



Agenda

COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE

26 January 2010

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

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



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To: Members of the Complaints and Professional Standards Committee

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

A meeting of the **COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE** of the **Bedfordshire Police Authority** will be held at Bridgebury House, Woburn Road, Kempston, at **2.00 pm** on **Tuesday 26 January 2010**. Files will be available for Members' scrutiny from **Noon**.

JANET WARDELL
Member Services Support Manager

AGENDA

(*indicates that a supporting document accompanies this Agenda)

1. **Apologies**
2. **To confirm the minutes of the meeting held on 24 November 2009**
By Chairman - Minutes*(Pages 3-12)
3. **Matters Arising**
4. **Declarations of Interest**
To receive any personal or prejudicial interests from Members
5. **Policing White Paper 2009 – Implications for Professional Standards**
Report of the Chief Constable (To Follow)
6. **Lesson learnt**
Report of the Chief Constable (To Follow)
7. **Professional Standards Cases and Issues**
Report* of the Chief Constable (Pages 13-47)
8. **Independent Custody Visitor Scheme**
Oral report on the issues raised at f the meeting of the Independent Custody Visitor's Panel held on 19th January 2010
9. **Review of Internal Controls, Risk Management, Committee Effectiveness and Terms of Reference**
Report* of the Chief Executive/Treasurer (Pages 49-59)

EXCLUSION OF THE PRESS AND PUBLIC

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

10. **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

24 November 2009

PRESENT

Mr P Hollick (In the Chair)

Mr L Denny, Ms A Graham and Mrs S Holland

Apologies for absence were received P Conniff and Mrs P Fletcher

09/qz/30

CHAIRPERSON

In the absence of the Chair it was agreed that Mr Hollick chair the meeting.

The Chair welcomed as observers to the meeting Mr P Hinton and Mr B Pereria Officers from the Hertfordshire Police Authority

09/qz/31

MINUTES

The minutes of the meeting held on 25 August 2009 were confirmed

09/qz/32

MATTERS ARISING

09/qz/22 - Matters Arising

Social Network sites

Members were advised that policy on the misuse of social network sites would be ratified by Force Management Information Board in December 2009

IPCC Restructure

The Chair advised that some Members of the Committee had met with the new the IPCC Commissioner, Rachel Certfontyne on 11th November.

At that meeting Members had been given assurance that the new structure for the IPCC would not have a detrimental impact on the level of service that the Authority and Force had received under the previous structure. The Commissioner had emphasised that the focus of the new structure was to ensure that there was a level of Independence between the IPCC and Police Forces and aimed to avoid any over familiarity between Officers. The Commissioner was happy to discuss any areas of concern. With this in mind the Assistant Chief Constable (Protective Services) mentioned to Members that the new arrangements had highlighted some inconsistency in the decision making process and that the Head of PSD would be pursuing this with the IPCC.

Ms Certfontyne had also advised Members that it was hoped that the revised statutory guidance for the police service on the complaints process would be

available by the end of the year.

Overall the meeting had been considered to be worthwhile and the Commissioner intended to meet with Members on a regular basis whether it be informally or more formally at meetings of the Committee.

Neglect of Duty Allegations

Chief Superintendent Clare Simon attended the meeting to provide an overview on the short-term and medium-term activities that aimed to improve the way in which the Force keeps people informed.

Members noted that the Service Improvement Group was responsible for delivering short term solutions and currently a detailed action plan to ensure compliance with the Victims' Code of Practice was being finalised. The plan addressed the gap in performance based on the recent victim's code of practice audit, evaluation of compliance, and best practice from other forces. In addition to this changes were being introduced through Operation Quest, the Home Office process improvement programme, which would further improve the way in which we keep vulnerable victims informed.

In the medium term the Citizen Focus Programme aimed to improve the way the Force communicates. The programme content had been informed by extensive internal and external feedback and mapped to the nine drivers of confidence. There were four priority work streams: Customer Service Management Customer Relationship Management, Segmentation Framework and Force-wide Corporate Standards which contributed significantly to improving performance around keeping people informed. The initiatives in each area were highlighted.

