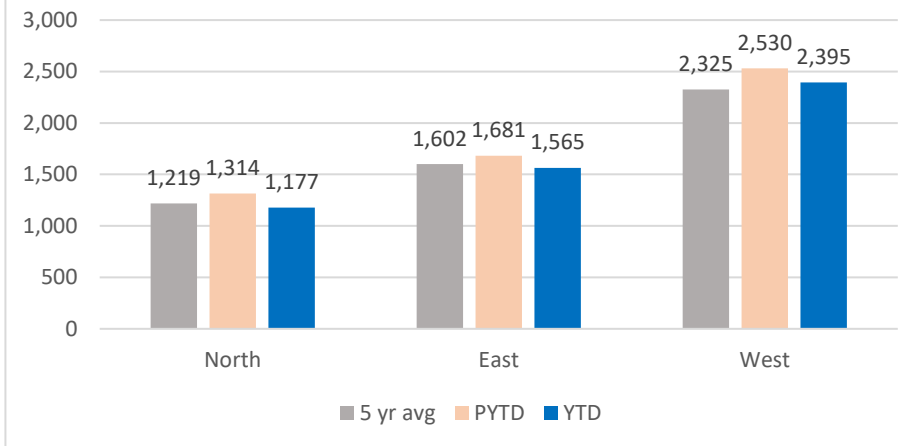


Chart 2: Complaints Received, by Command Area and Period



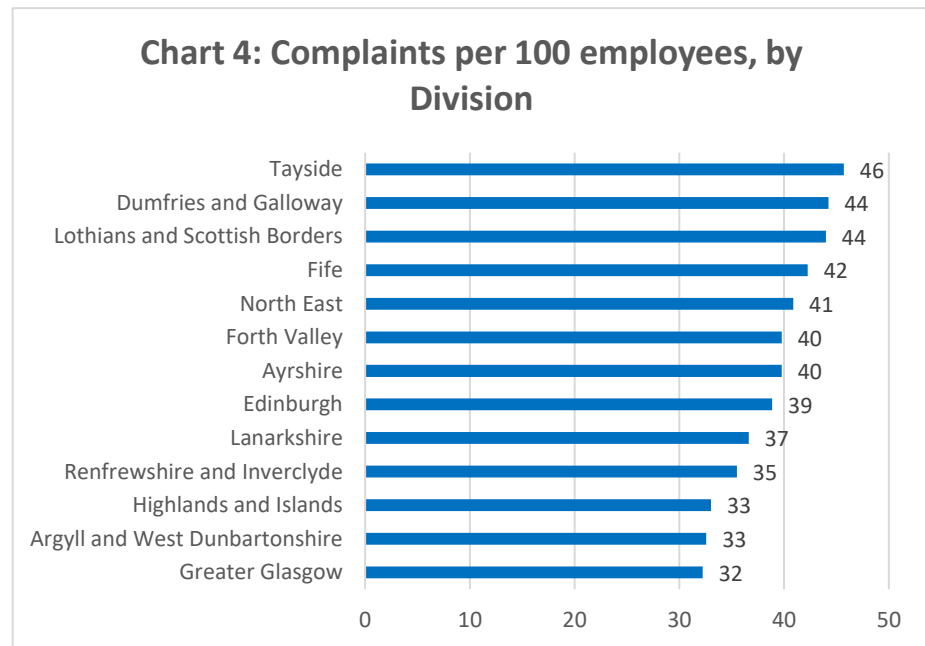
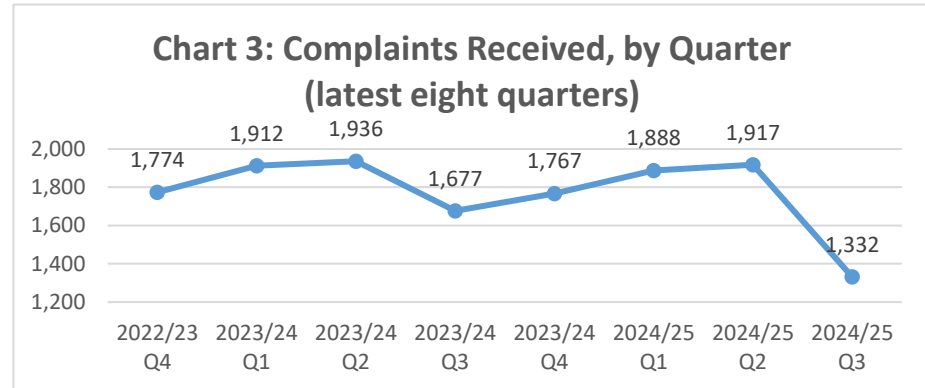
Complaints Received (continued)

West Command

- 2,395 complaints received YTD, -5.3% from PYTD and +3.0% against the five-year average. This increase is impacted by increases in Greater Glasgow (+47) and Ayrshire (+35) from the five-year average. Both divisions sit above the confidence limits. The increase in Ayrshire is influenced by allegations of Excessive Force (+19 from PYTD, +13 from the five-year average) and Assault (+7 from PYTD, +7 from the five-year average). Irregularity in Procedure allegations of 'Custody Procedures/Care of Prisoners' (+10 from PYTD, +7 from the five-year average) also increased. In Greater Glasgow, Discriminatory Behaviour (-2 from PYTD, +13 from five-year average) and Excessive Force (+19 from PYTD, +9 from five-year average) allegations influence the divisional increase. Irregularity in Procedure subtypes 'Inaccurate information placed on police systems' (+8), 'Insufficient Enquiry carried out' (+8) and 'Method of Arrest/Detention' (+7) also rose from the five-year average.

