



Agenda

COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE

25 January 2011

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

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



CALL Janet Wardell on (01234) 842066



IN PERSON, (by appointment) 9am to 5pm, Monday to Friday



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Web-site:- www.bedfordshirepoliceauthority.co.uk

Email:- enquiries@bedfordshirepoliceauthority.co.uk

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, Mrs K Malik, Mrs C Turner, Mr L Singh and Mr J Williams)

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 25 January 2011**. 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. To confirm the minutes of the meeting held on 23 November 2010**
By Chairman - Minutes*(Pages – 5-10)
 - 2. Matters Arising –**
Status Report *on the Progress of the actions arising from the last meeting
(Pages 11-12)
 - 3. Declarations of Interest**
To receive any personal or prejudicial interests from Members
 - 4. IPCC – Current Issues**
IPCC Commissioner Rachel Cerfontyne will be attending the meeting
 - 5. Strategic Analysis - Victims Code of Practice**
Report* of the Chief Constable (Pages 13 -16)
 - 6. Impact Assessment – Public Accessibility to the Complaints System**
Report* of the Chief Constable (Pages 17-24)
 - 7. Professional Standards Cases and Issues**
Report* of the Chief Constable (Pages 25-56)
 - 8. Research into the number of complaints per 1000 employees in Bedfordshire Police**
Report* of the Chief Constable (Pages 57-60)
 - 9. Future Scrutiny of Professional Standards Issues**
 - (a) Review of the Committee Structure –**
Report of the Chief Executive - (Pages 61-66)
 - (b) Introduction of Police and Crime Commissioners in 2012 -**
Report of the Chief Constable (Pages 67-72)
- 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.**
- 10. Civil Claims**
Report of the Chief Constable (Circulated Separately)

11 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

23 November 2010

PRESENT

Mrs P Fletcher (In the Chair)

Mr L Denny, Ms A Graham Mrs S Holland Mrs K Malik Mr L Singh Mrs C Turner
and Mr J Williams

Apologies for absence were received from Mr P Hollick
Officers in attendance

Deputy Chief Executive Treasurer – Dr J Wymer
Assistant Chief Constable (Protective Services) – Mrs K Govier
Head of the Joint Bedfordshire and Hertfordshire Professional Standards Unit –
Detective Superintendent N Briant

Director of Corporate Services - Mr V Hislop
Force Customer Services Manger - Mr M Evans
Divisional Commander – Citizen Focus - Chief Superintendent C Simon
Business Performance Analyst BHPSD Mrs J Glazebrook

10/qz/34 MINUTES

The minutes of the meeting held on 31 August 2010 were confirmed

10/qz/35 MATTERS ARISING – STATUS REPORT ON THE PROGRESS OF THE ACTIONS ARISING FROM THE LAST MEETING

The Committee received a monitoring report of the action taken to implement the decisions arising from the last meeting.

10/qz/36 DECLARATIONS OF INTEREST

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

10/qz/37 IPCC- CURRENT ISSUES

The Chair reported that Ms Cerfontyne the (IPCC Commissioner) was unable to attend the meeting. Ms Cerfontyne was expected to update Members on the IPCC's performance framework for the police complaints system and this would now be provided at a later date. The Chair however updated the Committee on the discussions that had been held with the Chair of Hertfordshire's Complaints & Professional Standards Committee in relation to the content and format of the current performance monitoring report that each Authority received in relation to the performance of the collaborated Professional Standards Department. Changes to the report had been suggested and would be circulated to Members for comment. If accepted the changes would be incorporated into the next report

RESOLVED

That the Members views be sought on the proposed changes to the Committee's performance monitoring report and if agreed the changes be incorporated into the next monitoring report.

10/qz/38 STRATEGIC ANALYSIS – VICTIMS CODE OF PRACTICE

The report of the Chief Constable was submitted which provided an update on the findings so far of the strategic analysis being undertaken on the Victims Code of Practice (VCOP) and the actions to be taken to further embed VCOP across the force.

Mr Evans the Force Customer Services Manager attended the meeting to present the report. By way of background he highlighted that a 2009 Audit on compliance with VCOP had indicated that Bedfordshire was 39%. Since that Audit an action plan had been produced to improve compliance and this now stood at 83%. The one area recognised as remaining a significant weakness, and represented 45% of all cases of non compliance, was notifying victims of a significant event such as arrest or bail.

As agreed at the last meeting a focus group approach had been adopted to inform the Strategic analysis. Mr Evans reported that three focus groups had been set up and views were obtained from victims of crime, practitioners, the Police Authority and the Independent Advisory Group. The main points of the discussions were highlighted in the report.

The Committee was disappointed with the depth of the analysis at this stage particularly the lack of potential outcomes for improving the level of complaints received in connection with neglect of duty which was the Committee's area of concern. In relation to the analysis that was presented to the Committee the following matters were raised

(a) VCOP and other agencies

VCOP was the responsibility of a number of agencies not just the police and questioned at what point victims were surveyed just in case this might have an adverse impact how the experience with the Force was received. In response Mr Evans acknowledged that the wider implications had not been looked at but the interaction with the Police was completed after a 12 week period. The Committee considered that it would be useful to gain a better understanding of how other partners ensured that they were compliant with VCOP and it was agreed that the lead Member for the Strategic Analysis would progress this.

(b) Role of Customer Services

The Committee sought information on the role of the Customer Services in addressing victims concerns about not being kept informed and were assured that there was a mechanism in place for Customer Service staff to raise any lack of follow up issues with the BCU Commander.

(c) Development of a Communication Plan

The Committee considered that through the already established communication plan for Officers on compliance with VCOP new ways to keep victims updated could be incorporated into this.

(d) Performance

The report indicated that there had been a step change in performance against compliance from 39% in 2009 to 83% in 2010 on keeping people informed and wished to see more evidence of this in the next report. Members requested actual numbers as well as percentages in the next report. Members were reassured that VCOP was linked to the victim satisfaction framework

(e) Investigation Skills

A focus group of practitioners had indentified lack of training in specialist skills as hindering the quality of service to victims and this would need to be addressed.

RESOLVED

1. That Members concerns and comments on the interim Strategic Analysis of the VCOP be noted and taken forward for consideration.
2. That the lead Member appointed to oversee the strategic analysis of the Victims Code of Practice undertake a further piece of work to explore further how victims were kept informed and the role of partners within this process

10/qz/39

IMPACT ASSESSMENT – PUBLIC ACCESSIBILITY TO THE COMPLAINTS SYSTEM

The report of the Chief Constable was submitted on the progress of the eight actions identified through the Equality Impact Assessment undertaken on the Public Accessibility to the complaints system.

Members were disappointed that the progress report did not include updated timescales for the completion of actions or a full explanation for not pursuing actions, particularly action 2 which was in relation to the low level of complaints reported by young people. The Head of the Joint Professional Standards Department updated the Committee on the timescales for completion and agreed to incorporate this into the report to the next meeting. In relation to action 2 the Head of the Joint Professional Standards Department advised that a piece of work around engaging young people in the complaints process was being undertaken and further details of this work would be provided to the Committee.

RESOLVED

That the Committee receive a more detailed monitoring report on the progress of the action plan at its next meeting.

10/qz/40

PROFESSIONAL STANDARDS CASES AND ISSUES

The report of the Chief Constable was submitted on the performance of the collaborated Bedfordshire and Hertfordshire Professional Standards Department (BHPSD) for the period 1st April 30th to 30 September 2010.

The Head of the BHPSD presented the report and gave a brief overview of performance during the second quarter of 2010/11.

Of particular note this quarter was the increase in the number of recorded complaint cases in comparison with the previous two years. This was seen to be as a result of changing the approach to the recording process which meant that cases were being correctly recorded as complaints rather than direction and control matters. This explanation was evidenced by the reduction seen in the number of direction and control complaints. In comparison to the previous quarter The percentage of complaint cases completed within 120 working days had slightly dropped but the latest data had shown a slight improvement and this would be reflected in the next monitoring report. Members noted that the recent HMIC VFM profiles demonstrated how well resourced the Department was.

In terms of performance within the group of Most Similar Forces Bedfordshire continued to improve across the range of measures and was performing particularly well in its timeliness in completing cases. However Bedfordshire had the highest number of complaints per 1000 staff and the reasons for this would be presented to the next meeting.

With regard to particular issues for Bedfordshire there had been the rise in the number of recorded complaints relating to incivility, impoliteness and intolerance , the majority of the allegations being around the manner of communication rather than what was specifically said. General Policing standards continued to be the majority of complaints received around direction and control. Whilst some of the complaints related to dissatisfaction there were a number of reoccurring issues in relation to the response to anti social behaviour matters, non attendance at criminal damage allegations and response to neighbourhood disputes. Complaints about unlawful/unnecessary arrest or detention had also increased this quarter. As a consequence of this increases had been seen in the complaints involving Breach of Code A (stop and Search) and Breach of Code B (Search of Premises)

The Head of the BHPSD orally reported on the letters that were being sent to members of the public who had expressed dissatisfaction. The letters set out in plain English how the matter was to be resolved. The Chair of Hertfordshire Complaints & Professional Standards Committee had been involved in the preparation of the letter.

The monitoring report also included details of the service improvements that had been made through the lessons identified through complaints received in the last quarter and the IPCC's Learning the Lessons bulletin.

The main issues arising from the report were as follows

(a) Direction and Control Complaints

Given the investment in responding to anti social behaviour matters and in neighbourhood policing there was concern about the level of direction and control complaints that were being received about these matters. Members were advised that contacting people had been an issue for the Force but was now being addressed.

(b) Complainant Demographics

Members questioned why there were no complaints from people of a mixed race and were satisfied that this was due to the way the current recording system and would be more accurately reflected in the next monitoring report.

I records ethnic groups, in that it does not use the same categories as other recording systems and that as subjects generally self identify ethnicity, it was not possible to reflect this in another way.

(c) Incivility

Members continued to be concerned that despite the number of initiatives in place to reduce the level of allegations around incivility issues the impact on levels was not as might have been expected. The Head of the BHPSD advised that initiatives continued to be introduced and highlighted the Learning and Development Department's newly established Mountaineering Group which would be focusing on overcoming the obstacles that were preventing improvements to the level of incivility complaints. The ACC (Protective Services) suggested that the messages reinforcing the need to reduce levels of incivility complaints could be placed in the weekly performance matters bulletin and this was supported.

RESOLVED

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

10/qz/41 MINUTES OF THE INDEPENDENT CUSTODY VISITORS PANEL

The Minutes of the meeting of the Independent Custody Visitors Panel held on 19 October 2010 were considered. It was noted that the HMIC /HMIP Inspection of Custody had now been published and that its recommendations would be monitored through the Performance and Planning Committee

RESOLVED

That the minutes be received.

10/qz/42 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.

10/qz/43 SUMMARIES OF COMPLAINTS AND DISCIPLINE CASES (In Private)

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 involving direction and control, incivility and use of Force.

There were no major issues arising from the complaints files that had been reviewed.

RESOLVED

That the report be noted.

10/qz/44 **CIVIL CLAIMS**

The report of the Chief Constable was submitted which advised of the number of civil claims, other than Employment Tribunal Claims, received by the Force during 2009/10 and for the second quarter of 2010/11.

The report provided information on the number of claims submitted by the public and the number submitted by employees/officers together with the causes and the costs awarded. The report also highlighted the lessons learnt and improvements introduced to reduce the likelihood of similar claims occurring.

It was noted that it had not been possible for Members to dip sample civil litigation cases at this meeting but would be available for the next meeting. Also The unavailability of certain data meant it was not possible for the Committee to seek assurance about the proportions of claims resisted compared to those settled or lost and it was agreed to amend the recommendations accordingly.

RESOLVED

That the Committee is satisfied that sufficient action has been taken to reduce the likelihood of similar claims occurring, is mindful of emerging trends and the lessons learnt for the organisation.

STATUS REPORT ON THE PROGRESS OF THE ACTIONS ARISING FROM THE LAST MEETING

	ITEM	DECISION		ACTION TAKEN
1	IPCC Current Issues	That Members views be sought on the proposed changes to the Committee's performance monitoring report	Chief Executive /Head of BHPSD	Changes Agreed an incorporated into the Monitoring report Since the last meeting a letter has been received from the IPCC setting out the IPCC' intention to work closely with the Professional Standards on to provide a more effective and locally accessible complaints system.
2.	Strategic Analysis – Victims Code of Practice	Members concerns and comments on the interim Strategic Analysis of the VCOP be noted and taken forward for consideration.	Customer Services Manager	See Item 5
		The Committee agreed that it would be useful to gain a better understanding of how other partners ensured that they were compliant with VCOP and the lead Member for the Strategic Analysis would progress this.	Lloyd Denny	
3	Impact Assessment – Public Accessibility to the Complaints System	That a more detailed monitoring report on the progress of the action plan to be presented to the next meeting.	Head of BHPSD	See Item 6
4	Professional Standards Case and issues	Bedfordshire had the highest no of complaints per 1000 staff and the reasons for this would be presented to the next meeting.	Head of BHPSD	See Item 8

5	Civil Claims	Dip sampling Process to be in place for meeting on 25 Jan	DCS	Process in place
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Bedfordshire Police Authority

COMMITTEE AND MEETING DATE	COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE, 23RD NOVEMBER 2010
AGENDA ITEM No:	5
TITLE:	VICTIM CODE OF PRACTICE REPORTING
DATE OF REPORT:	13TH JANUARY 2011
REPORT OF:	ASSISTANT CHIEF CONSTABLE (PROTECTIVE SERVICES)
AUTHOR:	MARK EVANS, FORCE CUSTOMER SERVICES MANAGER
ACTION REQUIRED:	REPORT FOR INFORMATION
APPENDICES:	NONE

EXECUTIVE SUMMARY:

This report provides an overview of compliance with the Victims Code of Practice and planned future developments. The Force has made a step change in compliance during 2010.

RECOMMENDATIONS:

Recommendation 1

Members are asked to consider and note the report.

Originators: Mark Evans, Force Customer Services Manager
Date: 13th January 2011
Telephone No: (01234) 842158
E-mail: mark.evans@bedfordshire.pnn.police.uk

1 INTRODUCTION

- 1.1 This report provides an updated overview on the findings on the requested strategic analysis of the Victims Code of Practice (VCOP).

2 PERFORMANCE ANALYSIS

- 2.1 A 2009 audit found that only 39% of the 315 crimes reviewed were compliant with the VCOP. Between April and October 2009 there were 20 allegations of failing to be kept updated accounting for 16.6% of the complaint allegation 'Other Neglect or Failure in Duty'.
- 2.2 A new audit was commissioned in early 2010 to be completed on a monthly basis, linked to the victim satisfaction reporting process to enable more detailed analysis.
- 2.3 Audit results received in October, November and December 2010 (relating to crimes recorded in July, August and September 2010) show overall compliance at 85% (310 Crime reports were checked with 262 being compliant). The one area recognised as a significant weakness, representing 50% of non compliance cases (28 out of a total of 57 failures), was notifying victims of a significant event (for example arrest or bail).

3 COMPLAINTS ANALYSIS

- 3.1 Between 1st April 2010 and 30th November 2010 there have been 146 "Other Neglect or Failure in Duty" allegations recorded of which 25 were in relation to not keeping people informed.
- 3.2 The analysis shows that of these 25 allegations twelve were specifically related to VCOP. Of those twelve, six could have been resolved earlier by way of dealing with them as dissatisfaction prior to them becoming a formal complaint.

4 THE WAY FORWARD

- 4.1 The following developments have been put in place or are planned to further embed the VCOP:
- Continue the weekly reporting on Keeping People Informed to all department/team leaders and their respective divisional leadership teams for scrutiny.
 - Explore ICT solutions for the monitoring and recording of Significant Events.
 - Research and analyse the quality of contacts made to victims in comparison to the findings from the Focus Groups. Letters are currently being designed taking into account best practice and local research on Victim Satisfaction (for example Practical help and Crime prevention advice).
 - Explore innovative ways of updating including text messaging and e-mail. During December all Volume Crime Teams, Central Information Bureau Crime staff and the Contact Management Centre have been able to send

Text messages from their workstations in a trial to assist in improving communication links with the public.