Members thanked Chief Superintendent Simon for the progress report. The Chief Executive advised that the Community Engagement Committee was due to meet on 2nd December and the update would be of interest to Members on that Committee. Chief Superintendent Simon would provide the Member Services Manager with a briefing paper for circulation at that meeting.

Potential areas for Complaints - Standards of dress and identification

The Committee noted that that the dress code policy was to be revised to incorporate the requirement to wear wicking shirts from 1st April. As with the current code the dress standard would be clearly set out. The revised code would be communicated to all Officers. It was suggested that this communication needed to be extended to partners too, especially the Criminal Justice System.

Minute – 09/qz/25 Joint Bedfordshire and Hertfordshire Professional Standards Department – Update on developments

It was agreed that Members would receive the findings of the mystery shopper operations and would be circulated the outcome of the recent quality assurance check on force buildings and IT security.

09/qz/33 **DECLARATIONS OF INTEREST**

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

09/qz/34 **REVIEW OF THE POLICE AUTHORITY COMPLAINTS AND POLICY PROCEDURE**

The Committee reviewed the operation of the Authority's complaints policy and procedure which had been in operation since May 2007.

A copy of the complaints policy and procedure was appended to the report

The Chief Executive advised that the Complaints policy had been reviewed and updated to reflect the vision and strategic priorities set by the Authority and Force. It also placed an emphasis on the role such a policy had on the confidence agenda and the opportunity complaints provided to improve the organisational and personal performance through lessons learnt.

In relation to the procedure this had been updated largely to reflect the responsibility that the Standards Committee now had for receiving complaints about members and deciding whether any action should be taken, through local assessment.

It was noted that an equality impact assessment would be undertaken on the policy and procedure and submitted to the Equality and Diversity Advisory Panel for consideration.

In discussing the complaints procedure an explanation could not be given on why complaints against the Director of Corporate services were handled differently to other ACPO Officers and the Chief Executive would seek clarity on this.

RESOLVED

That the revisions to the Authority's complaints policy and procedure be approved subject to clarification on the process for handling complaints against the Director of Corporate Services

09/qz/35 **PROFESSIONAL STANDARDS CASES AND ISSUES**

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

Data had been categorised into the following areas:

- Professional Standards Department – Workload
- Analysis of Complaint cases
- Analysis of Complaint allegations

- Analysis of Social factors relating to complainant characteristics
- Analysis of Social factors relating to subjects characteristics
- Complaint allegations finalised
- Investigation Times
- IPCC Appeals
- Conduct Matters
- Criminal Prosecutions
- Direction and Control
- Benchmarking

T/ Detective Superintendent Dean Patient ,the acting Head of the Joint Beds and Herts Professional Standards Department presented the report and in so doing highlighted that in accordance with the decision of the Committee at its last meeting the report included a timescale for the action or initiative that had been put in place to improve performance

Highlights from the report are detailed below:

(a) Workload Management

Overall workload had increased by 15% compared to the previous year and by 11% on the year before.

In comparison to 2008/09 the level of complaint allegations and direction and control matters were increasing whilst misconduct issues were decreasing.

83 recorded messages of appreciation had been received.

Members noted that project teams were currently ensuring that all the processes for the new collaboration unit were fit for purpose and this work would be completed by the end of December. An update would be provided to Members at the next meeting of the Committee.

(b) Analysis of Complaint Cases

The increases seen in the first reporting quarter had continued bringing the force back towards levels seen in the 07/08 reporting year particularly for allegations. Analysing the data on a quarterly basis had shown expected improvements. This quarter had seen the increase in cases slow down to 2% compared to 27% the last quarter and a similar reduction of 52%, to 12% in allegations. Following the decrease in 08/09 the number of cases recorded this period had increased but were still below 2007/08 levels

The number of cases per incident had remained constant but allegations per incident had increased

Measuring complaint cases and allegations against per 1000 population had seen an increase which reflected the increase in recorded complaint cases. These figures had been based on the 2001 census data and as the population had increase future reports would contain the latest national statistics for

population totals which would better reflect the population demographic for Bedfordshire.

Since 1st April 2009 177 complaint cases had been received and 144 had been finalised and this was an improvement on the performance seen so far this year. During this reporting period the number of cases finalised within the same recording period had increased.

