



west midlands
police and crime
commissioner

AGENDA ITEM 8a

ACCOUNTABILITY AND GOVERNANCE BOARD

22nd October 2024

Professional Standards, Complaints and Conduct

Presented by: Detective Chief Superintendent Sam Ridding

1. Police and Crime Plan

Complaints and misconduct processes that everyone can trust

1. The public has the right to expect the highest standards from police officers and police staff. A very small number of individuals' conduct falls below these standards, crossing the threshold into corruption, abuse of their powers and illegality. It is important to identify and respond robustly when things go wrong, and also look for trends in complaints. Accountability processes as detailed will monitor the efficiency and the effectiveness of the professional standards department.

Achievements and Challenges

2. This paper will outline the work of the Professional Standards Department (PSD), providing detail about the challenges faced which include:
 - Ongoing increasing demand across all areas of business
 - Timeliness of investigations
 - Staffing Challenges

And also outline the ongoing achievements of the past 12 months which include:

- Prevention and Intervention team work
- Establishment of Integrity Unit
- Vetting reviews
- Number of misconduct hearings

National factors

3. The biggest challenge faced by the Professional Standards department continues to be the demand, that is the volume of work in relation to public complaints, matters of misconduct and vetting.
4. The national profile of police misconduct continues to remain high following events such as the murder of Sarah Everard and the subsequent conviction of Wayne Couzens and also the conviction of David Carrick. In February 2024 part 1 of the Angiollini Inquiry was published. This inquiry looked into the history of Wayne Couzens and how he was able to commit the crimes he committed. There are 16 recommendations for policing and forces as a result of this report.
5. In March 2024 the national crime stoppers corruption line was launched providing an opportunity for the public to anonymously report corrupt or concerning behaviour about members of the police service. This line has seen an increase in reporting into West Midlands Police.
6. In January 2024 the College of Policing launched the new Code of Ethics for policing. The training and implementation of this new code takes place over 12 months of 2024.
7. In May 2024 the police conduct regulations were amended following the government consultation to improve consultation. These first amendments will see the change from a legally qualified chair to Chief officer chairing misconduct hearings.
8. The report will detail the challenges and achievements and demonstrate this with data. Unless otherwise detailed the data is shown as a year on year comparison for the past 3 years from start of April until end of March.

Complaints

9. In the reporting period 2023/24 there have been 4054 complaints. Over the three-year reporting period there have been 12,316 complaints from the public which is highlighted in Figure 1. This demonstrates the continued increase in public complaints against the police. The Service Recovery Team are responsible for initial assessment, triage, resolving expressions of dissatisfaction and complaints without investigations and determining whether a complaint needs to be formally recorded.
10. Complaints that require a full investigation, which includes those where a breach of the standards of professional behaviour has been identified are investigated by the PSD investigations team.
11. There continues to be a backlog in reviews requested of the IOPC. This continues to be a national issue and one which the IOPC are seeking to resolve. In some cases, the delay can be over 6 months before the review work is actioned. These

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cases remain “live” and open for West Midlands Police and will negatively impact on timeliness figures.

12. All matters of public dissatisfaction brought to the attention of PSD are recorded on the Centurion system. The nature of the allegations, the officers involved (where detailed) the outcomes of the service recovery/investigation are all recorded, collated and then subject to review in the PSD monthly performance meeting and the Quarterly Performance Review (QPR) chaired by the Deputy Chief Constable. This data is also reported on annually by the IOPC.
13. In these forums themes and trends are identified for consideration of further action, such as policy change, force learning.
14. Low level learning identified at the time of the complaint being addressed will be shared to the officer/police staff and their supervisor immediately. Wider force learning is collated on Centurion and managed by the PSD prevention and intervention team across the force via relevant governance boards; tailored inputs.
15. An example is the suitable provisions within the custody environment for breast feeding mothers. Following a public complaint about the lack of such provision, PSD have highlighted this issue to criminal justice unit (CJU) and changes have been made resolving this issue.
16. There is no change from previous years in relation to the most common complaint of dissatisfaction from the public. This continues to be action following initial contact. The national IOPC data details that this continues to be the most common theme nationally. In 2023/24 this has increased for WMP from 2432 to 2605.
17. As at figure 1 the average time to finalise complaints has increased from last year, but remains lower than 2021/22. This is as a result of a number of factors: the volume of complaints remains high and the number of allegations has increased which has impacted by way of increased complaint handling times. An increase of complaints also impacts the supervisory role and timeliness in relation to allocation, reviewing and overseeing completion of otherwise than investigation handling. The department is exploring Artificial Intelligence as a means of expediting front end handling and allocation which will support the current robot that uploads complaints against police into Centurion, the PSD complaints database.
18. In addition, complaints that do require investigation are assigned to the Investigation Team and due to a high increase of conduct matters being reported, which is reflective of other forces nationally the team are having to manage ever increasing caseloads which unfortunately has also impacted timeliness. The department has been provided with additional resources to address this ongoing demand which should assist address timeliness issues moving forward.
19. As at figure 2 the number of reviews upheld by the OPCC and IOPC has decreased and a number of factors have influenced this including an increase in the quality of the complaint handling including additional scrutiny of complaints internally and

feedback provided, training that has been received from IOPC and feedback from OPCC.

20. Once again it can be seen that the number of reviews requested is consistent with previous years data and demonstrates that complaint handlers have embraced the learning from previous reviews in their management of new matters.
21. Figure 3 demonstrates positive progress in managing complaints in the first instance in a satisfactory manner. As can be seen the number of reviews requested of the OPCC and IOPC has reduced this year compared to last year.
22. As at figure 4 there has been an increase in the number of cases referred to the IOPC. These referrals are made in line with the regulations and there are no obvious trends or concerns highlighted in this data.
23. As at figure 7 the number of complaints matters subject to service recovery and dealt with otherwise than by investigation has decreased however it is important to note that complaints subject to schedule 3 has increased and cannot be service recovered. Common themes remain that are subject to service recovery such as lack of investigative updates to victims of crime. Operation Vanguard is a force lead operation lead by ACC Bell looking to support the improvement of investigative standards and should positively impact in this area of concern for the public.
24. PSD welcome the quarterly dip samples undertaken by the OPCC in order to ensure learning and improvement. The most recent dip sample from the OPCC conducted in November 2023 related to service recovery handling. The OPCC identified the main area of improvement was in relation to communication styles and letters lacking empathy. It was recognised that the team had a high number of new staff and refresher training has been delivered, sharing feedback and moving forward, the department is exploring technological assistance to improve communication quality via Chat Gpt. Whilst we cannot currently use Chat Gpt the force and IT are exploring options in relation to the security of this with a view to progress.

