



| | |
|----------------------------------|--|
| Meeting | SPA Complaints & Conduct Committee |
| Date | 5 September 2024 |
| Location | Webex |
| Title of Paper | SPA Quarterly Report (Q1 – 24/25) |
| Presented By | Darren Paterson, Head of Workforce Governance |
| Recommendation to Members | For Discussion |
| Appendix Attached | Yes – Appendix A - SPA Complaints Overview Appendix B - SPA Complaints Quarterly Report Q1 – 24/25 Appendix C – Dip-Sampling Report Police Scotland Complaints Q3 2023/24 |

PURPOSE

The purpose of this report is to:

- Update the Committee on complaints and conduct matters including key statistics reflecting the position at the end of Q1, 2024/25.
- Update the Committee on findings from dip-sampling of Police Scotland complaints from Q3, 2023/24.

The paper is presented in line with:

- *Scottish Police Authority Committee Terms of Reference*

The paper is submitted:

- *For Discussion*

1 BACKGROUND

- 1.1. This is a regular agenda item, containing updates on complaints and conduct matters within the SPA.

2 FURTHER DETAIL ON THE REPORT TOPIC

2.1. SPA Complaints Performance

2.1.1. Appendix A provides an overview of the complaint handling responsibilities of the SPA with explanatory text on reporting terminology.

2.1.2. The SPA Complaints Quarterly Performance Report, including key statistics reflecting the position at the end of Q1 2024/25, is attached as Appendix B to this report and provides comparison to the previous 7 quarters.

2.2. Workload Management

2.2.1. Detail on ongoing workload is presented as a separate agenda item at the private session of this meeting.

2.3. Dip-Sampling of Police Scotland Complaints

2.3.1. Appendix C provides a report on SPA dip-sampling of complaints closed by Police Scotland during Q3 2023/24. No exercise was carried out in respect of Q2 2023/24, given that this period was separately subject to [audit](#) by the PIRC.

2.3.2. A summary of key findings and recommendations is outlined below.

Key Findings:

- Of the 77 cases reviewed, 77% were found to have been concluded within 40 working days
- The average timescales for concluding non-criminal cases (exclusive of FLR) was 99 working days
- In complaints subsequently abandoned, as with earlier samples, delays were identified in the time taken to contact the complainer once the complaint had been passed for allocation
- As with earlier samples, there continue to be a small number of instances of inaccurate or incomplete record-keeping
- Following an earlier improvement identified within the Q1 2023/24 sample, timescales on this occasion show no significant change

- With the exception of the above points, all cases have otherwise been deemed to have been handled appropriately in terms of the CAPSOP (and, in turn, the PIRC Statutory Guidance).

Recommendations

- As identified from earlier samples (and the earlier joint SPA/PIRC [audit](#)), Police Scotland should monitor: timescales following the initial assessment of the complaint and contact with the complainer; and record keeping. Findings in this regard further align with those of the recent PIRC audit.

2.4. Stakeholder Meetings

2.4.1. The National Complaint Handling Development Group (NCHDG) met again on 25 June 2024, chaired by Superintendent Kate Stephen.

2.4.2. As part of ongoing benchmarking to ensure continuous improvement The Scottish Public Services Ombudsman (SPSO) attended the meeting where positive discussion took place regarding their complaint handling model. Members were updated on the SPSO's management of complaint backlogs and public expectation, with best practice and learning being shared across the group.

2.4.3. The United Nations Convention on the Rights of the Child (UNCRC) was enacted in Scots Law on 16 July 2024, and the SPSO provided an input to the group on this subject, which generated discussion regarding the impact on the complaint handling process.

2.4.4. The Strategic Oversight Group (SOG) has not met since the last Committee meeting.

2.5. Organisational Learning

2.5.1. The SPA is committed to promoting a culture of organisational learning. Opportunities are identified through a variety of sources including the handling of complaints within the remit of the SPA and PIRC Complaint Handling Reviews (CHRs) if applicable.

2.5.2. During the quarter, PIRC reported back on its review of a complaint handled by the SPA. This complaint did not relate to a Police Scotland senior officer. The report made one recommendation (which did not require reconsideration of the original decision in relation to the complaint), as well as identifying a number of specific organisational learning opportunities. Further details in this regard will be reported

following implementation of the recommendation and learning points, and confirmation from the PIRC that they are satisfied that they have been addressed.

