



# Agenda

## **COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE**

**24 November 2009**

**Bridgebury House, Woburn Road, Kempston, Bedford MK43 9AX**

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For further information, or to see the papers, please contact the Police Authority:



**CALL Janet Wardell** on (01234) 842066



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**To: Members of the Complaints and Professional Standards Committee**

(Mr P Conniff, Mr L Denny, Mrs S Holland Mrs P Fletcher, Ms A Graham Mr P Hollick, and Mrs C Turner

A meeting of the **COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE** of the **Bedfordshire Police Authority** will be held at Bridgebury House, Woburn Road, Kempston, at **2.00 pm** on **Tuesday 24 November 2009**. Files will be available for Members' scrutiny from **Noon**.

**JANET WARDELL**  
Member Services Support Manager

## AGENDA

(\*indicates that a supporting document accompanies this Agenda)

1. **Apologies**
2. **To confirm the minutes of the meeting held on 25 August 2009**  
By Chairman - Minutes\*( Pages 3-11)
3. **Matters Arising**
4. **Declarations of Interest**  
To receive any personal or prejudicial interests from Members
5. **Police Authority Complaints and Policy Procedure**  
Report of the Chief Executive (To Follow)
6. **Professional Standards Cases and Issues**  
Report\* of the Chief Constable (Pages 13-46)
7. **Independent Custody Visitor Scheme**  
Minutes\* of the meeting of the Independent Custody Visitor's Panel held on 20<sup>th</sup> October 2009 (Pages 47-52)

### EXCLUSION OF THE PRESS AND PUBLIC

**To consider the exclusion of the press and public from the meeting on the grounds that the item to be discussed is confidential and involves the disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972. Papers are not being sent to the press or made available to the public.**

8. **Summaries of Professional Standards Cases**  
The Chief Constable's report is available for collection by Members from the Member Services Support Manager

**COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE**

**25 August 2009**

**PRESENT**

Mrs P Fletcher (In the Chair)

Mr L Denny, Mrs S Holland and Mrs C Turner

Apologies for absence were received from Mrs E Horrocks and Mr P Hollick and Mr R Saleem

Ms A Graham also attended the meeting

**09/qz/21**

**MINUTES**

The minutes of the meeting held on 12 May 2009 were confirmed

**09/qz/22**

**MATTERS ARISING**

**09/qz/12 Matters Arising**

**Social Network sites**

DCI Dean Patient advised that the consultation process for a local policy on the misuse of social network sites was still not yet complete and would circulate a revised timescale for implementation date. However despite this Members were assured that the Department were applying the principles of the draft policy.

**09/qz/16 IPCC Restructure**

The Chair advised that the IPCC had not yet been informed of the concerns raised at the last meeting around the potential detrimental impact on the level of service that the Force and the Authority might receive following recent changes to the structure of the IPCC. The Authority's Member Support Services Manager had however had contact with Bedfordshire's new the IPCC Commissioner, Rachel Certfontyne, who intended to meet with Members at either the meeting of the Committee scheduled in January 2010 or more informally within the next couple of months if a suitable date could be found. The Chair considered that this was an appropriate matter to be raised at that meeting.

**Minute – 09/qz/7 Professional Standards Cases and Issues**

Information on the development of a database that enabled the public to review the progression of their reported crime had not yet been circulated to Members and the Members Support Services Manager was pursuing this with the ACC (Protective Services)

**Minute – 09/qz/17 Professional Standards Cases and Issues**

A detailed summary of the contribution that the initiatives in place to reduce the level of allegations in the area of Neglect of Duty had not yet been provided and the Members Support Services Manager was pursuing this with the ACC (Protective Services).

Potential areas for Complaints - Standards of dress and identification

DCI Patient agreed to provide Members with a brief update on the current activity across the Force to ensure that the dress code policy was being adhered to.

**09/qz/23**

**DECLARATIONS OF INTEREST**

There were no declarations of personal or prejudicial interests from Members.

**09/qz/24**

**IPCC PROPOSED STATUTORY GUIDANCE FOR THE POLICE SERVICE 2009 – CONSULTION PAPER**

Members were reminded that the Independent Police Complaints Authority (IPCC) was currently consulting on a revised version of its statutory guidance for the police service and that a synopsis had been circulated to Members of the Committee for any views. The statutory guidance continued to be a key document for the IPCC, setting standards for how the complaint system should operate in the police service. The revisions to the guidance not only reflected national changes introduced through the Taylor Reforms but reviewed how the complaints process could be made more effective based upon the experiences gained since the IPCC began operating in 2004.

The consultation opened on the 16th July 2009 and closed on the 7th October 2009. The Association of Police Authorities had sought the views of Police Authorities by 23 September. All Forces were also being consulted and a response was currently being prepared by the Head of the Joint Bedfordshire and Hertfordshire Professional Standards Department.

The final guidance was scheduled to appear only in electronic version through an accessible website sometime in 2010.

The revised guidance was an extensive document and the Chair suggested that each Member of the Committee review one Chapter and forward any comments to the Authority's Policy and Research Officer. Those Members at the meeting indicated their preferred review area and absent Members would be contacted to review the remaining areas.

**RESOLVED**

That the approach to responding to the IPCC's revised version statutory guidance for the police service be approved.

09/qz/25

**JOINT BEDFORDSHIRE AND HERTFORDSHIRE PROFESSIONAL STANDARDS DEPARTMENT – UPDATE ON DEVELOPMENTS**

The report of the Chief Constable was submitted which provided an update on progress, development and harmonisation of professional standards collaborative processes.

DCI Patient, the Head of the Anti Corruption Unit attended the meeting to present the report.

Members were advised that after only three months of operation it was premature to claim major successes however a number of benefits had already been realised by both Forces and in particular Bedfordshire had benefited from: gaining greater resilience and expertise, realisation of cashable savings through economies of scale; harmonisation of all processes by taking 'best practice' from both forces, a proactive anti-corruption capability; mystery shopper operations and a more robust and structured approach to conduct matters.

Developments were however required in the areas of Access Control and IT.

It was noted that all Members of the Authority had been invited to attend a tour of the Bedfordshire and Hertfordshire Professional Standards Department during September.

**RESOLVED**

That members note the progress of the development of the newly collaborated Bedfordshire and Hertfordshire Professional Standards Department

09/qz/26

**PROFESSIONAL STANDARDS CASES AND ISSUES**

The Committee considered the Chief Constable's report on the current position with regard to Professional Standards issues for the reporting period 1 April 2009 to 30 March 2009 and provided comparative data from the years 2007/08 and 2008/09.

Data had been categorised into the following areas:

- Professional Standards Department – Workload
- Analysis of Complaint cases
- Analysis of Complaint allegations
- Analysis of Social factors relating to complainant characteristics
- Analysis of Social factors relating to subjects characteristics
- Complaint allegations finalised
- Investigation Times
- IPCC Appeals
- Conduct Matters
- Criminal Prosecutions

- Direction and Control
- Benchmarking

DCI Patient presented the report and in so doing drew Members attention to the Department's reduced level of performance during the first quarter of the year. This had been an anticipated factor flowing from the early stages of establishing the joint Bedfordshire and Hertfordshire Professional Standards Department . He also urged some caution when reviewing the percentage changes during the first quarter as numbers were small at this stage of the year.

Highlights from the report are detailed below:

**(a) Workload Management**

Overall workload had increased by 8% compared to the previous year and by 13% on the year before. Members noted that this was a national issue and a possible factor was the introduction of the Policing Pledge.

The most common way of reporting a complaint continued to be by letter but email reporting and a personal visit were increasing.

41 recorded messages of appreciation had been received.

**(b) Analysis of Complaint Cases**

The number of complaints cases and allegations received during the first part of 2009/10 had increased in comparison to 2008/09.

Possible factors for the increase were considered to be changes in recording practices in a newly collaborated unit or a regional trend. However at this stage of the year it was not possible to predict whether this was a longer term trend.

The number of cases and allegations recorded had remained stable when measuring against the number of incidents attended by Bedfordshire Police.

Measuring complaint cases against per 1000 population had seen an increase which reflected the increase in recorded complaint cases.

Since 1<sup>st</sup> April 2009 95 complaint cases had been received and 59 had been closed and this represented a significant decrease in comparison to the same period in the previous year.

**(c) Analysis of Complaint Allegations**

The number of complaint allegations recorded during the period of review had increased by 27 (20%) compared to last year and decreased by 1 on the year before.

The top two allegations recorded continued to be other neglect or failure of duty and incivility.

Categories with the biggest increases this year compared to last continued to be other neglect of duty and oppressive conduct or harassment

Categories with the biggest decreases when compared to the previous year were breach of Code B PACE and irregularity in procedure.

There had been no complaints made regarding stop/search or encounters.

Research continued in how to reduce complaints around 'Incivility' and areas of concern had now been identified and BCU commanders and relevant first line supervisors would be addressing them. As had been mentioned at the last meeting a focus group was to be set up targeting officers within the 6 – 10 years service bracket to further understand the problem and identify improvements. The Focus group would meet at the end of August and the outcome reported to the next meeting.

With regard to complaints around 'Other neglect or failure in duty' the main area of complaint had been around not keep people informed and improvements to this were being managed by the Head of Citizen Focus.

Complaint increases in the categories of 'Other assault', 'Oppressive conduct or harassment' and 'Lack of fairness and impartiality', would be monitored to identify any emerging trends that might need addressing.

A possible factor for increases and decreases in the types of complaint were possibly due to different recording practices since the establishment of the Joint Professional standards Department which may have impacted on data comparisons and this would be monitored.

Data on complaint allegations per staff revealed that complaints per headcount of Officers had shown an increase for Central division by 20% and a decrease for Luton Division. With regard to the Protective Services, Corporate Services and Citizen Focus directorate the highest level of complaints were received in Protective Services.

For Special Constables the complaint allegations per Special Constables in the force had decreased since last year.

The number of complaints received in relation to Police Community Support Officers had decreased for those deployed to the central division in comparison to the previous year but had increased in the Luton division and remained stable elsewhere in the force.

**(d) Analysis of Social factors relating to complainants and subjects characteristics**

The majority of complainants were those which were directly affected and this had seen a slight increase and was reflective of the increase in recorded cases.. Adversely affected complainants had increased by 50% and included parents of

minors or the partner of the directly affected individual.

The age of complainants continued to fluctuate over the last three years, although during the reporting period there had been an increase in complaints from the 50 – 59 plus age group. Male complainants had decreased during the reporting period whilst female complainants had significantly increased.

Complaints from the ethnic community had slightly increased in comparison to the previous year.

Data on the gender, age, ethnicity and length of service of staff that had a recorded complaint against him or her were also reported. Of particular note in this reporting period was the increase in the number of complaints made against female officers and this would be monitored.

### **(e) Complaint Allegations Finalised and Investigation Times**

The number of complaint allegations finalised in comparison to last year had decreased by 27 %

The actual number of complaint allegations locally resolved had decreased compared to last year by 31%

Other results were reported as follows:

Dispensations/Discontinuance decreased by 29%

Unsubstantiated decreased by 5%

Substantiated remained stable

Withdrawn decreased by 45%

So far this year there had been a significant decrease in both in the overall number of cases closed and those closed within the same period as they were recorded.

The number of cases finalised within the 120-day target had declined slightly.

The reporting period had also shown a decrease in the number of cases that had proceeded to a full investigation in comparison to the previous year and the number of cases meeting the 120-day target had declined in comparison to the previous year.

During the reporting period 31 local resolutions had been received and all those completed within the 120 working day target.

DCI Patient advised members that the recording and closure process had now been reviewed and a new process put in place. He assured Members that an improvement in this area would be reflected in the next quarterly report.

Ethnicity Data on the result of 107 finalised allegations this year involving 67

complaints indicated that the majority related to the white community. Of the 29 finalised allegations relating to ethnic minority complainants 6 were substantiated and 10 were locally resolved. Of the 75 finalised allegations for those of a white background 3 complaints were substantiated and 43 locally resolved.

The number of appeals to the IPCC continued to show an upward trend. The number of appeals upheld was stable and below the 28% IPCC 2007/08 national average.

#### **(f) Conduct Matters**

The number of conduct matters recorded had decreased in comparison to the previous year. This was a national trend and was due to the impact of the new Police Misconduct regulations introduced under the Taylor Review.

Duties and Responsibilities had seen the largest increase but a majority of other categories had decreased in comparison to the previous year.

