



Complaints & Conduct Committee

14 November 2023

Minutes of the Complaints & Conduct Committee held on 22 August 2023
via MS Teams

Board Members present:	Katharina Kasper (Committee Chair) Grant Macrae (Committee Member) Paul Edie (Committee Member) Catriona Stewart (Committee Member) Martyn Evans (SPA Chair) <i>Observing only</i>
Board Member apologies:	Fiona McQueen (Committee Member)
In attendance:	<u>SPA</u> Chris Brown, Deputy Chief Executive Darren Paterson, Head of Workforce Governance David Collie, Complaints and Conduct Manager Colette Craig, Governance Support Officer <u>Police Scotland</u> T/ Assistant Chief Constable Stuart Houston Chief Superintendent Catriona Henderson Superintendent Helen Harrison <u>PIRC</u> Ilya Zharov Phil Chapman

1. Introduction and Welcome:

1.1 Chair's Opening Remarks

The Chair welcomed attendees to the meeting.

1.2 Apologies

None.

Declarations of Interest and Connections

None.

1.3 Any Other Business

None.

1.4 Decisions on taking business in private (Item 8 – 12)

Members **AGREED** to take Items 8 – 12 in private.

2. Minute and Actions from previous meeting:

2.1 Minute from meeting held on 1 June 2023 for approval

Members **AGREED** the Minute of the meeting held on 1 June 2023 as an accurate record of the meeting.

2.2 Public Minute of Private Meeting held on 1 June 2023 for approval

Members **AGREED** the Public Minute of the private meeting held on 1 June 2023 as an accurate record of the meeting.

2.3 Rolling Action Log and Matters Arising

Members asked that future actions that are proposed as ongoing are supplemented with a revised timescale.

The Committee **APPROVED** the action log and noted the updates provided and **AGREED** the following new action:

20232208-CCC-001: T/ACC Stuart Houston and Chief Superintendent Catriona Henderson to ensure that any future actions that are proposed as ongoing are supplemented with a revised timescale. In addition, consider the proposed discharge date of new actions. If new actions cannot be discharged by the next committee, then advise the SPA Governance Support Officer on receipt of action log.

3. Police Scotland Professional Standards Quarterly Report (Q1 – 23/24)

Members were provided with a report which noted statistical information on the overarching performance activity in relation to complaints and conduct matters about Police Scotland (PS) for period (1 April 2023 – 30 June 2023). During discussions the following matters were raised:

Members sought clarity around the increase in taser referrals and timescales for the system enhancements. Chief Superintendent Catriona Henderson (CSCHenderson) noted an increase in officers trained in the use of tasers, attributing this to the increase in referrals. Despite some testing issues, Police Scotland are on track for October 2023 to deliver system enhancements.

Members referred to the decline in complaints resolved by Front Line Resolution (FLR). CSCHenderson advised that PS welcome an increase in FLRs as this provides the public with a quick and early resolution and avoids a long and drawn out process. CSCHenderson advised that there are no targets in relation to FLRs, however, they do endeavour to work hard to FLR as many complaints as possible. It is hoped that the additional training will impact positively on FLR success.

The Chair acknowledged that the report is an evolution, being much easier to digest. Whilst it provides a picture on the number of complaints received, which is an indicator of public satisfaction with the service, the Chair also noted the need to better understand the effectiveness of complaint handling performance. The Chair asked that earlier provided data, including trend analysis and breakdown of allegations, was reintroduced (and in graphical form). In addition, the Chair noted the need, over time, to be able to understand any significant variation beyond normal complaint volumes, as well as to identify any changes in policing practice where an increase in complaints may be anticipated.

The Chair noted the need to discharge 2 outstanding recommendations in relation to the independent review of complaints handling, investigations and misconduct in relation to policing (relating to the quality and timeliness of complaint handling) and advised that based on the data currently provided this is not possible. The Chair asked for a firm commitment that both SPA and PS officers reach an agreed dataset that will enable the SPA to discharge these recommendations. If this information cannot be provided to the next committee, the Chair would like a firm commitment to when the committee are likely to have this information

T/ACC Stuart Houston advised that he welcomed the comments from the committee and would look to see how this can be taken forward.

Members **NOTED** the report and **AGREED** the following actions:

20232208-CCC-002: T/ACC Stuart Houston and Chief Superintendent Catriona Henderson to ensure earlier provided data, including trend analysis and breakdown of allegations, is reintroduced to the report in graph form.

