

<b>Meeting</b>	<b>SPA Complaints &amp; Conduct Meeting</b>
<b>Date</b>	<b>5 May 2020</b>
<b>Location</b>	<b>Teleconference</b>
<b>Title of Paper</b>	<b>SPA Quarterly Performance Report</b>
<b>Presented By</b>	<b>SPA Complaints Team</b>
<b>Recommendation to Members</b>	<b>For Noting</b>
<b>Appendix Attached</b>	<b>No</b>

**PURPOSE**

This is a Report to the Complaints and Conduct Committee containing information and updates on complaints and conduct matters. The report includes key statistics of note reflecting the position at the end of Q4, 2019/20.

*The paper is presented in line with:*

- *Scottish Police Authority Committee Terms of Reference*

*The paper is submitted:*

- *For Noting*

**1 BACKGROUND**

1.1 This is a regular agenda item, containing updates on complaints handling work within the SPA and briefing on emerging areas of interest.

**2 FURTHER DETAIL ON THE REPORT TOPIC**

**2.1 SPA COMPLAINTS QUARTERLY PERFORMANCE REPORT**

2.1.1 The statistics presented below reflect the position at the end of Quarter 4 (Q4) 2019/20, i.e. March 2020.

2.1.2 Table 1 shows the high level statistics for Cases received this current Year (Q1 to Q4 inclusive). Figs 1 and 2 show this information in graphical form plus statistics for the last full year.

2.1.3 Tables 2 to 7 provide a further breakdown of Cases received this current Year (Q1 to Q4 inclusive).

2.1.4 The total number of Cases recorded by SPA Complaints includes all correspondence handled by the SPA Complaints Team such as enquiries received by the team. The number of such enquiries received is relatively low, in this current year to date; 2 enquiries were received in Q1; 2 were received in Q2; 1 was received in Q3; and 2 were received in Q4.

2.1.5 From Q1 of 2020/21, the number of enquiries received by the SPA Complaints Team will not be included in the total number of Cases. Enquiries will be recorded separately under the heading "Miscellaneous Files".

2.1.6 Key Findings in relation to the Quarterly Performance Report are included at the end of this section.

**Table 1: Number and type of Cases received by the SPA**

	<b>2019/20 Q1</b>	<b>2019/20 Q2</b>	<b>2019/20 Q3</b>	<b>2019/20 Q4</b>
Cases received by SPA	25	39	26	37
Cases not within SPA remit	19	31	19	35
Cases within SPA remit	6	8	7	2
Allegations received by SPA	28	51	27	27
Allegations within SPA remit	5	10	9	0

Each case may be made up of multiple allegations. In Q4, 2 enquiries were received which contained no allegations.