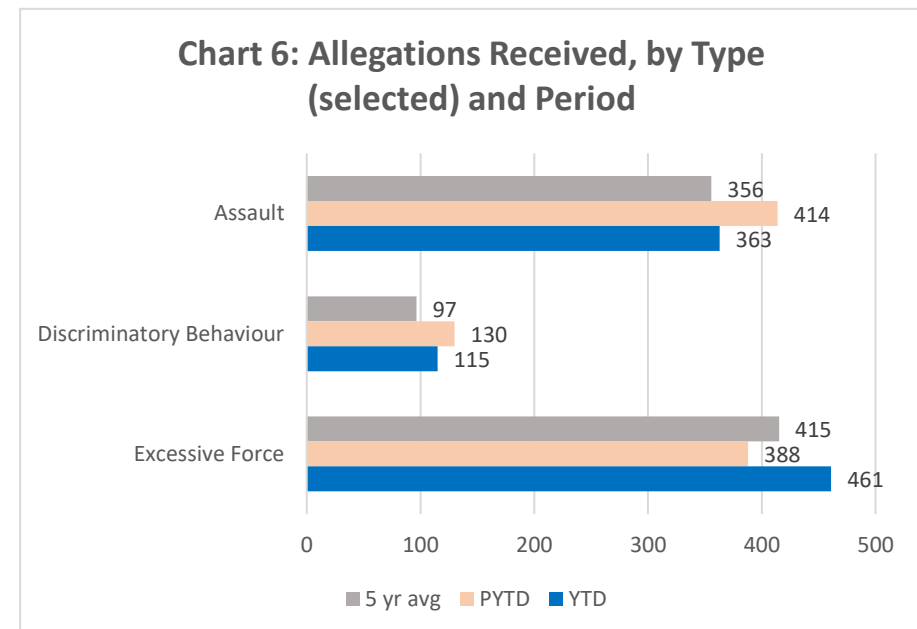
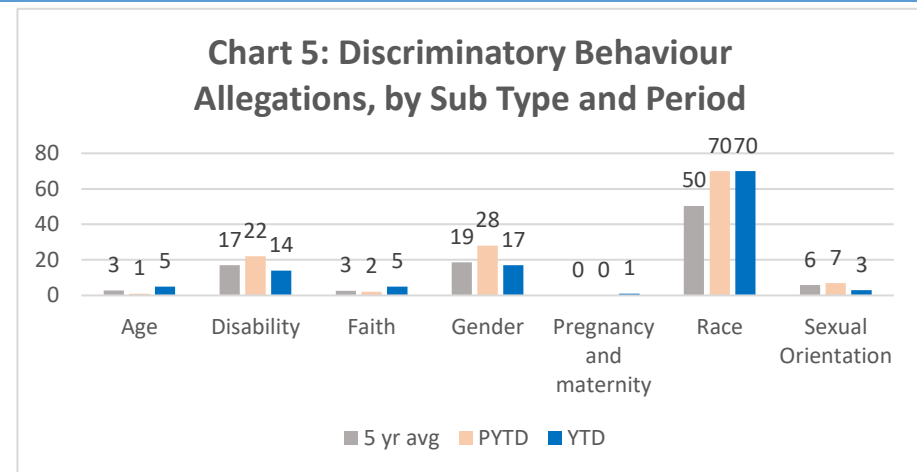
As seen in Chart 3, complaint volumes have spiked during Quarter 1 and Quarter 2 YTD, similar to the previous spike in complaints received during those same quarters during 2023/24.

- Further analysis comparing YTD rates of complaint per employee headcount identified variance across territorial divisions, ranging from 32 to 46 complaints per 100 employees.
 - Due to the low volume of complaints received against specialist divisions, the rates for those divisions are particularly low by comparison (ranging from 1 per 100 employees in Corporate Services, to 11 per 100 employees in C3).
 - Each complaint may involve multiple subject officers and, where the complaint involves only Quality of Service allegations, there may be no subject officers attached.



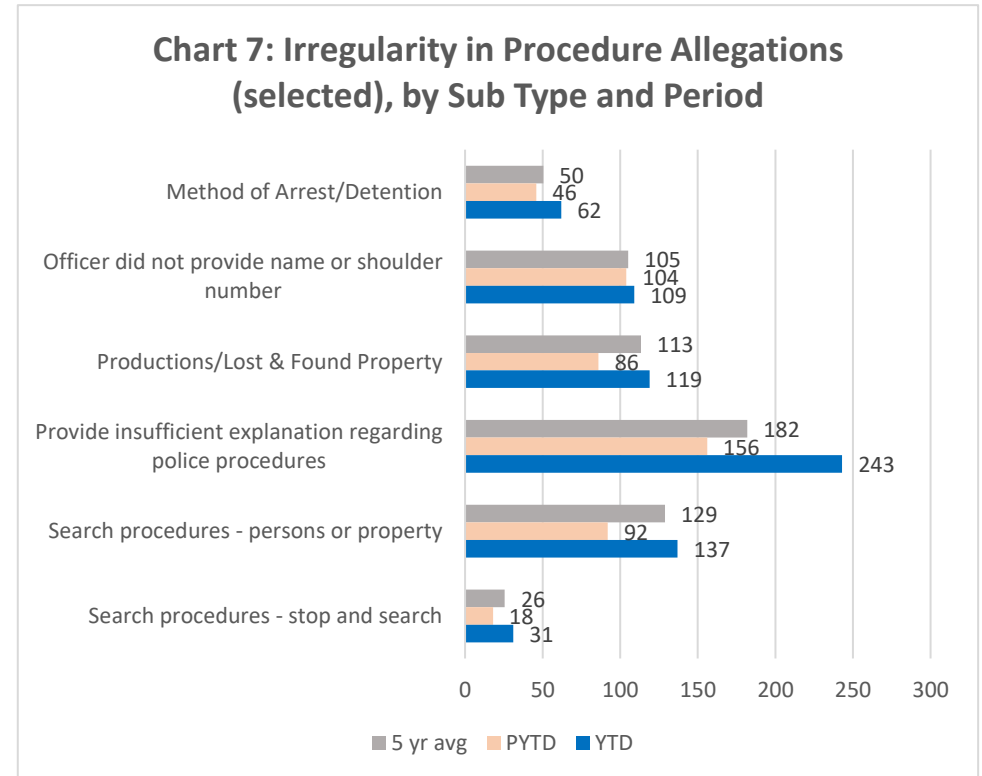
Emerging Trends

- Discriminatory Behaviour allegations have decreased from the PYTD (-15 allegations) but remain above the five-year average (+18 allegations), with 115 received YTD. The increase from the five-year average is chiefly linked to allegations with a Race sub type (+0 from PYTD, +20 from the five-year average), with 70 allegations received YTD. This category was previously identified as being at an increased level during 2023/24. Greater Glasgow primarily influences the race sub type increase YTD (+2 from PYTD, +11 from the five-year average). Lower volume increases are also registered in Lanarkshire (+4 from PYTD, +4 from the five-year average) and Forth Valley (+4 from PYTD, +3 from the five-year average).
- Excessive Force allegations have increased from the PYTD (+73) and the five-year average (+46), with 461 received YTD. This is influenced by increases in North East (+24 from PYTD, +27 from five-year average), Ayrshire (+19 from PYTD, +13 from five-year average) and Greater Glasgow (+19 from PYTD, +9 from five-year average). This supplemented by increases at lower volume across seven other divisions.
- Although Assault allegations have decreased from the PYTD (-51), these remain above the five-year average (+7). A total of 363 allegations were received YTD. North East (+12 from PYTD, +7 from five-year average), Ayrshire (+7 from PYTD, +7 from five-year average) plus Lothian and Borders (+2 from PYTD, +6 from the five-year average) are the highest volume contributors to this increase. Four other divisions also registered low volume increases against the five-year average – Fife (+3), SCD (+3), Greater Glasgow (+2) and OSD (+1).
- Irregularity in Procedure - Provide insufficient explanation regarding police procedures allegations have increased from the PYTD (+87) and the five-year average (+61), with 243 received YTD. This increase is widespread, with seven divisions closely matched in the volume increase registered against the five-year average. A further five divisions also registered lower volume increases in this regard.