The number of misconduct matters finalised had decreased when compared to the previous year. Of the matters finalised one conduct hearings had been completed.

#### **(g) Benchmarking**

In comparison to the other forces in the Most Similar Forces (MSF) grouping Bedfordshire was better than the MSF average in number of cases completed in the 120 day timescale percentage of and local resolutions and the best performer for recorded complaints. Bedfordshire had however the highest number of complaints per 1000 staff

#### **(h) Direction and Control**

The number of Direction and Control cases had increased throughout the year and 'General Policing Standards' remained the top allegation.

The IPCC stated a 28 working day timescale for Direction and Control matters to be dealt with. The percentage of finalising in that time was had decreased and stood at 38%.

The main issues arising from the report were as follows

#### **(a) First Quarter Performance**

In accepting that the first few months following the establishment of the new Bedfordshire and Hertfordshire Professional Standards Departments would lead to a decline in performance Members would expect to see a marked turnaround in performance in the next quarterly review.

#### **(b) Reporting on progress of Areas of Concern**

Members considered that where the Professional Standards Department had identified any areas of concern and initiatives to explore the underlying reasons it would be useful to incorporate into the report the timescales for implementation and outcomes

**(c) Benchmarking data**

Members noted that the MSF benchmarking indicated that Bedfordshire had the highest number of complaints per 1000 staff and noted that regionally Bedfordshire performed quite well. This was due to different recording practices and whilst Bedfordshire followed the new National Data Recording practices some Forces did not. This was clearly an issue that the IPCC needed to manage and had been incorporated into the IPCC revised Statutory guidance on the complaints process.

**(d) Local Resolution Training**

The performance report indicated that the number of local resolution cases had decreased in comparison to the previous year. Members were given assurance that the appropriate managers and Police Officers from both Bedfordshire and Hertfordshire had received the necessary local resolution training and that the Human Resources Function were supportive in assisting to determine any cases that were management issues rather than a complaint about conduct .

**RESOLVED**

That the report be noted and the actions identified above be progressed.

09/qz/27

**MINUTES OF THE INDEPENDENT CUSTODY VISITORS PANEL**

The minutes from the meeting of the Independent Custody Visitors Panel held on 21 July 2009 were considered.

A copy of the Independent Custody Visitors report for 2008/09 was circulated to Members for information.

**RESOLVED**

That the minutes be received.

09/qz/28

**EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED**

That the press and public be excluded from the meeting during the discussion of the following item on the grounds that it is confidential and may involve the disclosure of exempt information as defined in paragraph 1 of part 1 of Schedule 12A to the Local Government Act 1972.

09/qz/29

**SUMMARIES OF COMPLAINTS AND DISCIPLINE CASES (In Private)**

A report of the Chief Constable was submitted which summarised those cases of complaints and civil claims which had been completed during the period 1 April 2009–30 June 2009.

Members also received a report from the Chief Constable providing details about those Police Officers that had received a criminal prosecution, those on, or were on restricted duties or suspended. The report also included the current position with regard to civil claims.

The Chair confirmed that under the dip sampling process to review complaints that were a risk area for the Authority Members had dip-sampled those complaints relating to other assault and oppressive conduct

**RESOLVED**

That the report be noted.



# **Chief Constable's Report**

## **On**

# **Professional Standards Issues**



**APRIL - SEPTEMBER 2009**

**Bedfordshire Police Authority  
24<sup>th</sup> November 2009**

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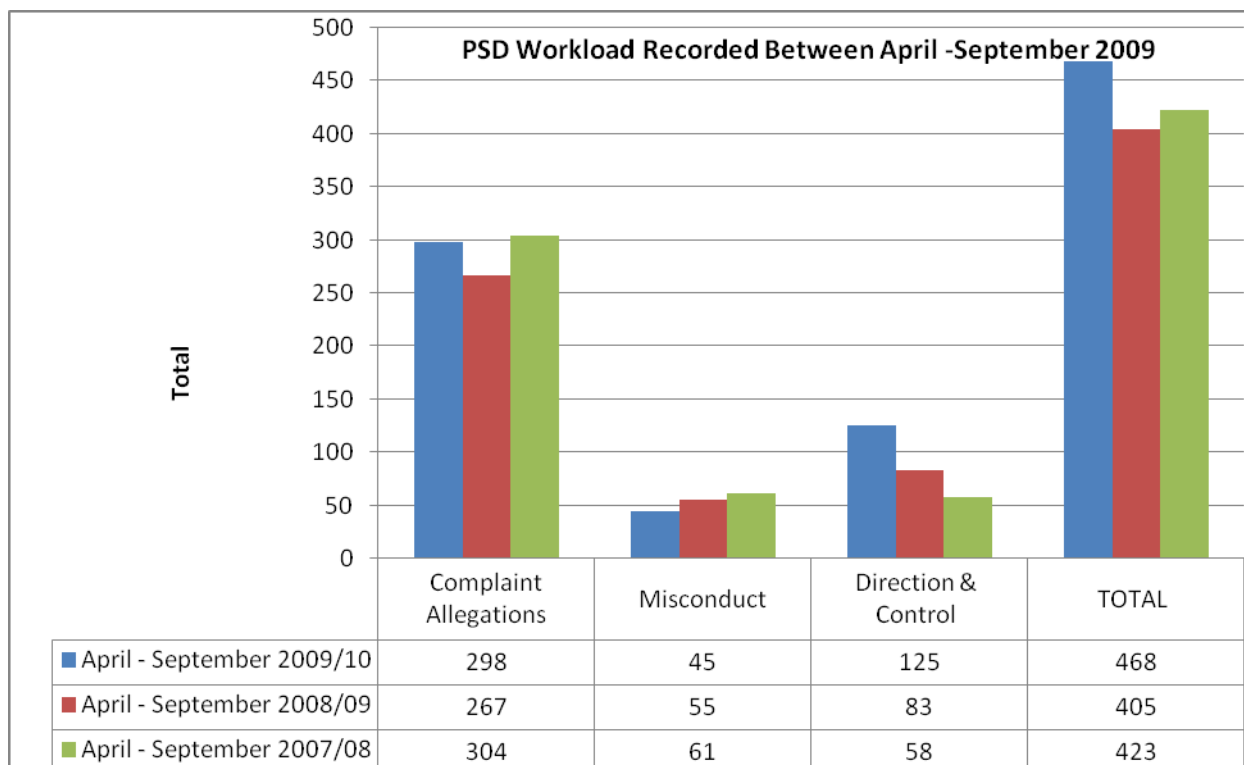
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## SECTION 1 PSD Workload

### **Workload Management**

Chart below relates to the three main case types within the control of PSD, the data is based on those recorded during the reporting period.



- Above chart relates to single allegations in each category and not cases
- Overall workload has increased by 15% compared to last year and an 11 % increase on the year before
- Misconduct continues to reduce which is to expected given the Taylor reforms.
- In addition 83 letters of appreciation were recorded between 1<sup>st</sup> April and 30<sup>th</sup> September 2009

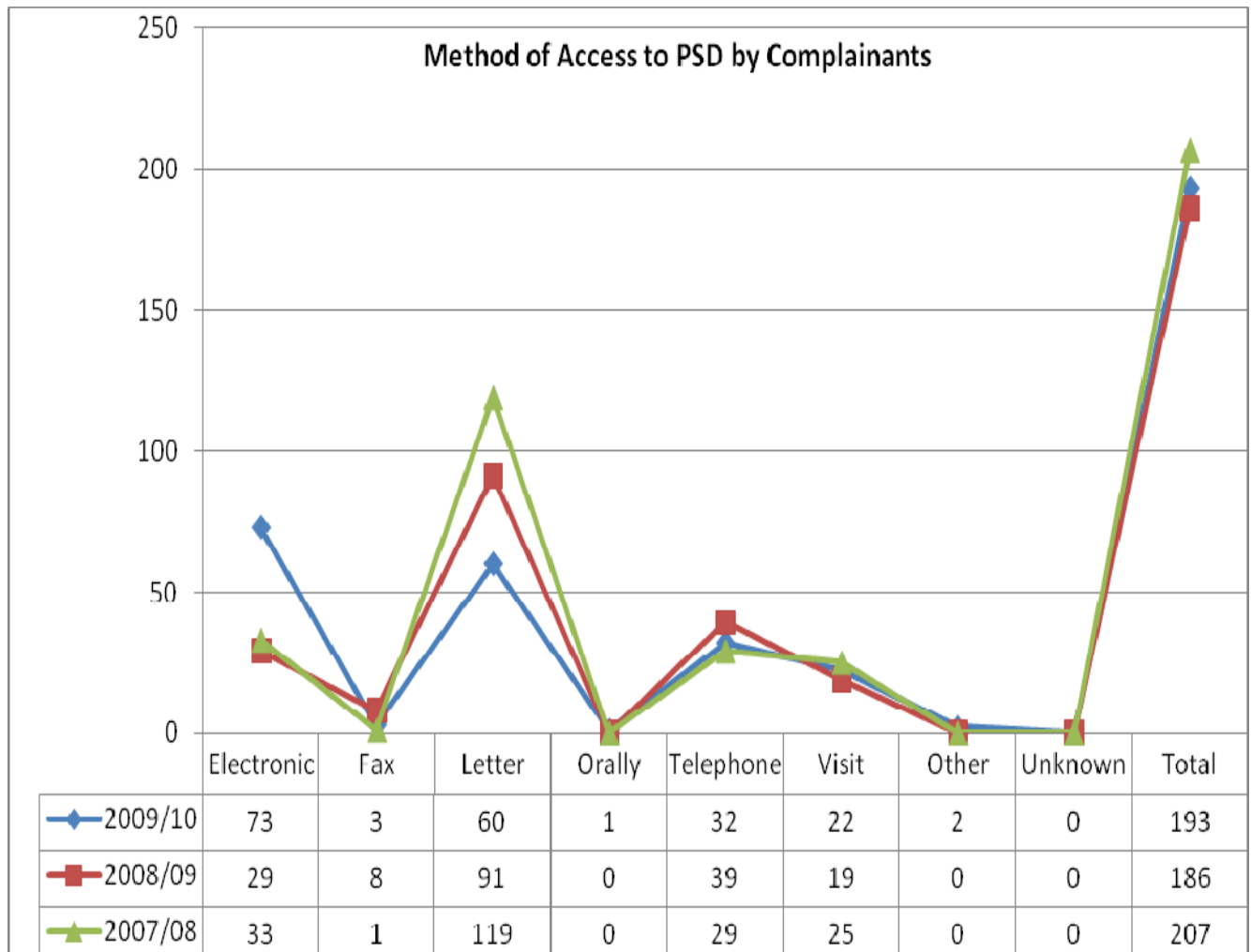
### **Initiatives & Actions to Improve Performance**

Project teams lead by PSD Senior management are in place to ensure processes are fit for purpose in the collaborated unit with work being completed by end of December 2009.

**Action** - Report back to the authority in January 2010.

### Complainant Access to PSD

There are a variety of ways that a complainant can report a public complaint to PSD, the chart below is based on public complaints only



- Electronic reporting through the website and email system has increased and is now the most used way of making a complaint. The website provides an email link to the Professional Standards Inbox.

#### Initiatives & Actions to Improve Performance

**Initiative** - As part of ongoing business improvement, review processes are in hand to ensure that routes of complaint around electronic handling of complaints and written submissions letters are fit for purpose as they continually become the main source of contact.

**SECTION 2**  
Analysis of complaint cases

**Complaint cases**

**Percentages should be treated with caution due to small numbers**

Percentage change in the tables: ■ Positive ■ Negative

**Table 1 – Complaint Cases Recorded in Force**

	2009/10	2008/09	2007/08
<b>Cases Recorded in Force</b>	177	174	200
<b>% Change</b>	+2%		-13%
<b>Allegations Recorded in Force</b>	298	267	304
<b>% Change</b>	+12%		-11%

- The increases seen in the first reporting quarter have continued bringing the force back towards levels seen in the 07/08 reporting year particularly for allegations.
- Analysing the data on a quarterly basis shown expected improvements, this quarter has seen the increase in cases slow to 2% compared to 27% the last quarter and a similar reduction of 52%, to 12% in allegations.
- Following the decrease in 08/09 the number of cases recorded this period has increased but still sit below 2007/08 levels
- Impactive factors for the increase are
  - recording practices – the number of allegations per case recorded is in line with 2007/08, whereas 2008/09 had doubled.
  - national and local marketing of the policing pledge
- 2008/09 is regarded as an exceptional year as unlike most forces across the country Bedfordshire saw a fall in the number of complaint cases and allegations recorded; although the ratio of allegations recorded per case had significantly increased.