Fig 1

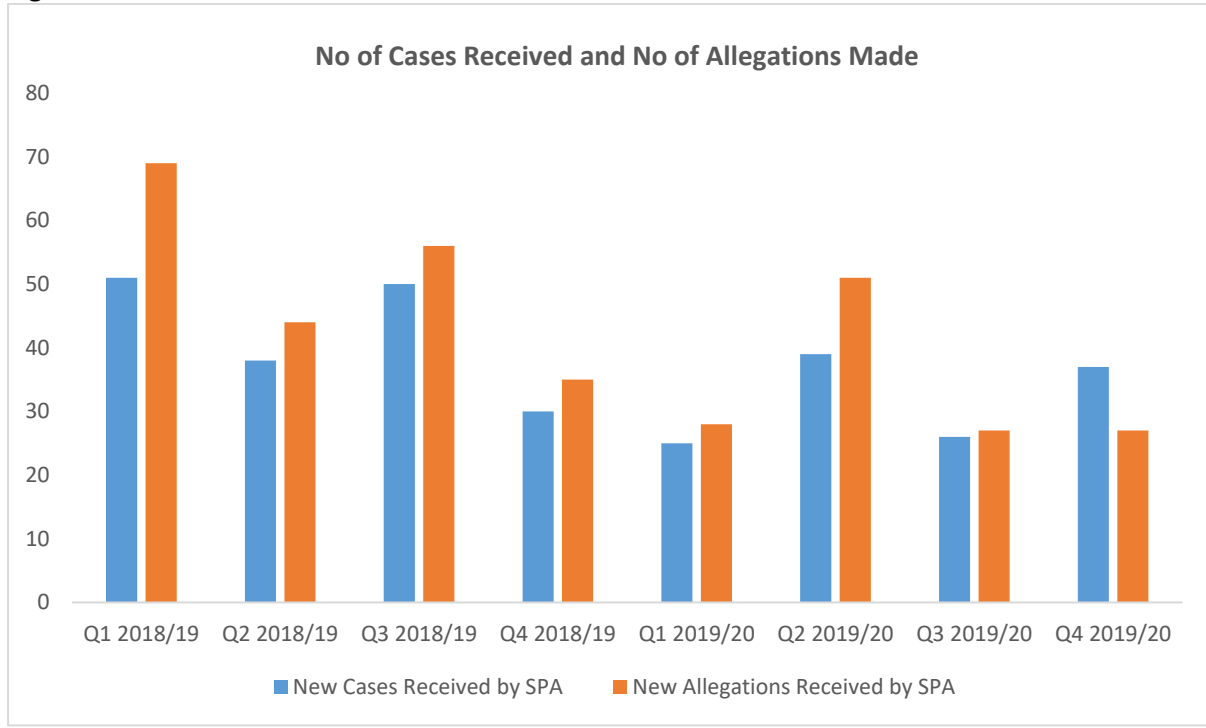
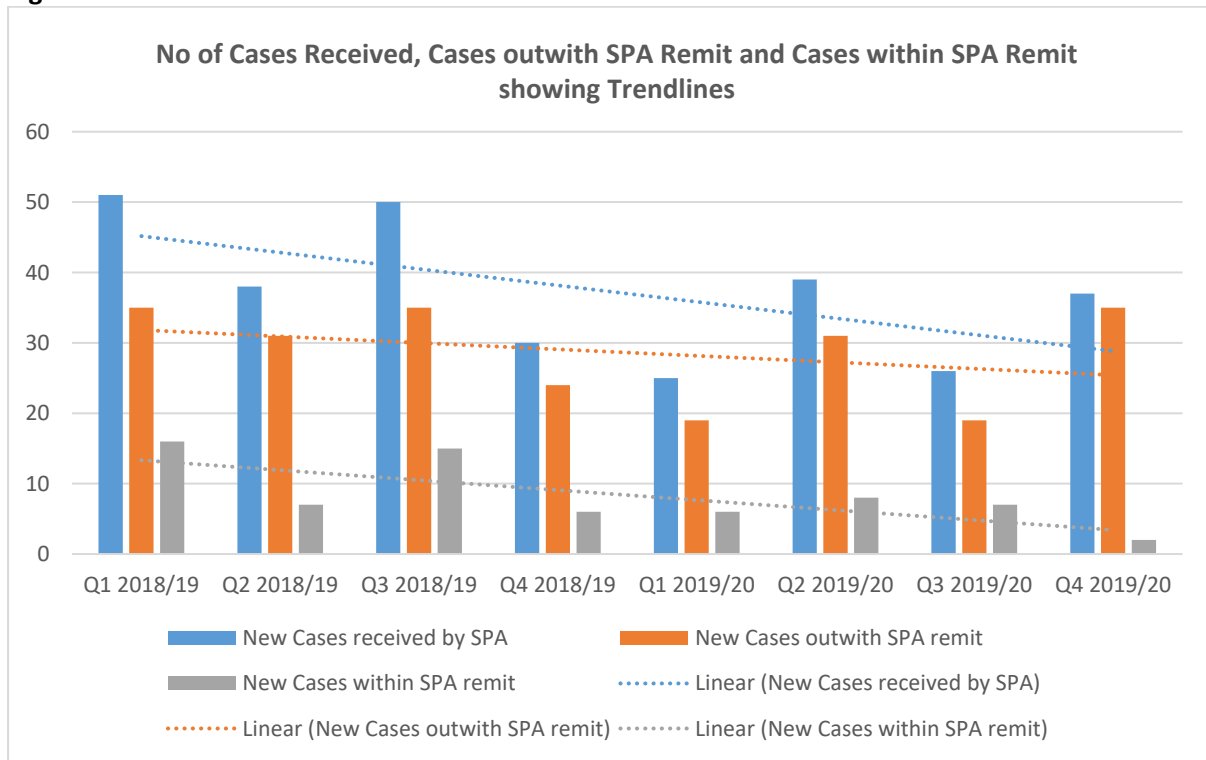