Emerging Trends (continued)

- Irregularity in Procedure – Method of Arrest/Detention allegations have also increased from the PYTD (+16) and the five-year average (+12), with 62 received YTD. This increase is primarily linked to Greater Glasgow (+10 from PYTD, +7 from the five-year average).
- Irregularity in Procedure - Search procedures – persons or property allegations up from the PYTD (+45) and the five-year average (+8), with 137 received YTD. Corporate Services most impact this increase (+12 from PYTD, +12 from the five-year average), however these allegations are almost exclusively linked to a single complaint. The increase is also linked to North East (+19 from PYTD, +11 from the five-year average) and Greater Glasgow (+13 from PYTD, +7 from the five-year average).
- Irregularity in Procedure - Productions/Lost & Found Property allegations have increased from PYTD (+33) and the five-year average (+6), with 119 received YTD. Linked to Lanarkshire (+2 from PYTD, +5 from the five-year average), North East (+4 from PYTD, +4 from the five-year average) plus Dumfries and Galloway (+6 from PYTD, +4 from the five-year average).
- Irregularity in Procedure - Search procedures - stop and search allegations have increased from the PYTD (+13) and the five-year average (+5), with 31 received YTD. Linked to low volume increases in Lanarkshire (+4 from PYTD, +3 from the five-year average) and Greater Glasgow (+2 from PYTD, +2 from the five-year average).
- Irregularity in Procedure - Officer did not provide name or shoulder number allegations have increased from PYTD (+5 from PYTD, +4 from five-year average), with 109 allegations received YTD. Linked to low volume increases in Fife (+4 from PYTD, +4 from the five-year average), Renfrewshire and Inverclyde (+3 from PYTD, +4 from the five-year average), plus Ayrshire (+3 from PYTD, +3 from the five-year average).
- A total of 81 allegations attached to 63 separate complaints related to the use of Stop and Search by Police Scotland officers were received during the YTD. These represent a low volume in the context of the overall number of Stop and Search incidents recorded (33,020 noted at year-end 2023/24, therefore averaging around 8,255 per quarter). Relevant statistics are routinely included the Quarterly Policing Performance Report. These are also reported monthly to the Violence, Disorder & Anti-Social Behaviour Strategic Meeting and bi-annually to the Stop Search Mainstreaming and Assurance Group.



Emerging Trends (continued)

A breakdown of the 8,236 allegations received YTD, by type, are summarised here in Chart 8.

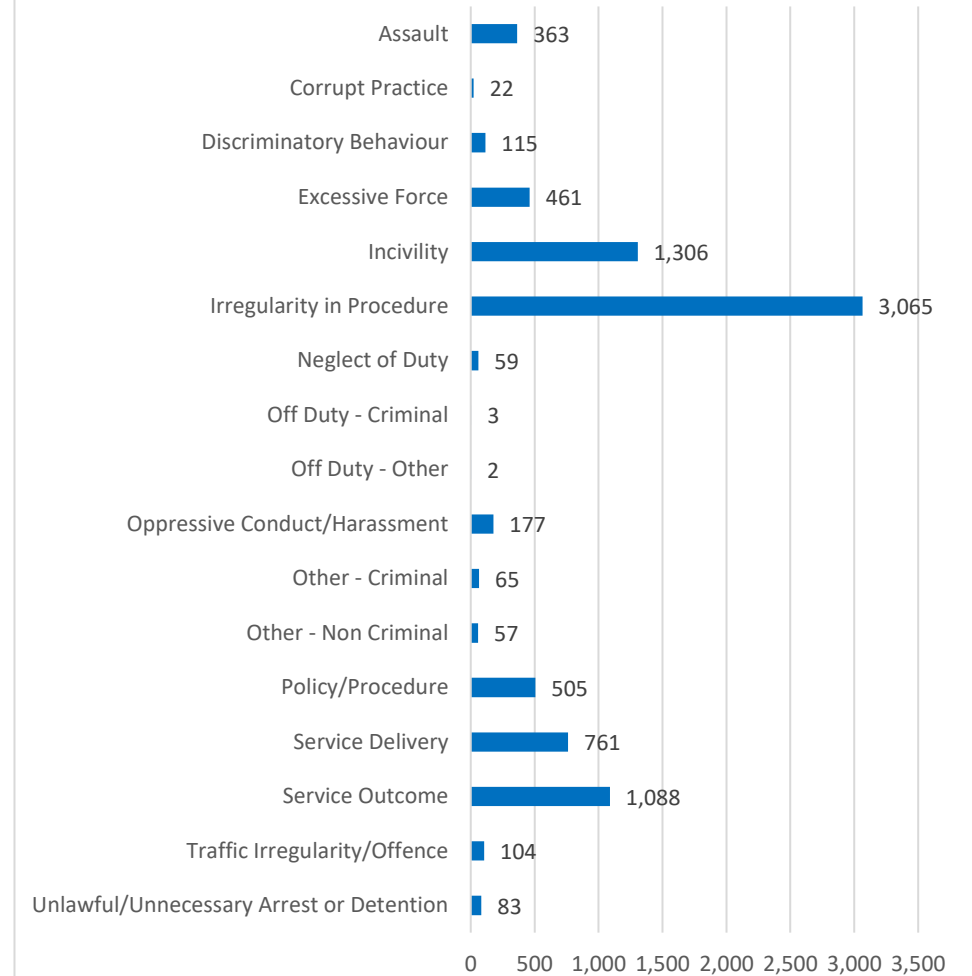
Moreover, the allegation type of Irregularity in Procedure involves a further nineteen sub types. The highest volume of those are detailed below:

- Insufficient Enquiry carried out (675).
- Other (583).
- Provide insufficient updates to the complainer (362).
- Custody Procedures/Care of Prisoners (294).

Quality of Service allegations also involve several sub types, with the highest volume of those listed below:

- Service Outcome – Lack of satisfaction with action taken (735).
- Policy/Procedure – Policing Procedure (388).
- Service Delivery – Type of Response (436).

