



Complaints & Conduct Committee

14 November 2024

Minutes of the Complaints & Conduct Committee held on 5 September 2024 via Webex

Board Members present:	Fiona McQueen (Committee Member) Paul Edie (Committee Member) Catriona Stewart (Committee Member)
Board Member apologies:	Katharina Kasper (Committee Chair)
In attendance:	<p><u>SPA</u> Chris Brown, Deputy Chief Executive (Resources) Darren Paterson, Head of Workforce Governance Colette Craig, Governance Support Officer</p> <p><u>Police Scotland</u> Assistant Chief Constable Stuart Houston Chief Superintendent Helen Harrison Superintendent Kate Stephen</p> <p><u>PIRC</u> Ilya Zharov, Head of Reviews and Policy Phil Chapman, Director of Operations</p> <p><u>HMICS</u> Maggie Pettigrew, Lead Inspector</p>

1. Introduction and Welcome:

1.1 Chair's Opening Remarks

Fiona McQueen welcomed attendees to the meeting and noted that she would Chair the meeting in the absence of the Committee Chair, Katharina Kasper.

1.2 Apologies

Katharina Kasper (Chair of SPA Complaints and Conduct Committee)
Raymond Brown (PIRC)

Declarations of Interest and Connections

None.

1.3 Any Other Business

None.

1.4 Decisions on taking business in private (Item 9 – 13)

Members **AGREED** to take Items 9 – 13 in private.

2. Minute and Actions from previous meeting:

2.1 Minute from meeting held on 6 June 2024 for approval

Members **AGREED** the Minute of the meeting held on 6 June 2024 as an accurate record of the meeting.

2.2 Public Minute of Private Meeting held on 6 June 2024 for approval

Members **AGREED** the Public Minute of the private meeting held on 6 June 2024 as an accurate record of the meeting.

2.3 Rolling Action Log and Matters Arising

- 20231411-CCC-001 – Members agreed that this action should remain ongoing until they have seen the output of engagement with the Service Design Team and work progressed to capture the 'as is' position in a Current Operating Model.

The Committee **APPROVED** the action log, noted the updates provided.

2.4 Decisions since last meeting

None.

3. Police Scotland Professional Standards Quarterly Performance Report

Assistant Chief Constable Stuart Houston (ACCSHouston) provided opening comments around ongoing work being progressed internally within PSD as well as clarifying some data within the report. Chief Superintendent Helen Harrison (CSHHarrison) provided an overview of the statistical information on the overarching performance activity in relation to complaints and conduct matters about members of Police Scotland for period (1 April 2024 – 30 June 2024). During discussions the following matters were raised:

Members referred to misconduct outcomes, noting recent media reporting, and sought clarity around the responsibilities on the safeguarding of children and young people. ACCSHouston advised that, on the case referred to in the media, whilst it was not proven in court, there is a responsibility for PS to carry out a misconduct investigation, and in this instance the individual was dismissed due to failing to meet expected standards of professional behaviour within the organisation. ACCSHouston noted a particular onus on protecting vulnerable people who have already been through a court process, in terms of seeking witness evidence as part of resulting misconduct investigations.

Members sought clarity around what Police Scotland are doing to address misconduct timelines. ACCSHouston agreed that the timelines in relation to misconduct are lengthy, however, noted the legal challenges and complexities of some areas which impact on the timelines. Members also asked what work was being done in relation to organisational learning. CSHHarrison noted that organisational learning comes from a number of different factors and elements, therefore there is a need to collate and review before communicating out to divisions. CSHHarrison advised that she would be keen to bring more to a future committee on this as it is an area that PSD are continually reflecting on.

Members sought clarity on variation between the low number of upheld complaints and newly provided user satisfaction data. CSHHarrison assured members that this related to the level of engagement with complainers, describing the detailed level of investigation and thorough responses provided. Superintendent Kate Stephen (SuptKStephens) assured members around the thoroughness of investigations, referring to the 6-stage process, which is aligned to the CAAPD SOP and PIRC Statutory Guidance.