Table 2 –Complaint Cases &amp; Allegations per OIS Incidents

	2009/10	2008/09	2007/08
<b>Total Incidents</b>	100170	97011	99283
<b>Cases Per Incidents</b>	0.0017	0.0017	0.002
<b>% Change</b>	<b>0</b>		<b>-15%</b>
<b>Allegations Per Incidents</b>	0.003	0.002	0.003
<b>% Change</b>	<b>+50%</b>		<b>-33%</b>

- Number of cases per incident has remained constant but allegations per incident have increased.

Table 3 –Complaint Cases &amp; Allegations per 1000 Population

	2009/10	2008/09	2007/08
<b>Cases Per 1000 Population</b>	0.30	0.29	0.33
<b>% Change</b>	<b>+3%</b>		<b>-12%</b>
<b>Allegations Per 1000 Population</b>	0.50	0.45	0.51
<b>% Change</b>	<b>+11%</b>		<b>-12%</b>

2009/10 Population is based on 2001 Census – 595780 (08/09 07/08 on 565961)

- The increase in recorded complaint cases and allegations is also apparent when measuring complaint cases and allegations against per 1000 population.
- Population total is based on the 2001 census, therefore the results must be treated with caution and as a guide as it is highly likely that the population has increased.

### Initiatives & Actions to Improve Performance

**Action** - PSD Use revised population figures for the January 2010 Police Authority report

Table 4– Complaint Cases Finalised of those Recorded in Force during the period

	2009/10	2008/09	2007/08
<b>Cases Finalised</b>	68	78	76
<b>% Change</b>	<b>-15%</b>		<b>+2.6%</b>

- Complaint cases recorded increased by 3 to 177 with 68 of those being finalised in the same period, a decrease of 10 on last year and a decrease of 8 on 2007/08.<sup>1</sup>
- The number of cases finalised within the same recording period has increased this quarter compared to last closing the decrease gap from 63% to 15% which is clearly positive.

<sup>1</sup> Refers to tables 1 and 4

Table 5 – All Complaint Cases Finalised

	2009/10	2008/09	2007/08
<b>Cases Recorded</b>	177	174	200
<b>Cases Finalised</b>	143	193	206
<b>% Change</b>	<b>-26%</b>		<b>6.3%</b>

- 143 cases finalised and although the numbers are lower than previous years the performance has improved significantly when compared to the first quarter shrinking the decrease from 51% to 26%

**SECTION 3**  
**Analysis of allegations**

***Complaint Allegations Recorded***

Percentage change in the tables: ■ Positive ■ Negative

The table below provides a breakdown of complaint allegations recorded during this period compared to the same period over the last two years. The totals will differ from those in section 2 which refers to complaint cases; a case may contain a number of allegations.

**Table 6 – Complaint Allegations Recorded**

<b>Code</b>	<b>Allegation Categories</b>	<b>Apr–Sep 09/10</b>	<b>Apr–Sep 08/09</b>	<b>Apr–Sep 07/08</b>
<b>A</b>	Serious non sexual assault	1	2	0
<b>B</b>	Sexual assault	0	0	0
<b>C</b>	Other assault	26	12	26
<b>D</b>	Oppressive conduct or harassment	32	16	31
<b>E</b>	Unlawful/unnecessary arrest or detention	3	7	8
<b>F</b>	Discriminatory behaviour	7	6	10
<b>G</b>	Irregularity in evidence/perjury	3	10	4
<b>H</b>	Corrupt practice	3	0	1
<b>J</b>	Mishandling of property	6	1	10
<b>K</b>	Breach code A PACE	2	1	1
<b>L</b>	Breach code B PACE	8	16	7
<b>M</b>	Breach code C PACE	17	12	8
<b>N</b>	Breach code D PACE	0	0	0
<b>P</b>	Breach code E PACE	0	0	0
<b>Q</b>	Lack of fairness & impartiality	23	17	26
<b>R</b>	Multiple or unspecified breaches	0	0	1
<b>S</b>	Other neglect or failure in duty	97	75	84
<b>T</b>	Other irregularity in procedure	5	17	26
<b>U</b>	Incivility, impoliteness and intolerance	40	60	52
<b>V</b>	Traffic irregularity	4	1	3
<b>W</b>	Other	10	8	2
<b>X</b>	Improper disclosure of information	10	6	3
<b>Y</b>	Other sexual conduct	1	0	1
<b>TOTAL</b>		<b>298</b>	<b>267</b>	<b>304</b>

- Complaint allegations recorded has increased by 31 (12%) compared to last year yet decreased by 6 on the year before.
- The top three allegations recorded (highlighted in yellow) have been consistent over the past three reporting periods.
- Categories with the biggest increases in terms of numbers this year compared to last:
  - S - 'Other neglect of duty'
  - D - 'Oppressive conduct or harassment'
  - C - 'Other assault'
- Categories with the biggest decreases in terms of numbers this year compared to last:
  - T - 'Other irregularity in procedure'
  - L - 'Breach Code B PACE'
  - U - 'Incivility'
- Impactive factors for increases and decreases
  - Policing pledge marketing.
  - Recording practices amongst decision makers, recording of allegations and type is subjective and therefore will differ given the effects of the new Dept and regulations.

### **Initiatives & Actions to Improve Performance**

'Other neglect or failure in duty' and not keeping people informed is acknowledged as a cause for concern for the Force.

**Action** - Victims Code of practice audit is currently being undertaken by Information Compliance. The results of which will be reported back to Authority in January 2010.

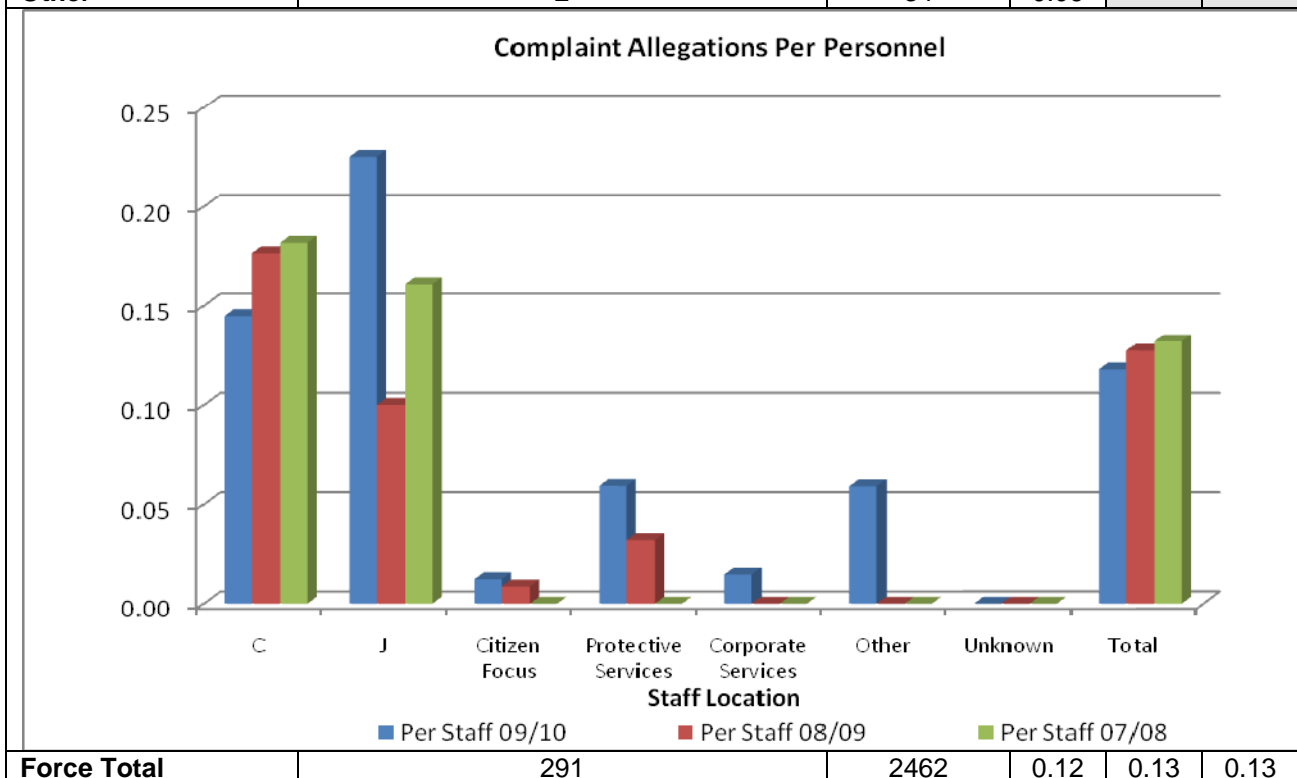
**Initiative** - 'Other assault', 'Oppressive conduct or harassment' and 'Lack of fairness & impartiality', have been identified as emerging issues and are currently being monitored against 2007/08 which is the most comparable period; if an upward trend continues further work will be undertaken and reported back to the authority in January 2010.

### Complaint Allegations per Staff – Staff Location

The tables below show the 2009/10 recorded data by staff location; this is the number of complaint allegations **not** staff or cases. The total allegations in table 7 will not be equal to the total in table 6 as one allegation can be counted more than once if it involves staff from various staff locations

Table 7 Complaint Allegations per Force Headcount – All Staff Types

Staff Location	Allegations 09/10	Headcount	Per Staff 09/10	Per Staff 08/09	Per Staff 07/08
C	81	552	0.15	0.18	0.18
J	166	738	0.22	0.10	0.16
Citizen Focus	3	250	0.01		
Protective Services	35	609	0.06		
Corporate Services	4	279	0.01		
Other	2	34	0.06		



In 2007 the Force had a change of structure which saw the creation of Citizen Focus, Protective Services Directorate and Corporate Services. Due to the change in structure the only comparisons that can be made in the following tables is between the two territorial divisions and the force total.

- Complaint allegations per staff at J division has continued to increase compared to last year
- The force total of complaint allegations per staff has decreased compared to last year
- Currently there is no comparison for the non territorial divisions due to a change in force structure

Table 8 Breakdown of Complaint Allegations per Protective Services Directorate Units – All Personnel – year to date

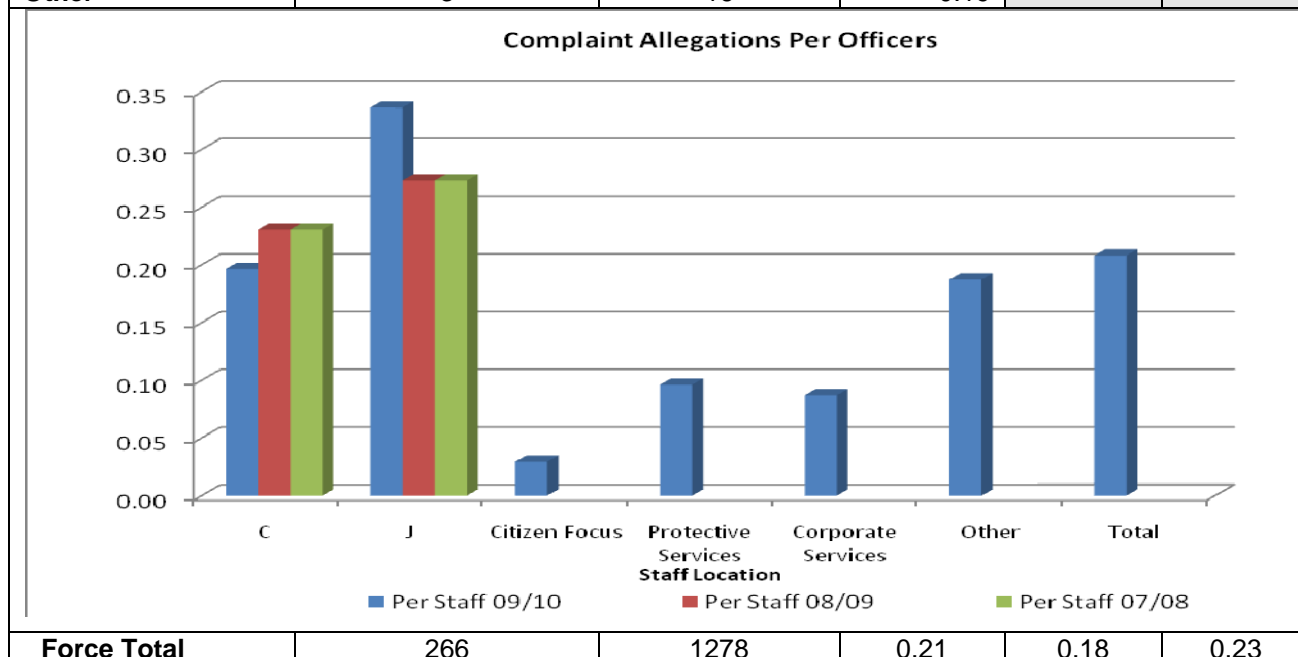
Staff Location	Allegations 09/10
<b>Uniformed Protective Services</b>	
Firearms Support Unit (FSU)	7
Roads Policing	6
Dogs	2
Vehicle Recovery	0
<b>Public Protection Unit (PPU)</b>	
On Line Investigation Team	0
Child Abuse Investigation Team	11
Special Branch (ports)	0
Sex Offenders Management Team	1
Adult Protection Team	0
Domestic Abuse Units	0
Serious Sexual Offences Team	2
<b>Intelligence &amp; Serious &amp; Organised Crime</b>	
FIB	4
Economic Crime Unit (ECU)	0
<b>Beds and Herts Major Crime Investigation Team</b>	1
<b>Professional Standards Department (PSD)</b>	1

Note - Of the 11 allegations recorded against Child Abuse Investigation Team 4 of them are related to one case involving one officer and a further 3 against one officer in one case

The following four tables provide a breakdown of total allegations by staff type; an allegation can be counted within and / or across the tables due to staff type and location. The overall total of the tables below will not equate to table 7.

