

Meeting	Complaints and Conduct Committee
Date	18 November 2020
Location	Videoconference
Title of Paper	Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing – SPA Update
Presented By	SPA Complaints Team
Recommendation to Members	For Discussion
Appendix Attached	No

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.
- 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, 21 have been completed and 17 are currently ongoing. Of the 17 ongoing actions:

- 13 are for the SPA oversight of Police Scotland's implementation of recommendations

OFFICIAL

- 1 is related to the updating of the SPA's Complaints Handling Procedures. One proposed amendment, in relation to anonymous complaints, remains under consultation.
- 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)**

Following consultation, amendments have been made to both the "SPA Complaints Handling Procedures" and the "SPA Guidance on the Police Service of Scotland (Senior Officers) (Conduct) Regulations 2013". One proposed amendment to the Procedures remains under consultation; in relation to Anonymous Complaints. Once this matter is concluded, the revised Procedures and Guidance will be presented together to the CCC for consideration and final approval.

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

Work is ongoing within the National Complaint Handling Development Group (NCHDG) to standardise the Unreasonable Actions by Complainers policies of PS, PIRC and the SPA. The policies are largely similar however, there are some notable differences within each policy, such as the categorisation of unacceptable/unreasonable behaviour and procedures around decision-making. Once a greater level of standardisation is agreed, the revised SPA Unreasonable Actions by Complainers Policy will be presented to the CCC for consideration and final approval.

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

Work is ongoing within the NCHDG to develop a proposal for an annual audit, although it is expected that further progress will be made once PIRC resources are increased by forthcoming recruitment.

2.9 **SPA Website (Recommendation 8)**

The SPA is undertaking a project to review and renew its digital offer which will include a review of the Complaints pages of the SPA Website.

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 note the contents of this report and request additional information if required.