Members acknowledged that 2008/09 was regarded as an exceptional year as unlike most forces across the country Bedfordshire saw a fall in the number of complaint cases and allegations recorded; although the ratio of allegations recorded per case had significantly increased.

(c) Analysis of Complaint Allegations

The number of complaint allegations recorded during the period of review had increased by 31 (12%) compared to last year and decreased by 6 on the year before.

The top three allegations recorded continued to be other neglect or failure of duty, incivility and oppressive conduct or harassment.

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

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

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

With regard to complaints around 'Other neglect or failure in duty' the main area of complaint had been around not keep people informed and improvements to this were being managed by the Head of Citizen Focus and Members had received an overview of the initiatives earlier in the meeting. As referred to in that overview the Victims Code of practice audit was currently being undertaken by Information Compliance. The results of which would be reported back to the Authority in January 2010.

With regard to Other assault', 'Oppressive conduct or harassment' and 'Lack of fairness and impartiality', which had been identified as emerging issues these were currently being monitored against 2007/08 statistics which was the most comparable period and if an upward trend continued further work would be undertaken and reported back to the next meeting of the Committee.

Data on complaint allegations per staff revealed that complaints per headcount of Officers continued to show an increase for County Division and a decrease for Luton Division. It was noted that the County Division management team were working with Department to identify if there were any underlying issues in the rise in allegations, the results of which would be reported back to the next meeting of the Committee.

With regard to the Protective Services, Corporate Services and Citizen Focus Directorates the highest level of complaints continued to be against Officers in Protective Services. Overall the force total of complaints per staff had decreased compared to last year.

Complaint allegations per Special Constables had continued to decrease and was now the lowest over the last three years.

The number of complaints received in relation to Police Community Support Officers continued to show a decrease for those deployed to the central division but had increased in the Luton division. Possible factors for the difference between the two divisions were possibly due to the limited powers of PCSO's and location.

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

The majority of complainants were those which were directly affected and this had seen a slight increase and was reflective of the increase in recorded cases. Adversely affected complainants had decreased and included parents of minors or the partner of the directly affected individual.

The age of complainants had fluctuated over the last three years, although the 'unknown' category had significantly increased. However there had been a significant decrease compared to last quarter. It was noted that it was difficult to identify any trends at this stage due to the number of 'unknowns'.

Male complainants had decreased during the reporting period whilst female complainants had significantly increased. Research was currently being undertaken to identify the reasons for this increase and would be reported back to the next meeting.

Complaints from the ethnic community continued to increase in comparison to the previous year.

It was noted overall the percentage of 'unknowns' had increased when recording complainant characteristics and this was currently being addressed with the Investigators of the complaints.

Data on the gender, age, ethnicity and length of service of staff that had a recorded complaint against him or her were also reported. Of particular note in this reporting period was the increase in the number of complaints made against female officers and this was being monitored. There had been a large decrease in the number of complaints against Officers with 3 – 5 Years service

As previously identified Officers with 6 to 10 years service had the highest level of complaints and a focus group was to be set up targeting officers within the 6 – 10 years service bracket to further understand the problem and identify improvements. The Focus Groups had now met and the main reasons why they

considered that they were more likely to be the subject of a complaint arose from the expectation they would be dealing with difficult cases and that they would also undertake a lead role in any incident when accompanied by a student Officer. Further detail on conclusions of the Focus Groups would be circulated to Members.

(e) Complaint Allegations Finalised and Investigation Times

The number of complaint allegations finalised in comparison to last year had decreased by 10 %

The actual number of complaint allegations locally resolved had decreased compared to last year by 22%

So far this year there had been a significant decrease both in the overall number of cases closed and those closed within the same period as they were recorded. However in comparison to the previous quarter this was an improving picture. The number of cases finalised within the 120-day target had declined slightly.

During the reporting period 69 local resolutions had been received and all those completed within the 120 working day target.

Research was underway to identify if there was a trend between ethnicity and results. The result of allegations in conjunction with complainant and subject ethnicity indicated that the majority of substantiated complaints were made by ethnic minority complainants and white subjects, and that fewer ethnic minority complainants had the allegations locally resolved. The results would be presented to the next meeting of the Committee.