Fig 2



The SPA is responsible for handling complaints about the SPA itself, members of SPA staff and senior officers of Police Scotland i.e. Assistant Chief Constable, Deputy Chief Constable and Chief Constable. The data

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shows that a large proportion of complaints received are not within the remit of the SPA to deal.

Although Q4 saw an increase in the number of new cases received compared to Q3, the general trend, evident over the past two years, shows a reduction in the number of new cases received by the SPA.

The actual number of new cases received that are within the remit of the SPA to deal shows a downward trend with only 2 cases received in Q4 which were within the SPA's remit to deal with both being enquiries.

Further detail is included in Key Findings below.

**Table 2: Breakdown of cases within SPA's remit**

	<b>2019/20 Q1</b>	<b>2019/20 Q2</b>	<b>2019/20 Q3</b>	<b>2019/20 Q4</b>
Senior Officer of Police Scotland	2	4	3	0
SPA Staff Member	1	0	1	0
SPA Policies & Procedures	0	1	1	0
SPA Board	0	0	0	0
SPA Forensic Services	1	1	1	0
SPA	0	0	0	0
Enquiries/Other	2	2	1	2
<b>Total</b>	<b>6</b>	<b>8</b>	<b>7</b>	<b>2</b>

**Table 3: Cases within SPA's remit by origin of complaint**

	<b>2019/20 Q1</b>	<b>2019/20 Q2</b>	<b>2019/20 Q3</b>	<b>2019/20 Q4</b>
Member of the Public	6	6	6	2
Serving or former officer or staff*	0	2	1	0
Anonymous	0	0	0	0
<b>Total</b>	<b>6</b>	<b>8</b>	<b>7</b>	<b>2</b>

\* These "Internal" complaints include those received through the 'Integrity Matters' confidential reporting system. Although Integrity Matters provides the option to report matters anonymously, the nature of the complaints are such that it is possible to identify that they are "internal".

**Table 4: Disposals routes of cases**

	<b>2019/20 Q1</b>	<b>2019/20 Q2</b>	<b>2019/20 Q3</b>	<b>2019/20 Q4</b>
No action (SPA / Senior Officers) *	6	8	5	2
Individual/ Organisational learning identified	0	0	1	0
Ongoing at 31 March 2020	0	0	1	0
<b>Total</b>	<b>6</b>	<b>8</b>	<b>7</b>	<b>2</b>

\* The number of complaint cases recorded as “no action” in Table 4 includes those cases determined as “no action” under the Conduct regulations plus those cases handled as a complaint which resulted in no action being taken.

**TIMESCALES FOR CLOSURE OF “RELEVANT” COMPLAINTS**

The following tables show the timescales for closure of ‘relevant complaints’ handled by the SPA, against the PIRC expectation that the investigation of such complaints be completed within 40 working days.

**Table 5: Timescales for closure of “relevant complaints” about the SPA**

This includes complaints about the SPA itself plus complaints about members of the SPA’s staff.