Table 9 Complaint Allegations per Force Headcount – Officers

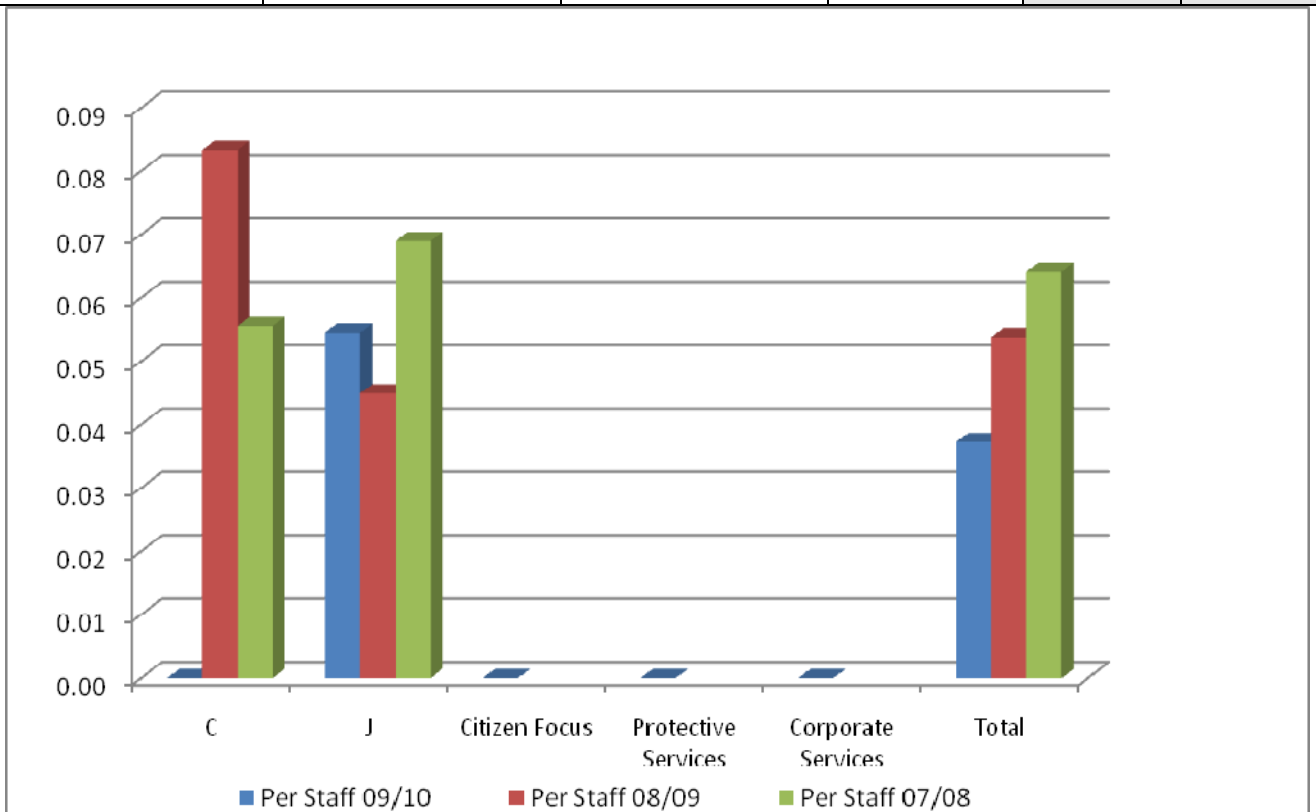
Staff Location	Allegations 09/10	Headcount	Per Staff 09/10	Per Staff 08/09	Per Staff 07/08
<b>C</b>	74	372	0.20	0.13	0.15
<b>J</b>	150	446	0.34	0.14	0.28
<b>Citizen Focus</b>	1	34	0.03		
<b>Protective Services</b>	34	364	0.10		
<b>Corporate Services</b>	4	46	0.09		
<b>Other</b>	3	16	0.19		



- This year compared to last has seen complaint allegations per headcount of officers decrease for C division and increase for J by 20%

Table 10 Complaint Allegations per Force Headcount – Specials

Staff Location	Allegations 09/10	Headcount	Per Staff 09/10	Per Staff 08/09	Per Staff 07/08
<b>C (Luton)</b>	0	45	0.00	0.08	0.06
<b>J (County)</b>	6	110	0.05	0.04	0.07
<b>Citizen Focus</b>	0	2	0.00		
<b>Protective Services</b>	0	4	0.00		



<b>Force Total</b>	6	161	0.04	0.05	0.06
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- Complaint allegations per special constables has decreased since last year; and is at its lowest over the last three years.

Table 11 Complaint Allegations per Force Headcount – PCSO

Staff Location	Allegations 09/10	Headcount	Per Staff 09/10	Per Staff 08/09	Per Staff 07/08
<b>C</b>	5	55	0.09	0.02	0.08
<b>J</b>	2	64	0.03	0.08	0.02
<b>Protective Services</b>	0	5	0.00		

Staff Location	Per Staff 08/09 (Blue)	Per Staff 08/09 (Red)	Per Staff 07/08 (Green)
C	0.09	0.02	0.08
J	0.03	0.08	0.02
Protective Services	0.00		
Total	0.06	0.05	0.08

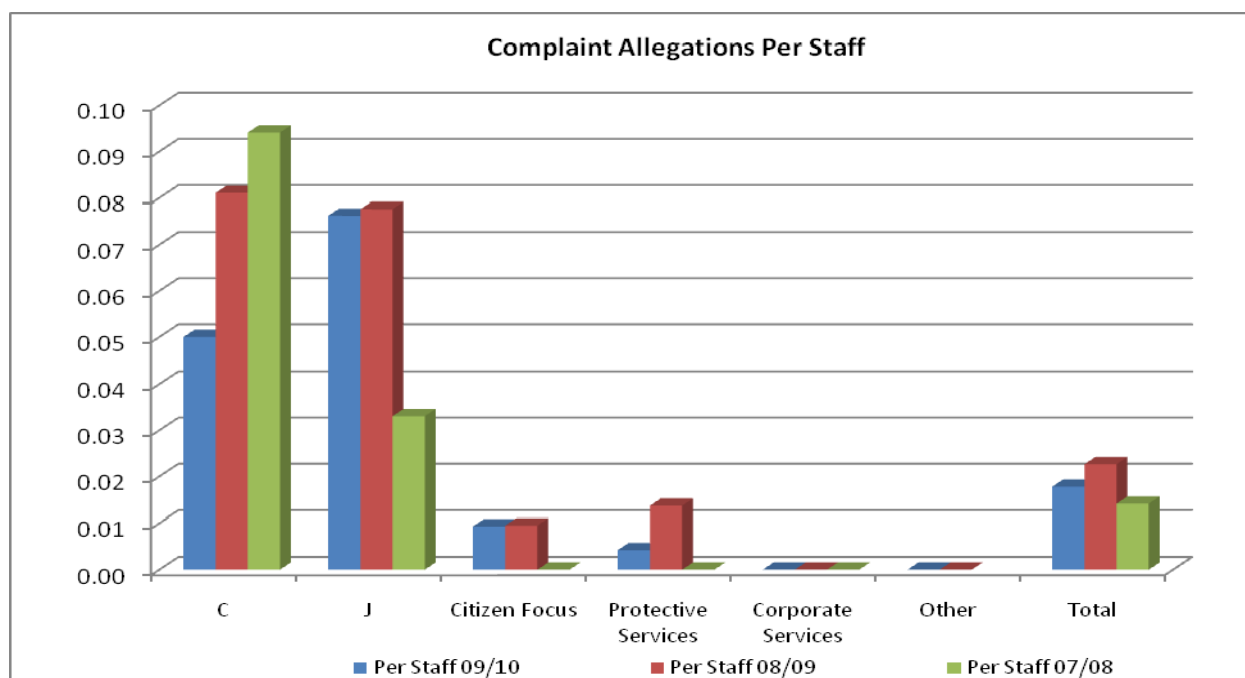
  

<b>Force Total</b>	7	124	0.06	0.05	0.08
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- J division has decreased compared to last year but C division has increased and the force has remained stable.
- Possible factor for difference between two territorial divisions:
  - deployment and role of PCSOs

Table 12 Complaint Allegations per Force Headcount – Police Staff

Staff Location	Allegations 09/10	Headcount	Per Staff 09/10	Per Staff 08/09	Per Staff 07/08
C	4	80	0.05	0.08	0.09
J	9	118	0.08	0.08	0.03
Citizen Focus	2	214	0.01		
Protective Services	1	236	0.00		
Corporate Services	0	233	0.00		
Other	0	18	0.00		



<b>Force Total</b>	16	899	0.02	0.02	0.01
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- Complaint allegations against police staff was stable for both J divisions and the force; but decreased for C division

### Initiatives & Actions to Improve Performance

**Action** - J Division management team are working with PSD (D.I Tapping and Business Performance) to identify if there are any underlying issues in the rise in allegations and are actively working to address the imbalance. One area of interest is to see if this rise is across all officers or whether 'hot spot' appear in terms of location, shift or indeed individuals. The results of which will be reported back at the next meeting in January.