- The above initiatives have been publicized, with details distributed as part of an ongoing communications plan.
- It is planned to hold six-monthly Focus Groups with staff and victims of crime to assist with identifying weaknesses and opportunities with the service provided. Further Focus Groups will be scheduled for September 2011. This is dependent on the training of new facilitators.

4.2 The process changes made to the way Professional Standards and Customer Services staff deal with reports of dissatisfaction and service recovery will assist in dealing with VCOP non-compliance at the earliest opportunity and reduce the number of complaints in the area of 'Other Neglect or Failure in Duty'.

- The Force has approved the business case for a Service Improvement Database (dissatisfaction database) to record and enable analysis of all reports of dissatisfaction. This will improve Customer Service by responding proactively to reports of dissatisfaction, thus preventing escalation into a formal complaint.
- There is currently no accurate picture of the key drivers of dissatisfaction. The dissatisfaction database will lead to a more detailed picture of the level of dissatisfaction. This will include issues currently not covered by the victim satisfaction survey, for example lack of contact from an individual's local safer neighbourhood team and issues around deployment of the police helicopter. These issues are regularly received within the Contact Management Centre but are not recorded.
- The Force Customer Service Teams at Bedford, Luton and Dunstable will actively manage the dissatisfaction database. The Customer Service Teams will be responsible for ensuring that reports of dissatisfaction are acted upon in a timely manner. Quick evaluations will enable rapid escalation to PSD of complaints of Conduct or Direction and Control.
- Analysis will include the number and type of complaint, mapped against locality, department and the officer involved. This will assist community engagement by departments and partner organisations, as well as individuals' development.

5 CONCLUSION

Bedfordshire Police has made a step change in relation to compliance with the VCOP. Further developments will drive compliance with VCOP towards business as usual. The Force has identified the need to improve the quality and standard of communications with Victims of crime.

6 RECOMMENDATIONS

Recommendation 1

Members are asked to consider and note the report.



Bedfordshire Police Authority

COMMITTEE AND MEETING DATE	COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE, 25TH JANUARY 2011
AGENDA ITEM No:	6
TITLE:	THE EQUALITY IMPACT ASSESSMENT ON THE ACCESSIBILITY TO THE BEDFORDSHIRE PUBLIC COMPLAINTS SYSTEM: UPDATE ON ACTIONS AGREED IN PART 2 EIA
DATE OF REPORT:	14TH JANUARY 2011
REPORT OF:	ASSISTANT CHIEF CONSTABLE (PROTECTIVE SERVICES)
AUTHOR:	DETECTIVE CHIEF INSPECTOR SHANE O'NEILL BEDFORDSHIRE AND HERTFORDSHIRE PROFESSIONAL STANDARDS DEPARTMENT EDWARD MAJOR, PLANNING AND INSPECTIONS MANAGER
ACTION REQUIRED:	REPORT FOR INFORMATION
APPENDICES:	EQUALITY IMPACT ASSESSMENT ACTION PLAN

EXECUTIVE SUMMARY:

This report updates Authority members on the current position regarding the eight actions deriving from the Full Equality Impact Assessment of Accessibility to the Bedfordshire Public Complaints System, and presents the way forward for their continued progression. It is proposed that three actions are completed and one is suspended.

RECOMMENDATIONS:

Recommendation 1

Members are asked to agree the completion of three actions, as noted in Section 2 of this report.

Recommendation 2

Members are asked to agree the suspension on one action, as noted in Section 2 of this report.

Recommendation 3

Members are asked to consider the current position regarding remaining actions, and to advise where other activity may be required.

Originators: Detective Chief Inspector Shane O'Neill, Bedfordshire and Hertfordshire Professional Standards
Edward Major, Planning and Inspections Manager
Date: 14th January 2011
Telephone No: (01234) 842507
E-mail: shane.oneill@herts.pnn.police.uk

1 INTRODUCTION

- 1.1 Accessibility to the Bedfordshire Public Complaints System was subjected to a Part Two (Full) Equality Impact Assessment on 6th August 2010. This resulted in eight improvement actions for completion by the Force.
- 1.2 This report updates Police Authority members on the position regarding these actions at the end of December 2010.

2 EQUALITY IMPACT ASSESSMENT ACTION PLAN

- 2.1 Appendix A presents the updated position on all eight actions.
- 2.2 It is proposed that the following actions have been completed:
 - Action 2: Gauge if the low level of young person's complaining is representative.
 - Action 4: Ensure that the Beds website is not exclusive towards trans community
 - Action 5: Ensure that staff understand the formal procedure for recording complaints.
- 2.3 It is proposed that the following action be suspended.
 - Action 3: Ensure number of BME front-office staff is representative of the Bedfordshire communities.
- 2.4 Activity on the remaining four actions continues.

3 RISKS AND IMPLICATIONS

- 3.1 The Full Equality Impact Assessment and the resulting actions derive from concerns over risks and implications regarding equality, diversity and human rights. The actions are being progressed to address these issues.

4 CONCLUSION

- 4.1 This report updates Authority members on the current position regarding the eight actions deriving from the Full Equality Impact Assessment of Accessibility to the Bedfordshire Public Complaints System. It is proposed that three actions are completed and one is suspended.
- 4.2 Activity will continue on the remaining actions and will be reported to the appropriate Police Authority meeting under the Authority's revised committee structure.
- 4.3 Continuing activity on these actions will overlap work commissioned following the Police Authority Community Engagement Committee meeting on 30th November 2010. This work will encompass more general publicity around dissatisfaction and complaints to ensure easier and more equal access to the complaints system.

5 RECOMMENDATIONS

Recommendation 1

Members are asked to agree the completion of three actions, as noted in Section 2 of this report.

Recommendation 2

Members are asked to agree the suspension on one action, as noted in Section 2 of this report.

Recommendation 3

Members are asked to consider the current position regarding remaining actions, and to advise where other activity may be required.

APPENDIX A**ACCESSIBILITY TO THE BEDFORDSHIRE PUBLIC COMPLAINTS SYSTEM: UPDATE ON THE EQUALITY IMPACT ASSESSMENT ACTION PLAN**

No	Objective	Actions	Delivery	Progress
1	Broaden accessibility to the Police Internet.	Liaise with Beds IT to consider options to ease access to Internet (cf. Suffolk's website and the 'flag' system).	April 1 st 2011	<p>Work is ongoing to make required changes to the Force website. The website currently uses the free 'translate' tool, provided by <i>Google</i>, which is limited in the languages provided. Solutions are being explored that will allow Bedfordshire's diverse communities to access the website in their first language. However the current funding situation makes dedicated funding unavailable. The Suffolk model was previously quoted as good practice due to its 'translation facility'. However on closer inspection that model does not reflect its county's top eight languages but simply the 8 languages provided by "Google translate". A caveat is also carried with this service that it may not "<i>accurately reflect the meaning of the original pages</i>"!</p> <p>This work coincides with the wider redesign and relaunch of the Force website and the EIA work has helped influence modifications. Improvements already made include the "Browsealoud" facility, which allows users to download the software to enable the screen reader to assist people with hearing difficulties. Other developments include colour and contrast set to assist partially sighted people and the ability to navigate the site without use of a mouse. The site has been developed to ensure compliance with the AA diversity standard. Conformance to this standard will make the website more accessible to users with disabilities and will benefit all users. Other improvements include:</p> <ul style="list-style-type: none"> • <i>Each of the pages has an accessibility checker that highlights any known or potential problems.</i> • <i>All links have 'alt text'. This means if one puts one's mouse over a link some text will appear telling you what the link is about.</i> • <i>All images have 'alt text'.</i> • <i>The website avoids phrases such as 'click here', because for people with a screen reader 'click here' is meaningless.</i> • <i>Navigation through the site has a no more than 'three clicks' policy.</i> • <i>Colour and contrast have been taken into account in the design of the site to assist partially sighted people.</i> • <i>The site can be navigated through without the use of a mouse.</i> • <i>The site provides a 'text only' version.</i> • <i>The site has been developed so it is AA (Double-A) compliant.</i>

				<p>The 'new' Bedfordshire website has been ready for launching since December 2010. However, Hertfordshire are also revamping their site and both forces had planned to 'go live' simultaneously. Unfortunately, Hertfordshire have encountered technical difficulties delaying their launch; Bedfordshire have now commenced its 'Go Live' action plan and will launch their new site by the end of week commencing 17th January 2011, with Hertfordshire still some weeks away.</p> <p>The IPCC website carries information leaflets on 'How to make a complaint against the Police' in Bengali, Punjabi, Gujarati, Arabic, Urdu, Chinese, Welsh, French, Portuguese, Turkish and Polish. However, the IPCC does not wish its web links to be contained within the Force website and has asked that the information paragraphs already on the Complaints section of the website be removed. The language used and references contained will be scrutinised by the Force Diversity Manager and the community contacts themselves before publication on the Force website. The IPCC have been asked to provide copies of all their other-language leaflets to the PSD.</p>
2	Gauge if the low level of young person's complaining is representative.	Liaise with ACPO Lead on Complaints to discuss low reporting levels of younger and more elderly people.	1 st October 2010	<p>IPCC age groupings define a "young person" as being under 17. An "elderly person" has been taken to be over the age of 60. Using these definitions, the Professional Standards Department database shows that between January and December 2010, Bedfordshire received 11 complaints from persons Under 17 (= 2.3% of total complaints) and 15 from persons over 60 (= 5.3% of total). For comparison Hertfordshire received 25 complaints from Under 17s and 38 from over 60s. This is in line with national levels according to the last IPCC publication of police complaint statistics (3% of complainants under 17 and 6% over 60 (Source: http://www.ipcc.gov.uk/complaints_statistics_2008_09-3.pdf)).</p> <p>As Bedfordshire is in line with national trends it is proposed that this action is complete. Police Authority members are asked whether any further work is required in this area outside of this action.</p>
3	Ensure number of BME front-office staff is representative of the Bedfordshire communities.	Measure number of BME front-office staff with view to proportionately representing communities.	1 st April	<p>Ensuring that numbers of BME front office staff is representative of the Bedfordshire communities will require recruitment and restructuring of front office staff. Achieving this is prohibitive under the Force/Authority's current funding situation, with general recruitment suspended and the need to achieve efficiency savings across the Force. The numbers of staff and their responsibilities are currently being reviewed within every department.</p> <p>It is proposed that action be suspended, and be reconsidered when recruitment is no longer prohibitive.</p>
4	Ensure that the Beds	Liaise with Diversity	1 st December	Forms on the Force website have been amended to include 'No title' as an option, as recommended by members of the transgendered community. The Internet pages relating to Hate Crime have been altered so

	website is not exclusive towards trans community.	Manager to review website.	2010	as not to confuse sexual orientation with gender identity. These changes will be available to the public with launch of the Force's new website by the end of week commencing 17 th January 2011, at which point this action will be complete .
5	Ensure that staff understand the formal procedure for recording complaints.	Consider marketing options re complaint-recording within Force.	1 st December 2010	The Beds and Herts Professional Standards Department continues to deliver training to Inspectors, Sergeants and new student officers. Refresher training is being delivered, in conjunction with the Force and local customer services managers, to front-facing staff in the Contact Management Centre and enquiry offices, to ensure they understand the 'complaints procedures'. The Taylor Team Detective Inspectors undertake 'dip sampling' to ensure officers and staff understand the procedure, and support them in increasing their knowledge. To further test the levels of understanding, PSD is intending to organise a "Mystery Shopper" event based on this very subject. The training regime is established, with training being delivered as an ongoing process. It is therefore proposed that this action is complete .
6	Provide audio instructions on complaints process for members of public (particularly for those with learning difficulties or who are blind/partially sighted).	Scope opportunity to provide audio assistance.	1 st April 2011	The Bedfordshire Police website complies with the W3C Web Accessibility Initiative (WAI), Royal National Institute for the Blind (RNIB), and the Disability Discrimination Act (DDA, Part III). For example, under "Accessibility" the website contains instructions on how to adjust its font size and colour. The IPCC produce leaflets in different formats such as Braille, audio and large print. Bedfordshire Police currently lacks anything in such formats relating to the Complaints System. Achieving this is prohibitive under the Force/Authority's current funding situation. The IPCC have been asked to provide more leaflets to PSD to distribute to Bedfordshire's front counters. Full audio capability will not be available with the launch of the new site, as the cost was prohibitive. It will be a consideration in the ongoing 'Development Plan' which will be formulated for the website under the ownership of the Force Website Development Officer.
7	Ensure complaint forms (and forms generally) are available to the blind/partially	Scope what is currently present and provide suitable material for blind/partially sighted	1 st April 2011	Bedfordshire police do not have relevant forms available for the partially-sighted/blind community. However, the IPCC when asked will supply a copy of the relevant form directly to the potential complainant; the IPCC will not provide forms for general use by the police. Again, funding prohibits the manufacture of relevant bespoke to Bedfordshire. No other Forces in the Region provide such forms.

	sighted community.	community.		
8	Ensure D/deaf and deafblind community know existence of police Link officers and staff.	Liaise with DC Driscoll to explore best methods to advertise.	1 st April 2011	<p>DC Driscoll has been an integral part of heightening awareness amongst units and departments in Hertfordshire Constabulary over recent years. She has close links with the Alban Neve Centre in Luton, a renowned resource for the D/deaf community, whose members travel from far and wide to attend. The Force website has "Browsealoud" as a download visible on the front page for use of the hard-of-hearing and partially deaf. This allows users to have the text on the website read aloud to them.</p> <p>Bedfordshire currently lacks dedicated Link officers (although Hertfordshire does). DCI O'Neill and DC Driscoll are meeting with the Bedfordshire Customer Services Manager to scope future work in Bedfordshire to improve awareness. A work plan is expected to be in place by the original 1st April 2011 deadline, which will indicate timescales for implementation beyond April 2011.</p>



Bedfordshire Police Authority

COMMITTEE AND MEETING DATE	COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE, 25TH JANUARY 2011
AGENDA ITEM No:	7
TITLE:	PROFESSIONAL STANDARDS CASES AND ISSUES
DATE OF REPORT:	10TH JANUARY 2011
REPORT OF:	ASSISTANT CHIEF CONSTABLE (PROTECTIVE SERVICES)
AUTHOR:	DETECTIVE SUPERINTENDENT NATHAN BRIANT, BEDFORDSHIRE AND HERTFORDSHIRE PROFESSIONAL STANDARDS DEPARTMENT
ACTION REQUIRED:	REPORT FOR NOTING
APPENDICES:	APPENDIX A – CHIEF CONSTABLES REPORT ON PROFESSIONAL STANDARDS ISSUES.

EXECUTIVE SUMMARY:

This paper presents the Chief Constable's report in Professional Standards Issues. The third quarter performance of the Bedfordshire and Hertfordshire Professional Standards Department indicates that the collaborated unit is performing well in its MSF with significant improvements in productivity performance when compared to the same period last year.

RECOMMENDATIONS:

Recommendation 1

Members are asked to note the content of the full Chief Constable's report on Professional Standards Issues at Appendix A.

Originators: Detective Superintendent Nathan Briant, Bedfordshire and Hertfordshire Professional Standards
Date: 11th January 2011
Telephone No: (01234) 842501
E-mail: nathan.briant@herts.pnn.police.uk

BACKGROUND PAPERS:

Chief Constables Report on Professional Standards Issues – April – June 2010

ADDITIONAL PAPERS:

None

1 INTRODUCTION

- 1.1 The Chief Constables report into Professional Standards Issues is at Appendix A. This covering report provides members with an executive summary of the full report.
- 1.2 The report covers data for the year to the end of the third quarter for the collaborated Bedfordshire and Hertfordshire Professional Standards Department (BHPSD), covering 1st April to 31st December 2010.
- 1.3 The format of the report has been agreed by both Bedfordshire and Hertfordshire police authorities to ensure that members are provided with a harmonised report set out in a logical and clear format.
- 1.4 The format sets out data under 12 headings and provides information in a consistent way showing each force's performance separately and then combined.
- 1.5 Members will note that at Section 1 of the report it was the intention to provide the latest IPCC performance 'dashboard' each quarter. Whilst an explanation of the dashboard has been provided, no data is presently available owing to an IPCC national IT upgrade. It is anticipated that this will become available in January 2011. As an interim measure most similar family data has been provided at pages 6 and 7.