Conduct Investigations

25. As can be seen at figure 9C there continues to be an increase in the number of conduct matters investigated by PSD.
26. PSD are responsible for the investigation of all conduct matters relating to police officers and police staff within West Midlands Police.
27. As at figure 10 there has been an increase of previous years on the number of misconduct hearings that have taken place.
28. Most notably the number of accelerated misconduct hearings has increased. (as predicted in last year's report these have doubled). The hearings chaired by the Chief Constable deal with matters of gross misconduct cases where behaviours are admitted or evidence presented is incontrovertible. These proceedings are more

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cost effective and swifter efficiently dealing with conduct matters and increasing public trust and confidence.

29. PSD continue to make use of Regulation 13 when conduct cases relate to probationary constables. In this data period a number of cases (33) have been presented via this route.
30. There has been a significant increase in referrals to the IOPC as seen at Figure 4. It is also evident that the number of independent investigations the IOPC have taken has decreased and this increase in demand is impacting on the timeliness of investigations (See figure 9C).
31. The investigations team also deal with complaint matters that have been upheld and require investigation. (figure 4)
32. Where matters have been subject to investigation for 12 months or longer; in line with regulation 19 of the conduct regulations and timeliness of investigations and regulation 13 of the complaints regulations 2020 notification is made to the OPCC.
33. As detailed in figure 9a there has been an increase in the number of matters that are over 12 months old. This is as a result of the increase in matters, the investigation of upheld reviews and the volume of work for the investigations team.
34. The investment in a staffing uplift (September 2024) on the investigations team should seek to reduce the time taken to resolve investigations over the next 12 months.
35. Figure 13 shows the data relating to diversity of those involved in misconduct proceedings. All available data in relation to complaints/vetting/conduct is subject to scrutiny in the PSD monthly performance meeting, the force Stakeholder Engagement Group (SEG) disproportionality focus group and other scrutiny panels such as Independent Advisory Group (IAG).
36. There isn't any matters of concern in relation to the diversity of those officers/staff subject to misconduct proceedings. As seen in the data matters there has been an increase in conduct hearings across all areas and this also shows an increase in non-white colleagues facing misconduct hearings. Through the scrutiny detailed at point 13 no concerns have been identified.
37. The type of misconduct encountered is reviewed in the monthly performance meetings and PSD prevention and intervention team (P and I) will utilise this data to consider their approach to reduce/prevent future like behaviours. As detailed later in report the P and I team use a variety of tools such as face to face inputs, on the panel (online interactive case study) to raise awareness of common themes to prevent future conduct.

Suspensions

38. Figure 12 demonstrates the rise in the number of officers currently suspended. This number has increased in 2023/24. In line with regulations each case is reviewed on a monthly basis by the Deputy Chief Constable.

Vetting

39. Vetting decisions are made in line with vetting APP. Vetting demand remains very high as a result of ongoing recruitment of new officers, contact centre staff and custody staff.

40. In line with vetting APP, Casey Review and Angiolini inquiry recommendations, continuous re-vetting takes place in line with APP, MV/RV review, vetting review following misconduct proceedings, vetting review following receipt of adverse information about staff.

41. The service confidence process is managed via a monthly PSD meeting where matters of risk are considered and appropriate risk management measures are put in place. This may include posting restrictions due to geography or department.

42. In a small number of cases a vetting review will lead to a recommendation to remove vetting. In this instance an individual would face gross incompetence stage 3 performance proceedings as they cannot operate within WMP without vetting. This process has seen a small number of staff resign or be dismissed from West Midlands Police.

43. Transferees into West Midlands Police at any rank will be subject to full vetting checks. Those who do not meet the required standard will not be accepted into the force.

44. Figure 16 shows transferees into the force in 2023/2024, there have been 47 transferee applications into West Midlands Police. There have also been 35 transferee applications which were successful and 12 were not.

45. The breakdown of the refusal reasons is highlighted in figure 16. Service confidence failure relates to PSD history in another force. West Midlands Police will not accept any applicant with a history in their own force which would trigger our own service confidence review (three complaints in the last six months).

46. Figure 17 shows the breakdown of those accepted and any in force PSD involvement. Of the 35 accepted only 5 were involved with another PSD which were for minor complaints; identified learning; or historical matters.

The Prevention and Intervention team

47. This small team continues to support the work of PSD raising awareness in a number of ways. These include in person inputs: to probationary constables, Operation Excellence supervisors' course, Operation Excellence senior leaders' course; online interactive case study – on the panel and bespoke inputs.
48. The Prevention and Intervention (P&I) team is responsible for ensuring Practice Requiring Improvement (PRI) is delivered via the Reflective Practice Review Process (RPRP) in a timely manner and as can be seen at figure 15 the use of RPRP has increased over the last 3 years.
49. The development of a network of over 100 Standards Ambassadors across the force is managed by the P and I team. The ambassadors are volunteers across the force at different ranks and roles who have shown an interest in supporting the work of PSD to improve and drive professional standards of behaviour in their areas. There are quarterly learning events for the ambassadors hosted by PSD, this also provides an opportunity to improve the approach of PSD using feedback via the ambassadors.

Integrity unit

50. This unit is now established (As of March 2024) within PSD following a proof of concept trial. This small team is responsible for assessing, managing and reviewing the organisational risk posed from staff. This team work to understand risk, impose and manage risk management measures to ensure high standards, deter misconduct and maintain public trust and confidence.

Counter Corruption Unit

51. The Counter Corruption Unit (CCU) is a discreet proactive team within PSD. The CCU consists of a sensitive intelligence unit and an operations team that together provide a capability to overtly and covertly identify, research, develop and investigate corruption concerns.
52. The CCU receive, generate and develop intelligence for investigation. The CCU maintains confidential reporting mechanisms internally (the corruption line) and manages reports from external sources including partner agencies, crime stoppers corruption line.
53. The CCU works with the IOPC on corruption matters such as disclosure of information and abuse of position for a sexual purpose (APSP) in line with national guidance.

