

<b>Meeting</b>	<b>Complaints &amp; Conduct Committee</b>
<b>Date</b>	<b>27 August 2020</b>
<b>Location</b>	<b>Video-conference</b>
<b>Title of Paper</b>	<b>Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing – SPA Update</b>
<b>Presented By</b>	<b>SPA Complaints Team</b>
<b>Recommendation to Members</b>	<b>For Discussion</b>
<b>Appendix Attached</b>	<b>No</b>

**PURPOSE**

This is a briefing to the Complaints and Conduct Committee to provide an update on the actions related to Recommendations in the Preliminary Report on the "Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing"

The paper is submitted:

- For Discussion

## **1 BACKGROUND**

- 1.1 The Preliminary Report on the 'Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing' (the Report) was published on 21 June 2019. The Final Report is expected to be published in the autumn of 2020.
- 1.2 The Report identified a total of 30 recommendations, 4 of which are specific to the SPA. In addition, the Report noted a number of key observations throughout the report.
- 1.3 At the Complaints & Conduct meeting of 21 November 2019, Members were presented with details of the SPA internal action plan, generated to address the specific recommendations within the Report, as well as take cognisance of the lessons learned and observations made.
- 1.4 The SPA's role is two-fold, firstly to address the recommendations made for the SPA and, secondly, the CCC has a role in overseeing the progress made in addressing recommendations relevant to Police Scotland.

## **2 FURTHER DETAIL ON THE REPORT TOPIC**

- 2.1 The SPA Action Plan contains 38 actions, divided into three categories; SPA Implementation, SPA Oversight, and Information Only.
- 2.2 "SPA Implementation" actions include those actions which address the SPA-specific recommendations within the Report plus the Police Scotland-specific recommendations which the SPA has also agreed should be implemented within the SPA.
- 2.3 "SPA Oversight" actions are those actions which address the Police Scotland-specific recommendations within the Report for which the SPA has a role in overseeing the progress made by Police Scotland.
- 2.4 "Information Only" actions are those actions which address recommendations within the Report for which the SPA has no role in implementing or overseeing. These are mostly PIRC-specific recommendations.

Of the 38 actions within the SPA Action Plan, 15 have been completed and 23 are currently ongoing. Of the 23 ongoing actions:

- 13 are for the SPA oversight of Police Scotland's implementation of recommendations
- 7 are related to the updating of the SPA's Complaints Handling Procedures, consultation on which is underway with partner agencies
- 3 relate to work currently being undertaken by the NCHDG, specifically; a review of "Unreasonable Actions by Complainers' Policies"; and a proposal for an annual multi-agency audit of Police Scotland's complaint handling

2.5 The following paragraphs provide a summary of progress in relation to "SPA Implementation" actions since the last Committee meeting.

2.6 **Amended Procedures/ Guidance (Recommendations 4, 16, 18, 19)**

Draft amendments have been made to the "SPA Complaints Handling Procedures" and "Guidance on the Police Service of Scotland (Senior Officers) (Conduct) Regulations 2013." Consultation on the draft changes is underway with the Scottish Chief Police Officers' Staff Association (SCPOSA) and the Police Investigations & Review Commissioner (PIRC). Given current circumstances, consultation had been paused over the past four months, however the process has now recommenced. Once approved, the amended procedures and guidance will see the completion of 7 actions within the SPA Action Plan.

2.7 **Unacceptable Actions by Complainers Policies (Recommendation 13)**

Work is underway within the National Complaint Handling Development Group (NCHDG) to review the Unacceptable Actions by Complainers Policies of Police Scotland, the PIRC and the SPA. Recommendations being progressed by the NCHDG had been put on hold however the group reconvened last month to resume activity around the ongoing recommendations. PIRC advised that work is ongoing in relation to the review and a paper will be brought to a forthcoming NCHDG meeting to summarise findings and clarify requirements.

2.8 **Audit (Recommendations 5, 27)**

Work is underway within the NCHDG to agree arrangements for an annual multi-agency audit of Police Scotland's complaint handling involving the SPA, Police Scotland and the PIRC. PIRC have advised that work is ongoing in developing a proposal for an annual audit and that the initial draft proposal is almost complete.

2.9 **SPA Website (Recommendation 8)**

The SPA Complaints web page has been updated and simplified and the specific action to update the SPA website is marked as complete. The SPA's public facing website was moved onto a more modern and stable content management system on 6 August 2020. ICT have advised that the new software supports an option to provide an online form. Work to further improve the Authority's website and its accessibility and content is ongoing and the SPA Communications Team will liaise with ICT to progress this matter as part of that work in the period ahead.

### **3 FINANCIAL IMPLICATIONS**

- 3.1 There may be financial implications associated with this paper, depending on potential resourcing implications arising from the Final Report.

### **4 PERSONNEL IMPLICATIONS**

- 4.1 There may be personnel implications associated with this paper, depending on potential resourcing implications arising from the Final Report.

### **5 LEGAL IMPLICATIONS**

- 5.1 There may be legal implications associated with this paper, depending on potential legislative changes arising from the Final Report.

### **6 REPUTATIONAL IMPLICATIONS**

- 6.1 There may be reputational implications associated with this paper, depending on the findings and recommendations arising from the Final Report.

### **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 discuss the contents of this report and request additional information if required.