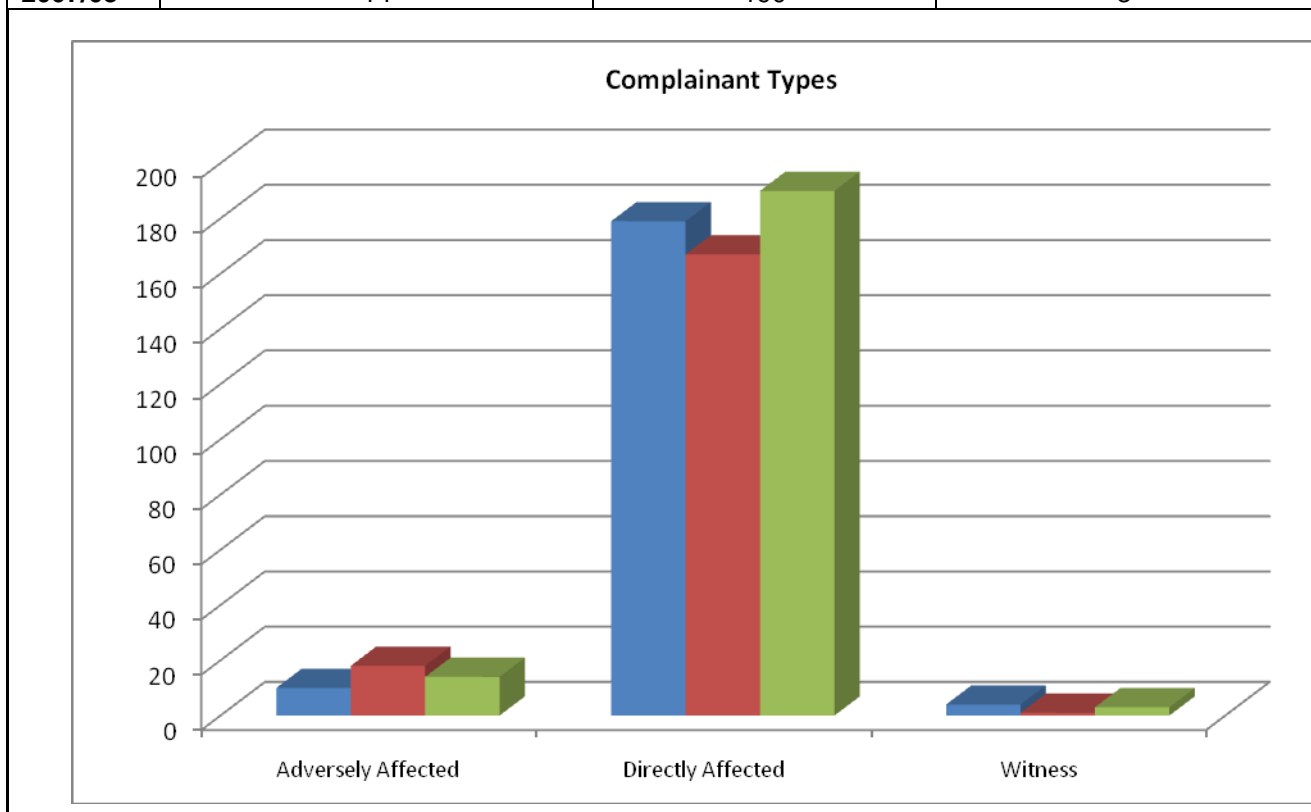
**SECTION 4**  
Analysis of social factors relating to complainants characteristics

Percentage change in the tables: ■ Positive ■ Negative

The table below gives a breakdown of complainant types for allegations recorded in the period

**Table13 Complainant Types**

	Adversely Affected	Directly Affected	Witness
<b>2009/10</b>	10	179	4
<b>2008/09</b>	18	167	1
<b>2007/08</b>	14	190	3



- Majority of complainants are those directly affected and has seen a slight increase; this is reflective of the increase in recorded cases.
- Adversely affected are parents of minors or the partner of the directly affected individual, these have decreased by 50%

**Table 14 Gender of complainants**

	2009/10	2008/09	2007/08
<b>Males</b>	110	120	131
<b>% Change</b>	<span style="color: green;">+8.3%</span>		<span style="color: red;">-8.4%</span>
<b>Females</b>	82	65	75
<b>% Change</b>	<span style="color: green;">+26%</span>		<span style="color: red;">-13%</span>

Note: one complainant gender unknown.

- Gender of complainants is not reflective of the general population
  - 2001 Bedfordshire Census shows the population gender is 50/50 although 57% of complainants are males
  
- Male complainants have decreased this period whilst female complainants have significantly increased.

### Initiatives & Actions to Improve

**Action** - PSD Business Support Unit to research the increase in female complainants to identify if there are any trends. Results will be reported to authority at the next meeting.

Table 15 Age of complainants

	2009/10	2008/09	2007/08
<b>0-19</b>	9	6	10
<b>% Change</b>	<b>+50%</b>		<b>-40%</b>
<b>20-29</b>	44	32	29
<b>% Change</b>	<b>+37.5%</b>		<b>+10%</b>
<b>30-39</b>	47	46	57
<b>% Change</b>	<b>+2%</b>		<b>-19%</b>
<b>40-49</b>	52	57	47
<b>% Change</b>	<b>-9%</b>		<b>+21%</b>
<b>50-59</b>	15	20	21
<b>% Change</b>	<b>-25%</b>		<b>-5%</b>
<b>60+</b>	10	16	13
<b>% Change</b>	<b>-37.5%</b>		<b>+23%</b>
<b>Unknown</b>	16	9	30
<b>% Change</b>	<b>+77%</b>		<b>-70%</b>

- The age of complainants has fluctuated over the last three years, although 'unknown' has significantly increased there has been a significant decrease compared to last quarter whereby a total of 51 complainants age was 'unknown' and is currently 16.
  
- Difficult to identify any trends at this stage due to the number of 'unknowns'
  
- The age of complainants cannot be compared to the population as the age bands reported in the census differ.

Table 16 Ethnicity of complainants

	2009/10	2008/09	2007/08
<b>White</b>	124	132	140
<b>% Change</b>	<b>-6%</b>		<b>-6%</b>
<b>Black</b>	20	17	19
<b>% Change</b>	<b>+17%</b>		<b>-10%</b>
<b>Asian</b>	29	24	25
<b>% Change</b>	<b>+21%</b>		<b>-4%</b>
<b>Other</b>	3	5	3
<b>% Change</b>	<b>-40%</b>		<b>+66%</b>
<b>Unknown</b>	17	8	20
<b>% Change</b>	<b>+112%</b>		<b>-60%</b>

- It is difficult to ascertain if complainants ethnicity is reflective of the population as the above data is based on the 2001 census and it is highly likely that the population has increased therefore impacting on the size of ethnicity groups
- The ratio of ethnic minority complainants per population is higher than those from the white community; no particular reason has been identified but two possible factors are:
  - complaints system is open, accessible and approachable and that the ethnic minority groups have confidence in using the system, and / or
  - there are more individuals from the ethnic minority groups that feel that they are not receiving a satisfactory service from the police.
- Although the percentage for 'unknown' is high especially when referring to ethnicity, the number is small and has significantly reduced compared to last quarter whereby the total was 57.
- Number of 'unknowns' is significantly reduced when cases are finalised and Bedfordshire are best performing amongst the region.

#### **Initiatives & Actions to Improve**

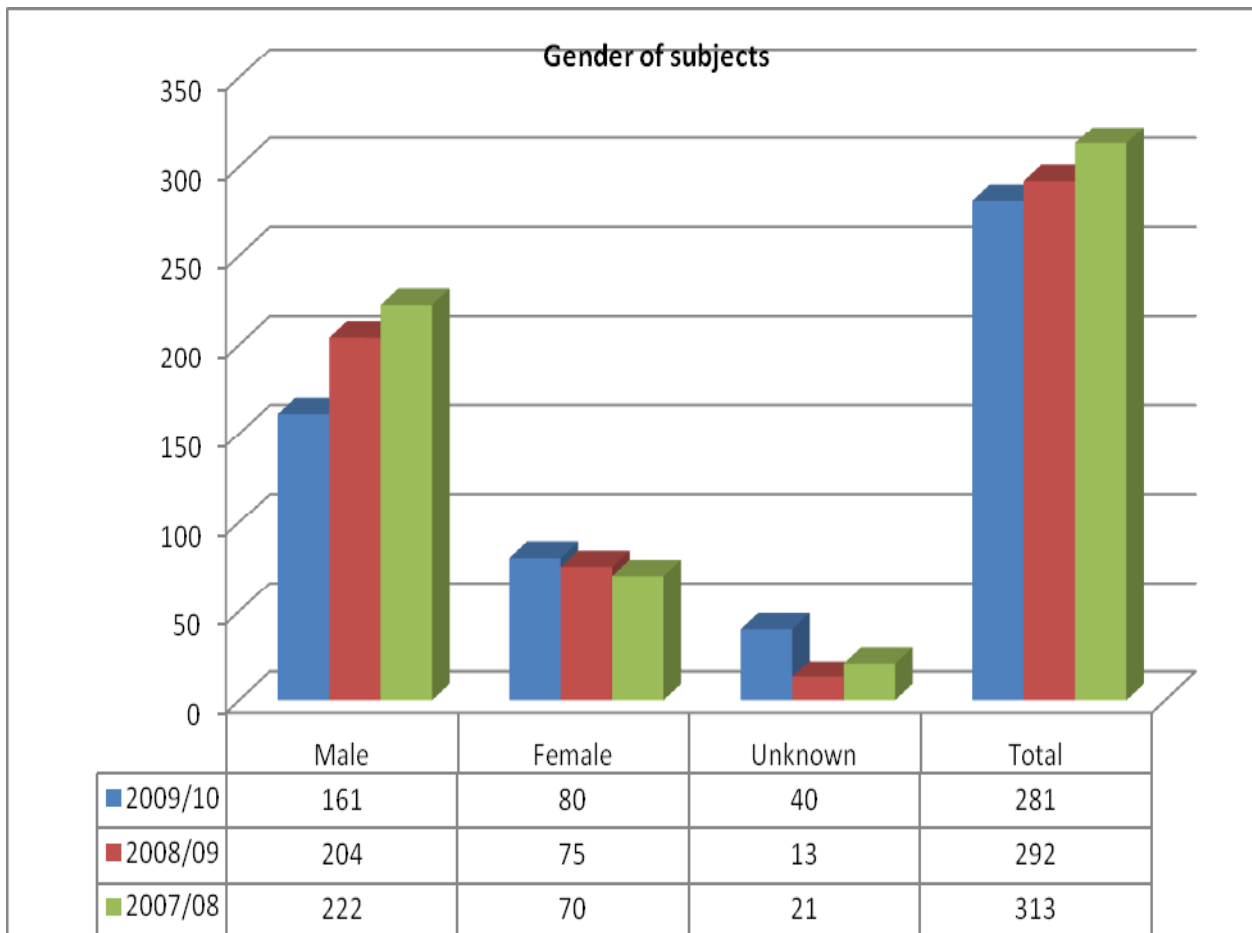
**Initiative** - Regular contact between PSD Business Support Unit and investigators for early updates to improve the recording of complainant characteristics and data quality checks during the life of the complaint will continue as this appears to be reducing the level of 'unknown'.

**Action** – PSD Business Performance Unit will refresh national statistics for population totals and present data which will better reflect the population demographic for Bedfordshire at the January 2010 authority report.

**SECTION 5**  
Analysis of social factors relating to subjects characteristics

Percentage change in the tables: ■ Positive ■ Negative

This section is based on the number of staff who have a complaint allegation recorded against them during this period; each subject is counted once regardless of total allegations or cases.



- Despite the increase in recorded cases the number of subjects has reduced.
- Percentage and number of female subjects is increasing
- The 40 unknown are subjects whose identity was unknown at the time of recording.

Table below provides a breakdown of gender and staff type

Table 17 Gender & Staff Type of subjects

Gender	Staff Type	2009/10	2008/09	2007/08
<b>Male</b>	<b>Community Support</b>	3	3	5
	<b>Police Staff</b>	9	10	16
	<b>Officers</b>	144	188	193
	<b>Special Constables</b>	4	1	6
	<b>Unknown</b>	1	2	2
<b>Female</b>	<b>Community Support</b>	2	4	5
	<b>Police Staff</b>	9	11	13
	<b>Officers</b>	68	56	52
	<b>Special Constables</b>	0	3	0
	<b>Unknown</b>	1	0	0
<b>Unknown</b>	<b>Community Support</b>	0	0	0
	<b>Police Staff</b>	0	0	0
	<b>Officer</b>	40	14	21
<b>Total</b>		281	292	313

- Workforce composition (NMIS) compared to those subject to complaints is:
  - 52% police officers - 88% of known subjects
  - 37% police staff - 7% of known subjects
  - 6% specials - 2% of known subjects
  - 5% PCSO - 2% subjects
  
- 55% of the workforce are male but 66% of the known subjects are male

Table 18 Age of subjects

	2009/10	2008/09	2007/08
<b>0-19</b>	0	1	3
<b>% Change</b>	<b>-100%</b>		<b>-66%</b>
<b>20-29</b>	77	96	92
<b>% Change</b>	<b>-20%</b>		<b>+4%</b>
<b>30-39</b>	91	99	105
<b>% Change</b>	<b>-8%</b>		<b>-6%</b>
<b>40-49</b>	57	59	64
<b>% Change</b>	<b>-5%</b>		<b>-8%</b>
<b>50-59</b>	15	18	24
<b>% Change</b>	<b>-16%</b>		<b>-25%</b>
<b>60+</b>	1	3	2
<b>% Change</b>	<b>-66%</b>		<b>+50%</b>
<b>Unknown</b>	40	14	23
<b>% Change</b>	<b>+192%</b>		<b>-39%</b>

- The majority of subjects this period are aged between 30 and 39 and this band has seen the biggest increase in terms of numbers although it should be remembered that the vast majority of operation staff are between the ages of 20 and 49.
- Unknown includes the 40 subjects unknown at the time of recording.