HMICFRS

54. In November 2022 HMICFRS released its national vetting, misogyny and misconduct inspection. This contained 43 recommendations and 5 areas for improvement (AFI). Of the 43 recommendations 28 were for forces to progress.
55. West Midlands Police has closed all but two of these recommendations:
- Recommendation 16 which relates to the monthly use of PND across all staff data for continuous integrity screening – this requires a national IT solution to enable this to take place.
- Recommendation 26 relates to investigation plans and supervisor reviews. This has been subject to ongoing training and upskilling of staff and will require a reinspection prior to sign off.
56. PSD have also introduced a Quality Assurance Thematic testing (QATT) process to review investigations and reviews to provide ongoing feedback, support and guidance to promote improvement.
57. In January 2024 West Midlands PSD were the pilot force for the HMICFRS integrity inspection. This inspection detailed the work and arrangements of PSD as adequate with areas for improvement relating to staffing numbers and investigation plans.
58. The details at point 35 re resourcing have already addressed the AFI in the inspection relating to adequate resources for PSD.
59. The AFI relating to investigation plans is already addressed at points 55 and 56.

Resources

60. Over the past 24 months there has been significant investment in resources for PSD. PSD now have 104 members of staff an increase of 35 when compared to 2021.
61. All areas of business within PSD: complaints, investigations, vetting and corruption unit have seen increases in staffing establishment. There has continued to be some reliance on agency staff to manage long term vacancies and absences.
62. The department continues to be approximately 50% police officers and 50 % police staff. There are both full and part time members of staff within the department.
63. The work of PSD is supported by Standards managers and ambassadors across the force.

Legal Implications

64. Compliance with the regulations is a requirement and enables PSD to demonstrate transparency and build trust and confidence. It also enables West Midlands Police to undertake its employment responsibilities to staff, ensuring due process is followed in all cases including those resulting in dismissal.

65. PSD works closely with joint Legal services and employee relations on all matters relating to misconduct.

Finance

66. The current budget for 2024/25 is £136100 and does not include regular staffing costs. This is broken down into £110000 officer and £27500 staff overtime and £39800 for other costs within the department such as travel, specialist services and agency staff.

Equality Implications

67. As detailed at point 35, regular scrutiny of PSD data takes place to identify any concerns re disproportionality within PSD or associated processes.

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Appendices

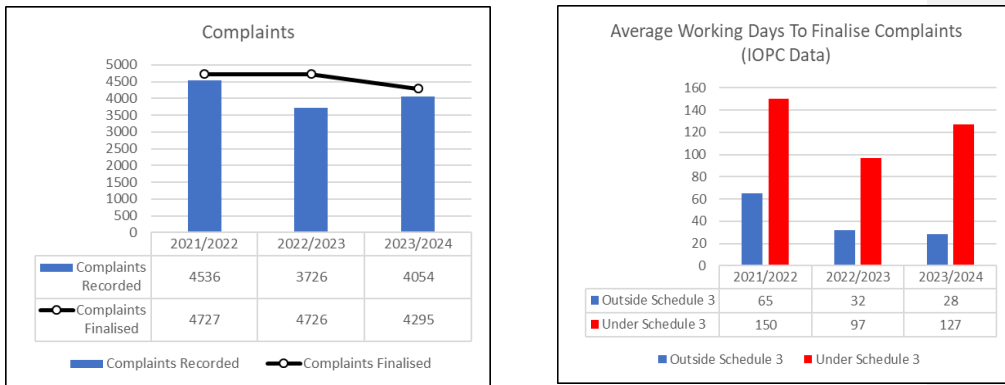


Figure 1. Complaints Performance & Timeliness

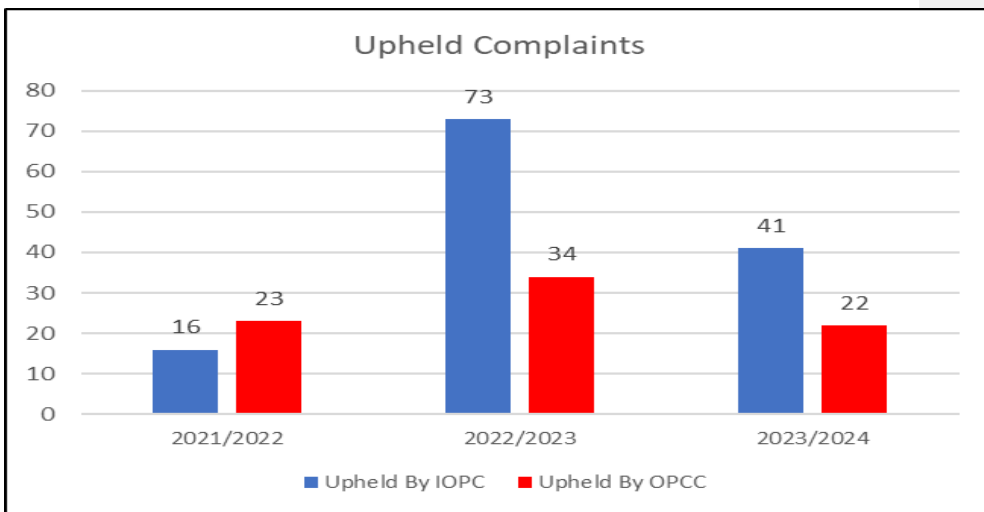
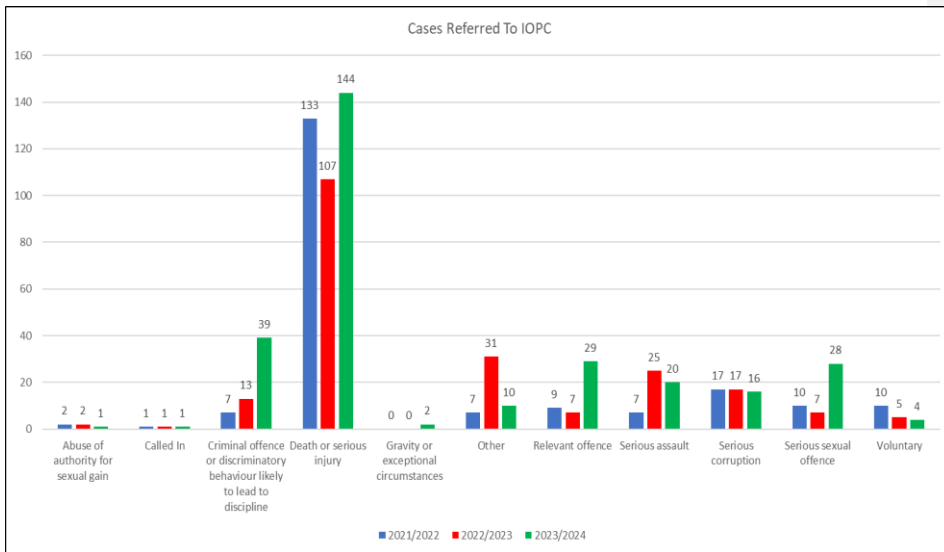
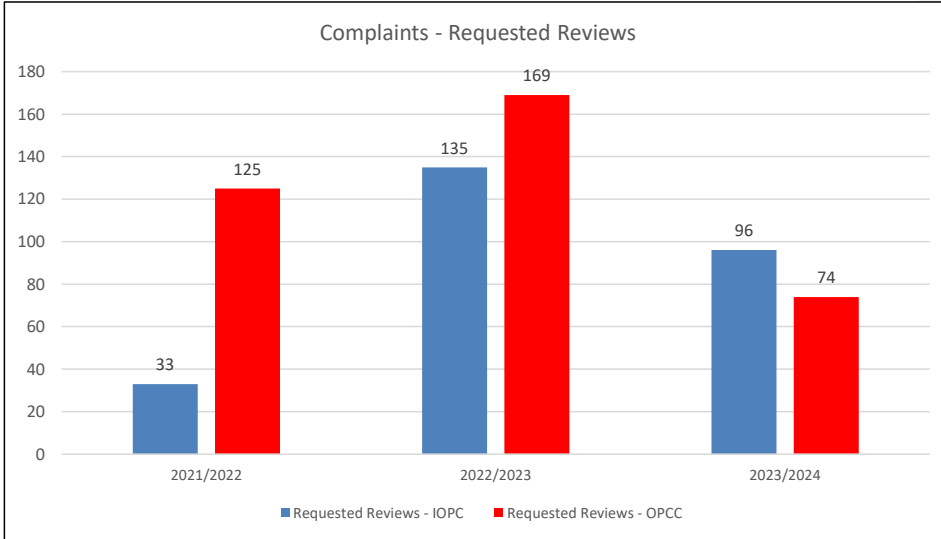