The number of appeals to the IPCC continued to show an upward trend. The number of appeals upheld had decreased and remained below the 29% IPCC 2008/09 national average.

(f) Conduct Matters

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

Matters dealing with Duties and Responsibilities remained the category with the largest increase in comparison to the previous two years

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

(g) Benchmarking

In comparison to the other forces in the Most Similar Forces (MSF) grouping Bedfordshire was better than the MSF average in number of recorded complaints, percentage of local resolutions cases completed in the 120 day timescale percentage Bedfordshire was the best performer in finalising complaints in 120 day target.

It was noted that from January 2010 future benchmarking reports would provide cases per 1000 staff which was a more relevant measure than allegations as decision making on allegations was subjective to the decision maker. This was evident from earlier analysis which identified that the ratio of allegations per case within the region and most similar force ranged from 1.2 – 2.0

(h) Direction and Control

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

The IPCC stated a 28 working day timescale for Direction and Control matters to be dealt with. The percentage of finalising in that time had decreased and stood at 54%.

The main issues arising from the report were as follows

(a) Increase in workload

Having noted the increase in workload there was concern about how this might impact on staff. Members were advised that at this stage the increase in workload was in part due to the different recording practices used by Bedfordshire and Hertfordshire and during the course of the harmonisation of the processes and policies the Department would become more efficient. However growth in the Business Support area had been identified and a bid for additional staffing had been made.

(b) Complainant Access to PSD

Assurance was sought that ethnic communities, particularly those with limited understanding of the English language had sufficient options available to them to make a complaint. The Committee was advised that all methods of reporting a complaint were translated into several languages. To identify any gaps in the process it was agreed that a piece of work would be undertaken to look at how BME groups communicate a complaint. The outcome would be reported to the next meeting of the Committee.

(c) Level of complaints received by Officers with 6 to 10 years service

It was agreed that the findings from the focus group established to consider why Officers with 6 to 10 years service had higher levels of complaint in comparison to other bands of length of service be shared with other forces in the eastern region to identify if this trend was happening elsewhere.

(d) Complaints and Professional Standards Committee – Self Assessment

The Chief Executive advised that discussions were currently taking place with the Officers and Members of the Hertfordshire Police Authority on aligning the Complaints and Professional Standards monitoring report that each Authority received. As part of this review the Chief Executive advised that it would be useful to undertake a self assessment on the role of the Complaints and Professional Standards Committee to ensure that the Committee's remit was in line with the Association of Police Authority guidance on the oversight and scrutiny of professional standards matters and the IPCC's Performance framework. The Assistant Director (Protective Services) offered his support in undertaking the self assessment. In accepting this offer of assistance from the Force it was agreed that the Chief Executive establish some specific guidance on the role that the Force would undertake in the assessment.

RESOLVED

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

09/qz/36

MINUTES OF THE INDEPENDENT CUSTODY VISITORS PANEL

The minutes from the meeting of the Independent Custody Visitors Panel held on 20 October 2009 were considered.

RESOLVED

That the minutes be received.

09/qz/37

EXCLUSION OF PRESS AND PUBLIC

RESOLVED

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

09/qz/38

SUMMARIES OF COMPLAINTS AND DISCIPLINE CASES (In Private)

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

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

The Chair confirmed that under the dip sampling process to review complaints that were a risk area for the Authority Members had dip-sampled direction and

control complaints.

Members were concerned that the dip sampling process had revealed that a number of forms included in the case files had not been signed off and Members were assured that this would be addressed.

RESOLVED

That the report be noted.