Table 19 Ethnicity of subjects

	2009/10	2008/09	2007/08
<b>White</b>	220	252	267
<b>% Change</b>	<b>-13%</b>		<b>-6%</b>
<b>Black</b>	2	1	5
<b>% Change</b>	<b>+10%</b>		<b>-80%</b>
<b>Asian</b>	15	18	15
<b>% Change</b>	<b>+16%</b>		<b>+20%</b>
<b>Other</b>	4	2	2
<b>% Change</b>	<b>+50%</b>		<b>-</b>
<b>Unknown</b>	40	17	24
<b>% Change</b>	<b>+147%</b>		<b>-29%</b>

- Workforce composition (NMIS) compared to those subject to complaints is:
  - 92% White - 90% of known subjects
  - 8% Minority ethnic - 7% of known subjects

Table 16 Length of service

	2009/10	2008/09	2007/08
0-2	87	71	99
% Change	+22%		-28%
3-5	71	90	100
% Change	-27%		-10%
6-10	64	62	36
% Change	-3%		+72%
11-15	21	22	25
% Change	-4.5%		-12%
16-20	13	22	31
% Change	-41%		-29%
21-25	16	14	8
% Change	+14%		+75%
26+	9	9	14
% Change	-11%		-35%

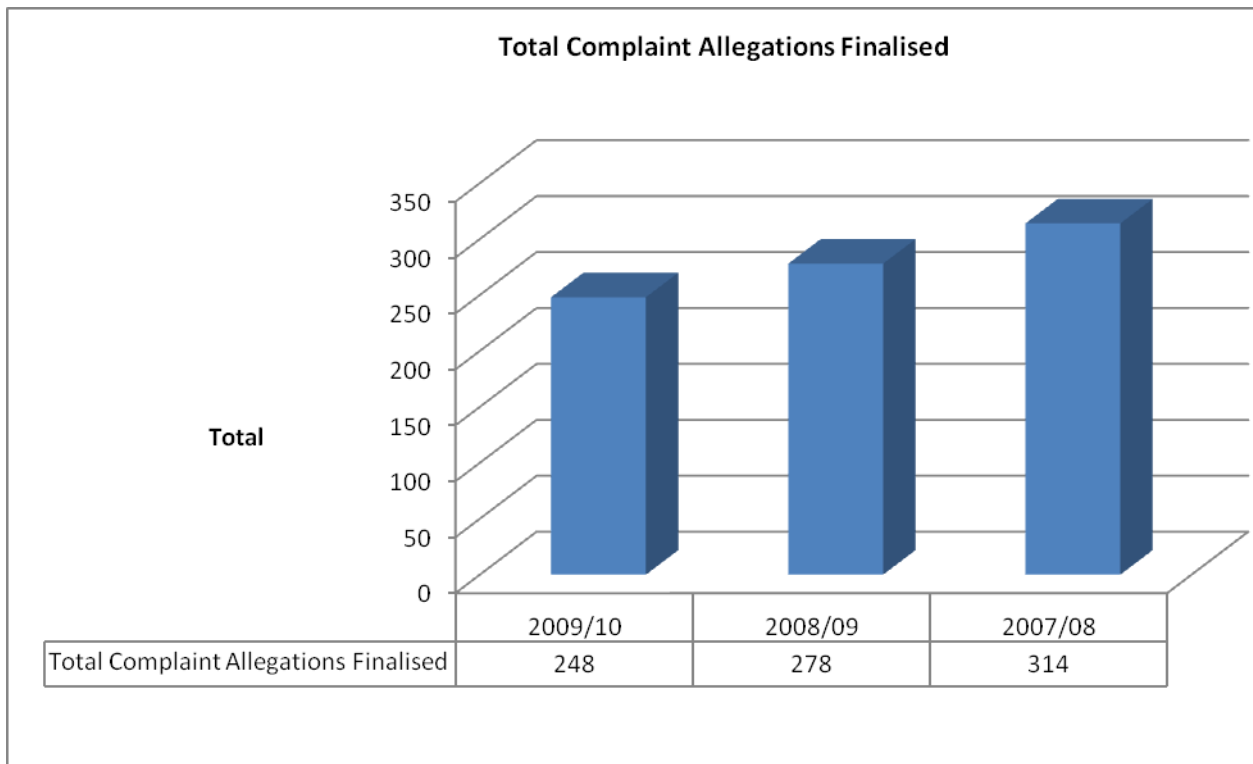
- 0-2 years service is the probationary period for student officers, complaints are expected during this time of learning. The total also includes the 40 unknowns at the time of recording.
- The largest decrease in terms of numbers is those with 3-5 years service
- No long term comparisons can be made from the above table as it is a snapshot of the current time as the data does not track individual 'cohorts' of staff as they move through their career.

#### Initiatives & Actions to Improve

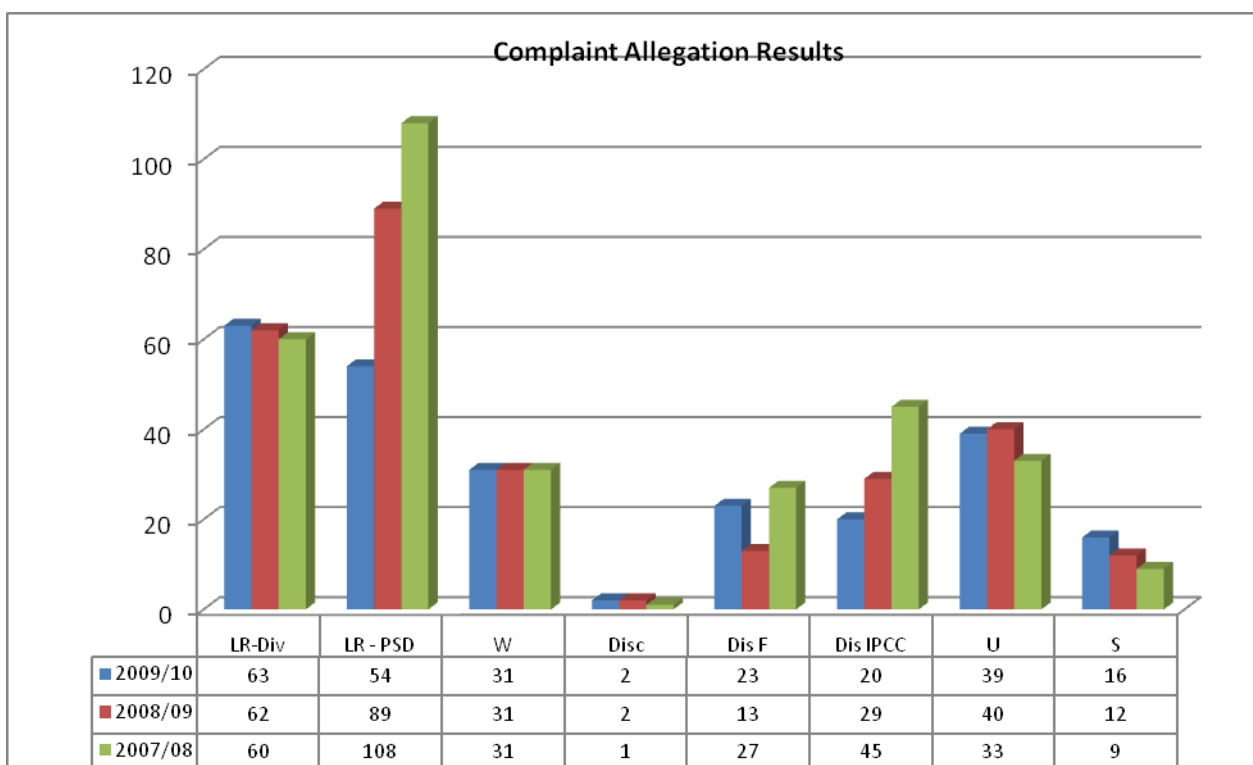
**Action** - The focus group established to look at officers with 6 to 10 years service and the apparent disparity in complaint levels have been scheduled: 6<sup>th</sup> Nov for J division and 13<sup>th</sup> at C, a verbal update will therefore be given at the meeting as at the time of collating this document these meetings had yet to take place.

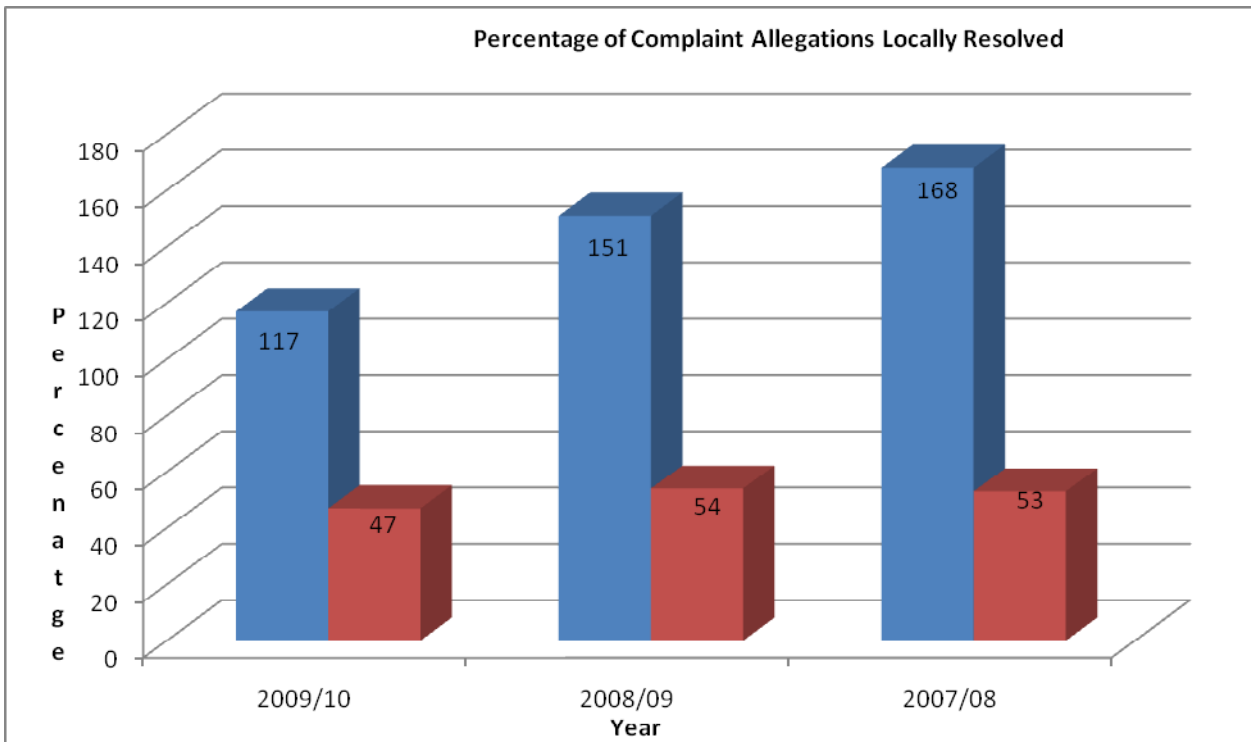
**SECTION 6  
Complaint Allegations Finalised**

Compared to last year the number of complaint allegations finalised have decreased by 10% and 21% against 2007/08.