	<b>2019/20 Q1</b>	<b>2019/20 Q2</b>	<b>2019/20 Q3</b>	<b>2019/20 Q4</b>
Number received	2	2	3	0
Number closed	2	2	2	0
Number closed after 40 working days	1	0	1	0
Ongoing at 31 March 2020	0	0	1	0
Average days to close	38	3	52	0

**Table 6: Timescales for closure of “relevant complaints” about senior police officers**

	<b>2019/20 Q1</b>	<b>2019/20 Q2</b>	<b>2019/20 Q3</b>	<b>2019/20 Q4</b>
Number received	2	4	3	0
Number closed	2	4	3	0
Number closed after 40 working days	0	1	0	0
Ongoing at 31 March 2020	0	0	1	0
Average days to close	7.5	14.5	9	0

**Table 7: Outcome of relevant complaints about the SPA**

The table below shows the outcome of relevant complaints about the SPA, which includes complaints about the SPA itself plus complaints about members of the SPA’s staff.

	<b>2019/20 Q1</b>	<b>2019/20 Q2</b>	<b>2019/20 Q3</b>	<b>2019/20 Q4</b>
Number of Cases	2	2	3	0
Number of Allegations	3	3	6	0
Number of Allegations Upheld	1	0	1	0
Number of Allegations Not Upheld	2	3	4	0
Ongoing Cases	0	0	1	0
Ongoing Allegations	0	0	1	0

## **Key Findings**

- a) The SPA continues to receive significantly more complaints than it is responsible for within the legislative framework. Over the past two years, approximately 78% of new cases received by the SPA are not within its remit to deal. For the last year, 2019/20 the figure is 82%.
- b) Most cases not within the SPA’s remit were matters which required to be brought to the attention of Police Scotland’s Professional Standards Department (PSD).
- c) The beginning of December 2019 saw changes made to the SPA Complaints web page which specifies directly the type of complaint for which the SPA is responsible and those complaints which are not within the SPA’s legislative remit. To date, this change does not yet seem to have affected the number of cases received which are not within the SPA’s remit.

## **2.2 Workload Management**

2.2.1 There is 1 active cases being progressed by the SPA Complaints Team as of 31 March 2020. Further detail on active workload is being presented to Members at the private session of today’s meeting.

## **2.3 Complaints Team Resource**

2.3.1 Given the current circumstances, Julie Presslie’s secondment with the Complaints Team finished early and Julie has moved back to

Police Scotland's Professional Standards Department. During her secondment, Julie provided valuable advice and input to specific pieces of work within the SPA.

## **2.4 Review of Complaints Handling, Investigations and Misconduct Issues in relation to Policing**

2.4.1 An update on the SPA's work in relation to the review is being presented as a separate agenda item at today's meeting.

## **2.5 Stakeholder Meetings**

2.5.1 Since the last Committee meeting, there have been no further meetings of the Strategic Oversight Group (SOG) or the National Complaint Handling Development Group (NCHDG).

## **3 FINANCIAL IMPLICATIONS**

3.1 There are no financial implications associated with this paper.

## **4 PERSONNEL IMPLICATIONS**

4.1 There are no personnel implications associated with this paper.

## **5 LEGAL IMPLICATIONS**

5.1 There are no legal implications associated with this paper.

## **6 REPUTATIONAL IMPLICATIONS**

6.1 There are no reputational implications associated with this paper.

## **7 SOCIAL IMPLICATIONS**

7.1 There are no social implications associated with this paper.

## **8 COMMUNITY IMPACT**

8.1 There are no community implications associated with this paper.

## **9 EQUALITIES IMPLICATIONS**

9.1 There are no equality implications associated with this paper.

## **10 ENVIRONMENT IMPLICATIONS**

10.1 There are no environmental implications associated with this paper.

**RECOMMENDATIONS**

Members are requested to note the content of this paper and request additional information if required.