Figure 2. Complaints Upheld – IOPC + OPCC

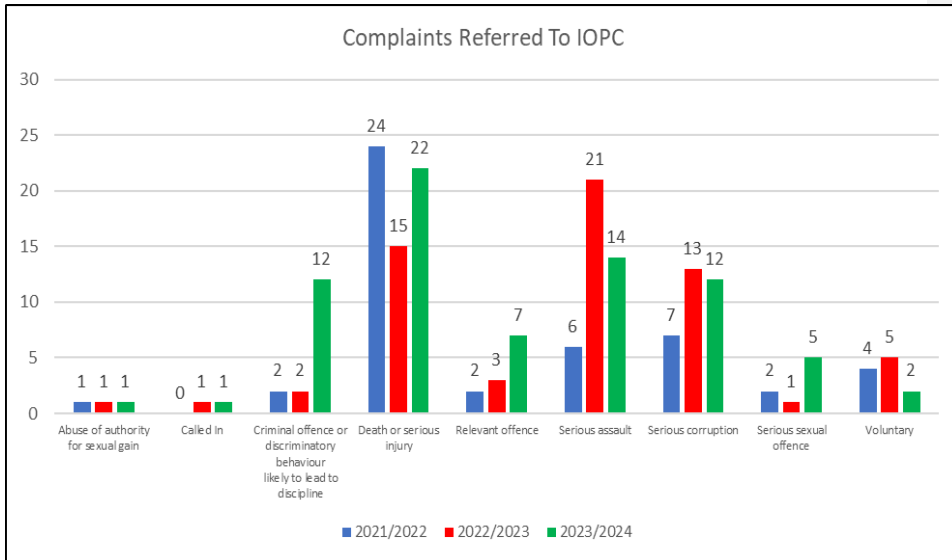
This highlights the number of complaints and timeliness, and a summary of systems in place to monitor and improve performance

Figure 3. Number of complaints with a review requested



IOPC Decision	2021/2022	2022/2023	2023/2024
Force Deal/Deal With As See Fit	55	45	64
Local	103	143	210
Directed	2	1	1
Independent	43	26	19
Total	203	215	294

Figure 4 Number of cases referred to the IOPC and decision outcomes.



IOPC Decision	2021/2022	2022/2023	2023/2024
Force Deal/ Deal With As See Fit	0	2	2
Local	33	53	66
Independent	15	7	8
Total	48	62	76

Figure 4a Number of complaints referred to IOPC & decision outcomes

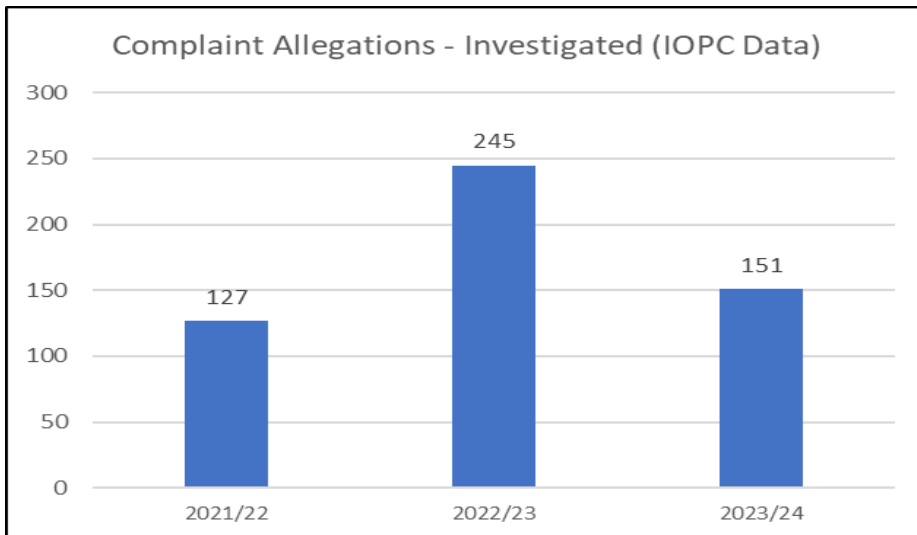


Figure 5. Number of complaint allegations that were investigated (IOPC Data)