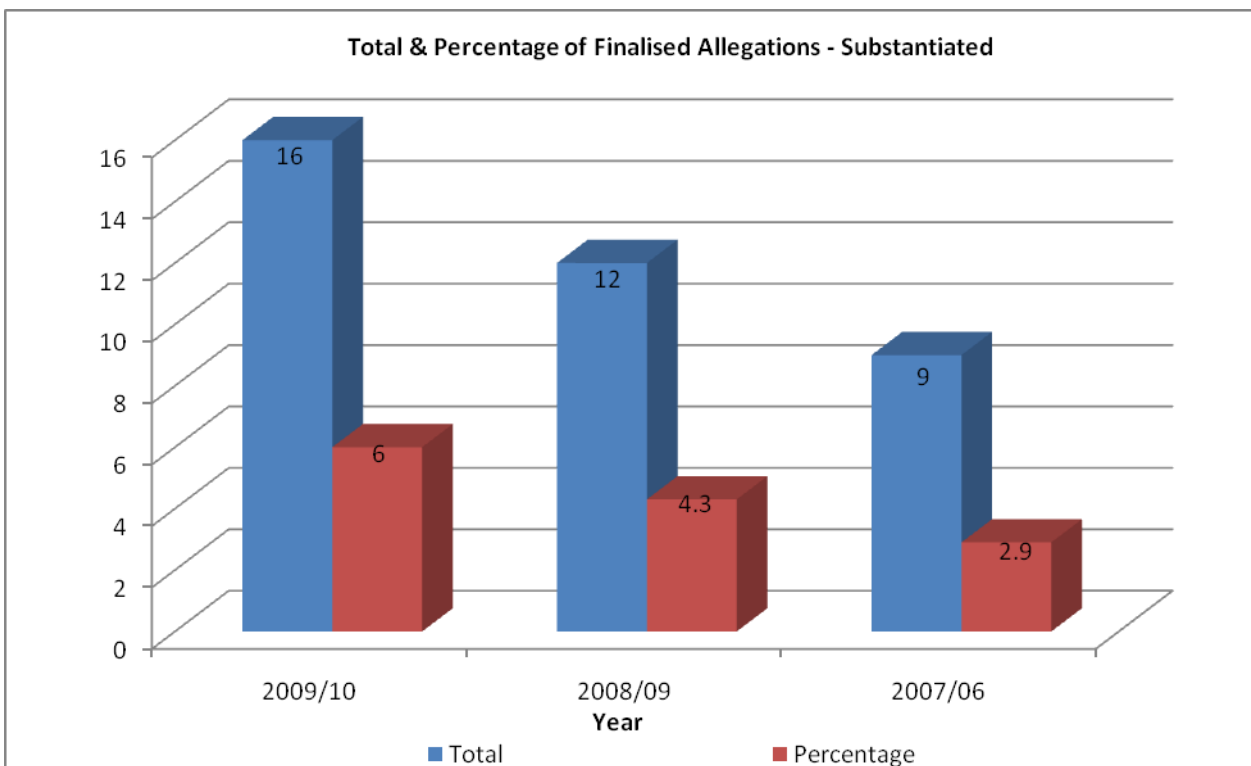


The chart below provides a breakdown of the complaint allegation results





- The actual number of complaint allegations locally resolved has decreased this period by 22%; this is a Most Similar Force and regional trend since the introduction of the Taylor regulations.



- The actual number of complaint allegations substantiated has increased in number and percentage terms.
- 16 allegations from 9 complaint cases involving 11 officers.

### ***Allegations Result & Complainants Ethnicity***

Analyses of results and complainants ethnicity have indicated that there is no disparity between ethnic groups and the method in which the complaint was dealt with or the outcome.

The data does highlight that more ethnic minority complainants have their complaints fully investigated and fewer locally resolved in comparison to white complainants.

### ***Allegations Result & Subjects Ethnicity***

The data referring to complaint results and subject ethnicity highlights that three quarters of ethnic minority subjects have their complaint allegation against them locally resolved compared to half of white subjects.

White subjects have had more complaints fully investigated which has had an impact on the allegations substantiated.

#### **Initiatives & Actions to Improve**

**Action** - Research is underway to identify if there is a trend between ethnicity and results. The result of allegations in conjunction with complainant and subject ethnicity indicate that the majority of substantiated are made by ethnic minority complainants and white subjects, and that fewer ethnic minority complainants have the allegations locally resolved. Results will be provided at the authority meeting in January 2010.

**SECTION 7**  
**Investigation Times**

Percentage change in the tables: ■ Positive ■ Negative

The number of complaint cases finalised is again lower when compared to last year, both in the overall number of cases closed and those closed within the same period as they were recorded.

**Table 21 Cases Closed**

	2009/10	2008/09	2007/08
<b>All Cases Finalised</b>	143	193	206
<b>% Change</b>	<span style="color: red;">-26%</span>		<span style="color: red;">-6.3%</span>
<b>Cases Finalised of those received in same period</b>	68	78	76
<b>% Change</b>	<span style="color: red;">-13%</span>		<span style="color: green;">+2.6%</span>

However, although the number of cases has seen a decrease compared to the same period last year performance has improved as anticipated this quarter compared to last, reducing the percentage difference from 52% cases and 63% allegations to 26% and 13%.

**Table 22 Cases Closed within 120 days against cases**

	2009/10	2008/09	2007/08
<b>Cases Recorded</b>	177	174	200
<b>All Cases Finalised within 120 days</b>	132	169	161
<b>Percentage of cases</b>	<b>74%</b>	<b>97%</b>	<b>80.5%</b>

Table 22 is a measure of cases finalised within 120 working days against the number of cases recorded in force and not against the total number of cases finalised. This method is in line with measuring crime detection rate.

### Full Investigations

There has been a decrease in the number of full investigation cases finalised this year

**Table 23 Full Investigation Cases Closed & 120 Day Timescale**

	2009/10	2008/09	2007/08
<b>Total Full Investigations</b>	24	30	23
<b>% Change</b>	<span style="color: green;">-20%</span>		<span style="color: red;">+30%</span>
<b>Total Full Investigations completed in 120 working days</b>	22	23	9
<b>% Change</b>	<span style="color: red;">-4%</span>		<span style="color: green;">+155%</span>

Although there has been a decrease in the number and percentage of cases finalised and those within 120 working days when compared to the previous year, the actual percentage of closed cases the timescale against those finalised has significantly increased from 85% to 92%.

### Local Resolutions

Table 24 is a measure of cases and not allegations therefore if a case had two allegations and one was substantiated and one locally resolved the timescale measure will be that of the most severe result, hence substantiated.

Table 24 Local Resolution Cases & 120 Day Timescale

	2009/10	2008/09	2007/08
<b>Total Local Resolution Cases</b>	69	109	114
<b>% Change</b>	<b>-37%</b>		<b>-4%</b>
<b>Total completed in 120 working days</b>	68	103	100
<b>% Change</b>	<b>-34%</b>		<b>+3%</b>

- In this period 69 local resolution cases have been finalised and 68 closed within the 120 day period. An improvement in percentage terms on the preceding two years.
- The performance this quarter has improved compared to last reducing the percentage gap from 56% in cases and 54% in allegations.

In accordance to the IPCC statutory guidance the timescale for local resolutions is an average of 28 days; the number of cases meeting the target has fallen although during the last three years the average timescale has fluctuated it has decreased substantially.

Table 25 Local Resolution Cases & 28 Day Average Timescale

	2009/10	2008/09	2007/08
<b>Total Local Resolution Cases</b>	69	109	114
<b>Total completed in average of 28 working days</b>	22	43	37
<b>% Change</b>	<b>-48%</b>		<b>+16%</b>
<b>Average Working Days – all local resolution cases</b>	43	48	62

### Initiatives & Actions to Improve Performance

**Initiative** – The Weekly monitoring of complaint cases by the DCI is ongoing.

**SECTION 8  
IPCC Appeals**

There has been an increase in the number of appeals made compared to the previous two years, although the total upheld is stable and of small numbers

**Table 26 Appeals – Category and outcomes**

		Out-standing	Not Upheld	Upheld	Total
<b>Complaint</b>	<b>LR Process</b>				
	2009/10	0	7	0	7
	2008/09	0	5	1	6
	2007/08	0	5	2	7
	<b>Outcome of Police Investigation</b>				
	2009/10	5	7	2	14
	2008/09	0	8	1	9
	2007/08	0	6	1	7
<b>Direction &amp; Control</b>	<b>Non Recording of a Complaint</b>				
	2009/10	3	1	3	7
	2008/09	0	4	3	7
	2007/08	0	2	1	3
<b>Inbox</b>	<b>Non Recording of a Complaint</b>				
	2009/10	1	1	1	3
	2008/09	0	1	0	1
	2007/08	0	1	2	3

- Impactive factor for the increase is:
  - the move to a different IPCC region

**Table 27 Percentage of appeals against cases finalised.**

	2009/10	2008/09	2007/08
<b>All Cases Finalised<sup>2</sup></b>	241	292	271
<b>Total Appeals</b>	31	23	20
<b>% Appeals of all Finalised Cases</b>	13%	8%	7.4%
<b>No upheld</b>	6	5	6
<b>% Upheld</b>	19%	22%	30%

The percentage upheld is well below the IPCC 2008/09 national percentage of 29%. The number of appeals has increased but the percentage upheld has decreased.

<sup>2</sup> Includes public complaints, direction and control and inbox as all have a right of appeal

**SECTION 9**  
**Most Similar Family (MSF)**

***Most Similar Family (MSF)***

MSF benchmarking data is compared against seven other forces that are similar in demographics

<b>MSF</b>	<b>Recorded Complaint Allegations</b>	<b>% LR</b>	<b>% Sub</b>	<b>% of Fully Investigated Cases Finalised within 120 days</b>	<b>Complaints per 1000 Staff</b>
Bedfordshire	298	47	6	92	122
Avon & Somerset	683	37	8	91	102
Essex	874	29	8	85	131
Hampshire	915	54	4	11	136
Hertfordshire	498	40	2	80	116
Kent	684	31	5	64	98
Sussex	522	40	5	88	86
Thames Valley	1027	47	6	80	121
<b>Average</b>	<b>688</b>	<b>41</b>	<b>5</b>	<b>74</b>	<b>114</b>

In comparison Bedfordshire is better than the MSF average in the areas of:

- Recorded complaints
- Percentage local resolutions
- Percentage of fully investigated cases finalised within 120 days

Bedfordshire is best performing in the areas of:

- Percentage finalised in 120 days

**Initiatives & Actions to Improve Data Comparisons**

**Action** - Effective as from January 2010 future reports provide cases per 1000 staff which is a more relevant measure than allegations as decision making on allegations is subjective to the decision maker; this is evident from earlier analysis which identified that the ratio of allegations per case within the region and most similar force ranged from 1.2 – 2.0

**SECTION 10**  
**Conduct Matters**

**Recorded**

The number of conduct matters recorded has significantly decreased compared to last year.

Table 28 Matters recorded:

Conduct Code	Categories	2009/10	2008/09	2007/08
01	Honesty & Integrity	5	6	9
02	Authority, Respect & Courtesy	4	4	7
03	Equality & Diversity	2	2	0
04	Use of Force	1	6	3
05	Orders & Instructions	0	3	1
06	Duties & Responsibilities	17	5	17
07	Confidentiality	5	6	4
08	Fitness for Duty	0	0	0
09	Discreditable Conduct	11	0	0
10	Challenging & Reporting Improper Conduct	0	0	0
H	Criminal Offences	0	2	3
I	Property	0	1	1
J	Sobriety	0	0	0
L	General Conduct	0	20	16
<b>TOTAL</b>		<b>45</b>	<b>55</b>	<b>61</b>

- The conduct codes above have been changed to reflect the new professional standards of behaviour as of 1<sup>st</sup> December 2008.
- Duties & Responsibilities has seen the largest increase
- Majority of categories have decreased this year compared to last

The total has decreased compared to last year

- Impactive factor for decrease is
  - recording practices under new (Taylor) regulations

Table 29 Staff type of subjects

Staff Type	2009/10	2008/09	2007/08
Community Support	1	2	2
Police Staff	1	19	5
Officers	31	28	40
Special Constables	1	3	2
<b>Total</b>	<b>34</b>	<b>52</b>	<b>49</b>

### Initiatives & Actions to Improve Performance

**Initiative** - Professional Standards investigative work and methods of reporting are marketed at every opportunity including publishing of discipline findings in internal publications and using force wide media to highlight the good work of the department. This has now been implemented.

### Finalised

The number of misconduct matters finalised has decreased compared to last year

Table 30 Matters finalised

Conduct Code	Categories	2009/10	2008/09	2007/08
01	Honesty & Integrity	10	6	7
02	Authority, Respect & Courtesy	2	3	4
03	Equality & Diversity	0	1	7
04	Use of Force	2	2	1
05	Orders & Instructions	2	5	0
06	Duties & Responsibilities	12	13	15
07	Confidentiality	1	5	2
08	Fitness for Duty	0	0	0
09	Discreditable Conduct	5	0	0
10	Challenging & Reporting Improper Conduct	0	0	0
H	Criminal Offences	0	0	3
I	Property	1	0	0
J	Sobriety	0	1	0
L	General Conduct	3	18	13
<b>TOTAL</b>		<b>38</b>	<b>54</b>	<b>54</b>

Of the matters finalised there were 3 conduct hearings and 2 meetings completed

Table 31 Total Conduct Hearings Completed

	2009/10	2008/09	2007/08
Hearings Completed	3	1	2
Meetings Completed	2	0	0

The total of sanctions in the below table will not equal the number of matters finalised as it is the most severe sanction that is shown against a member of staff in any one case.