Chief Constable's Report

On

Professional Standards Issues



APRIL - DECEMBER 2009

**Bedfordshire Police Authority
20th January 2010
Item 7**

CONTENTS

INTRODUCTION	3
PURPOSE OF THE REPORT	3
SECTION 1- PSD workload.....	4
SECTION 2 - Analysis of complaint cases.....	6
SECTION 3 - Analysis of allegations	8
SECTION 4 - Analysis of social factors relating to complainant characteristics	14
SECTION 5 - Analysis of social factors relating to subject characteristics	17
SECTION 6 - Complaint allegations finalised	20
SECTION 7 - Investigation times	23
SECTION 8 - IPCC appeals.....	25
SECTION 9 - Benchmarking Most Similar Forces.....	26
SECTION 10 - Conduct matters	27
SECTION 11 - Criminal prosecutions	30
SECTION 12 - Direction & Control.....	30
SECTION 13 - Conclusion	31
SECTION 14 - Recommendation.....	31

Bedfordshire Police Authority
20th January 2010

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

REPORT AUTHOR: CHIEF CONSTABLE

SUBJECT: Professional Standards

.....
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

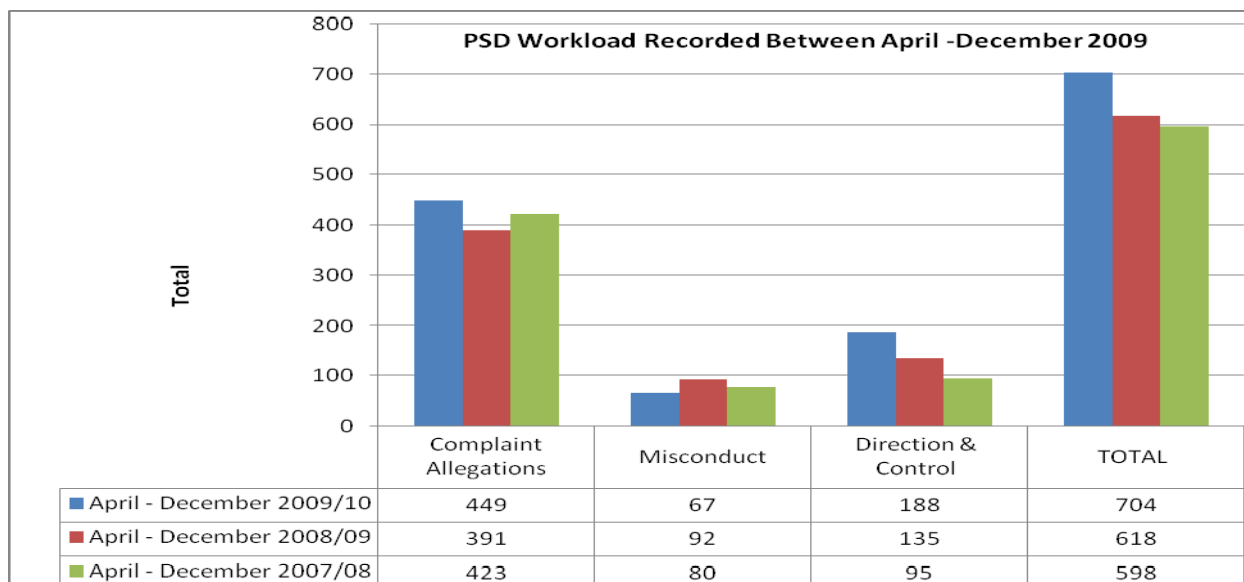
The purpose of this report is to brief members of the Authority on current professional standards issues within the force.

3. The current report reflects issues for the period of April – December 2009/10 compared to 2008/09 and 2007/08.

SECTION 1 PSD Workload

Workload Management

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



- Above chart relates to single allegations in each category and not cases
- Overall workload has increased by **14%** compared to last year and an 18 % increase on the year before
- Misconduct continues to reduce which is to be expected given the Taylor reforms.
- In addition 122 letters of appreciation were recorded between 1st April and 31st December 2009