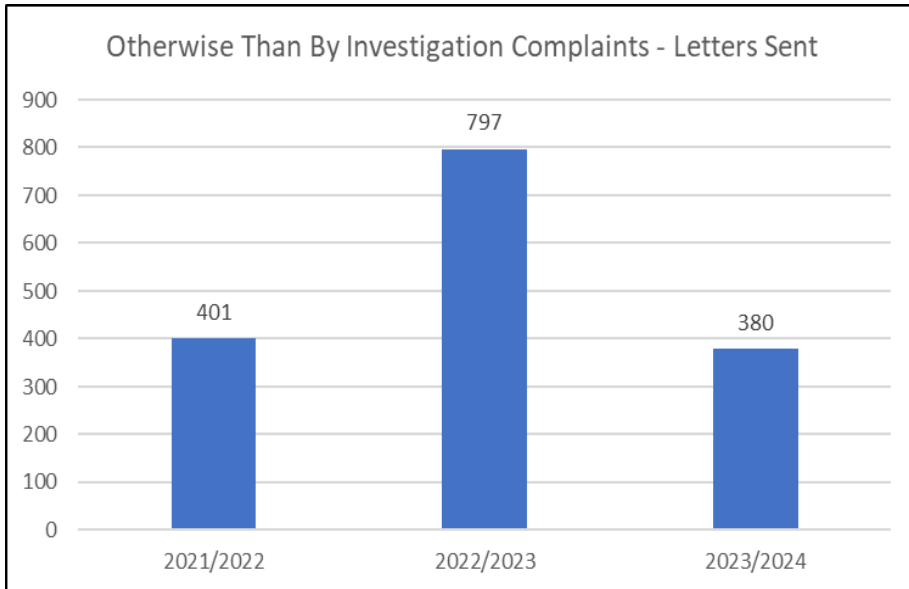


Figure 6. Number of complaints with Otherwise Than Investigation Letter (OTIL) sent

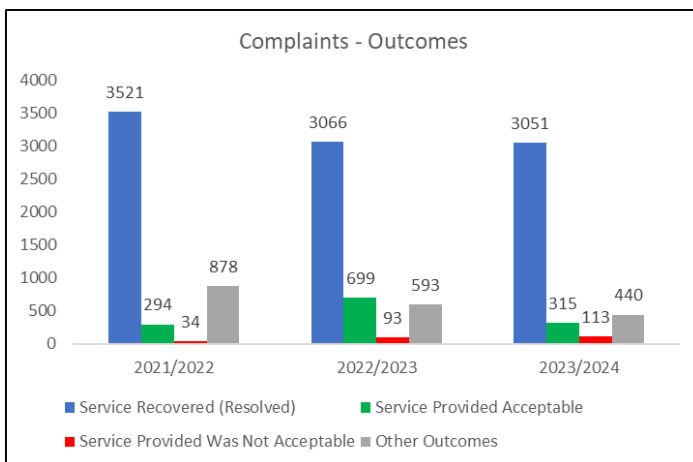


Figure 7. Number of complaints service recovered

It is important to note the number of complaints service recovered will not equate to the total number of complaints as per figure 1. This is because complaints can re-open and finalise at different points in time. An example of this could include: reopened for review, not satisfied with service recovery outcomes.

Top 10 Allegations Logged - 2021/2022	
Police action following contact	2533
General level of service	512
Use of force	264
Decisions	256
Unprofessional attitude and disrespect	203
Impolite language/tone	197
Other	197
Handling of or damage to property/premises	150
Power to arrest and detain	130
Searches of premises and seizure of property	127

Top 10 Allegations Logged - 2022/2023	
Police action following contact	2432
General level of service	376
Use of force	271
Decisions	259
Impolite language/tone	224
Unprofessional attitude and disrespect	156
Searches of premises and seizure of property	134
Handling of or damage to property/premises	128
Power to arrest and detain	123
Race	115

Top 10 Allegations Logged - 2023/2024	
Police action following contact	2605
General level of service	769
Use of force	367
Decisions	276
Power to arrest and detain	241
Detention in police custody	237
Impolite language/tone	231
Unprofessional attitude and disrespect	186
Handling of or damage to property/premises	184
Searches of premises and seizure of property	167

Figure 8. Different categories of complaints and % related to different themes

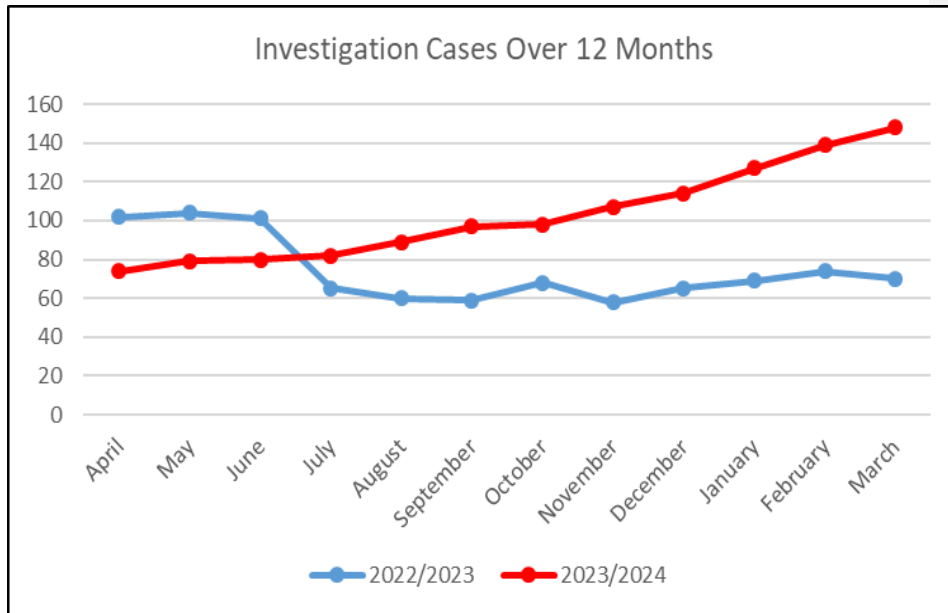


Figure 9a. Investigation Cases over 12 months

To note, there is no 2021 data as previous performance didn't track this.