2 PERFORMANCE OVERVIEW

- 2.1 The BHPSD is performing well when compared with its group of most similar forces (MSF).
- 2.2 The local performance indicators (page 10) provide comparative data between Bedfordshire and Hertfordshire. While there is some disparity the gaps are closing as harmonised processes have embedded.

3 PERFORMANCE HIGHLIGHTS

- 3.1 **Timeliness** – At the end of the third quarter Bedfordshire's timeliness performance was above the MSF average of 85%. The Force currently completes 90% of complaint allegations within 120 days. Whilst ideally this figure would be 100% it is acknowledged that some cases are complex and require greater investigative time and resources.
- 3.2 **Recorded complaints** – Bedfordshire has the lowest number of recorded complaints when compared to their MSF peers. This is partly historic but has been reinforced by new measures introduced to deal with low level dissatisfaction.
- 3.3 **Local Resolutions** – Although Bedfordshire currently reports a higher than MSF average in the percentage of cases that are dealt with by Local Resolution it is expected that this will fall with the passage of time. Again this is due to the new processes, whereby low level complaints which were previously recorded and Locally Resolved are no longer in this category.

- 3.4 **Direction and Control** – The number of direction and control complaints (page 14) has fallen significantly when compared to the same period last year; from 1175 to 100. This is as a result of harmonising of recording processes and learning the lessons from IPCC upheld appeals for failing to record.
- 3.5 **Conduct** – Of particular note is the significant reduction in the number of conduct cases within Bedfordshire compared to the previous two years (Page 20). This reflects the spirit of Taylor with an emphasis on learning rather than discipline, with the later reserved for the most serious of cases.

4 HUMAN RIGHTS, EQUALITY AND DIVERSITY IMPLICATIONS

- 4.1 None

5 FINANCIAL IMPLICATIONS

- 5.1 None

6 CONCLUSION

- 6.1 The third quarter performance of the BHPSD indicates that the collaborated unit is performing well in its MSF with significant improvements in productivity performance when compared to the same period last year.

7 RECOMMENDATIONS

Recommendation 1

Members are asked to note the content of the full Chief Constable's report on Professional Standards Issues at Appendix A.

Chief Constable's Report

On

Professional Standards Issues



APRIL 2010 – DECEMBER 2010

Bedfordshire Police Authority
12th January 2011

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For publication **Bedfordshire Police Authority**
Professional Standards Committee

REPORT AUTHOR: CHIEF CONSTABLE

SUBJECT: Professional Standards

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BACKGROUND PAPERS Summary of Complaints

.....

PURPOSE: To advise members of the current position with regard to Professional Standards issues, including complaints against police, within the Force.

RECOMMENDATION: The Committee is asked to consider this report.

.....

1. INTRODUCTION

Under the provisions of Section 77 of the Police Act 1996, every Police Authority, in carrying out their duty with respect to maintenance of an efficient and effective police force, shall keep themselves informed as to the workings of Sections 67 to 76 of the above legislation in relation to the Force.

2. THE PURPOSE OF THE REPORT

The purpose of this report is to brief members of the Authorities on current professional standards issues within the force.

3. The current report reflects issues for the period of April 2010 to December 2010.

GLOSSARY OF TERMS

Allegation is the recorded complaint type under Home Office defined categories.

Complaint against Police is a complaint made by a member of the public about the behaviour or actions of members of the police force (both staff and officers). A case may consist of several allegations.

Conduct is an internal matter recorded about a member of the force.

Conduct Breach is a matter that is recorded under a conduct case and is a breach of the standards of professional behaviour. A conduct case may consist of several breaches.

Direction and Control are matters raised regarding the organisation and its policies and processes rather than the actions of individual officers or staff.

Dispensation is a complaint outcome whereby the complaint cannot be taken forward, an example of this is insufficient information and lack of co-operation from complainant.

Discontinuance is a complaint outcome whereby it is deemed impractical to conclude an investigation, an example of this is complainant refuses to co-operate or complaint is repetitious.

End of Year (EOY) is the date parameters of 1st April to 31st March each year.

Inbox is an issue that is recorded for tracking and audit purposes or dissatisfaction.

Year to Date is the date parameters of 1st April 2010 to 31st December (or corresponding dates for an earlier year).

Independent Police Complaints Commission (IPCC) has since 2004 overseen the system for dealing with a complaint about inappropriate conduct of those serving with the police.

Key Performance Indicators (KPI) is a set of indicators acting as a mechanism to monitor progress towards achieving an objective or an aspect of it.

Local Resolution is a way of dealing with a complaint by solving, explaining, and settling the matter directly with the complainant. In order to proceed with this process the complaint has to

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meet certain criteria and the complainant's consent is required. Locally resolving a complaint can be proportionate, timely and an effective way of resolving the matter.

Most Similar Family Forces (MSF) HMIC pioneered the “Most Similar Force” approach, whereby each force is linked to a number of others which are “closest” in terms of the force values for a number of exogenous factors. This group is used for as a comparative measure of performance.

Moving Average Trend Line uses a specific number of data points, averages them, and uses the average value as a point in the trend line. This smoothes out fluctuations in data to show a pattern or trend more clearly.

Professional Standards Department (PSD) within the police service deals with issues that directly or indirectly impact on the organisational health of the service, and levels of public confidence and support. These issues include the handling of complaints against members of the force and investigation of professional misconduct.

Substantiated /Unsubstantiated are complaint outcomes following an investigation whereby the findings show that the service provided through the conduct of those serving with the police did not reach the standard a reasonable person could expect.

Subject is the term used for those serving with the police who have been subject to a public complaint or conduct matter.

Withdrawn is a complaint outcome whereby the complainant decides to retract the allegation or not proceed with it.

Upheld /Not Upheld (formerly substantiated and unsubstantiated) are complaint outcomes following an investigation whereby the findings show that the service provided did not reach the standard a reasonable person could expect.

SECTION 1
Most Similar Family Comparative – Bedfordshire & Hertfordshire

Nationally forces are grouped into a most similar family (MSF) based on demographics; Bedfordshire and Hertfordshire are in the same group. The tables below provide comparative data of key performance indicators (KPI's) for the period April 10– December 2010 and the MSF average.

Chart 1 MSF Recorded Complaint Cases

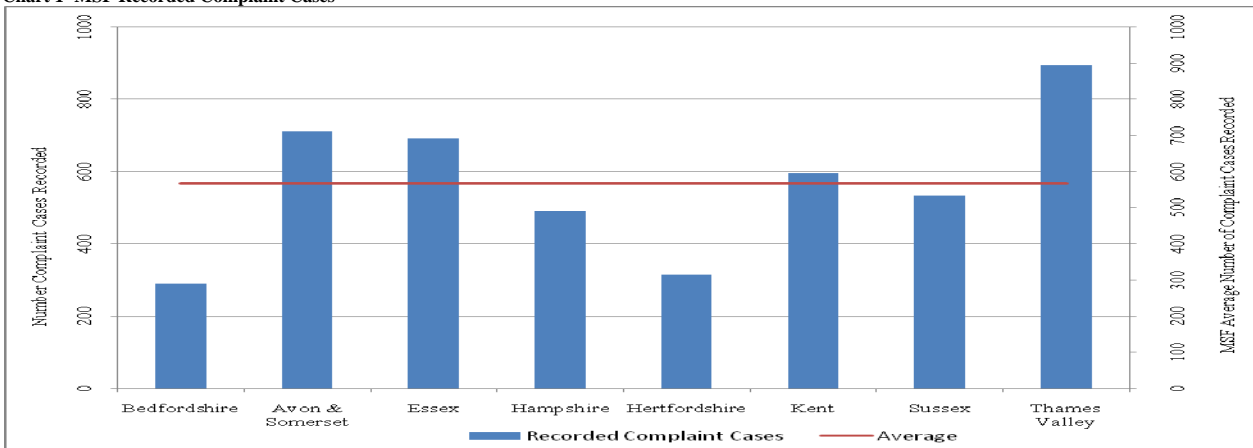


Chart 2 MSF Percentage Allegations Locally Resolved

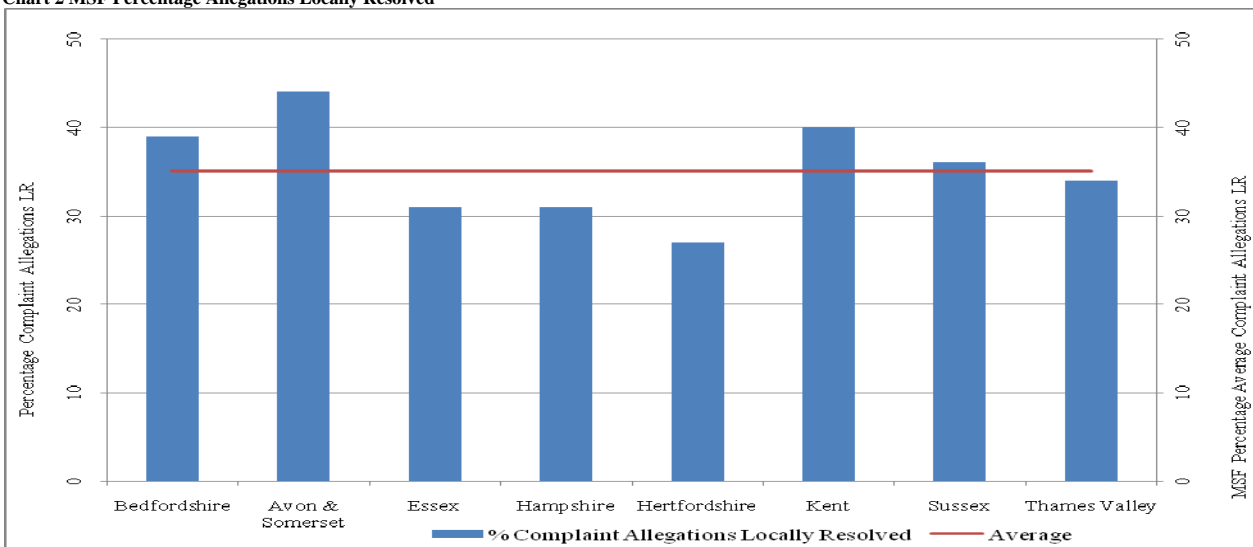
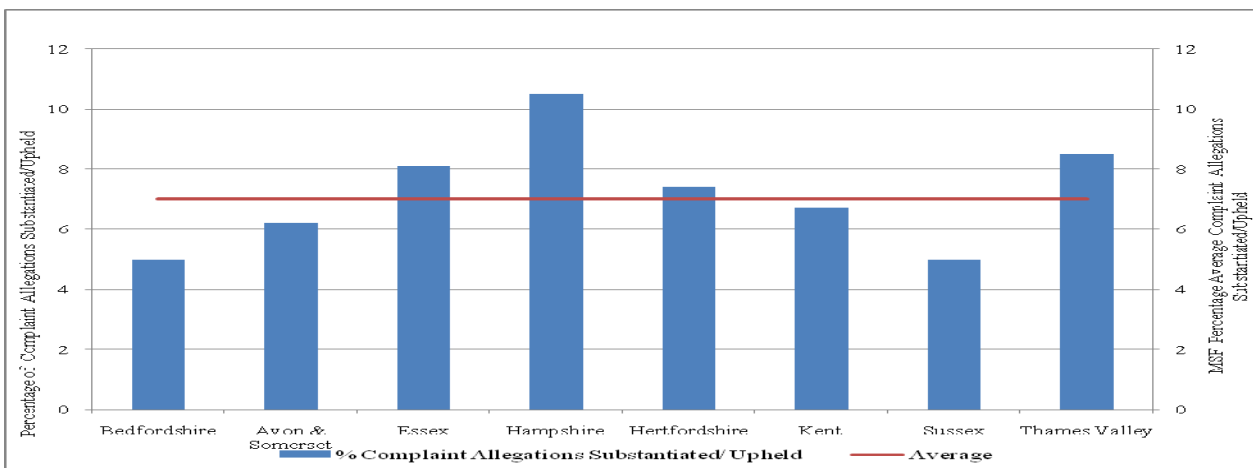


Chart 3 MSF Percentage Allegations Substantiated/ Upheld



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Chart 4 MSF Cases per 1000 Employees

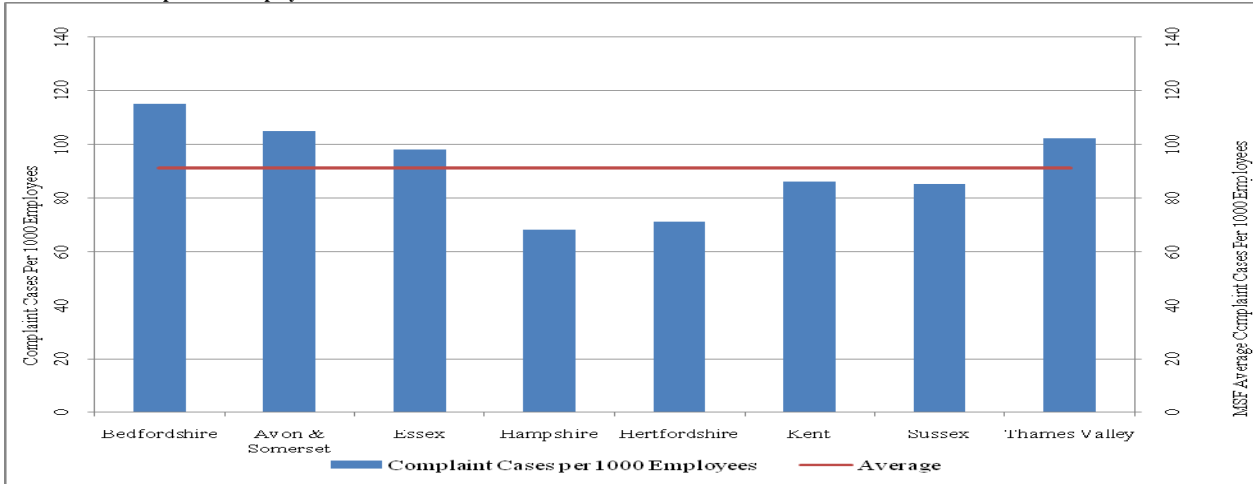
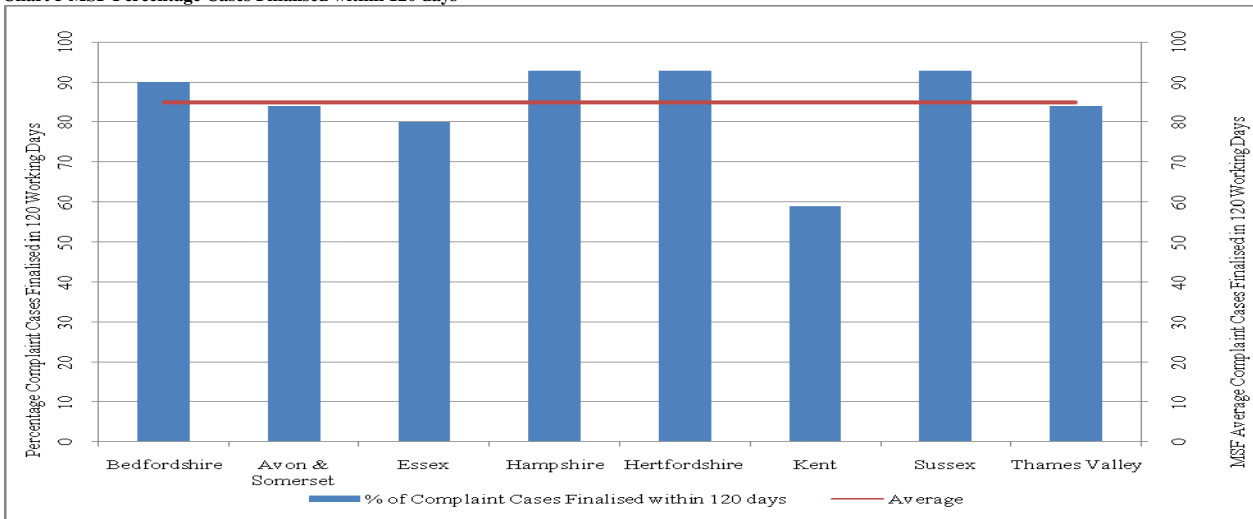


Chart 5 MSF Percentage Cases Finalised within 120 days



1.1 Comment

Bedfordshire performs well when compared to MSF's except in the area of the number of complaint cases recorded per 1000 employees. The drive for more local level investigations under the 2008 regulations indicate more local resolutions would be achieved but this is not the case for Bedfordshire. Hertfordshire, Hampshire and Sussex have seen similar reductions since April 2009.