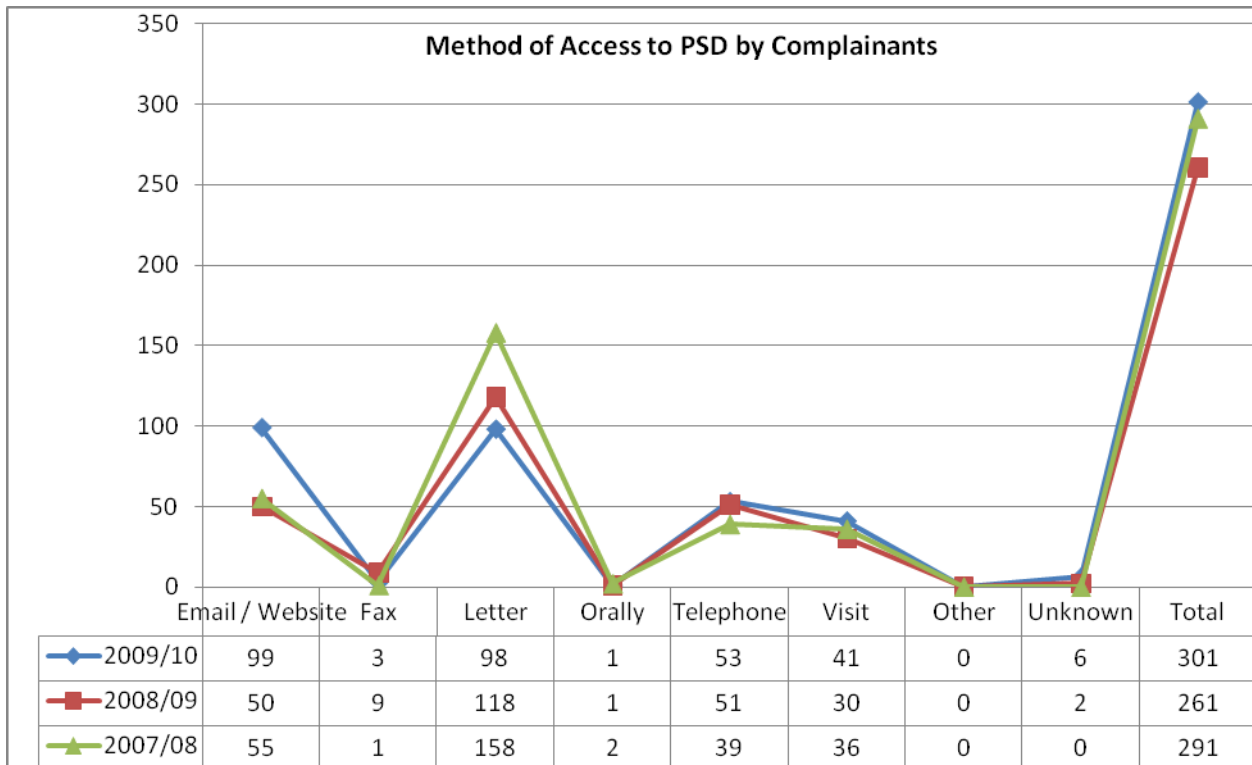
Initiatives & Actions to Improve Performance

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

Update – A revised complaints process for both forces has been drawn up with a new document set agreed for use for all staff dealing with complaint matters. As part of this new work and following recent IPCC guidance updates three investigation report templates have been agreed for use with local resolutions, local investigations and Managed / Supervised cases. Due to significant changes in command structures in Hertfordshire from 1st April (*as part of the 2010 program*) and a complete review of PSD support for the new 'Local Policing Command', the introduction of the new processes will be timed to coincide with these changes to prevent confusion.

Complainant Access to PSD

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



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

SECTION 2
Analysis of complaint cases

Complaint cases

Percentages should be treated with caution due to small numbers

Percentage change in the tables: ■ Positive ■ Negative

Table 1 – Complaint Cases Recorded in Force

	2009/10	2008/09	2007/08
Cases Recorded in Force	279	244	278
% Change	+14%		-12%
Allegations Recorded in Force	449	391	423
% Change	+15%		-7%

- The increases seen in the first reporting quarter have continued bringing the force back towards levels seen in the 07/08 reporting year. However, given the introduction of the new regulations and the policing pledge, this year should be seen as providing a 'new' baseline.
- Impactive factors for the increase are
 - recording practices – the number of allegations per case recorded is in line with 2007/08, whereas 2008/09 had doubled.
 - national and local marketing of the policing pledge
- 2008/09 is regarded as an exceptional year as unlike most forces across the country Bedfordshire saw a fall in the number of complaint cases and allegations recorded; although the ratio of allegations recorded per case had increased.