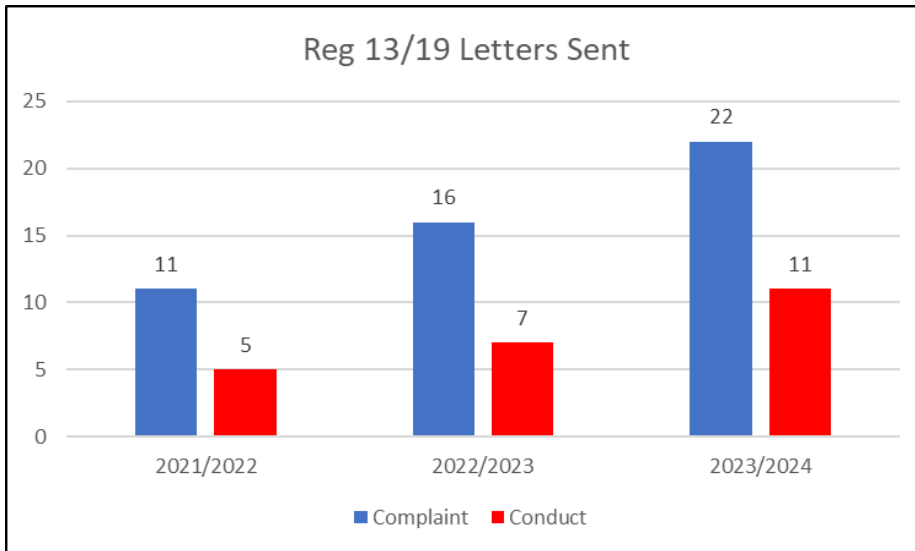


Figure 9b. Reg 13/19 letters sent by financial year

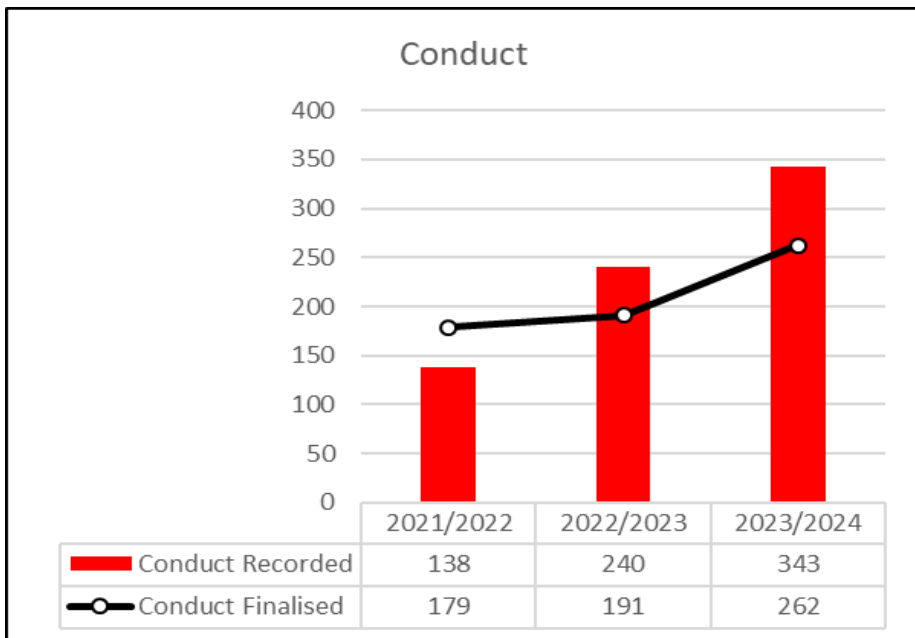


Figure 9C Number of conduct cases

Officer Meeting	2021/2022	2022/2023	2023/2024
Management Advice	2	N/A	N/A
Written Warning	0	10	5
Final Written Warning	1	4	2
NFA/Not Proven	4	3	4
How Many Were Appealed?	0	3	0
Total (Not including appeals)	7	17	11
Officer Hearing/ Former Officer Hearing	2021/2022	2022/2023	2023/2024
Written Warning	0	2	1
Final Written Warning	3	2	0
Reduction In Rank	1	0	0
Dismissed	1	2	3
Would Have Been Dismissed	1	5	3
NFA/Not Proven	1	0	2
How Many Were Appealed?	0	2	1
Total (Not Including Appeals)	7	11	9
Officer Accelerated Hearing/ Former Officer Accelerated Hearing	2021/2022	2022/2023	2023/2024
Written Warning	0	0	0
Final Written Warning	0	0	4
Dismissed	3	3	6
Would Have Been Dismissed	7	10	18
NFA/Not Proven	0	0	1
How Many Were Appealed?	0	0	2
Total (Not Including Appeals)	10	13	29
Staff Meeting	2021/2022	2022/2023	2023/2024
Written Warning	0	2	2
Final Written Warning	2	0	0
NFA/Not Proven	0	0	0
How Many Were Appealed?	0	0	0
Total (Not Including Appeals)	2	2	2
Staff Hearing/ Former Staff Hearing	2021/2022	2022/2023	2023/2024
Written Warning	1	3	3
Final Written Warning	4	4	3
Dismissed	8	5	4
Would Have Been Dismissed	0	6	8
NFA/Not Proven	1	0	1
How Many Were Appealed?	1	1	3
Total (Not Including Appeals)	14	18	19
Reg 13	2021/2022	2022/2023	2023/2024
Dismissed	N/A	N/A	0
NFA/Not Proven	N/A	N/A	3
How Many Were Appealed?	N/A	N/A	0
Total (Not Including Appeals)	N/A	N/A	3