3. FINANCIAL IMPLICATIONS

3.5. There are no financial implications in this report.

4. PERSONNEL IMPLICATIONS

4.5. There are no personnel implications in this report.

5. LEGAL IMPLICATIONS

5.5. There are no legal implications in this report.

6. REPUTATIONAL IMPLICATIONS

6.5. There are reputational implications associated with this paper. The report (alongside corresponding reports from Police Scotland and the PIRC) serves to highlight trends in respect of complaints received and performance in respect of complaints handling, enabling the Committee to seek assurance in this important area, recognising its key link to public confidence in policing in Scotland.

7. SOCIAL IMPLICATIONS

7.5. There are no social implications in this report.

8. COMMUNITY IMPACT

8.5. There are no community implications in this report.

9. EQUALITIES IMPLICATIONS

9.5. There are no equality implications in this report.

10. ENVIRONMENT IMPLICATIONS

10.5. There are no environmental implications in this report.

RECOMMENDATIONS

Members are invited to discuss the contents of this report.



SCOTTISH POLICE
AUTHORITY
ÙGH DARRAS POILIS NA H-ALBA

Appendix A

SPA Complaints Overview

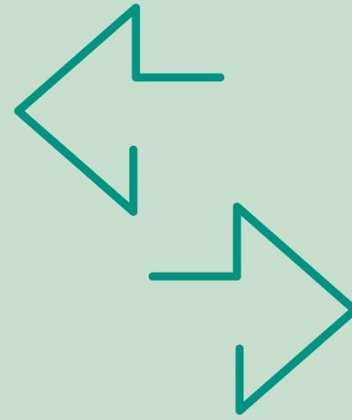


SPA Complaints Overview

- A complaint is an expression of dissatisfaction and the SPA is responsible for handling complaints about: the SPA itself (including Forensic Services); members of SPA Corporate/Forensic Services staff; and senior officers of Police Scotland (i.e. Assistant Chief Constable, Deputy Chief Constable and Chief Constable).
- As at 16 August 2024, there are 14 officers of senior rank in Police Scotland and 658 staff working across SPA Corporate and Forensic Services functions.
- On receipt of a complaint, the SPA will complete an initial evaluation to determine who the complaint is about and if it is within its remit. For cases within the SPA remit, the initial assessment will ensure they are categorised and dealt with in the most appropriate manner (i.e. relevant complaint; grievance; whistleblowing concern; criminal allegation; misconduct allegation; or a miscellaneous case (which refers to enquiries or other correspondence received by the SPA)).
- A 'relevant complaint' is defined in legislation and is essentially a non-criminal complaint made by a member of the public. The SPA Complaints Performance Report mainly provides statistical information on relevant complaints within the remit of the SPA.
- A single complaint may consist of a number of component parts that can be determined separately. For the purposes of this report, these are referred to as 'allegations' and each complaint may include multiple allegations.
- The handling of relevant complaints are subject to the oversight of the PIRC, who have an expectation that such complaints should be completed within 40 working days.

SPA Complaints Performance Report

Quarterly Report
Q1 2024/25

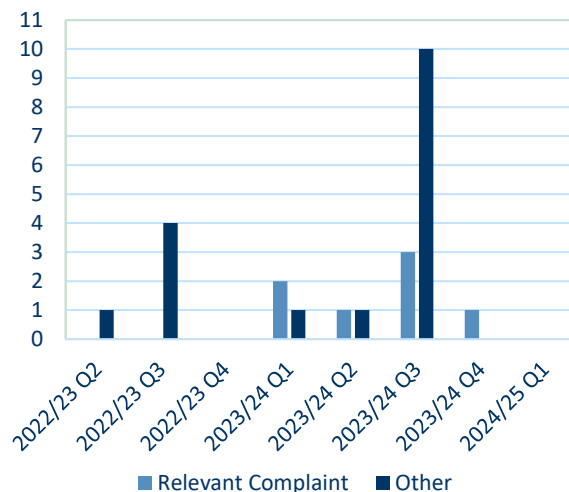


SCOTTISH POLICE
AUTHORITY
ÙGH DARRAS POILIS NA H-ALBA

Highlights (8 quarter view)