Chart 8: Allegations Received, by Type (YTD)



Service Delivery

- 2,302 allegations attached to completed complaint investigations (criminal and non-criminal) concluded YTD, with 16.6% upheld representing an increase from PYTD (14.9%) and the five-year average (15.2%).
 - The largest volume of the 381 allegations upheld YTD were Irregularity in Procedure (161), Service Delivery (103) and Service Outcome (51).
 - Highest volume sub types involved were: Insufficient Enquiry carried out (51) and Time of Response (76). For Service Outcome, both Lack of satisfaction with action taken (26) and Police failure to take action (25) were very closely matched.
- 10.7% of the 421 non-criminal (not FLR) complaints concluded YTD were closed within 56 days, a decrease on the PYTD rate of 11.4% (-0.7%) and against the five-year average rate of 31.0% (-20.3%). The average closure time YTD was 285 days, an increase from the PYTD average of 223 days and the five-year average of 151 days.
- 94 Complaint Handling Reviews (CHRs) were received YTD, -18.3% from PYTD, with 64.2% of allegations reviewed found to have been handled to a reasonable standard (+5.8% from PYTD).
- This rate of allegations handled to a reasonable standard sits at a high level compared to 2023/24 (which ranged between 50.0% during quarter 3 and 63.8% during quarter 1).
- Discretionary decisions from PIRC also impact on the rate handled to a reasonable standard, as those are considered to have been handled to a standard whereby a full review is not required.

Chart 9: Allegations Upheld, by YTD Period

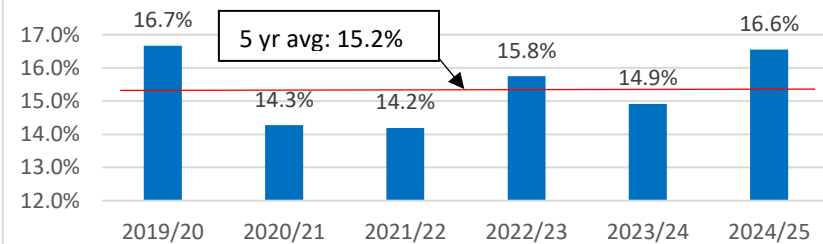


Chart 10: Non-Criminal (not FLR) Complaint Timescales, by Days to Close (YTD)

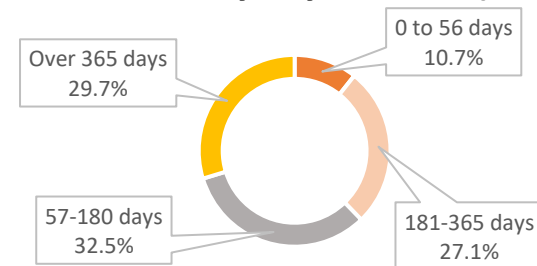
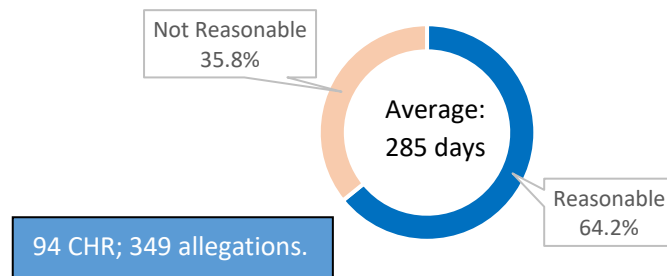
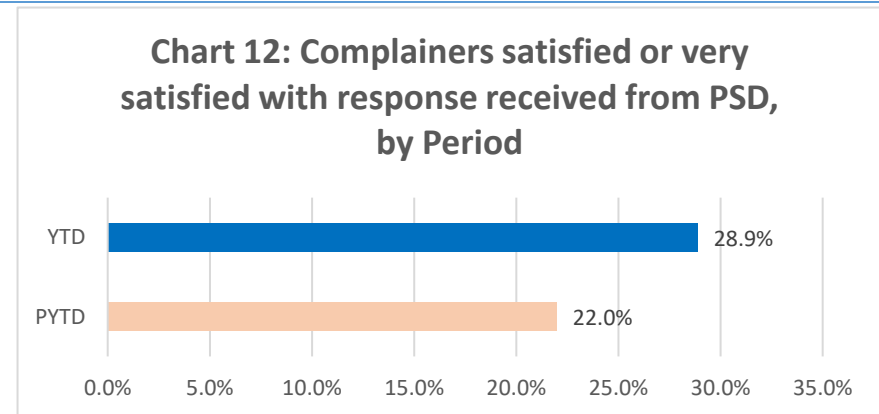


Chart 11: CHR Allegations YTD, by Outcome



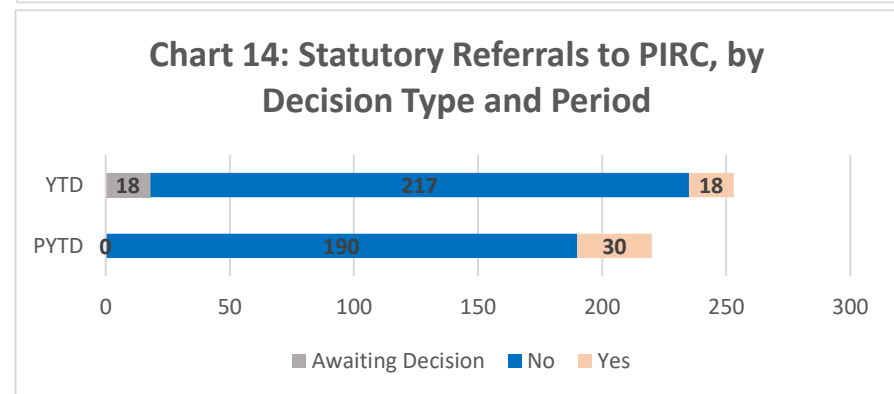
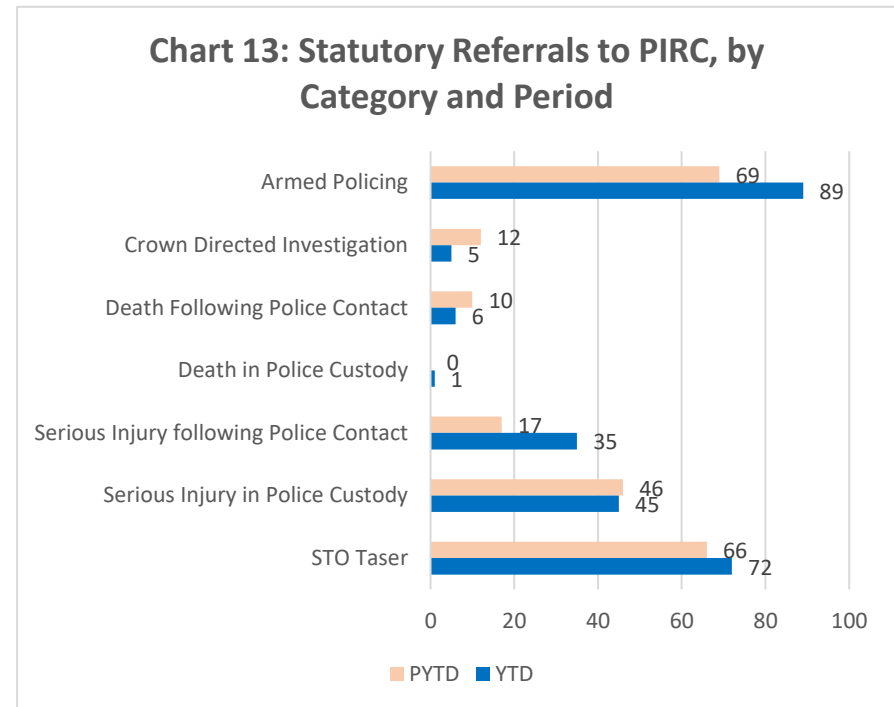
Service Delivery (continued)