Table 32 Sanctions

Most Severe Sanction	2009/10	2008/09	2007/08
Dismissal	0	0	0
Required to resign	0	0	0
Fine	1	1	1
Reprimand	0	1	0
Written warning (new regulations)	2	0	0
Written warning (old regulations)	3	12	7
Caution	0	1	0
Advice (old regulations)	2	0	0
Management Action	5	0	0

Written warnings under the old regulations differ from those under the new regulations as they now can only be issued via a misconduct hearing or meeting.

Advice under the old regulations differs from those under the new regulations as they are now classified as a formal sanction.

Management Action is under the new regulations and can be issued without a hearing or meeting.

Table 33 Resigned before hearing

Resigned before charges	2009/10	2008/09	2007/08
Resigned before hearing	2	6	3

**SECTION 11**  
**Criminal Prosecutions**

There has been 1 criminal prosecution recorded during April to September.

Table 34 Criminal prosecutions recorded

	2009/10	2008/09	2007/08
Criminal Prosecutions	1	2	2

**SECTION 12**  
**Direction & Control**

## Recorded

**Table 35 Recorded categories**

Type	2009/10	2008/09	2007/08
General Policing Standards	100	55	31
Operational Management Decisions	8	4	11
Organisational Decisions	9	10	10
Strategy and Policy on Operational Policing	8	14	6
<b>Total</b>	<b>125</b>	<b>83</b>	<b>58</b>

The number of Direction and Control cases has increased this period and continually over the last three years, 'General Policing Standards' is the top allegation.

**Table 36 Recorded Letters of Appreciation**

Type	2009/10	2008/09	2007/08
Letters Of Appreciation (LOA)	83	125	55

No comparisons can be made regarding letters of appreciation as for period 2007/08 as PSD did not start to record until June 2007; although compared to last year the number recorded has decreased.

## Finalised

**Table 37 Categories**

Type	2009/10	2008/09	2007/08
General Policing Standards	78	67	32
Operational Management Decisions	5	8	12
Organisational Decisions	6	11	11
Strategy and Policy on Operational Policing	8	12	7
<b>Total</b>	<b>97</b>	<b>98</b>	<b>62</b>

The number of cases finalised has fluctuated over the last three years with this period decreasing compared to last

## Timescales

Table 38 Timescales

Type	2009/10	2008/09	2007/08
Total finalised (excl LOA)	83	98	62
Total Less than 28 days	43	59	35
% Less than 28 days	54%	60%	56%

The IPCC state a 28 working day timescale for Direction and Control matters to be dealt with; the percentage of finalised in that time has decreased.

### SECTION 13 Conclusion

The Force continues to meet the requirements of the provisions of the Police Act 1996 with regard to the handling of Complaints and Misconduct and the Police Authority remained properly informed of the workings of Sections 67 to 76 of that Legislation.

### SECTION 14 Recommendation

That the report be accepted and noted by members of the Police Authority.

## **INDEPENDENT CUSTODY VISITORS' PANEL**

**20 October 2009**

### **Minutes of Meeting**

Mrs P Fletcher (Chair)

Mr Arnold Brown, Mr Barry Brown, Mr George Dykes, Ms Sandra Fairs, Mr Paul Fensom, Mr Nick Hill, Mr Philip Jerred, Ms Susan Lofthouse, Mr Abdul Malik, Mr Mark Mason, Mr. Sidney Miller, Mr Graham Mitchell, Mr Mike Rudd, Mr Richard Sutton, Mr Stephen Tikin, Mrs June Vallerius, Mr Revaldo Walters, Mr Barry Wheeldon, Mrs Lenanne Whithead, Mrs Kathy Johnson, Mrs Sarah Holland, Ms Alison Graham, Superintendent Linda Kelly, Chief Inspector Ian Middleton, Ms Janet Wardell, Mrs Pat Brown.

Apologies for absence were received from Ms Jacqueline Dowsing, Mrs Susan Edghill, Mr Vic Eltringham, Mrs Shamim Hamida, Ms Tina Hollingworth, Ms June Laws, Mr David Miller, Mrs Richard Sutton and Authority Members Mr Shahzad Choudhry and Mr Raja Saleem.

#### **Welcome from the Chair**

The Chair welcomed Superintendent Linda Kelly, Head of Criminal Justice, to the Panel Meeting and new Police Authority Members Mrs Sarah Holland and Ms Alison Graham.

#### **1 MINUTES**

The minutes of the Independent Custody Visitors Panel held on 21<sup>st</sup> July 2009 were confirmed.

#### **2 MATTERS ARISING**

There were no matters arising from the minutes.

#### **3 BEYOND CUSTODY**

Chief Inspector Ian Middleton presented an overview to the panel of what happens to people after they have been detained in police custody. He explained the different disposals that were available, how they were applied and their implications.

The differences between the terms 'juvenile' and 'youth' within custody were explained as:

**Juvenile** - 10 – 16 years – must have Appropriate Adult attending

**Youth** - 17 years - treated as an adult in custody except would be processed through the youth court.

#### **Resolved**

That the presentation be noted

#### **4 THE BRADLEY REPORT**

Chief Inspector Ian Middleton presented an overview to the panel on the Bradley Report. This is an independent enquiry commissioned by the government into diversion of offenders with mental health problems or learning difficulties away from prison into more appropriate services. The government had agreed to set up a Health and Criminal Justice Board and this was to produce a National Plan to take the recommendations of the report forward.

Particular importance has been given to joint commissioning and service delivery by Primary Care Trusts and Criminal Justice partners. As a medium term goal the government aimed that every custody suite had access to mental health liaison and diversion services.

Chief Inspector Middleton advised the panel that Bedfordshire Police had a strong working relationship with Mental Health services in Bedfordshire and Luton. Both Luton and Bedford Acute Psychiatric Units now had a purpose built Assessment Facility open twenty-four hours, seven days per week. There was no need for any person to be detained in Police Custody as a place of safety under the Mental Health Act.

##### **Resolved**

That the presentation be noted

#### **5 REPORT OF THE SCHEME CO-ORDINATOR**

Mr Mike Rudd, Scheme Co-ordinator, advised that if any ICV's email was not working they must let him know so that information can be sent by post.

New ICVs were reminded that whilst on their 6 month probation they must only visit with established ICVs.

Mr Rudd urged all ICVs that when arranging their visits they took account of meeting the targets set per month for each custody suite.

##### **Resolved**

That the report be noted

#### **6 CUSTODY SUITES REPORT**

Chief Inspector Ian Middleton submitted an update report of Custody Suites. The following was highlighted:

##### **Resource Levels**

Staffing levels were remaining buoyant despite some sickness. Since increases in staffing levels in the Summer morale and performance had

improved.

### **Staff Changes**

Inspector Paul Harris had retired and the panel wished to extend their best wishes to him.

James Hamilton, Project Manager – Professionalising Criminal Justice, was leaving the Force and best wishes were extended to him also.

### **Estates Issues**

Superintendent Kelly had conducted a visit to all custody suites with the Estates Manager to review their condition with particular concern for cleanliness. Dunstable Custody had been identified to have areas of concern and it had been agreed that these would be addressed before the end of 2010. Members were advised that work to refurbish and redecorate Dunstable Custody was due to start very shortly and that custody would remain open whilst this was happening.

Members of the panel were advised that the heating system at Luton was closed down for maintenance and that temporary heating had been installed.

### **Custody Performance.**

The monthly audit of Custody records had shown that performance was high and significant improvements had been made since the increase in staffing levels at Bedford.

### **Operation Safeguard**

There had been no request made by the Home Office to reinstate Operation Safeguard.

### **Her Majesty Inspector of Constabularies (HMIC) Inspection of Custody.**

No notification had been received regarding the anticipated inspection of custody to date.

A follow-up review by the National Policing Improvement Agency (NPIA) had reported that vast improvements had been made in Bedfordshire Custody since their initial review in 2007.

The influence of ICVs on improvements in custody, particularly estates issues, was noted in the report.

Chief Inspector Middleton expressed his gratitude to Honey Farmer and Philip Jerred for attending the NPIA review as Independent Custody Visitors.

Members of the panel agreed that staff at Bedford Custody appeared much happier since the refurbishment there and that the improvements made visits more pleasant.

CCTV for Custody was going through the tender process and it was expected would be delivered in early 2010.

### **Resolved**

That the report be noted

## **7 UPDATE REPORT OF THE CHAIR**

Mrs Penny Fletcher, Chair, addressed the following matters:

### **Dunstable Custody Visit**

Mrs Fletcher advised that she had recently visited Dunstable Custody and had been disappointed at the poor standard of repair and cleanliness so had written to the Assistant Chief Constable (Territorial Policing) about this. A refurbishment of Dunstable Custody Suite was to take place in the very near future.

ICVs were urged to report on all issues, particularly cleanliness, identified during visits and inform the Custody Sergeant to ensure that these were reported on the Estates help desk facility on the Force Intranet.

### **Probationary Interviews**

New ICVs were advised that they would be given six month probationary interviews in January 2010 and that they would be informed by email about these at a later date.

### **Input into Panel Meeting Agendas**

Members of the panel were advised that they were welcome to put forward any suggestions for items at future meetings by emailing the Scheme Administrator.

### **Resolved**

That the report be noted

## **8 a) MONITORING REPORT**

Chief Inspector Ian Middleton submitted a monitoring report of the Police Authority and Force which summarised the activities of Independent Custody Visitors between 1 July 2009 and 30 September 2009 and highlighted associated issues.

Key Issues identified by Custody Visitors were:

- Plumbing issues
- Toilet paper issues
- Out of date food
- Staff shortage
- Cleanliness of the Custody Suite

Most reports were very positive about the conduct of the Custody Staff.

Areas highlighted were:

- There were 42 visits carried out against a target of 39 during this quarter.

- 174 detainees had consented to be seen against 263 in detention at the time of the visits – 66.0%.
- Most visits had occurred on weekdays; one visit had occurred on a Saturday and there had been no visits on a Sunday.
- Visit times in the last quarter were found to be:  
6am – 2pm – **19**    2pm-10pm - **20**    10pm – 6am- **3**

Members of the panel discussed the following:

- Toothbrushes issued in custody– in all custody suites there remained stocks of the old toothbrushes to be used up before the new ones would be made available.
- New Detention Officers at Dunstable had been unaware of where the light switch for exercise yard was or where ICV paperwork was kept.
- Length of time it was acceptable to wait to be allowed into Custody for a visit. Members of the panel were advised that although ICVs should be given immediate access to custody their health and safety was the first consideration for the Custody staff and this could often result in short delays. All delays to access should be properly explained by the Custody staff and ICVs were advised to contact the Duty Inspector if they are not satisfied.
- Ampthill now had an outside light.
- Length of stay in custody for immigration detainees. Chief Inspector Middleton advised that the Borders Agency had recently begun to use an escort service and immigration detainees were now expected to be collected within six hours. The Chair advised that The Borders Agency would be invited to give a presentation at a future ICV Panel meeting.

### **Resolved**

That the report be noted.

### **b)    DETAINEE DIVERSITY MONITORING REPORT**

Scheme Administrator, Mrs Pat Brown, submitted a report to the panel, the purpose of which was to consider the diversity of all detainees in custody during visits from April to September 2009 and identify any related trends that might need to be addressed.

The report highlighted the following:

487 detainees were in custody whilst ICVs were conducting visits.

327 detainees were seen (67%)

Of the 160 not seen only 33 (6.8%) had declined a visit; the remainder had been unavailable for a visit due to being processed/interviewed etc.

No significant trends relating to diversity were found that needed to be addressed.

It was agreed for an update report on this matter to come to the panel meeting in six months time.

**Resolved**

- 1) That the report be noted
- 2) That an update report be brought to the panel in July 2010.

**EASTERN REGION ICVA COMMITTEE**

**Committee Update Report**

Mr Nick Hill submitted an update report to the panel on the meeting held on 29 July 2009 of the Eastern Region Independent Custody Visiting Association.

Highlights of the report were;

1. Chairman's feedback from the ICVA Executive Committee
2. Regional Conference
3. Custody Inspections
4. Flash Cards
5. Detainee Meals
6. ICV Upper Age Limits
7. Self Introduction
8. Information collected during a visit.

It was agreed that samples of pre-packed food used for detainees in custody should be brought to the next meeting for panel members to try.

**Resolved**

That the report be noted

**9 DATE OF NEXT MEETING**

Tuesday 19<sup>th</sup> January 2010 at 6.30pm. Refreshments will be served from 6pm.

The following meeting will be held on Tuesday 27<sup>th</sup> April 2010.