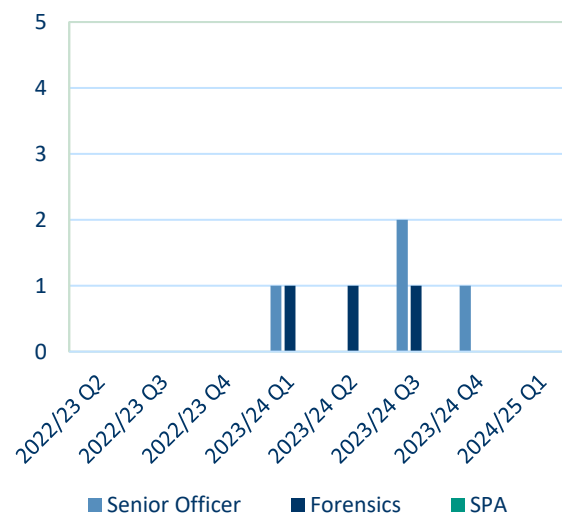
- In context of generally low volume of relevant complaints (and allegations), numbers remain largely consistent
- Majority of relevant complaints, and allegations, relate to senior officers
- 57% of allegations relate to On Duty complaints and the remaining 43% relate to complainers' dissatisfaction with the Quality of Service received
- Early Stage Resolution (ESR) continues to be an effective means of addressing complaints of a less serious nature (all allegations received during period)
- Of the 5 complaints closed over the reporting period, 1 was completed out with the targeted completion time of 40 working days
- At the end of Q1, 2 complaints are ongoing.
- Data excludes complaints received that are outside the SPA's mandate

Cases received



- Across the 8 quarter period, 29% of cases received (within SPA remit) classed as relevant complaints
- 'Other' cases include grievances, whistleblowing, misconduct allegations, criminal allegations etc
- Most cases received outside of SPA remit related to matters that have since been brought to the attention of Police Scotland's Professional Standards Department

Subject of complaints

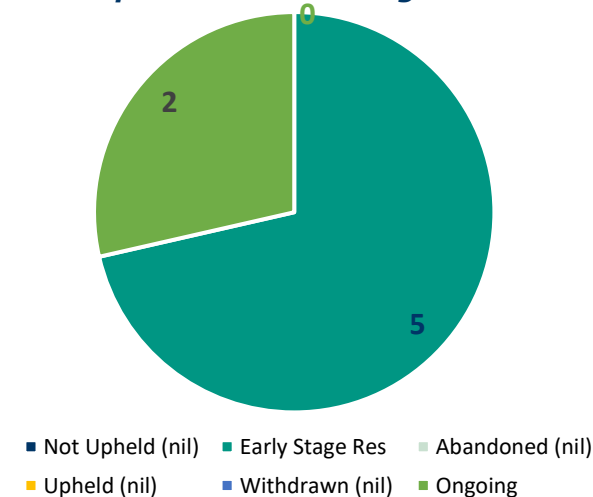


- The majority of relevant complaints (57%) relate to senior officers, although absolute volumes remain low
- Within these complaints, 7 individual allegations were made, with 57% relating to senior officers.

Beyond the first chart (Cases received) all other charts in this report refer to relevant complaints only

Determination

8 quarter view of allegations

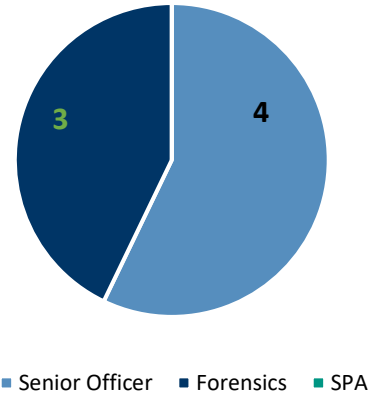
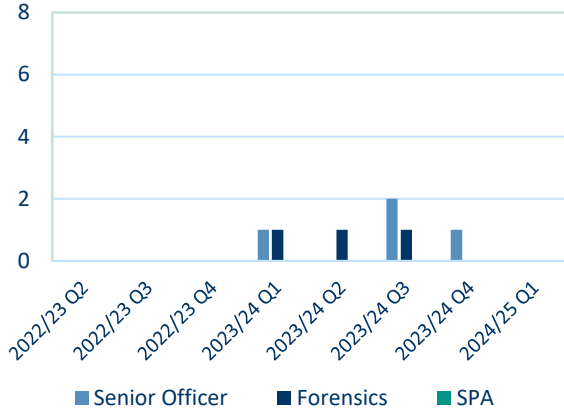