- 109 recommendations and 68 learning points were received YTD. The majority of recommendations received were categorised as requiring 'further enquiry' or 'fuller/further response' (48.6% and 37.6% respectively). A further 0.9% were categorised as 'record/respond' and the remaining 12.8% as 'Other'.
- A total of 689 user experience survey responses were received YTD from 3,266 complainers contacted (21.1%). Of those, 28.9% responded that they were satisfied or very satisfied with the response received from the Professional Standards Department regarding their complaint (+6.9% points from PYTD).



PIRC Referrals

- 253 statutory referrals were made to PIRC during the YTD, a 15.0% increase on the PYTD total of 220.
 - Armed Policing (+20), Serious Injury following Police Contact (+18), STO Taser (+6) and Death in Police Custody (+1) have increased YTD.
 - Armed Policing and STO Taser referrals remain the highest volume categories.
- Of the 253 statutory referrals YTD, 18 are subject to PIRC investigation (7.1%). This is a reduction from the 13.6% of referrals PYTD which were subject to PIRC investigation.
 - This is linked to a decreased number of investigations categorised as Crown Directed Investigation (-7) and Serious Injury following Police Contact (-5).
- All allegations of On Duty Assault and any associated criminal allegations are also referred to PIRC for assessment and potential investigation. 277 such referrals were made to PIRC YTD, +2.6% on the 270 made during the PYTD. Of those assessed, 64 are subject to PIRC investigation (28.8%), an increase from the 61 such referrals subject to PIRC investigation PYTD.



Conduct Unit

At the conclusion of Q3 YTD, 80 Police officers were suspended and 121 subject to duty restrictions. A further 16 members of Police Staff were suspended at this time.

The Police Service of Scotland (Conduct) Regulations 2014 is the primary legislation through which allegations of misconduct by serving police officers up to the rank of Chief Superintendent are considered. These regulations are underpinned by Scottish Government guidance and supported by Staff Associations, Scottish Government and Police Scotland.

The misconduct procedures aim to provide a fair, open and proportionate method of dealing with alleged misconduct while recognising that police officers have a special status as holders of the Office of Constable.

The procedures are intended to encourage a culture of learning and development for individuals and the organisation. Disciplinary action has a part, when circumstances require this, but improvement will always be an integral dimension of any outcome.

Conduct Assessments

- 322 preliminary conduct assessments were undertaken YTD, -13.2% from the PYTD total of 371.
- Despite the YTD decrease, notable increases are identified in assessments resulting in investigation. Those are categorised as 'Gross Misconduct' (+26) and 'Misconduct – Investigation' (+12).
- The volume of preliminary assessments have increased in Fife (+13) and OSD (+8). These are however mitigated by decreases across 11 divisions. Most notably, North East (-16), Edinburgh (-13), Lothians and Borders (-13), plus Highlands and Islands (-12).

Misconduct Hearing and Meetings

Chart 15: Police Officers Restricted and Suspended, by period (as at 01 January)

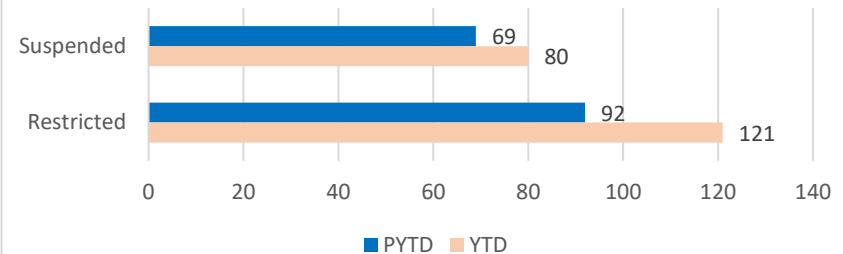
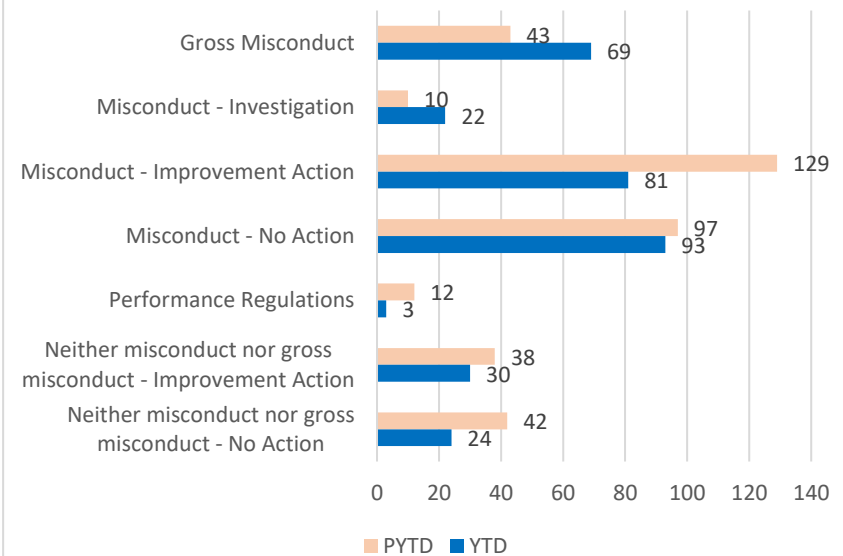


Chart 16: Conduct Assessments YTD



Conduct Unit (continued)

- Please note that each meeting or hearing may involve multiple subject officers and multiple allegations, with a disposal attached to each allegation.

Time period for when the Regulation 10 (assessment) was completed for live investigations and proceedings.