**SECTION 2
Complaints**

This section provides data in relation to public complaints for both Bedfordshire Force and Hertfordshire Constabulary for the current year with month on month breakdown charts over a consecutive two year period and a moving average trend line and a three year comparative. The current moving average trend line is the average of the previous two data points, this process smoothes out any fluctuations in the data therefore showing a pattern or trend more clearly.

2.1 Cases Recorded

A public complaint case may contain one or multiple allegations made by a member or members of the public against person/s serving with the police force. One case signifies a single investigation. The charts below provide a breakdown of the number of public complaint cases recorded against each force.

Chart 6 Bedfordshire monthly recorded complaint cases & trend line

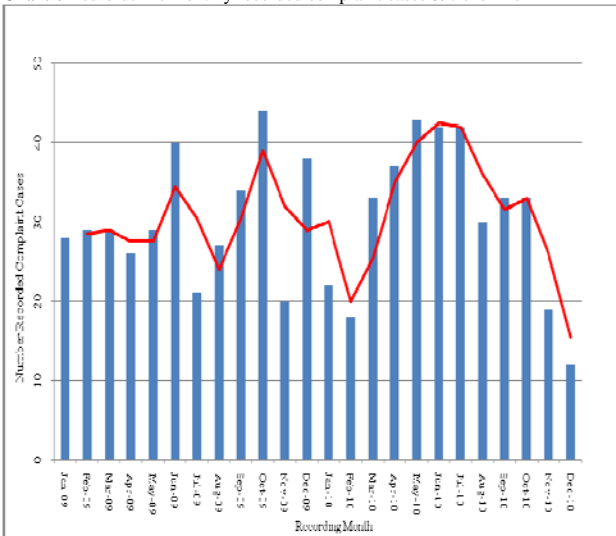


Chart 7 Bedfordshire complaint cases recorded during the last three years

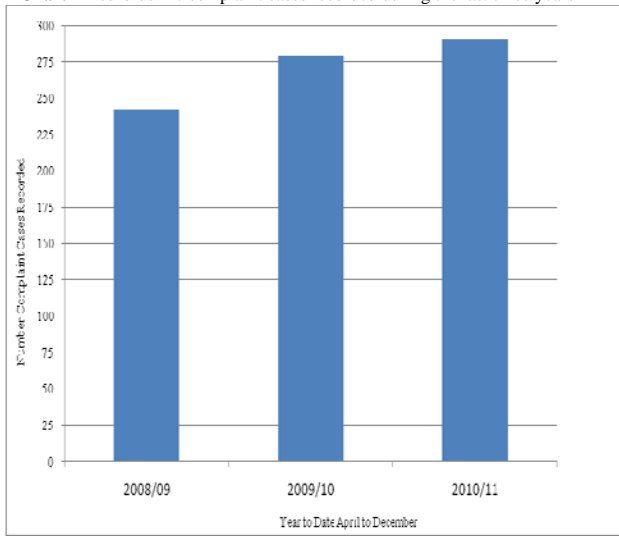


Chart 8 Hertfordshire monthly recorded complaint cases & trend line

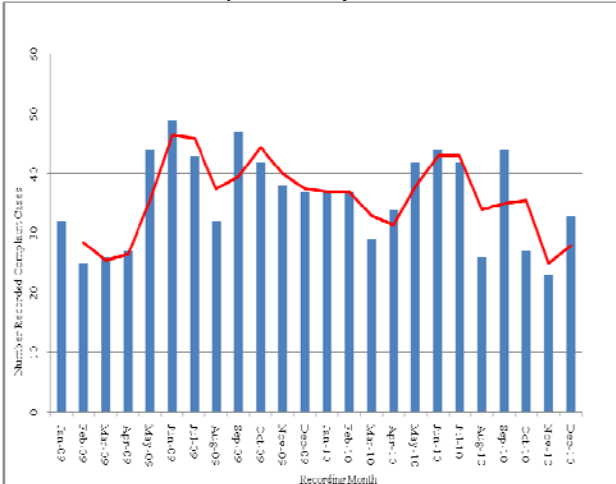
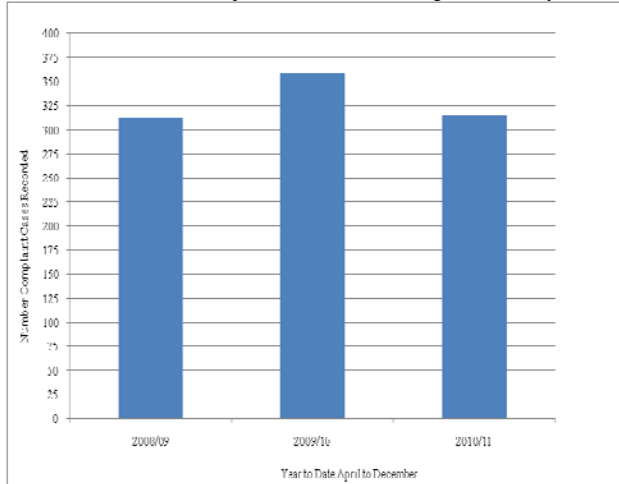


Chart 9 Hertfordshire complaint cases recorded during the last three years



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2.2 Allegations Recorded

A complaint case can have multiple allegations within it, the allegations are categorised by the Home Office. The table below is a reflection of complaint allegations recorded between April–December 2010 compared to the same period last year. The status shows whether the number of allegations has increased, decreased or remained stable compared to the previous year.

Table 10 – Complaint Allegations Recorded

Bedfordshire & Hertfordshire Complaint Recorded Allegations							
Code	Performance Indicator	Beds 09/10 Year to Date	Beds 10/11 Year to Date	Beds Status	Herts 09/10 Year to Date	Herts 10/11 Year to Date	Herts Status
A	Serious non sexual assault	2	1	Decreased	1	1	Stable
B	Sexual assault	0	0	Stable	1	0	Decreased
C	Other assault	41	42	Increased	54	60	Increased
D	Oppressive conduct or harassment	41	33	Decreased	39	36	Decreased
E	Unlawful/unnecessary arrest or detention	5	23	Increased	20	35	Increased
F	Discriminatory behaviour	11	13	Increased	22	16	Decreased
G	Irregularity in evidence/perjury	5	14	Increased	22	13	Decreased
H	Corrupt practice	3	1	Decreased	3	2	Decreased
J	Mishandling of property	8	24	Increased	21	18	Decreased
K	Breach code A PACE Stop and search	2	2	Stable	5	4	Decreased
L	Breach code B PACE Search of premises	9	15	Increased	22	24	Increased
M	Breach code C PACE Detention	27	19	Decreased	26	30	Increased
N	Breach code D PACE Identifications	0	1	Increased	0	0	Stable
P	Breach code E PACE Tape Recordings	0	0	Stable	0	0	Stable
Q	Lack of fairness & impartiality	37	26	Decreased	38	29	Decreased
R	Multiple or unspecified breaches	0	0	Stable	4	1	Decreased
S	Other neglect or failure in duty	142	154	Increased	217	187	Decreased
T	Other irregularity in procedure	11	11	Stable	36	28	Decreased
U	Incivility, impoliteness and intolerance	67	67	Stable	136	96	Decreased
V	Traffic irregularity (Driving standards)	11	9	Decreased	10	7	Decreased
W	Other	13	7	Decreased	11	6	Decreased
X	Improper disclosure of information	12	13	Increased	11	23	Increased
Y	Other sexual conduct	1	1	Stable	0	0	Stable
Total		448	476	Increased	699	616	Decreased

Performance Rating			
	Decreased		Stable
	Increased		

2.3 Complaint Allegations Results

Each allegation within a case is independently resolved and can be Withdrawn, Dispensed, and Discontinued, Locally Resolved or via a full investigation found Unsubstantiated or Substantiated. The resulting of full investigations has changed since April 2010 and now refers to Upheld or Not Upheld, when a complaint is resulted in this manner the result against subjects may differ with case to answer or no case to answer.

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Substantiated / Upheld

This section is the number of complaint allegations substantiated / upheld each month and the trend line plus the annual year to date total with previous two years for comparison.

Chart 11 Bedfordshire complaint allegations substantiated & trend lines

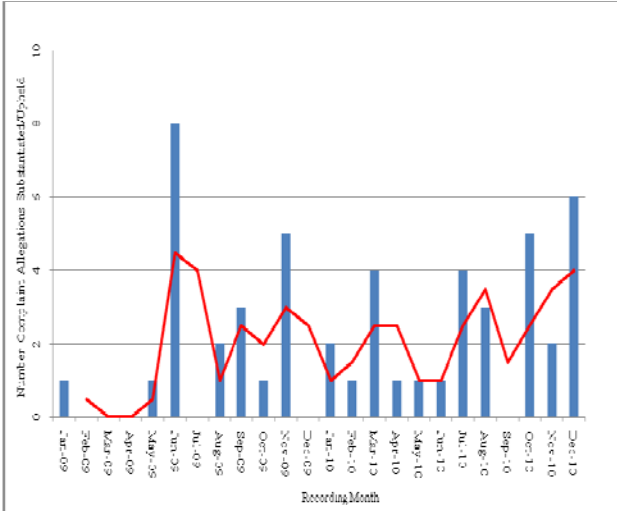


Chart 12 Bedfordshire complaint allegations substantiated during last 3 years

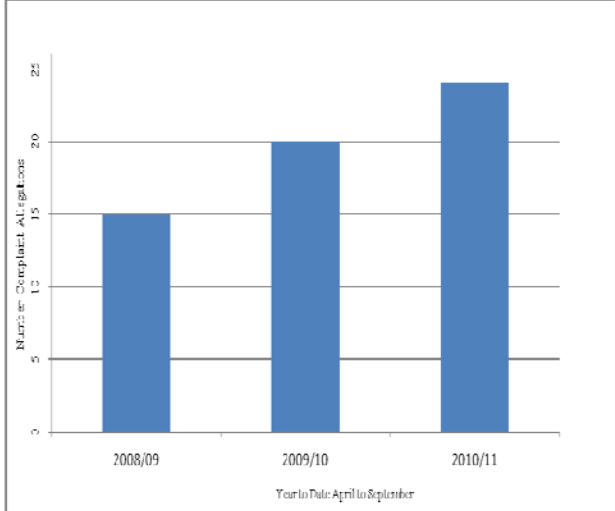


Chart 13 Hertfordshire complaint allegations substantiated & trend lines

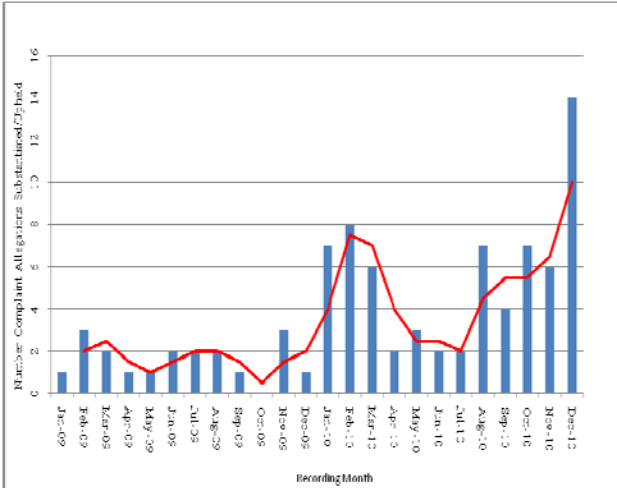
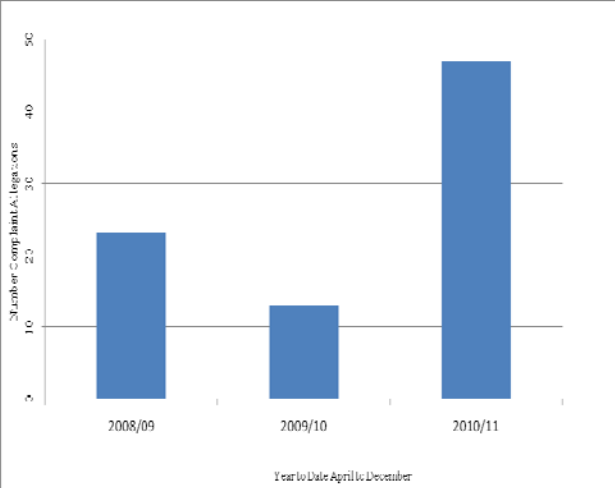


Chart 14 Hertfordshire complaint allegations substantiated during last 3 years



Unsubstantiated / Not Upheld

This section is the number of complaint allegations unsubstantiated / not upheld each month and the trend line plus the annual total with previous two years for comparison.

Chart 15 Bedfordshire complaint allegations unsubstantiated & trend lines

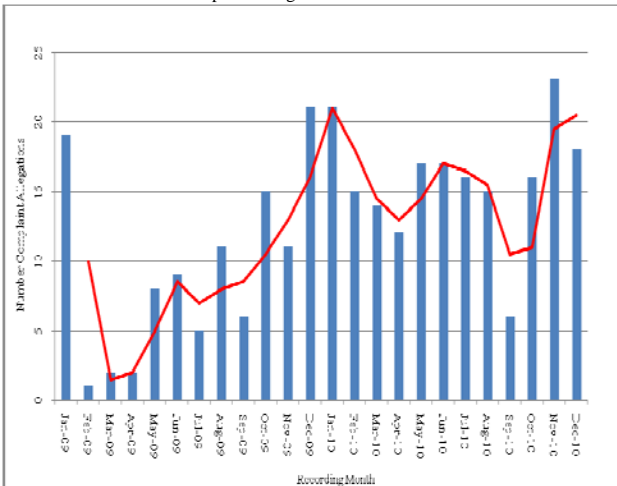
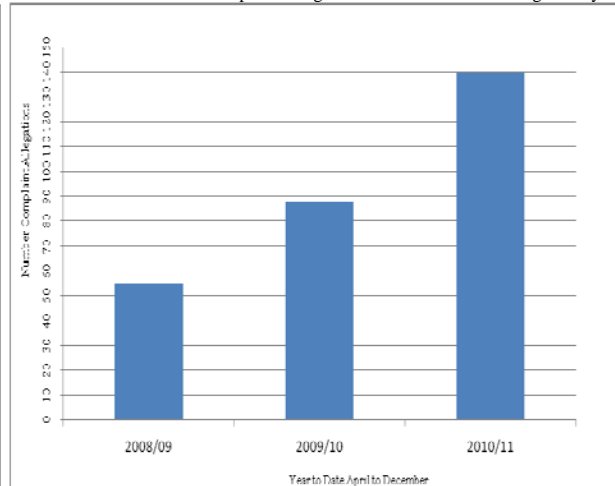


Chart 16 Bedfordshire complaint allegations unsubstantiated during last 3 years



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Chart 17 Hertfordshire complaint allegations unsubstantiated & trend lines

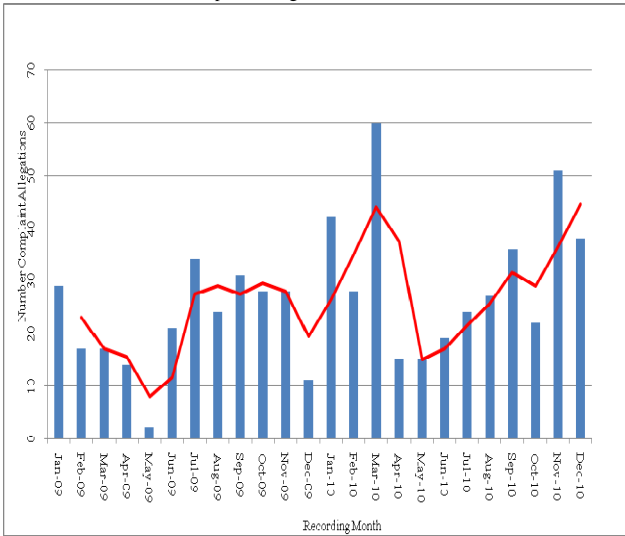
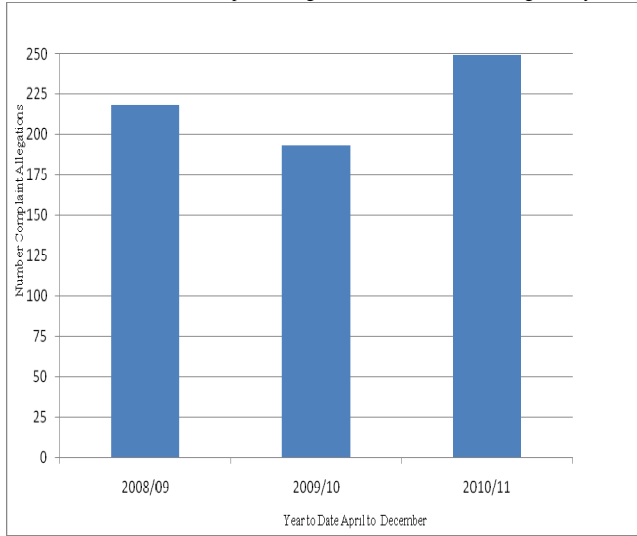


Chart 18 Hertfordshire complaint allegations unsubstantiated during last 3 years



Local Resolution

This section is the number of complaint allegations locally resolved each month and the trend line plus the annual total with previous two years for comparison.