- Of the cases closed during the reporting period, all allegations were resolved by Early Stage Resolution (ESR) via explanation, assurance or apology

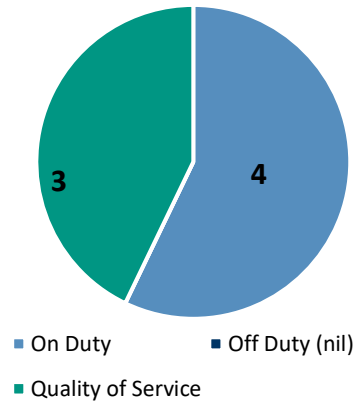
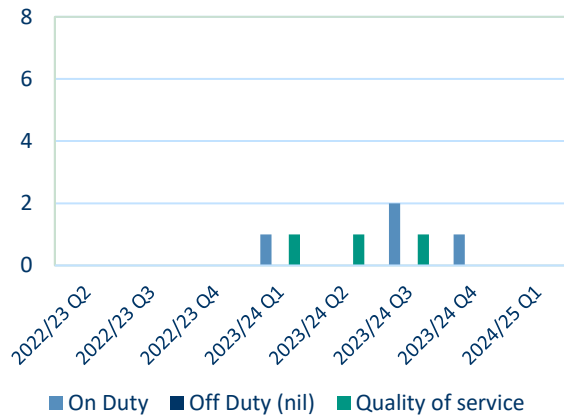


Allegations by subject

Drill down from 'Subject of complaints' on previous page



Allegations by category



Timescales to close

| | 2022/23 | | | 2023/24 | | | | 2024/25 |
|--|---------|----|----|---------|----|----|----|---------|
| | Q2 | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 | Q1 |
| Closed | 0 | 0 | 0 | 2 | 0 | 1 | 1 | 1 |
| Ave. working days to close | 0 | 0 | 0 | 27 | 0 | 2 | 13 | 81 |
| Cases closed beyond 40 working days | | | | | | | | |
| Closed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Days to close | | | | | | | | 81 |

While the SPA aims to deal with relevant complaints within 40 working days, each complaint is unique, and a number of factors (such as complexity and seriousness) can impact timescales. The cases closed over 40 working days above can be attributed to:

- Requirement for case reviews by Forensic Services

OFFICIAL



**SCOTTISH POLICE
AUTHORITY**
ÙGH DARRAS POILIS NA H-ALBA

Appendix C

Dip Sampling of Police Scotland Complaints

Q3 2023-24

OFFICIAL

Introduction

The information and evidence collected during the exercise was assessed against the Police Scotland [Complaints about the Police Standing Operating Procedure](#) (CAPSOP) and the Police Investigations & Review Commissioner (PIRC) [Statutory Guidance on the handling of complaints about the police in Scotland](#).

Sample Size

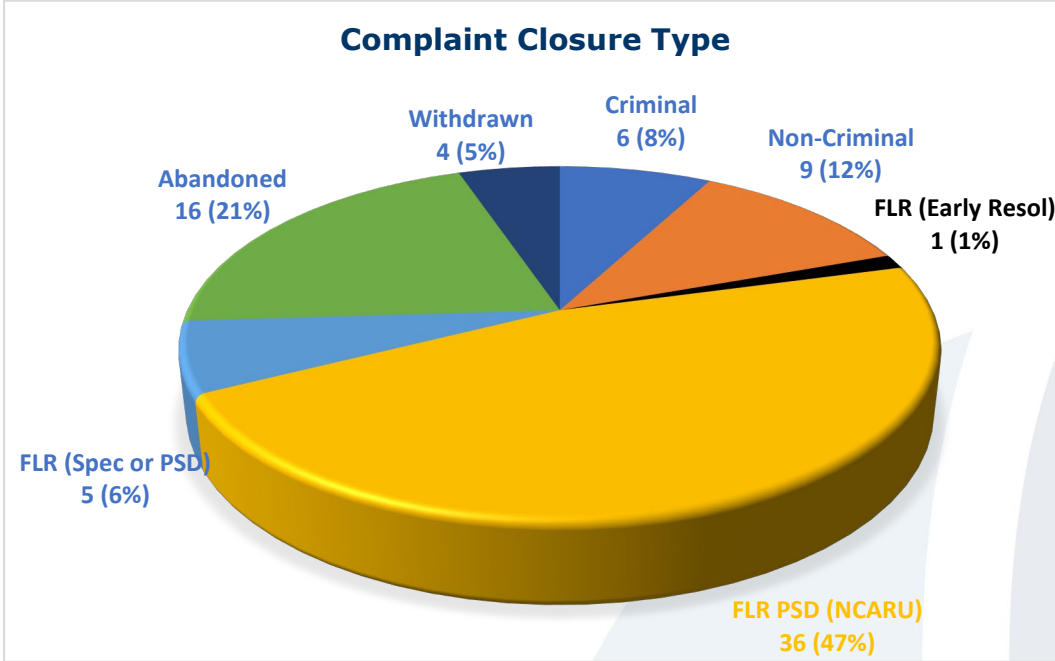
This report covers complaints closed by Police during Q3 2023/24. A random selection of 77 (5% of 1514 total complaints) were selected for review (comprising West (34), East (24) and North (19) Command Areas).