Members asked whether the increase on suspended officers was a natural variation. ACCSHouston referred to the increase in suspended officers and noted that this figure can vary on a weekly basis, and provided an overview of how those figures increase and decrease.

Members sought further clarity on whether increases in misconduct cases was as a result of a shift in the culture seeing more people speaking out due to increased confidence in the system. ACCSHouston noted that following the publication of misconduct outcomes internally within PS, there is an opportunity for PS to review what impact that is having as officers develop a greater understanding of the consequences of breaching professional standards. He also referenced that forthcoming staff survey results may provide further insight in relation to trust in raising issues. He also noted the impact of the recent media focus on officer misconduct. Although the misconduct cases are large, it is important to provide trust and confidence to the public and colleagues that cases are being appropriately progressed and noted the number of provisions in place to ensure this is the case.

Members asked about the balance of adopting an approach focussed on learning and improvement versus judgement and punishment. ACCSHouston noted the importance of getting the balance between performance and misconduct matters right, with opportunity being presented via the current Police (Ethics, Conduct and Scrutiny) (Scotland) Bill. CSHarrison added that divisions are being supported in this area at the moment.

Members **NOTED** the report.

4. SPA Quarterly Report

Darren Paterson (DPaterson) provided a report updating the Committee on complaints and conduct matters including key statistics reflecting the position at the end of Q1, 2024/25. In addition, an update on findings from dip-sampling of Police Scotland complaints from Q3, 2023/24 was also provided.

Members **NOTED** the report.

5. PIRC Annual Report on Police Scotland Handling of Complaints and Investigation Referrals

Members were provided with a report detailing key statistics reflecting Quarter 1 2024/25. Ilya Zharov (IZharov) provided a detailed summary of the report which noted statistical information in relation to PIRC Complaint Handling Reviews (CHR's). Phil Chapman (PChapman) provided an

overview on the Investigation Referrals. During discussions the following matters were raised:

Members referred to the backlog of non-criminal complaints and sought some assurance from Police Scotland that it was being addressed. ACCSHouston advised that this is an area that PSD have been working on for some time to reduce, a build-up has occurred over 18-24 months period, with an improvement plan in process. There has been an option to categorise complaints, similar to the PIRC approach. ACCSHouston believes that the recruitment of non-police investigators will assist. ACCSHouston noted that although there are currently over 1000 within the backlog, they have been subject to assessment and complainers have been updated. It is hoped that the number will reduce in coming months and that the assessment process will assist PS in doing that. ACCSHouston advised that he would be able to provide an update to the next meeting on how this area has progressed. Members asked about the impact of the backlog of Police Scotland complaints, in terms of Complaint Handling Reviews. IZharov advised that the more cases that PS complete the more people are likely to go to the PIRC for a Complaint Handling Review.

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

20240509 – 001 - ACC Stuart Houston to provide an update in relation to the backlog of non-criminal complaints to the next committee meeting.

6. PIRC Audit – Findings and Recommendations

Members were provided an overview of the Audit Report on the Six-Stage Complaint Handling Process that was published in July 2024. During discussions the following matters were raised:

Members welcomed the report and noted that there was plenty of information for PS to improve their complaint system and investigations to make them more robust. Police Scotland advised that an update on recommendations and their progress to discharge would come to the next committee.

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

20240509 – 002 – Superintendent Kate Stephen to bring an update to the next committee meeting on recommendations and their progress to discharge.

7. Committee Priorities and Outcomes

The Chair provided an overview of the Committee Priorities and Outcomes for information.

Members **NOTED** the report.

8. Complaints and Conduct Committee Work Plan

DPaterson assured members that the work plan would be fully reviewed and updated before being presented to the next committee meeting.

Members **NOTED** the report.