20232208-CCC-003: T/ACC Stuart Houston and Chief Superintendent Catriona Henderson to analyse the variation in complaint numbers received over time to establish the average number of complaints received month on month and the expected upper and lower limits for complaint numbers (deviation from the average). This is to enable the committee to understand when there are changes in the numbers of complaints received which are outside of the expected levels.

20232208-CCC-004: T/ACC Stuart Houston and Chief Superintendent Catriona Henderson to consider how policing initiatives or changes in operational procedures may lead to an increase or decrease in complaints and how this information can be overlaid on the number of complaints received.

20232208-CCC-005: T/ACC Stuart Houston and Chief Superintendent Catriona Henderson to work with SPA officers to reach an agreed dataset that will enable the SPA to discharge outstanding Review recommendations. If this information cannot be provided to next committee, provide firm commitment on when it is likely to be provided.

4. SPA Quarterly Report (Q1 – 23/24)

Members were provided with a report updating them on complaints and conduct matters including key statistics reflecting the position at the end of Q1, 2023/24. During discussions the following matters were raised:

The Chair noted that it is clear that there have been some positive developments around the handling of complaints.

Members sought clarity on when members would have an outcome on the benchmarking work. Darren Paterson (DPaterson) advised that there are two pieces of work ongoing, however, it is hoped the outcome of this work will be with members in advance of the next committee meeting.

Members **NOTED** the report.

5. PIRC Quarterly report on Police Scotland Handling of Complaints and Investigation Referrals

Ilya Zharov (IZharov) provided a detailed summary of the report which noted statistical information in relation to PIRC Complaint Handling Reviews. Phil Chapman (PChapman) provided an overview on the Investigation Referrals. The report included key statistics reflecting the position for Q1, 2023/24. During discussions the following matters were raised:

Members referred to the implementation rate of recommendations and asked that future reports provide this to enable a more complete picture. IZharov advised that he would include the implementation rate of recommendations in future reports.

Members referred to learning points identified and the reaching of an understanding of what is acceptable and not acceptable. IZharov advised that some learning points are implemented and cascaded by Police Scotland in good time. In terms of organisational learning, this sometimes involves changes to policies and procedures, and a number of internal discussions with departments are required to take place before they can be fully implemented. IZharov assured members that PIRC liaise with Police Scotland to ensure that all learning points are implemented. The Chair asked that operational improvements are drawn out within the report to show a concrete evidence of learning from complaints.

The Chair referred to the changing of recording data and sought clarity on what the PIRC were seeking to achieve with this change. PChapman advised that the rationale was purely an internal organisational issue, bringing two parts that were previously in isolation together (investigations and reviews). Bringing the different categories that each department were using and making it consistent, allows it to be more clear internally and externally on what they are doing. The approach to KPIs has not changed, but the role of the PIRC has grown, therefore there was a need to triage and prioritise cases.

Members **NOTED** the report and **AGREED** the following actions:

20232208-CCC-006: T/ACC Stuart Houston and Chief Superintendent Catriona Henderson to draw out operational improvements within the performance report to show concrete evidence of learning from complaints.

6. SPA Dip Sampling of Police Scotland Complaints

Members were provided with a report on the recently reintroduced process of SPA dip-sampling Police Scotland complaints. DPaterson thanked Police Scotland for their assistance in relation to this process. During discussions the following matters were raised:

Members referred to continuous improvement and questioned instances where it was identified that subject officers and their supervisors were not advised of the complaint (and their subsequent resolution via FLR). Members also sought clarity around causes of abandoned complaints (including any relationship with complaint handling timescales).

The Chair noted that this report is based on an initial, small sample, and that the extent to which findings are typical or not, they might see at a later date. DPaterson did note, however, that the findings do align with some of the findings of the recent joint audit, and confirmed that SPA officers would continue to work with Police Scotland and the PIRC in respect of findings identified, via the National Complaint Handling Development Group (NCHDG).

Members **NOTED** the report.

7. Complaints and Conduct Committee Work Plan

The Chair referred to the next planned PIRC joint audit and sought clarity on how that will be taken forward to be incorporated into the work plan. IZharov advised that he would provide an update to the next committee on the approach to the next joint audit.

Members **NOTED** the report and **AGREED** the following action:

20232208-CCC-007: Ilya Zharov to provide an update to the next committee on the intended approach to the next joint audit.