Complaint Closure Type

Of those cases reviewed during this exercise, the following Complaint Closure Types were identified:

| Type | Definition |
|----------------------|---|
| Frontline Resolution | Early Resolution <ul style="list-style-type: none">Complaints resolved by Divisional supervisors PSD (National Complaints Assessment & Resolution Unit) <ul style="list-style-type: none">Complaints received and resolved by the Unit (following assessment of suitability for FLR) PSD (Non-Criminal Investigations) or Specialist Division <ul style="list-style-type: none">Complaints resolved via FLR following allocation for investigation (subject to assessment of suitability for FLR) |
| Non-Criminal | Complaints where no criminal allegations included, where: <ul style="list-style-type: none">FLR has not been achieved; orFLR is not considered to be appropriate where the complaint is considered to be serious or complex in nature (i.e. of a nature which may later justify proceedings for misconduct or which allege serious failures in policing services) |
| Criminal | Complaints where reasonable inference a crime may have been committed |
| Abandoned | <ul style="list-style-type: none">Complaints closed where complainer cannot be contacted & does not respond to a request to make contact within 14 calendar daysIf the complainer subsequently makes contact the original complaint will be re-opened. |
| Withdrawn | <ul style="list-style-type: none">Complaints withdrawn by the complainer at the initial NCARU assessment stage. Complainer advised to contact PSD should they reconsider. |

| | |
|--|---|
| | <ul style="list-style-type: none">Written statement required from complainer where request to withdraw following allocation for investigation. Criminal complaints may continue to be investigated. |
|--|---|



Key Findings

1. Front Line Resolution - Early Resolution

1 complaint was reviewed:

- Closure time – 1 working day from receipt of complaint (compared to 3 days in Q4 22/23 and 2 in Q1 23/24 samples)

2. Front Line Resolution - PSD (National Complaints Assessment & Resolution Unit)

Of 36 complaints reviewed:

- Average time to allocate for FLR – 9 working days from receipt of complaint (compared to 8 days in Q4 22/23 and 11 in Q1 23/24 samples)
- In one case, following an initial attempt to contact the complainer for further information, an email was sent detailing what action would be taken with an option to re-contact PSD if they were not satisfied (i.e the case was closed as FLR without discussion with the complainer).

- Average closure time – 12 working days from receipt of complaint (compared to 8 days in Q4 22/23 and 12 in Q1 23/24 samples)
- The majority of cases were received via an on-line complaint form, however, in one of the case sampled the complainer corresponded with PSD by letter and was not contacted until 9 was after its receipt. The complaint was resolved that day through telephone contact.

3. Front Line Resolution - PSD (Non-Criminal Investigations) or Specialist Division

Of 5 complaints reviewed:

- Average time to allocate for FLR – 10 working days from receipt of complaint (compared to 25 days in Q4 22/23 and 9 in Q1 23/24 samples)
- Average closure time – 54 working days (compared to 54 days in Q4 22/23 and 72 in Q1 23/24 samples)
- In one case the complainer was not contacted after the assessment for 137 days. An apology was given but an explanation for the delay was not provided.