Chart 19 Bedfordshire complaint allegations locally resolved & trend lines

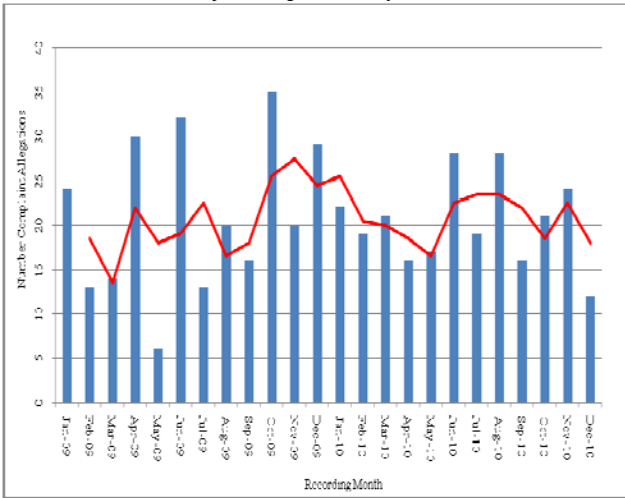


Chart 20 Bedfordshire complaint allegations locally resolved during last 3 years

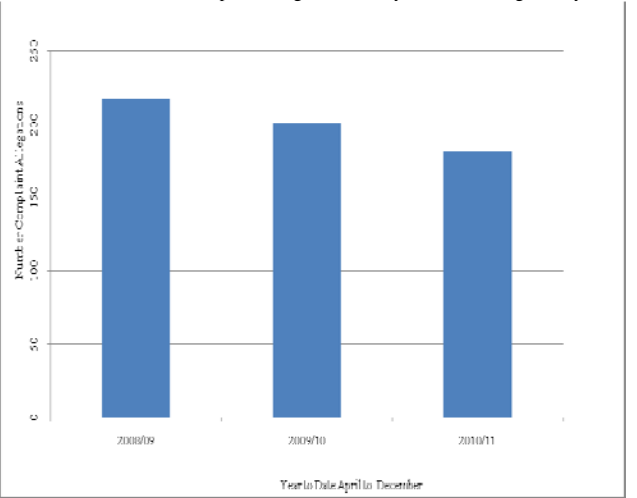


Chart 21 Hertfordshire complaint allegations locally resolved & trend lines

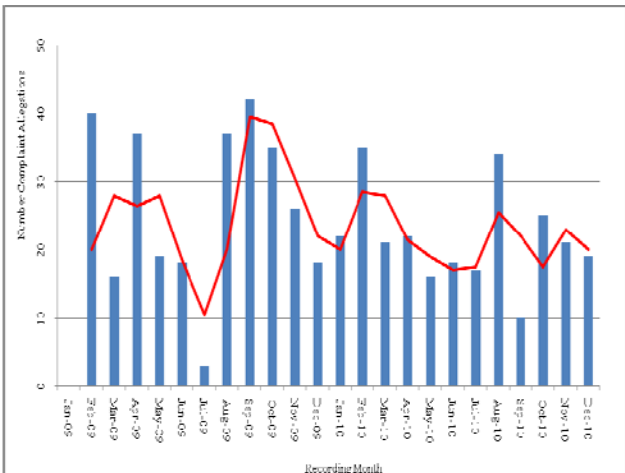
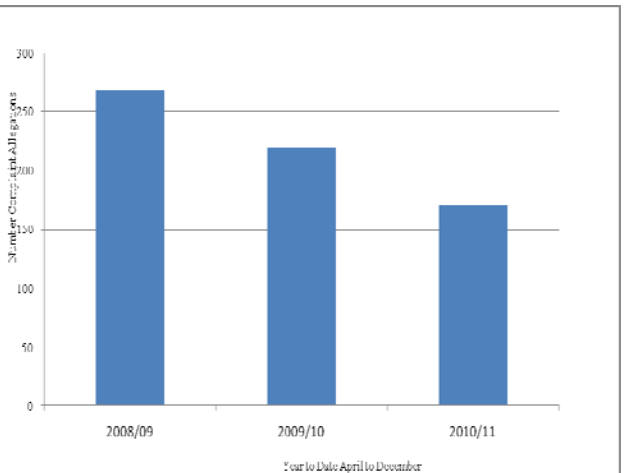


Chart 22 Hertfordshire complaint allegations locally resolved during last 3 years



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Withdrawn, Dispensed and Discontinued

There has been an increase in the number of dispensations by the IPCC compared to the year 2009/10 24 to 29 although dispensations by Force have decreased to 14 from 24. The number of withdrawn allegations has increased by 12.5% (42 to 48).

2.4 Timeliness of Complaint Cases

This is a measure from the day the case is recorded to finalised date. It is anticipated that in dealing with complaints investigators take a proportionate approach in accordance to the seriousness of the complaint. The timescales in the below charts is a performance indicator, with an aim of completing cases within 120 working days, although it is acknowledged that due to a number of factors it is not possible for all cases.

Full Investigations / Locally Resolved Cases

Chart 23 Bedfordshire fully investigated and locally resolved complaint cases timescales finalised 2010/11 to end of 3rd Q

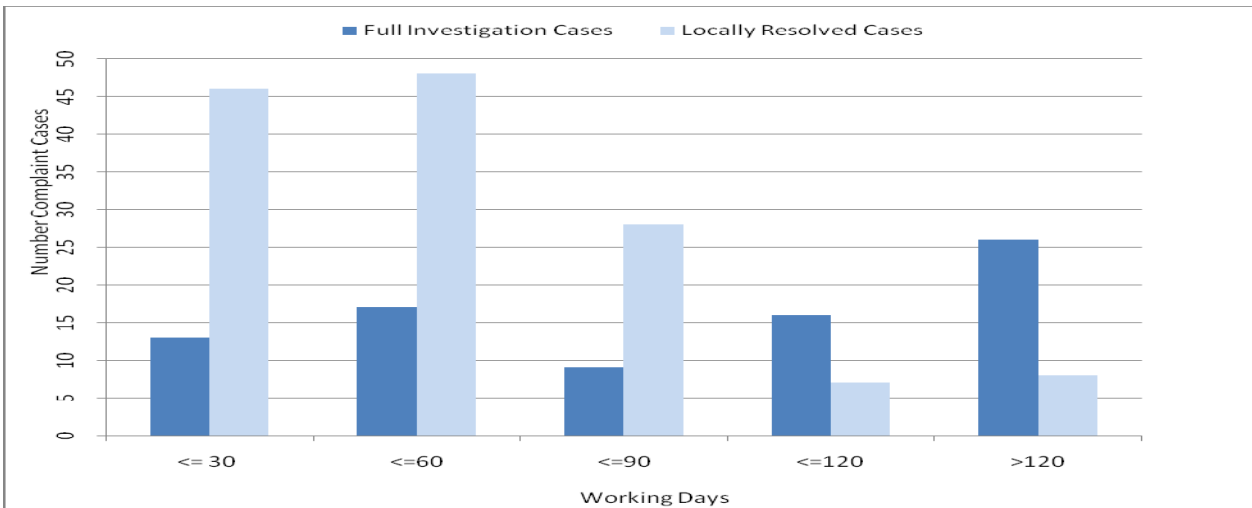
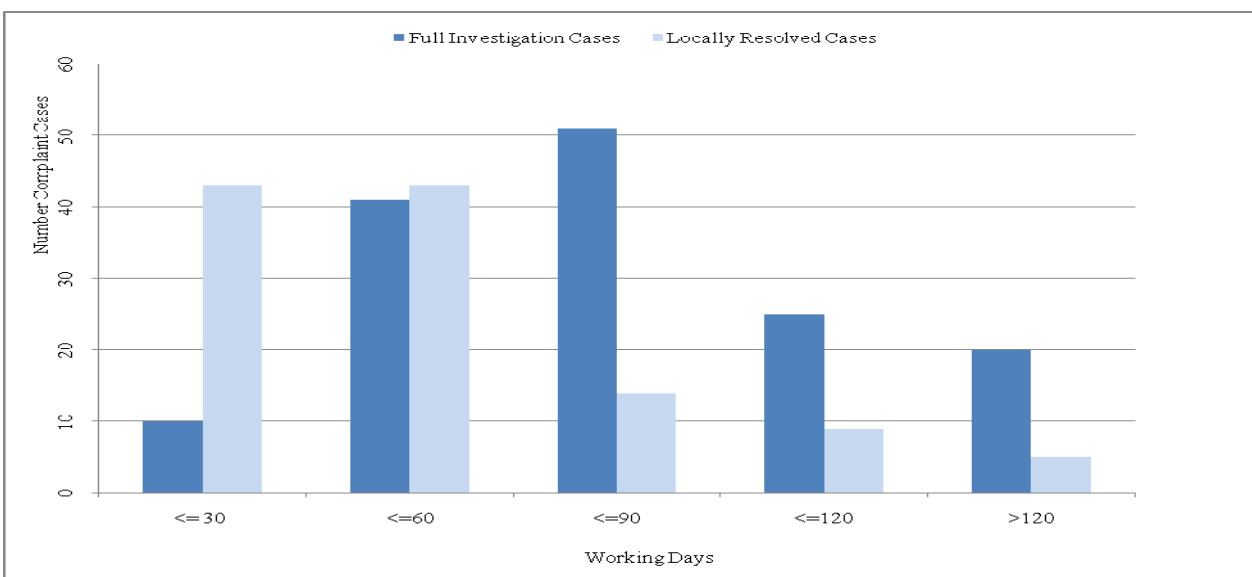


Chart 24 Hertfordshire fully investigated and locally resolved complaint cases timescales finalised 2010/11 to end of 3rd Q



2.5 Comment

Cases recorded for Bedfordshire have increased by 4% on the same period for 2009/10 and 17% to the number recorded for 2008/09 which was considered an exceptional year in terms of the number of complaint cases recorded (291 this year, 279 in 09/10 and 242 in 08/09).

Allegations are 6% higher which is in line with the increase in the number of complaint cases recorded. 'Breach Code C Detention' and 'Lack of Fairness & Impartiality' have both seen decreases of 30% and 'Oppressive Conduct or Harassment' by 20%. Eight categories have shown an increase with 'Unlawful /Unnecessary Arrest or Detention', 'Irregularity in Evidence/Perjury' and 'Mishandling of Property' showing the largest increases.

The number of upheld / substantiated allegations has risen for Bedfordshire. During the current period 12 allegations have been upheld by division, 5 by PSD and 7 have been substantiated as these are from cases recorded prior to April 2010; of the 24 allegations upheld, 5 deemed that the subject/s had a case to answer.

More cases are being proportionately investigated rather than being locally resolved or finalised by way of dispensation and this is reflected in the increase in allegations unsubstantiated or not upheld; compared to last year unsubstantiated / not upheld has increased from 22% to 30%, also allegations withdrawn has increased from 11% to 16%.

68% of full investigations and 96% of local resolutions are completed in 120 days or less and 67% of local resolutions are completed within 60 days.

**SECTION 3
Direction & Control**

3.1 Cases Recorded

A complaint about direction and control relates to the operational discretion of the Chief Officer.

Chart 25 Bedfordshire monthly recorded direction & control cases & trend line

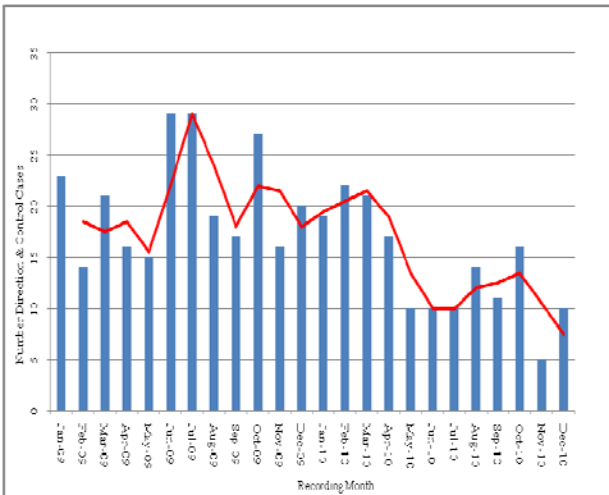


Chart 26 Bedfordshire direction & control cases recorded annually during last 3 years