Date Reg 10 completed	Number of cases
Prior to 2023/24	1
Quarter 1 of 2023/24	2
Quarter 2 of 2023/24	1
Quarter 3 of 2023/24	2
Quarter 4 of 2023/24	5
Quarter 1 of 2024/25	21
Quarter 2 of 2024/25	17
Quarter 3 of 2024/25	32

Average time duration for gross misconduct/misconduct investigations and proceedings that have concluded in 2024/25 (till Q2 end).

Category	Days
Average time under investigation	210
Average time for investigation and proceedings	253

Chart 17: Misconduct Hearing Disposals YTD

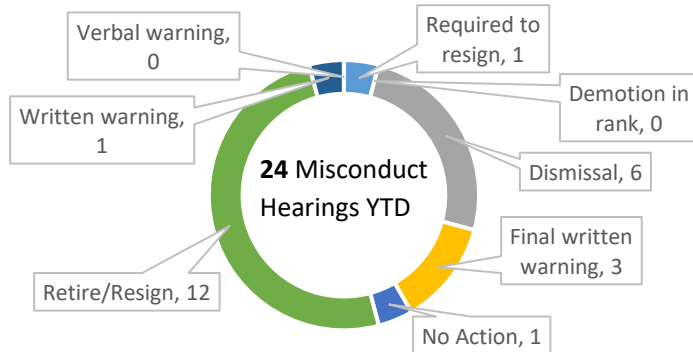
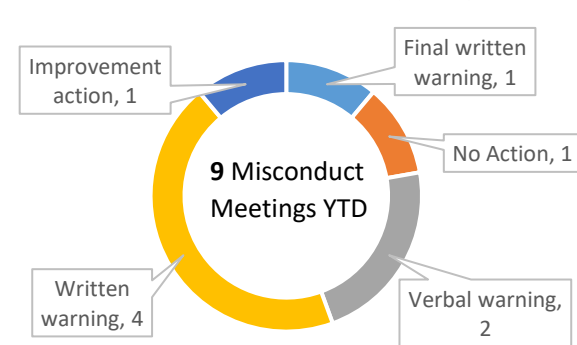


Chart 18: Misconduct Meeting Disposals YTD



Organisational Learning

Learning from PIRC investigations, CHRs, PSD investigations and other sources are disseminated through bulletins, individual feedback and used to inform training packages. In the last quarter, PSD has disseminated learning from a variety of incidents. The following learning outcomes are of particular note:

Learning identified via PIRC Investigation report recommendations during Q3:

Police Scotland should remind all operational officers within the Greater Glasgow Division area of the established process for accessing and reviewing CCTV for ongoing incidents, in particular during outwith normal operating hours.

- The CCTV process was published on the Greater Glasgow Division Intranet page, re-iterating to all operational staff the out of hours process for assessing and reviewing CCTV. An email to all Greater Glasgow Division staff was also circulated to reiterate the process. The Greater Glasgow process was also disseminated to all C3 staff, in particular highlighting the out of hours process.
- The learning was also included in the Divisional Commanders report for organisational awareness to ensure established processes are in place across all divisions.

Learning identified via PIRC CHRs and Discretionary Decisions:

37 Learning Points have been received from CHRs during the period under review. The implementation rate for the 24/25 year currently stands at 70%.

Examples of Learning Points:

- We have identified a number of examples of good complaint handling practice in respect of the complaint enquiry:
To support his statement, the complaint handler provided an extensive file of supporting information, all of which was clearly documented and referred to in his statement. We found this approach to providing information relevant to his responses to the applicant's complaints, to be a useful aid in carrying out this Complaint Handling Review and this style of statement should be shared with any officer required to provide a statement to inform a complex complaint enquiry.
It was then identified that not all possible lines of enquiry had been completed in respect of the applicant's reports of criminality. As a result, witnesses were contacted and additional information was obtained to inform the complaint enquiry. A briefing paper was produced at the conclusion of the complaint enquiry which set out the relevant information, a clear rationale for the determinations reached, and highlighted the appropriate learning. PIRC found this document useful during their complaint handling review.
- The statutory guidance on complaint handling that we provide to Police Scotland allows for some types of complaint to be "*resolved at an early stage by way of explanation, assurance or apology*". This process is known as Frontline Resolution (FLR). FLR must only be used where complaints are non-criminal, straightforward, relatively minor in nature and can be resolved quickly with minimal enquiry. In this case, the applicant's complaints related to a protracted

Organisational Learning (continued)

	<p>domestic abuse investigation and a significant number of reports made to the police in this connection. Consequently, given the circumstances and nature of the allegations, we consider that these complaints were not suitable for FLR.</p> <p>We understand the complaint enquiry officer, has now left PSD. However, in light of the above, PSD should remind all complaint handlers that the FLR provision can only be used for complaints that are non-criminal, straightforward, relatively minor in nature, and can be resolved quickly with minimal enquiry. This will help to ensure that the provision is applied as appropriate in future cases.</p>
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Appendix B – Misconduct Outcomes – October 2024

The [10 Standards of Professional Behaviour](#) set out the legislative standards expected of police officers while on and off duty as outlined in the [Police Service of Scotland \(Conduct\) Regulations 2014](#). These regulations govern all police conduct matters. Officers who breach these standards risk finding themselves subject to misconduct proceedings, which may result in dismissal or demotion.

Officers and staff will be aware that police misconduct is subject to greater public and professional scrutiny than ever. The Standards of Professional Behaviour are designed to reflect the values and ethics of Police Scotland, of integrity, fairness and respect, and a commitment to upholding human rights. They also ensure we maintain public confidence in policing and are part of a Service in which we can be truly proud.

This is the eighth publication of [gross misconduct outcomes](#). This publication covers the second and third quarters of the fiscal year 2024-25.

It is important to understand there are a range of disposal options available upon a finding of Gross Misconduct and dismissal is not always considered necessary. However, this publication focusses on conduct cases where officers were either dismissed or resigned prior to a hearing.

In the second quarter of 2024-25, July to September, six officers were scheduled to attend a gross misconduct hearing before an independent chairperson of the rank of Chief Superintendent.

Appendix B – Misconduct Outcomes – October 2024

Three officers resigned in advance of their attendance at a gross misconduct hearing. Two were given final written warnings and one officer received a written warning.

In the third quarter of 2024-25, October to December, a further six officers were scheduled to attend a gross misconduct hearing before an independent chairperson of the rank of Chief Superintendent.

Five officers resigned in advance of their attendance at a gross misconduct hearing and one officer was dismissed.