4. Non-Criminal

Of 9 complaints reviewed:

- Average time to allocate for investigation – 24 working days from receipt of complaint (compared to 17 days in Q3 and 8 in Q4 22/23, and 10 in Q1 23/24 samples). CAPSOP states 3 working days or as soon as reasonably practicable.
- In one case, due to an administrative error, the file did not appear on Centurion until 64 days after its receipt.
- One further file took 51 days, however, it took 40 days for the complainer to engage
- 4 complaints concluded within 40 working days (compared to 4 in Q3 and 1 in Q4 22/23, and 2 in Q1 23/24 samples)
- In one case, due to an administrative error, it took 141 days to be allocated for investigation, following which it took a further 109 days to conclude. No explanation or apology was given for the delay.
- Average closure time – 99 working days from receipt of complaint (compared to 88 days in Q3 and 138 in Q4 22/23, and 98 in Q1 23/24 samples).
- One complaint should have been categorised as Abandoned

5. Criminal

Of 6 complaints reviewed:

- Average closure time – 163 working days from receipt of complaint (compared to 98 days in Q3 and 119 in Q4 22/23, and 160 in Q1 23/24 samples)
- One complaint took 536 days to close. It should be noted that timescales for criminal complaints, following referral to PIRC/COPFS, can be significant and are outwith the control of Police Scotland until they are returned to them for closure, as was the case in this instance.

6. Abandoned

Of 16 complaints reviewed:

- Average time to allocate (for FLR/investigation) – 9 working days from receipt of complaint (compared to 19 days in Q3 and 31 in Q4 22/23, and 15 in Q1 23/24 samples)
- Average time to establish abandonment after allocation – 71 working days (compared to 68 days in Q3 and 20 in Q4 22/23, and 65 in Q1 23/24 samples)
- 4 cases had significant delays (between 174 & 365 working days) from allocation to initial attempts to contact the complainer (compared to 4 cases, between 75 & 119 days in Q4 22/23 and 5 cases, between 118 & 145 days, in the Q1 23/24 samples)
- In one case (following initial contact) no further contact attempts were made for almost 4 months. Thereafter, with no response received, the complaint was abandoned after a further 3 months.
- In another case, it took 157 working days from receipt for it to be allocated. Whilst contact was made and an apology for the delay provided, the complainer failed to engage further.
- In the remaining 2 cases, FLR was attempted without success, with no further attempt to contact the complainers for 150 and 185 working days respectively. Thereafter, in one case, whilst contact was made, the complainer failed to engage. In the other, the complainer could not be contacted.
- Two complaints should have been categorised as FLR.

7. Withdrawn

Of 4 complaints reviewed:

- Average time to allocate (for FLR/investigation) – 19 working days from receipt of complaint (compared to 11 days in Q3 and 12 in Q4 22/23, and 11 in Q1 23/24 samples)
- One complaint should have been categorised as Abandoned

Key Findings

- The PIRC Statutory Guidance provides an expectation that policing bodies should respond to complaints requiring investigation within 56 days (40 working days) of receipt. Of the 77 cases reviewed (FLR, non-criminal and criminal), 59 (77%) were found to have been concluded within 40 working days (compared to 64% in Q3 and 68% in Q4 22/23, and 69% in Q1 23/24 samples).
- The average timescales for concluding non-criminal cases (exclusive of FLR) was 99 working days (compared to 88 day in Q3 and 138 in Q4 22/23, and 68 days in Q1 23/24 samples).
- As was identified in previous dip-sampling exercises, in complaints that were subsequently abandoned, delays were identified in the time taken for an investigating officer to contact the complainer once the complaint had been passed for allocation (although in the majority of cases details were recorded to show that all reasonable efforts were made to secure the complainer's co-operation before the case was abandoned).
- As was identified in each of the earlier samples, there continue to be a small number of instances of inaccurate or incomplete record-keeping.
- Following an earlier improvement in timescales identified in the Q1 23/24 sample, timescales on this occasion show no significant change.
- With the exception of the above points, all cases have otherwise been deemed to have been handled appropriately in terms of the CAPSOP (and, in turn, the PIRC Statutory Guidance).

Recommendations

- As identified from earlier samples (and the findings of the [SPA/PIRC Joint Audit of Police Scotland's initial triage of complaints](#)), Police Scotland should continue to monitor timescales following the initial assessment of the complaint and contact with the complainer. This is particularly reflected in abandoned complaints. The recent [PIRC Audit Report on the Six-Stage Complaint Handling Process](#), which examined complaints closed in Q2 23/24, similarly found delays in this regard.
- As similarly identified within previous dip-sampling reports (and the Joint Audit), Police Scotland should monitor record keeping. The recent PIRC August, similarly highlighted concerns in this regard, recommending that guidance should be produced to assist with

achieving a consistent approach and improve the overall standard of record keeping.