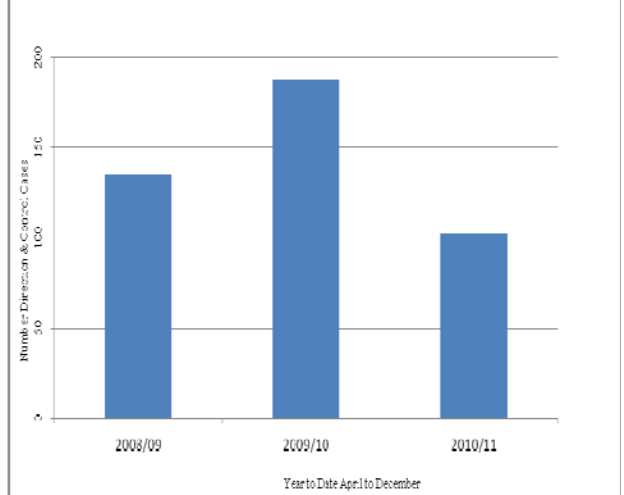


Chart 27 Hertfordshire monthly recorded direction & control cases & trend line

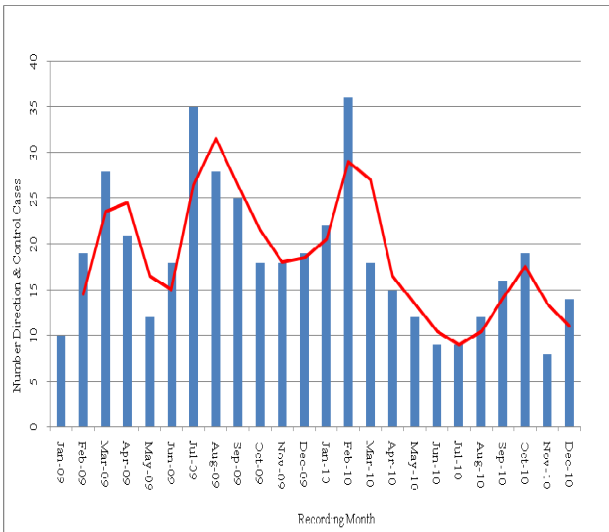
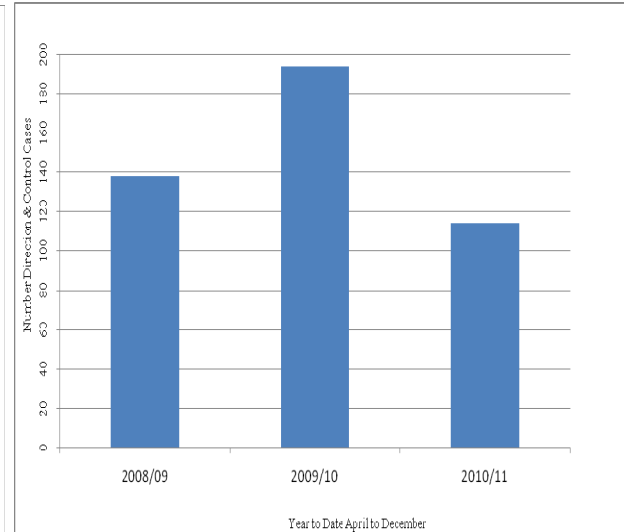


Chart 28 Hertfordshire direction & control cases recorded annually during last 3 years



3.2 Matters Recorded

The direction and control of a police force is the legitimate independent operational responsibility and discretion held by a Chief Officer. A complaint that relates to the direction and control of a force by a Chief Officer is one that relates to the Home Office categories stated in table 5 below:

The table below is a breakdown of recorded direction and control cases

Table 29 – Direction & Control Matters Recorded

Bedfordshire and Hertfordshire Direction & Control Matters Recorded						
Code of Professional Behaviour	Beds 09/10 Year to Date	Beds 10/11 Year to Date	Beds Status	Herts 09/10 Year to Date	Herts 10/11 Year to Date	Herts Status
General Policing Standards	150	82		131	84	
Organisational Decisions	13	5		20	7	
Operational Management Decisions	10	10		17	8	
Strategy & Policy on Operational Policing	15	5		25	15	
Total	188	102		193	114	

Performance Rating	
	Decreased
	Stable
	Increased

3.3 Finalised Outcomes

Direction and control do not have a formal recorded outcome as public complaint cases. There are many routes that can be used to finalise such matters and a letter or telephone explanation of why things were done in a certain way is often the way matters are finalised. There are no national standards set for dealing with direction and control matters.

It has not been possible to carry out any meaningful analysis on outcomes of direction and control matters due to time factors however this area of work is ongoing.

3.4 Comment

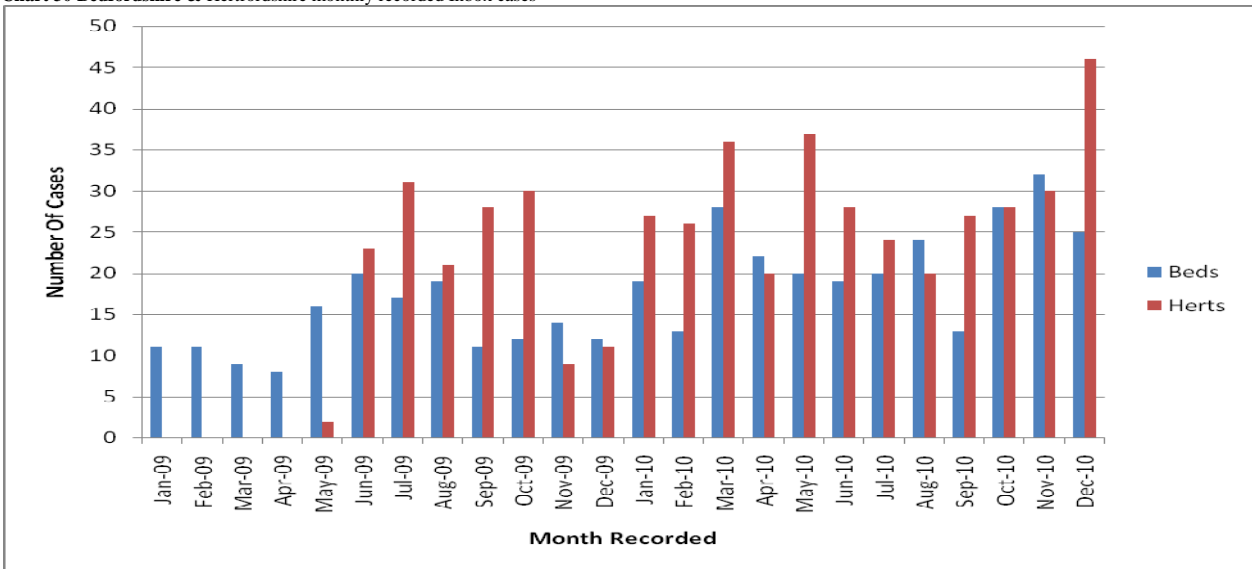
The number of direction and control cases continue to fall as increased use is made of dissatisfaction – See below

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**SECTION 4
Inbox**

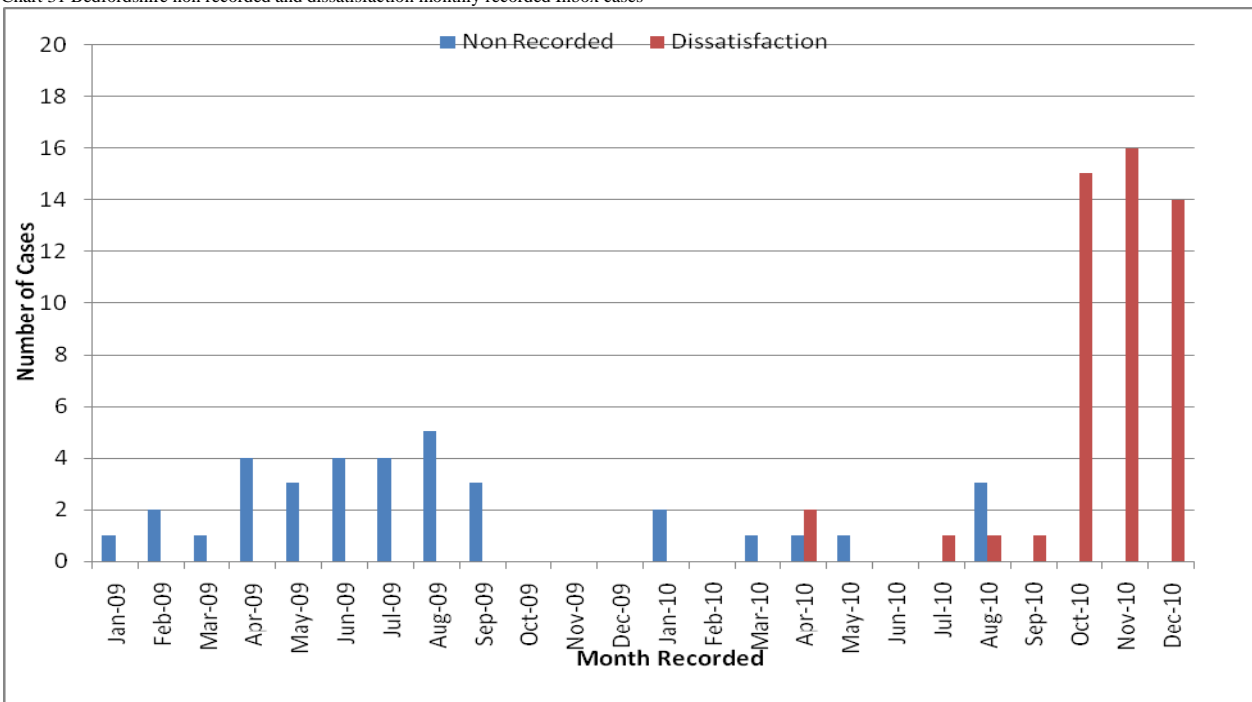
Matters recorded as Inbox includes allegations being assessed, allegations not recorded and those deemed as 'dissatisfaction'.

Chart 30 Bedfordshire & Hertfordshire monthly recorded Inbox cases



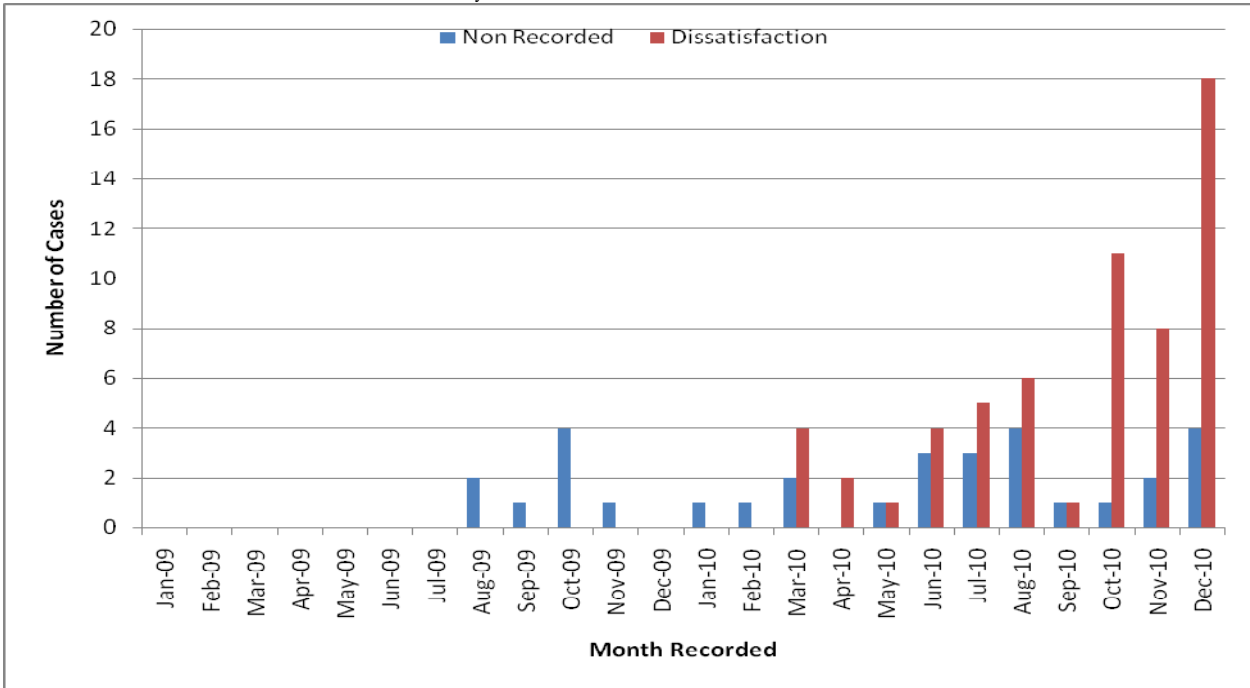
Of these the below charts are a breakdown of those non recorded complaints in accordance to the Statutory Guidance, or those deemed as dissatisfaction.

Chart 31 Bedfordshire non recorded and dissatisfaction monthly recorded Inbox cases



GPMS – Not Protectively Marked

Chart 32 Hertfordshire non recorded and dissatisfaction monthly recorded Inbox cases



4.2 Comment

The increased use of the recording of dissatisfaction can be seen clearly in the graphs above. Dissatisfaction is deemed to be where complainants are making an observation or requires an answer to any questions, and falls short of the required ‘considered grievance’ as detailed within the IPCC Statutory Guidance.

GPMS – Not Protectively Marked

SECTION 5
IPCC Appeals

The complainant has the right to appeal to the IPCC against three main areas, these are:

- 1) The use of the local resolution process
- 2) The outcome of a police investigation
- 3) The non recording of a complaint

The tables below show how many appeals have been made for each category for cases recorded in the period and the outcome

Table 33 Bedfordshire IPCC Appeals and Outcomes

		Out-standing	Not Upheld	Upheld	Total
Complaint	LR Process				
	To end 3 rd Q 2010/11	0	9	0	9
	To end 3 rd Q 2009/10	0	8	0	8
	Outcome of Police Investigation				
To end 3 rd Q 2010/11	8	28	6	42	
To end 3 rd Q 2009/10	0	21	5	26	
Direction & Control	Non Recording of a Complaint				
	To end 3 rd Q 2010/11	0	6	5	11
To end 3 rd Q 2009/10	0	4	7	11	
Inbox	Non Recording of a Complaint				
	To end 3 rd Q 2010/11	0	4	1	5
To end 3 rd Q 2009/10	0	2	2	4	

Table 34 Hertfordshire IPCC Appeals and Outcomes

		Out-standing	Not Upheld	Upheld	Total
Complaint	LR Process				
	To end 3 rd Q 2010/11	0	3	1	4
	To end 3 rd Q 2009/10	0	4	1	5
	Outcome of Police Investigation				
To end 3 rd Q 2010/11	8	29	3	40	
To end 3 rd Q 2009/10	0	15	9	24	
Direction & Control	Non Recording of a Complaint				
	To end 3 rd Q 2010/11	1	9	2	12
To end 3 rd Q 2009/10	0	6	9	15	
Inbox	Non Recording of a Complaint				
	To end 3 rd Q 2010/11	0	5	1	6
To end 3 rd Q 2009/10	0	4	1	5	

5.2 Comment

The number of appeals has increased and number of appeals upheld has decreased compared to the previous year especially in relation to outcome of a police investigation.

The number of investigations increased by 52% compared to last year which is a contributing factor to the 62% increase of appeals against outcome, as this level of investigation entitles the complainant a right of appeal against the outcome.

**SECTION 6
Conducts**

6.1 Cases Recorded

A conduct case may contain one or multiple breaches of the Code of Professional Standards. One case signifies a single investigation and could emanate from a public complaint or an internal matter. The charts below provide a breakdown of the number of conduct cases recorded against each force. These do not include cases previously recorded as a complaint then found substantiated / upheld thus resulting in a misconduct enquiry.