Below are summaries of the circumstances which led to gross misconduct proceedings being instigated:

1. An officer resigned prior to attending their Gross Misconduct Hearing, which related to substance misuse. The officer was required to provide 'with cause' samples and the results of the analysis were positive for cocaine.
- Due to the links with criminality, including organised crime, using illegal drugs is behaviour which is not compatible with the role of a police officer and can impact on fitness for duty. Such activity can place officers in vulnerable positions, putting themselves and the organisation at risk. Where there is reason to suppose an officer is misusing a controlled drug, a 'with cause' sample will be required. This is an opportunity to disprove any such allegation and where a requirement to provide a sample is refused, consideration will be given to gross misconduct proceedings.

Standard of Professional Behaviour - [Discreditable Conduct](#)

Appendix B – Misconduct Outcomes – October 2024

2. An officer resigned prior to attending their Gross Misconduct Hearing, which related to a domestic assault, and verbal abuse towards their spouse. The officer pleaded not guilty at court and the trial was subsequently abandoned.
 - Tackling domestic offending is a priority for Police Scotland, regardless of who the perpetrator is. The significant impact domestic offences have on those involved is undeniable, as is the harm caused by domestic offenders. The behaviour of officers and staff must reflect this and cases of domestic offending by Police Scotland officers and staff will be appropriately and robustly dealt with.

Standard of Professional Behaviour - [Discreditable Conduct](#)

3. An officer resigned prior to attending their Gross Misconduct Hearing, which related to coercive and controlling behaviour, and unwanted sexualised contact towards previous partners. The circumstances were reported to COPFS, who determined no further proceedings due to witness engagement.
 - Tackling domestic offending is a priority for Police Scotland, regardless of who the perpetrator is. Reports of domestic offending will be thoroughly investigated and there is no place in Police Scotland for persons alleged to have committed such offences.

Standard of Professional Behaviour - [Discreditable Conduct](#)

Appendix B – Misconduct Outcomes – October 2024

4. An officer resigned prior to attending their Gross Misconduct Hearing, which related to threatening behaviour towards a member of the public while off duty. The officer pleaded guilty at court and was admonished.

- Police officers must not use language or behave in a manner which is offensive or likely to cause offense, whether on or off duty. Behaviour of this manner falls significantly short of the standards expected of, and by, Police Scotland. This impacts on the trust and confidence of the public in the police service, and as such it discredits the organisation.

Standard of Professional Behaviour - [Discreditable Conduct](#)

5. An officer was dismissed in relation to the protection of animals and associated criminality, off duty.

- The integrity of officers is critical to public confidence and trust and such behaviour, whether on or off duty goes against every one of our values.

Standard of Professional Behaviour - [Discreditable Conduct](#)

6. An officer resigned prior to attending their Gross Misconduct Hearing which related to an on duty theft. The officer pleaded guilty at court.

Appendix B – Misconduct Outcomes – October 2024

- The integrity of officers is critical to public confidence and trust and such dishonest behaviour goes against every one of our values.

Standard of Professional Behaviour - [Discreditable Conduct](#)

7. An officer resigned prior to attending their Gross Misconduct Hearing which related to substance misuse. The officer was required to provide 'with cause' samples and refused to do so. The officer also engaged in communication with members of the public in relation to the procurement and consumption of controlled substances.
- Due to the links with criminality, including organised crime, using illegal drugs is behaviour which is not compatible with the role of a police officer and can impact on fitness for duty. Such activity can place officers in vulnerable positions, putting themselves and the organisation at risk. Where there is reason to suppose an officer is misusing a controlled drug, a 'with cause' sample will be required. This is an opportunity to disprove any such allegation and where a requirement to provide a sample is refused, consideration will be given to gross misconduct proceedings.

Standard of Professional Behaviour - [Orders and instructions](#)

Standard of Professional Behaviour - [Discreditable Conduct](#)

8. An officer resigned prior to attending their Gross Misconduct Hearing which related to inappropriate sexual communications with a child. The officer pleaded guilty at court.

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- Police Scotland has clear responsibilities for safeguarding children and young people and there is no justification for causing harm to those who are the most vulnerable in our society.

This behaviour will not be tolerated by the organisation, and anyone committing offences against children or young persons will be dealt with swiftly and robustly

Standard of Professional Behaviour - [Discreditable Conduct](#)

9. An officer resigned prior to attending their Gross Misconduct Hearing which related to being found guilty of an on duty assault at trial. This related to the officer using excessive force on a member of the public using their baton, while effecting their arrest.

- Police officers are given extraordinary powers which should not be abused. When using any kind of force police officers must always act in accordance with their training and be able to fully account for and justify their actions.

Standard of Professional Behaviour - [Discreditable Conduct](#)

The National Conduct Unit remains committed to working with officers and statutory Staff Associations to ensure a fair, transparent, and accountable investigation is conducted, to establish the truth. The welfare of all involved is of paramount importance and is continually monitored.

Additionally, the National Conduct Unit remains committed to identifying learning for officers and the organisation, and continue to improve their handling of cases from start to finish, striving to increase proactivity and education, favouring prevention over

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investigation.

The determination and outcome for each case is made by an independent chair based on the circumstances of the case. This includes consideration of the evidence in support of the allegation(s), any exculpatory evidence, and the response of the subject officer. There are varied and unique circumstances in every case and outcomes cannot be compared across cases as the severity of the outcome will be dependent on the circumstances.

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THE STANDARD

The Standard Issue 7

The Standard wishes everyone a happy, healthy and safe 2025.

In this issue of The Standard we're looking at the complaints process. Do you know what to do if someone wants to raise a complaint?

We're considering common issues which lead to people raising a complaint, what to do when someone wishes to raise a complaint, and the support available for those involved in the investigation process.

The facts and advice contained in this newsletter have been compiled to assist you to navigate the complaints procedure, whether you are an officer, member of police staff or have supervisory responsibilities. We have included some case studies to support this guidance.

Common complaints and you

What can you do to provide the best service to the public and prevent or mitigate complaints? How do you ensure a comprehensive record of events is available for colleagues who may be allocated a complaint?

Colleagues within the investigations teams have provided advice based on some of the common complaints we receive.

Keep People Updated

Lack of updates or information is one of the most common reasons people complain. Victims and witnesses of crime will understandably wish to be kept updated. Failure to do so leads to frustration. Explaining how updates can be received, likely timescales and any delays at an early stage can help manage expectations.

- Consider email contact: if your only opportunity to update is at an unsociable hour, or if other methods have been unsuccessful.

- Could a colleague provide an update on your behalf based on the information you've recorded?
- Record all contacts (and attempts to contact) on the crime report or incident.
- Ensure all perishable evidence is secured and recorded on the crime report at an early stage. This includes CCTV, BWV etc.
- Ensure your notebook entries are comprehensive: for any use of force consider utilising the Tactical Report Writing Guide to ensure relevant information is captured at an early stage.
- Submission of a Use of Force form is crucial where applicable: full details regarding Use of Force can be found in the following National Guidance.
- Document a clear rationale for no crime reports on a STORM call card. If there are no crimes identified, detail why not – this is especially important if the complainer does not agree with your rationale.
- Include details on the advice given to the complainer, details of no complaints made/insufficient evidence. Neighbour disputes can be a

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particularly difficult area to navigate and consideration should be given to other disposals/referrals, for example to local council housing teams.