Figure 10. Number of proceedings

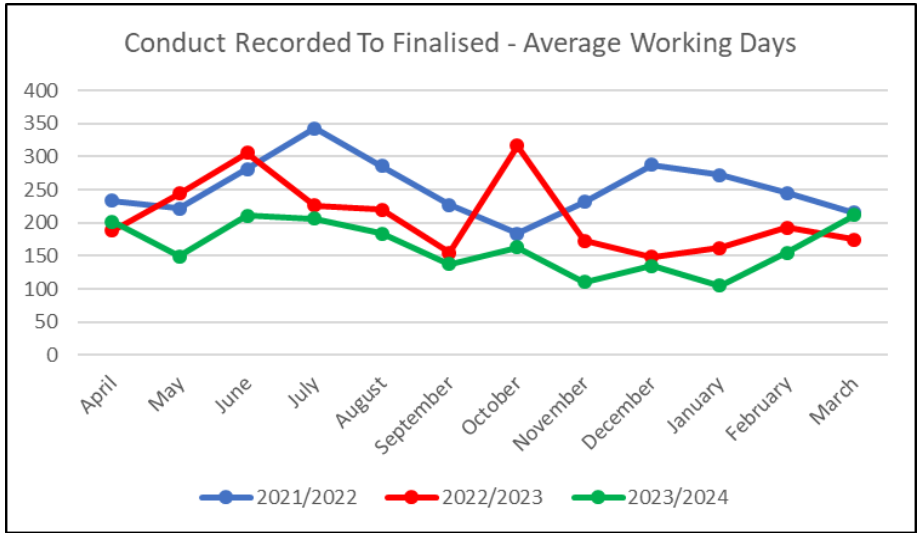


Figure 11. Conduct Recorded → Finalised, timeliness

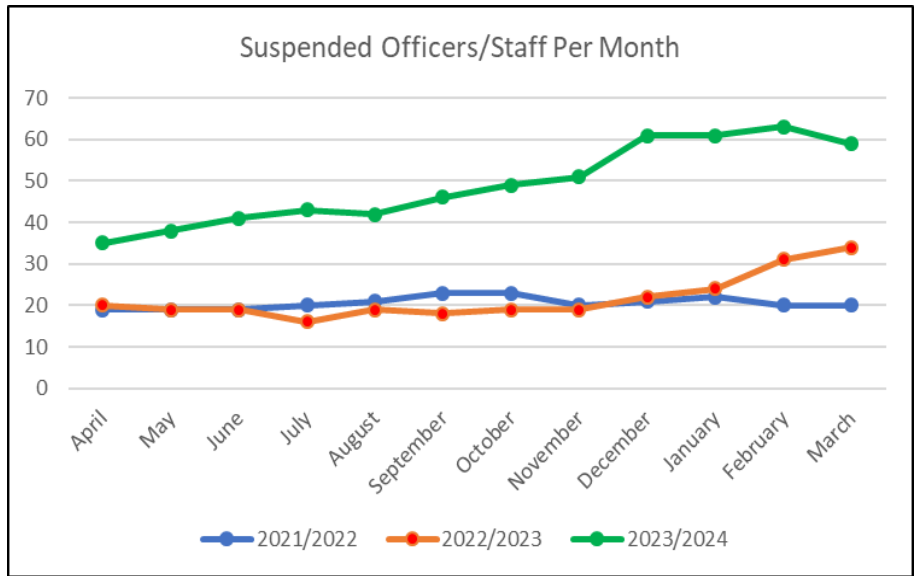


Figure 12. suspended officers + staff

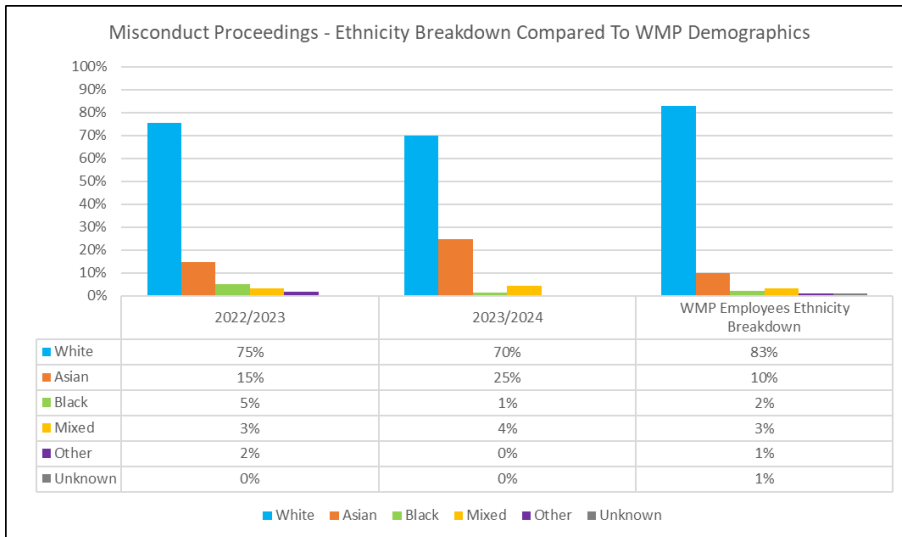


Figure 13. diversity of officers/staff facing proceedings

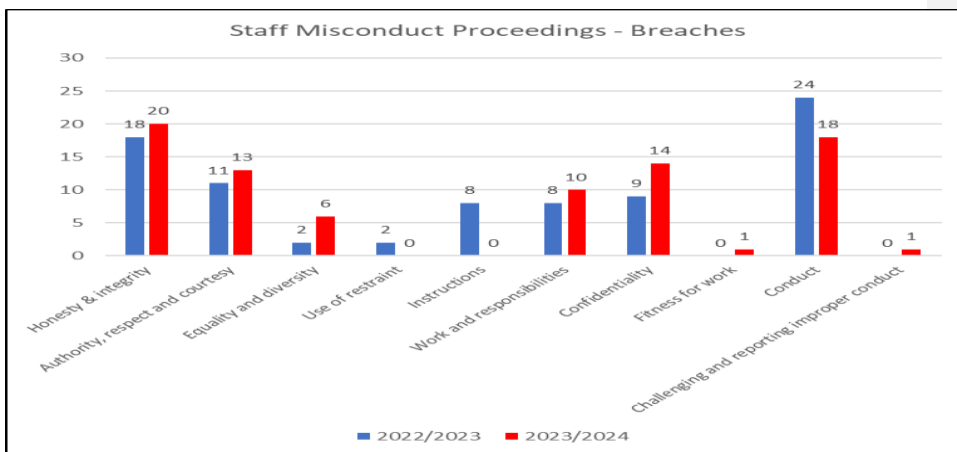


Figure 14. Misconduct Proceedings Breaches - Staff

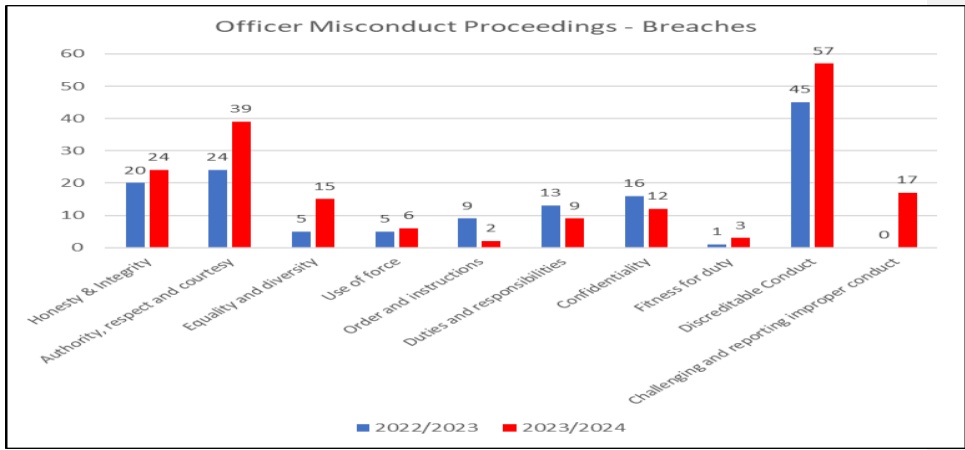


Figure 14 a. Misconduct Proceedings Breaches - Officers

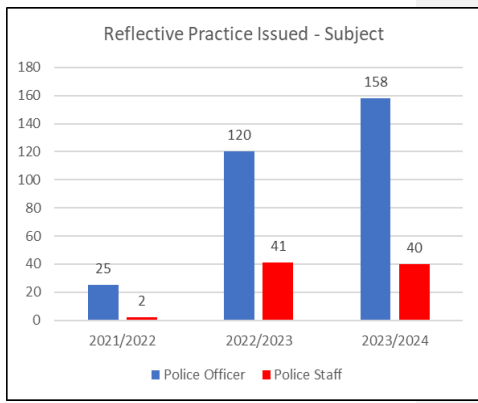