Chart 35 Bedfordshire monthly recorded conduct cases & trend line

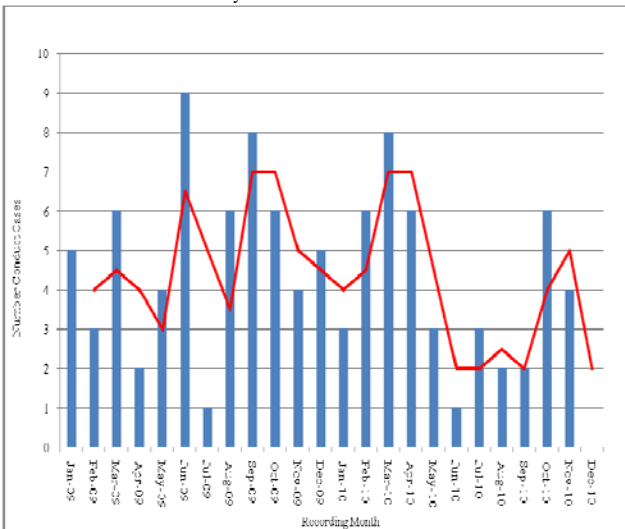


Chart 36 Bedfordshire conduct cases recorded annually during the last 3 years

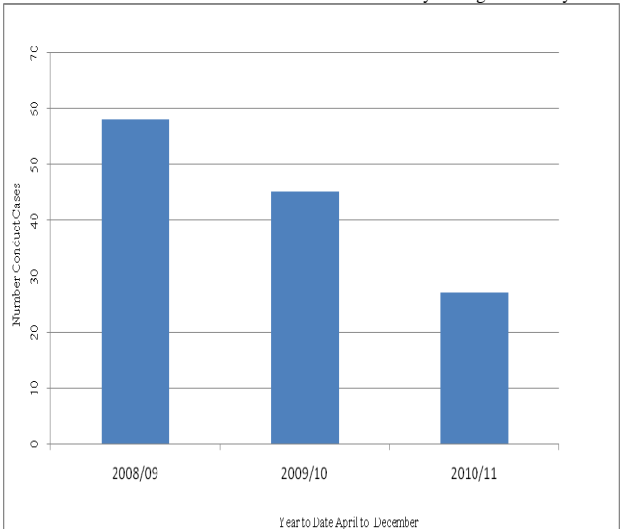


Chart 37 Hertfordshire monthly recorded conduct cases & trend line

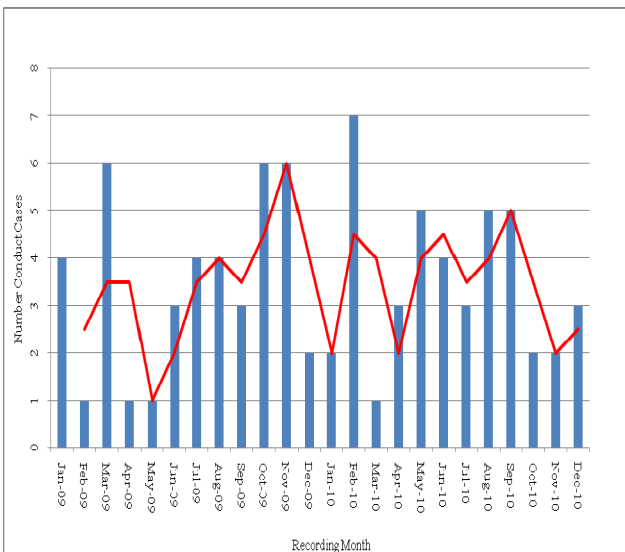
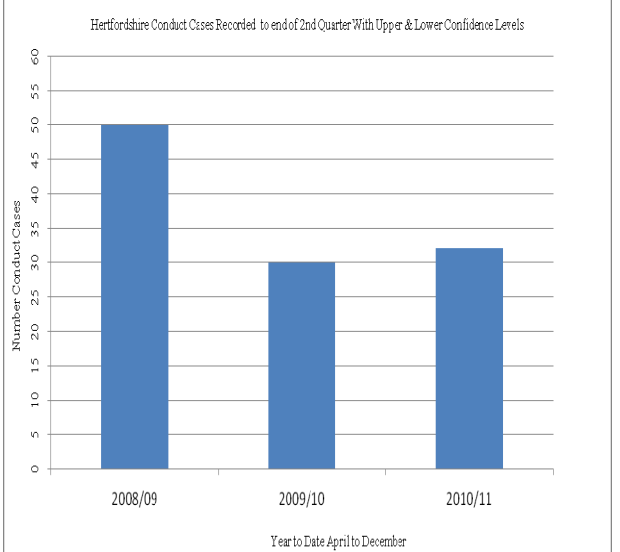


Chart 38 Hertfordshire conduct cases recorded annually during the last 3 years



6.2 Breaches Recorded within a Conduct Case

A conduct case can have multiple breaches within it, which are categorised by the Home Office. The table below is a reflection of breaches recorded in cases recorded between April– December 2010 compared to the same period last year. The performance rating shows each breach has increased decreased or remained stable compared to the previous year. These do not include breaches recorded by way of complaint and then found substantiated.

Table 39 – Breaches Recorded

Bedfordshire & Hertfordshire Conduct Recorded Breaches							
Code	Code of Professional Behaviour	Beds 09/10 Year to Date	Beds 10/11 Year to Date	Beds Status	Herts 09/10 Year to Date	Herts 10/11 Year to Date	Herts Status
1	Honesty & Integrity	12	13	Increased	7	5	Decreased
2	Authority, Respect & Courtesy	7	6	Decreased	3	9	Increased
3	Equality & Diversity	8	1	Decreased	1	1	Stable
4	Use of Force	0	0	Stable	0	1	Increased
5	Orders & Instructions	1	4	Increased	3	8	Increased
6	Duties & Responsibilities	20	14	Decreased	7	11	Increased
7	Confidentiality	5	6	Increased	2	2	Stable
8	Fitness for Duty	1	0	Decreased	1	1	Stable
9	Discreditable Conduct	18	13	Decreased	15	16	Increased
10	Challenging & Reporting Improper Conduct	0	0	Stable	0	1	Increased
H	Criminal Offences*	0	0	Stable	0	0	Stable
I	Property*	0	0	Stable	0	0	Stable
J	Sobriety*	0	0	Stable	0	0	Stable
L	General Conduct*	0	1	Increased	0	0	Stable
Total		72	58	Decreased	39	55	Increased

* No longer a category of the standards of professional behaviour

Performance Rating	
	Decreased
	Stable
	Increased

GPMS – Not Protectively Marked

6.2 Breaches Recorded within a Complaint Case

Whereby a public complaint has been found substantiated or the subject has a case to answer then a conduct breach is recorded within the complaint case which then follows the conduct procedures and outcomes. Between April – December 2010 the following was recorded:

Code	Code of Professional Behaviour	Beds 09/10 Year to Date	Beds 10/11 Year to Date	Herts 09/10 Year to Date	Herts 10/11 Year to Date
1	Honesty & Integrity	0	0	0	0
2	Authority, Respect & Courtesy	0	1	0	0
3	Equality & Diversity	0	1	0	0
4	Use of Force	0	1	0	0
5	Orders & Instructions	0	0	0	0
6	Duties & Responsibilities	0	2	0	0
7	Confidentiality	0	0	0	0
8	Fitness for Duty	0	0	0	0
9	Discreditable Conduct	1	0	0	3
10	Challenging & Reporting Improper Conduct	0	0	0	0
Total		1	5	0	3

6.4 Conduct Results

Where the findings of conduct case is that of a case to answer the individual concerned may be taken to a disciplinary meeting or hearing depending on the severity.

The tables below show the most severe sanction and breach code in any one particular case for one subject giving Year to Date data.

Police Officers / Specials Hearings & Sanctions

Table 40 Bedfordshire & Hertfordshire Conduct Outcomes emanated from a Hearing (Old Regulations)

CODE OF CONDUCT	SANCTION	BEDFORDSHIRE	HERTFORDSHIRE
Honesty and Integrity	Fine	1	0

GPMS – Not Protectively Marked

Police Officers / Specials Meetings & Sanctions**Table 41** Bedfordshire & Hertfordshire Conduct Outcomes emanated from a Meeting

CODE OF CONDUCT	SANCTION	BEDFORDSHIRE	HERTFORDSHIRE
Honesty and Integrity	Written Warning	1	0
Duties and Responsibilities	Final Written Warning	1	0
Duties and Responsibilities	Written Warning	1	1
Duties and Responsibilities	Management Advice	1	2
Authority Respect and Courtesy	Written Warning	4	0
Authority Respect and Courtesy	Management Advice	1	1
Equality and Diversity	Written Warning	1	0
Discreditable Conduct	Written Warning	4	1
Discreditable Conduct	Management Advice	1	0
Orders & Instructions	Final Written Warning	1	1
Orders and Instructions	Written Warning	0	1
Use of Force	No Action	1	0

Police Staff / Community Support Officers Hearings & Outcomes**Table 42** Bedfordshire & Hertfordshire Conduct Outcomes emanated from a Hearing

CODE OF CONDUCT	SANCTION	BEDFORDSHIRE	HERTFORDSHIRE
Equality and Diversity	First Written Warning	1	0
Discreditable Conduct	Dismissal	0	1
Discreditable Conduct	Final Written Warning	0	1
Discreditable Conduct	First Written Warning	0	1

Resigned during an Investigation and or before Formal Proceedings

On occasions individuals who are under a conduct investigation choose to resign or retire if they are eligible before any formal proceedings. The table below shows the number of subjects who have resigned or retired under these conditions.

Table 43 Staff Resignations

	BEDFORDSHIRE	HERTFORDSHIRE
Resignations	5	10

6.5 Comment

The number of conduct cases recorded has continually decreased over the last three years, this period has seen a decrease of 60% compared to the same period last year. The number of breaches within the conduct cases has also decreased.

There has been one Misconduct Hearing under old regulations held in Bedfordshire since April 2010, 17 meetings involving 16 officers and 1 staff meeting.

GPMS – Not Protectively Marked

SECTION 7 Complainant Demographics

This section provides a measure of proportion of population demographics as guideline for comparative measures of complainants who have made a public complaint.

Table 44 Bedfordshire & Hertfordshire Complainant Demographics against Population

Code	Beds 10/11 - % of Population	Beds 10/11	Beds Status	Herts 10/11-% of Population	Herts 10/11	Herts Status
GENDER						
Male	49.9	66		48.8	61.7	
Female	50.1	34		51.2	38.3	
AGE						
0-19	25.4	3.5		25.1	3.1	
20-29	13.3	17		11.8	13.7	
30-39	14.6	21.5		14.3	18	
40-49	15.3	26.6		16	24	
50-59	12	12.2		12	12.9	
60+	19.4	8.6		20.8	6.3	
Unknown		10.6			22	
ETHNICITY						
Asian	10	11.5		4.5	3.1	
Black	4.1	10.9		2.4	10.8	
White	82.2	62.8		89.6	64.8	
Other	3.7	2.2		3.5	2.3	
Unknown		12.5			18.8	

Bedfordshire population based on midyear population estimates and forecasts 2008
Hertfordshire population based on midyear population estimates 2008 and Office of National Statistics mid 2007

	Higher than population
	Stable
	Lower than population

7.1 Comment

The high level of unknowns for complainant demographics does make meaningful analysis difficult. Whilst there are similar complainant demographics compared to population it is evident that there is a disproportion representation of male complainants, those aged between 30-49 and complainants from the black ethnic minority community.

GPMS – Not Protectively Marked

SECTION 8
Subject Demographics

This section provides a measure of proportion of the workforce demographics as a guideline for comparative measures of subjects of a public complaint.

Table 45 Bedfordshire & Hertfordshire Subject Demographics against Workforce

Code	Beds 10/11- % of Workforce	Beds 10/11	Beds Status	Herts 10/11 - % of Workforce	Herts 10/11	Herts Status
STAFF TYPE						
Officer	49.2	87.9		46.9	88.6	
Special	8.7	1.6		8.8	2.8	
PCSO	5	2.3		5.7	1.2	
Police Staff	37	8.1		38.5	7.3	
SERVICE						
0-2	25.4	24.9		24	24	
3-5	16.5	15.4		21.1	24.4	
6-10	27.3	31.6		27.2	29.7	
11-15	9.2	9.7		9.1	8.5	
16-20	8	5.7		7.4	5.7	
21-25	7	6.6		6.5	5.2	
26+	6.5	5.9		4.5	2.4	
ETHNICITY						
Asian	3.4	4.2		1.8	2.6	
Black	1.5	1.2		0.8	0.17	
Other	1.4	2.6		1.5	0.17	
White	91.8	92		94.9	95	

Staffing levels based on end of March 2010 workforce

Excludes unknowns but the percentages are percentage of total therefore may not add up to 100

Performance Rating	
	lower than workforce
	same as workforce
	higher than workforce

8.1 Comment

Staff demographics show that officers within the 6-10 years service band attract the most complaints which is reflective of the profile of front line staff. Subjects of complaints are higher in the ethnic categories of Asian or Other compared to the workforce make up.

SECTION 9 Satisfaction

This section provides an overview of satisfaction via external letters of appreciation recorded onto the PSD system and responses to staff and complainant satisfaction surveys.

Table 46 Bedfordshire & Hertfordshire Recorded Letters of Appreciation

	Beds10/11	Beds 09/10	Herts 10/11	Herts 09/10
Letters of Appreciation	122	142	257	282

The Professional Standards Department (PSD) uses satisfaction questionnaires to measure its performance via the level of satisfaction from staff and members of the public. The table below provides the percentage of staff and public satisfied with the service that they received from PSD.

Table 47 level of public and staff satisfaction

Bedfordshire & Hertfordshire Staff & Complainant Level of Satisfaction				
Performance Indicator	Beds YTD 2010-11	Herts YTD 2010-11	Beds YTD 2009-10	Herts YTD 2009-10
Percentage of staff satisfied with PSD (2nd Q Data)	78	57	77	53
Percentage of public satisfied with PSD (2nd Q Data)	66	53	66	53

9.1 Comment

The level of complainant and staff satisfaction recorded during April – September has remained consistently stable with last year.

SECTION 10
Lessons Learnt

The IPCC state that they as well as police forces and policing partners have a role to play in ensuring that learning from the complaints system is captured, disseminated and monitored. Bedfordshire and Hertfordshire continually strive to improve the service they offer to members of the public and identifying, reviewing, monitoring and disseminating lessons for learning have contributed to this aim.

Where learning has been identified a Service Improvement Document (SID) is generated stating areas / actions for reviewing and actioning.

Notable Lesson identified through complaints during this quarter includes:

Whilst detained the complainant did not have access to prescribed medication especially anti virals. G4S Medical Bedfordshire Health Care Providers have been asked to undertake research and issue guidance to the medical teams and custody sergeants on what action to take in regard to detainees suffering from conditions that require regular and constant medication. G4S Medical regularly circulate a learning the lessons feedback document and will report any advice on medication learnt from this case.

Notable Lessons identified via the IPCC where further action is required by each force are:

An IPCC learning lessons bulletin was distributed to all forces in October 2010 which covered the arena of Gender and Domestic Abuse. Each issue raised was circulated to relevant personnel within the force to ensure that Bedfordshire had appropriate policies and procedures in place to reduce the risk of similar occurrences within the force area.

SECTION 11
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 12
Recommendation

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



Bedfordshire Police Authority

COMMITTEE AND MEETING DATE	COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE, 25TH JANUARY 2011
AGENDA ITEM No:	8
TITLE:	RESEARCH INTO THE NUMBER OF COMPLAINTS PER 1000 EMPLOYEES IN BEDFORDSHIRE POLICE
DATE OF REPORT:	11TH JANUARY 2011
REPORT OF:	ASSISTANT CHIEF CONSTABLE (PROTECTIVE SERVICES)
AUTHOR:	DETECTIVE SUPERINTENDENT NATHAN BRIANT BEDFORDSHIRE AND HERTFORDSHIRE PROFESSIONAL STANDARDS DEPARTMENT EDWARD MAJOR, PLANNING AND INSPECTIONS MANAGER
ACTION REQUIRED:	REPORT FOR INFORMATION
APPENDICES:	NONE

EXECUTIVE SUMMARY:

This report presents research findings regarding the high number of complaints per 1000 employees in Bedfordshire compared with other police forces. It presents proposals for further research into the issue.

RECOMMENDATIONS:

Recommendation 1

Members are asked to note the research findings in this report and consider the proposals for future research into this issue.

Originators: Detective Superintendent Nathan Briant, Bedfordshire and
Hertfordshire Professional Standards
Edward Major, Planning and Inspections Manager
Date: 11th January 2011
Telephone No: (01234) 842501
E-mail: nathan.briant@herts.pnn.police.uk

1 INTRODUCTION

- 1.1 This report presents research into the high number of complaints recorded per 1000 employees in Bedfordshire Police, compared to other police forces.

2 BACKGROUND

- 2.1 Historically the number of recorded complaints per 1000 employees in Bedfordshire has been higher than the average for the Most Similar Forces (MSF) group. In the period from 1st April to 31st December 2010 Bedfordshire was the highest of the eight forces in its MSF, with 115 recorded complaints per 1000 employees¹ against an MSF average of 91. The next nearest MSF force was Avon and Somerset Constabulary with 105 complaints per 1000 employees.
- 2.2 Varying practices between forces may have a small impact on these figures. However the joint Bedfordshire and Hertfordshire Professional Standards Department ensures that complaints recording processes in Bedfordshire and Hertfordshire are identical. For the same period Hertfordshire recorded 71 complaints per 1000 employees, the lowest number in the MSF.
- 2.3 It is possible that the discrepancy between Bedfordshire and other forces represents a different cultural mix and demographic makeup of the area, which is likely to be difficult to fully demonstrate. It may therefore be that following the research a 'diagnosis by elimination' is all that is possible.