- Include counter allegation in records and police reports: document all exculpatory information in any report to COPFS.
- Record the rationale for all searches: especially on your PDA - make use of the PDA pro forma arrest/interview forms, particularly for handcuffing.
- Auditors and social media bloggers: while being recorded in the course of your duties can feel unwelcome and intrusive, members of the public are allowed to record in public spaces. Do not seize recording devices unless it is deemed to hold evidence of criminality. Do not be tempted to search and delete footage from an individual's mobile phone.
- If in doubt seek help rather than providing incorrect information or advice: if you are unsure of the advice to give to a member of the public, please remember you are not expected to know everything. Explain that you will clarify the information with a supervisor or colleague and assure them you will get back to them within a reasonable time frame.

Supervisors please consider the information above when reviewing workbaskets and briefing colleagues.



What should you do if you (as a supervisor) successfully resolve a complaint?

Should you be successful in resolving the complaint, please ensure the following form is submitted to the National Complaints team to allow for accurate recording of the circumstances. We know the form may seem daunting, therefore this link will provide a pre-populated gold standard to assist in its completion.

Support is available

Finding yourself being the subject of a complaint can cause worry and anxiety. There are a number of support mechanisms available which any officer or member of staff is encouraged to use:

- Talking with a line manager and explaining how you feel. This allows for any provisions to be made to support you through the process.
- The investigation wellbeing document provides practical and useful advice for anyone subject to a complaint. It is also a useful point of reference for supervisors supporting a member of staff who is involved in a complaint.
- Wellbeing Champions are on hand to assist with all matters of health and wellbeing. Further details can be found on the intranet.

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Your responsibilities regarding a member of the public wishing to make a complaint

Should a member of the public wish to make a complaint, there are several ways they can do this:

- In person at a police station: an individual can attend any police station and provide details to an officer or member of police staff regarding their complaint. Details should be taken on all occasions.
- If they are available, a supervisory officer should speak with the member of the public if the matter is not criminal and minor in nature,

to ensure all reasonable steps can be taken to resolve the matter at that stage (FLR).

- By speaking with an officer during the course of their duty: should you be approached by a member of the public during your duties, all efforts should be made to note brief details and a complaint capture form should be submitted. A supervisory officers should also be made aware of consideration of front line resolution (FLR).
- Via telephone: anyone can call 101 to make a complaint. The complaint capture form should be completed by the person taking the call.
- Online: an individual can make a complaint by completing the online form available on the Police Scotland website.

Front Line Resolution (FLR)

When a complaint is made it may be possible for a local supervisor to resolve the matter by explanation, apology or assurance. This negates the need for further investigation and is known as divisional FLR.

FLR is suitable only where complaints are:

- Non-criminal
- Non-serious i.e. relatively minor or trivial
- Non-complex, and
- Can be resolved without investigation, other than familiarisation with the circumstances of the incident.

Where appropriate, FLR can deliver a quick resolution to a complaint or concern raised by a member of the public.

FLR may alleviate stress and worry for officers and staff while complaints are investigated, and allow learning or welfare issues to be addressed at an early stage.

All officers are reminded that should they be approached by an individual wishing to make a complaint about the Police, as per Police Scotland Memo, if a

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complainer is unable to submit their CAP, - for example, if they do not have access to internet or are unable to submit themselves due to reasonable adjustments or a disability under the Equality Act 2010 - the complaint can be submitted by police officers and staff via the new internal complaint capture form. It is anticipated this form should take approximately 15 minutes to complete.

The complainer should also be reminded their CAP can be submitted via the public facing online complaint capture form through an advocate /third party acting with their permission. If a police officer or member of staff accepts a complaint from a member of the public this must be submitted on the new internal complaint capture form

Further guidance can be found in the Complaints About The Police Standard Operating Procedure.

An overview of the National Complaints Team

Do you know about the different teams within the complaints department? Here is a brief overview of some of the teams you might hear mentioned in the complaints process.

National Complaints Assessment and Resolution Unit (NCARU)

This team is responsible for assessing all complaints received by Police Scotland. Colleagues within NCARU will make initial contact with the complainer and attempt to resolve the matter by way of explanation, apology or giving an assurance that a certain action will be taken. If NCARU are unable to resolve the matter, or the complaint is unsuitable for early resolution, the complaint will be allocated to an investigating officer to progress.

Non-criminal Investigations Team

This team will investigate non-criminal complaints which have been unable to be resolved by NCARU or which may require additional information to be obtained

prior to any investigation. This team has a number of disposals available for dealing with a complaint and will liaise with the complainer and subject officer(s)/member of staff.

Criminal Investigations Team

This team deals with on-duty criminal matters/complaints. The complaint is investigated by officers within the Criminal Investigations Team before being reported to the Criminal Allegations against the Police Division (CAAPD) or COPFS for consideration.

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Case study examples

It can often be easier to take learning onboard when it's explained in a case study. Please take some time to read the following examples, consider your actions and what you might do differently in the future.

1) Non-criminal complaint of incivility

A complaint was made regarding the attitude and language of two female officers who attended an address to note details of a theft. The theft being reported was of a garden ornament of low value, however the complainer was of the opinion that her neighbour had taken the ornament as part of an ongoing neighbour dispute. When the complainer was contacted by officers in NCARU she described both the officers, provided a detailed description of what one of the officers looked like and that she was the one in particular who had appeared dismissive and made a comment which offended the complainer.

When the officers were asked for their statement regarding the complaint, both stated they had no recollection of attending the call due to call volume and failed to address any of the points made by the complainer. Due to this, the complaint was upheld.

2) Non-criminal complaint of excessive force

A complaint was made regarding allegations of excessive force while officers were restraining a cared for child. The basis of this CAP was mobile footage of the arrest. On investigation, it was found the subject officers had submitted detailed Use of Force forms, with good use of the Tactical Report Writing Guide, and had also made comprehensive entries in their PDAs.

Following investigation the CAP was not upheld. The first point the subject officers became aware of the complaint was when they were notified it had not been upheld. By documenting their actions and completing the appropriate forms, no statements were required and there was a swift outcome.

Take away point

If officers are approached and asked to provide an operational statement, please ensure the points requested are addressed within the statement. It may be the case that a complaint is upheld because there is no information to counter this. Non-criminal complaints have a civil burden of proof which is on the balance of probabilities.