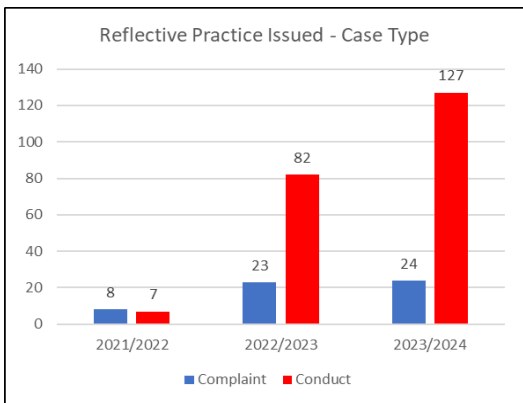


Figure 15. Reflective practise issued, by case type and subject

To note case type and subject not add up as a case can have more than one subject so more than 1 RPRP will be issued

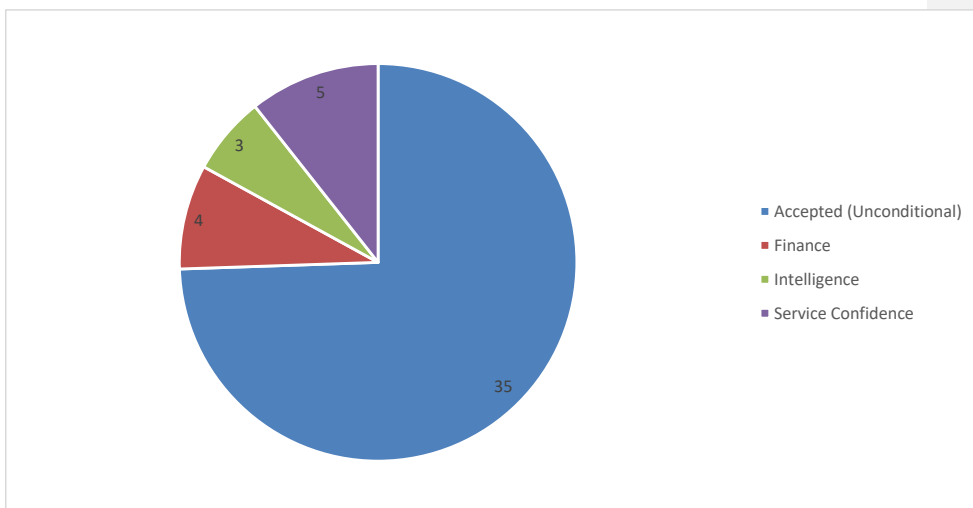


Figure 16 Breakdown of refusal reasons

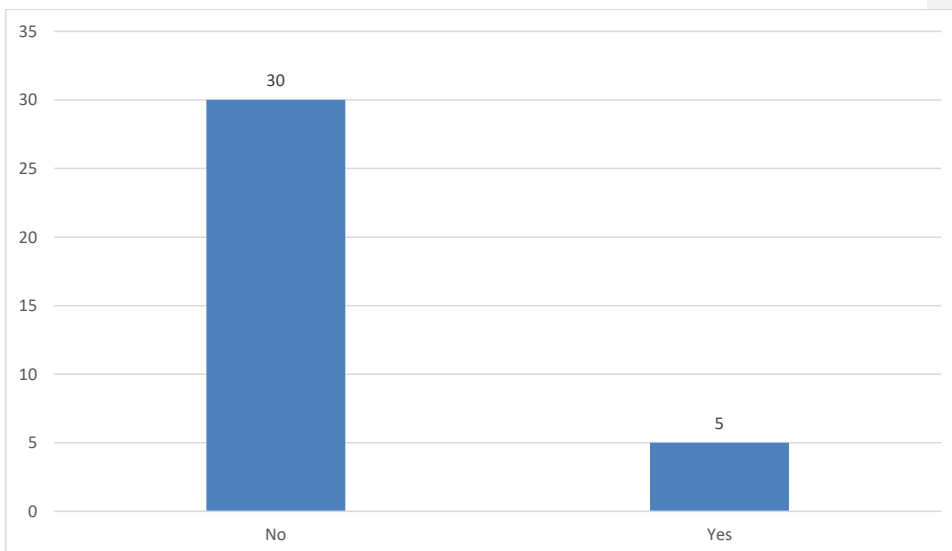


Figure 17 Breakdown of accepted transferee PSD involvement

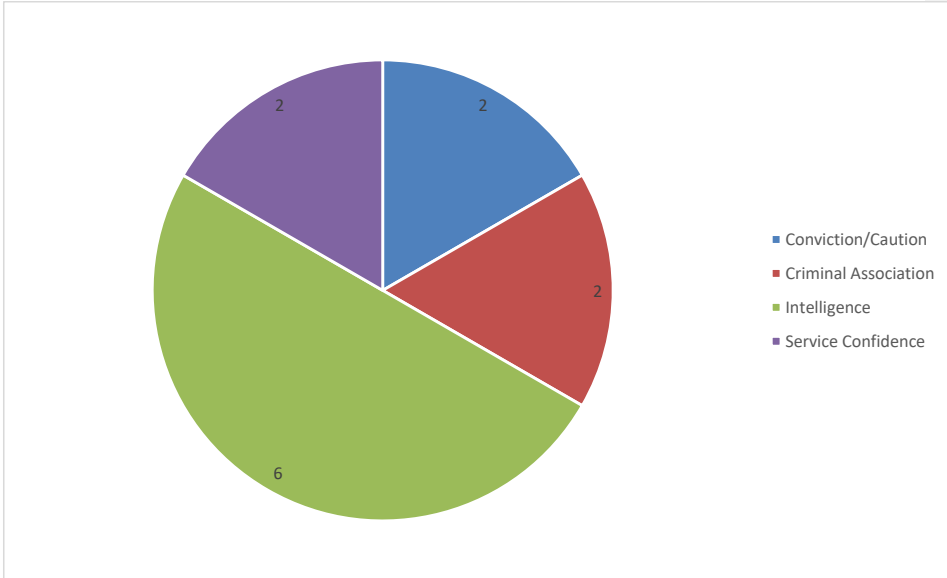


Figure 18 Amount of vetting decisions that have been overruled