3 FINDINGS FROM RECENT RESEARCH

- 3.1 Data held by the Professional Standards Department allows direct comparison between Bedfordshire and Hertfordshire to assess whether factors other than the number of employees give an alternative perspective. This research focused on:
- The number of complaints;
 - The number of incidents assigned;
 - The number of interactions (incidents assigned plus stop and searches);
 - The total population in the force area.

- 3.2 The results of this research are as follows:

	Bedfordshire	Hertfordshire
Number of complaints	279	282
Number of incidents assigned	66425	151611
<i>Complaint cases per 1000 incidents assigned</i>	<i>4.2002258</i>	<i>1.8600233</i>
Number of interactions (incidents plus stop searches)	72352	170460
<i>Complaint cases per 1000 interactions</i>	<i>3.8561477</i>	<i>1.6543471</i>
Total force area population	619300	1078400
<i>Complaint cases per 1000 population</i>	<i>0.4505086</i>	<i>0.2614985</i>

**Data for the period April 2009 to November 2010*

- 3.3 These data show Bedfordshire recording more than twice as many complaints per incidents and per total interactions than Hertfordshire. Bedfordshire records

¹ As at November 2010 Bedfordshire and Hertfordshire had 2547 and 4447 employees respectively

around 70% more complaints per 1000 population than Hertfordshire. This research therefore gives no further insight into the issue of the number of complaints per 1000 employees.

- 3.4 Postcode research shows that the Kempston area has the highest level of complainants within Bedfordshire.
- 3.5 Protective Services attracts the highest numbers of complaints per 1000 employees compared with other divisions. Within Protective Services the Roads Policing Department, Automatic Number Plate Recognition and the Public Protection Unit² have a higher than average number of complaints. The nature of these complaints is consistent with the Force as a whole.

4 FUTURE RESEARCH

- 4.1 Further research by the Professional Standards Department will focus on the following:
 - Assessing complaints per incidents assigned, complaints per total interactions and complaints per force area population for all forces in the MSF group;
 - Researching forces with similar demographics to Bedfordshire (or if possible major conurbations) which are outside the MSF;
 - Assessing data for the MSF group on the economically active population (in terms of age), as this demographic group roughly equates to the major complainant group.

5 RISKS

- 5.1 Continuation of a higher than average number of complaints compared with other forces might impact on the following risk on the Authority and Force Risk Register:
 - Managing public expectations in relation to Confidence and Satisfaction.

6 CONCLUSION

- 6.1 This report presents research findings regarding the high number of complaints per 1000 employees in Bedfordshire compared with other police forces. It presents proposals for further research into the issue.

7 RECOMMENDATIONS

Recommendation 1

Members are asked to note the research findings in this report and consider the proposals for future research into this issue.

² The Public Protection Unit was moved from Protective Services to Territorial Policing in October 2010.



Bedfordshire Police Authority

COMMITTEE AND MEETING DATE	Complaints & Professional Standards 25 th January 2011
AGENDA ITEM No:	9(a)
TITLE:	Police Authority Monitoring Arrangements for Complaints and Professional Standards with effect from April 2011
DATE OF REPORT:	11 th January 2011
REPORT OF:	Chief Executive/Treasurer
AUTHOR:	Dr Julie Wymer
ACTION REQUIRED:	To endorse the proposed arrangements for the monitoring of complaints and professional standards
APPENDICES:	None

EXECUTIVE SUMMARY:

This report informs Members of the proposed arrangements for the monitoring of complaints and professional standards with effect from April 2011. The changes in monitoring arrangements have occurred through a recent review of the Authority's committee structure. Discussions have taken place with the Committee Chair and the IPCC Commissioner.

The Complaints and Professional Standards Committee have been progressing two key areas of work and it is proposed that these areas will continue to be progressed through the new committee structure.

RECOMMENDATIONS:

Recommendation 1: To consider whether the proposed monitoring arrangements for complaints and professional standards with effect from April 2011, as detailed in Section 3, are appropriate.

Recommendation 2: To approve the Committee's priorities, as detailed in Section 4, to enable these to be progressed through the Authority's business plan and scrutinised through the proposed committee structure.

Originators: Dr Julie Wymer
Date: 11th January 2011
Telephone No: 01234 842283
E-mail: Julie.wymer@Bedfordshire.pnn.police.uk

BACKGROUND PAPERS:

Report to 17th December Police Authority Seminar – *'Review of Governance Arrangements'*
Committee Terms of Reference

ADDITIONAL PAPERS:

1. Police Reform and Social Responsibility Bill (Home Officer December 2010)

1 INTRODUCTION

- 1.1 The Police Authority has recently undertaken a review of its committee structure and with effect from April 2011 a new structure will be implemented.
- 1.2 The detailed design of the new structure is presently underway and as part of the process the respective chairs of committees are reviewing existing committee terms of reference and identifying key issues to be taken forward.
- 1.3 This report outlines how the Authority proposes to undertake its statutory responsibilities in relation to complaints and professional standards over the next twelve months.

2 STATUTORY REQUIREMENTS, ADDITIONAL INFORMATION, TERMS OF REFERENCE AND RESPONSIBILITIES OF THE COMMITTEE / GROUP / INDIVIDUAL CREATING THIS REPORT

- 2.1 The Police Authority is subject to a range of legislative requirements primarily set out in Police & Criminal Evidence Act 1984 (section 95) and Police Reform Act 2002.

3 Complaints and Professional Standards with effect from April 2011

- 3.1 In working through the committee terms of reference, and in consultation with the Committee Chair, a number of ways have been identified for undertaking the monitoring and scrutiny role differently.
- 3.2 A large element of the present committee's work is monitoring performance of the Professional Standards Department in dealing with complaints and conduct issues in a timely and professional manner. Going forward it is envisaged that performance monitoring will be shaped differently.
- 3.3 The secretariat is exploring ways of providing the Authority and, Members in particular, with more comprehensive performance briefings ahead of committee agenda sets. In preparing the briefings officers will dip-sample case files, analyse force performance data, including satisfaction and confidence data, to identify key areas of concern. These key areas will then be considered as part of the agenda set.
- 3.4 A balanced performance framework is being developed which will link resources (finance and people) to the Authority's strategic priorities and performance indicators (including efficiencies). Measures for Complaints and Professional Standards will be incorporated into the framework.
- 3.5 It has been agreed that complaints against senior officers and any appeals will be dealt with by exception.
- 3.6 The Committee also has oversight of the Independent Custody Visitors Scheme. Reporting arrangements for this will be an annual report to the Compliance Committee and any other issue would be reported by exception. The number of times the ICV Panel will meet next year has been increased following concerns raised by members.

- 3.7 The joint Collaboration Panel will be asked to evaluate the business benefits of the collaborated Professional Standards Department as part of that panel's work-plan.
- 3.8 All of the above is to be discussed with the Authority's IPCC Commissioner to ensure that the proposed arrangements are satisfactory.
- 3.9 By changing the way we have oversight of Complaints and Professional Standards the Authority will be well placed to hand this element of its business over to the Police and Crime Commissioner in May 2012.

4. **Key Issues for further consideration**

- 3.1 The Committee has been successful in moving forward a number of pieces of work which have shaped service improvements. There are two areas of work which are recommended for the Authority to continue to see as a priority over the coming year, these are:
- Improving the efficiency and effectiveness of the Force by implementing 'lessons learnt' and understanding the savings made by getting things 'right first time'.
 - Ensure the Force raises awareness of the complaints systems to those diverse groups who do not access the system through the development of an effective community engagement strategy.

4 **SERVICE AND FINANCIAL IMPLICATIONS**

- 4.1 The changes to the committee structure and the proposed way forward for Complaints and Professional Standards, as outlined above, will have an impact on Authority staff. Once the detailed design of the new committee structure has been completed it will be necessary to examine the capacity and capability of staff to ensure the new way of working is successful.

5 **OTHER IMPLICATIONS**

- 5.1 Equality and Diversity – The Force will continue to be required to produce equality impact assessments and any assessment scoring 'high' risk will be subject to scrutiny by the Authority.
- 5.2 Procurement – None Known
- 5.3 Legal Implications – Covered within the arrangements above.
- 5.4 Human Resources – None Known
- 5.5 Corporate Governance - In looking at ways in which the Authority can conduct its business differently the arrangements as outlined in this paper, will provide the Authority with the focus it requires over the coming twelve months and to concentrate on the value for money issues necessary to ensure the delivery of an affordable strategic plan
- 5.6 Human Rights – None Known

- 5.7 Policy and Strategic Aims – The oversight role of the Authority is integral to the delivery of the Authority’s priorities as set out in the Strategic and Annual Plan.
- 5.8 Welfare of Children and vulnerable adults – None Known
- 5.9 Reducing Carbon footprint / waste – None Known
- 5.10 Confidence – The public are aware that local services will be making decisions regarding the reduction of future services. A review of the way the authority conducts its own business should reassure the public that providing value for money continues to be a major focus.

6 RISK

- 6.1 There is a risk, when implementing change, that performance could be affected. It is hoped that the detailed design now taking place to implement the new committee structure will go some way to mitigating against this risk.

7 CONCLUSION

- 7.1 The Authority has recently undertaken an organisational efficiency and effectiveness review and plans to implement a streamlined committee structure with effect from 1st April 2011.
- 7.2 A detailed design phase is underway to ensure that the move to a new structure is successful.
- 7.3 Outlined in this report are proposals for the future scrutiny of Complaints and Professional Standards within the new committee structure.

8 RECOMMENDATIONS

Recommendation 1:

To consider whether the proposed monitoring arrangements for complaints and professional standards with effect from April 2011, as detailed in Section 3, are appropriate.

Recommendation 2:

To approve the Committee's priorities, as detailed in Section 4, to enable these to be progressed through the Authority’s business plan and scrutinised through the proposed committee structure.



Bedfordshire Police Authority

COMMITTEE AND MEETING DATE	COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE, 25TH JANUARY 2011
AGENDA ITEM No:	9(b)
TITLE:	FUTURE SCRUTINY OF PROFESSIONAL STANDARDS ISSUES: INTRODUCTION OF POLICE AND CRIME COMMISSIONERS IN 2012
DATE OF REPORT:	7TH JANUARY 2011
REPORT OF:	ASSISTANT CHIEF CONSTABLE (PROTECTIVE SERVICES)
AUTHOR:	DETECTIVE SUPERINTENDENT NATHAN BRIANT, HEAD OF BEDFORDSHIRE AND HERTFORDSHIRE PROFESSIONAL STANDARDS DEPARTMENT EDWARD MAJOR, PLANNING AND INSPECTIONS MANAGER
ACTION REQUIRED:	REPORT FOR INFORMATION
APPENDICES:	NONE

EXECUTIVE SUMMARY:

This report considers implications from the Police Reform and Social Responsibility Bill for the reporting functions of the Bedfordshire and Hertfordshire Professional Standards Department.

RECOMMENDATIONS:

Recommendation 1

Members are asked to consider and note the report.

Originators: D/Supt. Nathan Briant, Head of Bedfordshire and Hertfordshire
Professional Standards
Edward Major, Planning and Inspections Manager
Date: 10th November 2010
Telephone No: (01234) 842501
E-mail: nathan.briant@herts.pnn.police.uk

1 INTRODUCTION

- 1.1 This report considers implications from the Police Reform and Social Responsibility Bill for the reporting functions of the Bedfordshire and Hertfordshire Professional Standards Department.

2 THE POLICE REFORM AND SOCIAL RESPONSIBILITY BILL

- 2.1 The Police Reform and Social Responsibility Bill had its First Reading before Parliament on 30th November 2010. The Bill will be debated in Parliament at its Second Reading, for which a date is to be confirmed.
- 2.2 The Bill will make provision around the administration and governance of police forces, including the election of Police and Crime Commissioners and the establishment of Police and Crime Panels.
- 2.3 The following paragraphs outline key sections within the Bill relevant to Professional Standards.
- 2.4 Section 1 makes provision for the Police and Crime Commissioners (PCCs):
- Subsection 9 abolishes existing arrangements for Police Authorities;
 - Subsection 6 places a requirement on the PCC to secure that a police force is efficient and effective;
 - Subsection 7 Paragraph B requires the PCC to hold the Chief Constable to account for the exercise of functions of persons under the direction of the Chief Constable.
- 2.5 Section 5 deals with the issue of Police and Crime Plans.
- 2.6 Section 7 deals with reporting on Police and Crime plans. Although there is scope for Professional Standards to be included in these plans, it does not appear to be the purpose of these sections.
- 2.7 Section 28 makes provision for establishment of Local Authority Police and Crime Panels.
- Subsection 5 Paragraph A requires a Police and Crime Panel to review or scrutinise decisions made or other action taken by the PCC in connection with the discharge of their functions. Paragraph B requires the Police and Crime Panel to make reports or recommendations to the PCC with respect to the discharge of his / her functions.
- 2.8 Section 31 relates to the conduct of PCCs. It states that that the Secretary of State may make regulations to provide for the handling of complaints against Commissioners. It divides complaints into two categories:
- General conduct (referred to as “Qualifying complaints”);
 - Criminal or corrupt behavior (referred to as “Conduct matters”).
- 2.9 Section 31 provides for Schedule 7 to take effect. Schedule 7 gives details of exactly what may and may not be prescribed by the Secretary of State’s regulations. It explains that the regulations must provide an avenue for serious complaints (Conduct matters) to be investigated either by the IPCC or an independent police force. It further provides that although the regulations may not prescribe the manner of investigation for less serious complaints

(Qualifying complaints), Local Crime Panels must engage informally to deal with them. Section 2, Subsection 5 of this schedule includes the clause that the regulations will prescribe what is and is not to be taken as a criminal offence for the purpose of the regulations. This is likely to be used to exclude summary only and motoring type offences, to restrict the implications of such violations. Section 5 reiterates that the regulations may not provide for the removal of a PCC. Whilst there is no power to remove a PCC from office, Section 30 provides for their suspension in certain cases, during which for the purposes of pay and pension they are deemed not to hold office.

3 IMPLICATIONS FOR THE REPORTING FUNCTIONS OF BEDFORDSHIRE AND HERTFORDSHIRE PROFESSIONAL STANDARDS DEPARTMENT

- 3.1 The Bill creates the necessity for the Professional Standards Department to report into the PCC and/or direct into the Police and Crime Panel. It is expected that these future reports will have a similar purpose to current reports provided to the Police Authority. The statistics used in the current reports are thus a good foundation for future reporting requirements under the Bill.
- 3.2 The scope of Schedule 7 is limited purely to the investigation of complaints against PCCs either by independent investigation by the Independent Police Complaints Commission or by an independent Police Force. At this stage the exact impact cannot be known. However provisions exist for Chief Officers to be investigated by either the IPCC or independent forces. It is possible that these, with minor amendments, would suffice.

4 SERVICE AND FINANCIAL IMPLICATIONS

- 4.1 Service and financial implications can be expected to be similar to the current Professional Standards reporting processes.

5 OTHER IMPLICATIONS

- 5.1 Other implications can be expected in the following areas:
- Legal; The Bill when passed will become Primary legislation. There appear to be no conflicts with other legislation upon first reading.
 - Human rights; On First reading the Secretary of State made a statement under Section 19(1)(a) of the Human Rights Act 1998 confirming that the new Bill is compatible with Convention rights.

6 RISKS

- 6.1 New legislation carries a risk of unexpected provisions, requirements or consequences. The probability of such risks is low, although the impacts may be moderate.

7 CONCLUSION

This report considers implications from the Police Reform and Social Responsibility Bill for the reporting functions of the Bedfordshire and Hertfordshire Professional Standards Department.

8 RECOMMENDATIONS

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