Table 2 –Complaint Cases & Allegations per OIS Incidents

	2009/10
Total Incidents	116851
Cases Per Incidents	0.002
Allegations Per Incidents	0.004

- Due to a change in recording practices for incidents it is not possible to draw comparisons with previous years.

Table 3 –Complaint Cases & Allegations per 1000 Population

	2009/10	2008/09	2007/08
Cases Per 1000 Population	0.45	0.43	0.49
% Change	+5%		-12%
Allegations Per 1000 Population	0.73	0.70	0.75
% Change	+4%		-6%

2009/10 Population is based on 2007/31 estimation – 616500 (08/09 07/08 on 565961)

- The increase in recorded complaint cases and allegations is also apparent when measuring complaint cases and allegations against per 1000 population.
- 2009/10 population total is based on the 2010 estimation compiled by Luton borough council and Bedfordshire borough council.

Initiatives & Actions to Improve Performance

Action - PSD used revised population figures for this Police Authority report, they have been taken from the 2007/13 estimated population figures compiled by Luton borough council and Bedfordshire borough council

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

	2009/10	2008/09	2007/08
Cases Finalised	136	155	152
% Change	-12%		+2%

- Complaint cases recorded increased by 1 to 279 with 136 of those being finalised in the same period.¹

Table 5 – All Complaint Cases Finalised

	2009/10	2008/09	2007/08
Cases Recorded	279	244	278
Cases Finalised	231	279	322
% Change	-17%		-13%

¹ Refers to tables 1 and 4

- 231 cases finalised and although the numbers are lower than previous years the performance has improved when compared to the previous two reporting periods

SECTION 3
Analysis of allegations

Complaint Allegations Recorded

Percentage change in the tables: ■ Positive ■ Negative

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

Table 6 – Complaint Allegations Recorded

Code	Allegation Categories	Apr–Dec 09/10	Apr–Dec 08/09	Apr–Dec 07/08
A	Serious non sexual assault	1	3	0
B	Sexual assault	0	0	0
C	Other assault	42	19	37
D	Oppressive conduct or harassment	41	29	37
E	Unlawful/unnecessary arrest or detention	5	9	9
F	Discriminatory behaviour	11	11	16
G	Irregularity in evidence/perjury	5	12	4
H	Corrupt practice	3	1	1
J	Mishandling of property	8	4	13
K	Breach code A PACE	2	1	3
L	Breach code B PACE	9	18	7
M	Breach code C PACE	27	17	12
N	Breach code D PACE	0	0	1
P	Breach code E PACE	0	0	1
Q	Lack of fairness & impartiality	37	33	40
R	Multiple or unspecified breaches	0	0	1
S	Other neglect or failure in duty	143	100	120
T	Other irregularity in procedure	11	24	39
U	Incivility, impoliteness and intolerance	67	87	71
V	Traffic irregularity (Driving standards)	11	3	4
W	Other	13	10	2
X	Improper disclosure of information	12	10	4
Y	Other sexual conduct	1	0	1
TOTAL		449	391	423

- Complaint allegations recorded has increased by 58 (15%) compared to last year

- The top three allegations recorded (highlighted in yellow) have been consistent over the past three reporting periods.

- Categories with the biggest increases in terms of numbers this year compared to last:
 - S - 'Other neglect of duty'
 - D - 'Oppressive conduct or harassment'
 - C – ' Other assault'

- Categories with the biggest decreases in terms of numbers this year compared to last:
 - T - 'Other irregularity in procedure'
 - L - 'Breach Code B PACE' (Search of premises and seizure of property)
 - U – 'Incivility'

- Impactive factors for increases and decreases
 - Policing pledge marketing.
 - Recording practices amongst decision makers, recording of allegations and type is subjective and therefore will differ given the effects of the new department and regulations. (Baseline year)

Initiatives & Actions to Improve Performance

Action – Supt. Claire Simon attended the November meeting and gave a verbal report to the Authority members on what actions the Force is undertaking towards improving ‘keeping individuals informed’ which would have a positive impact on the number of ‘neglect of duty’ complaints. One action was the Victims Code of practice audit; this has been undertaken by Information Compliance including the ‘keeping people informed’ element. Two main recommendations in this respect have been made: VCOP guidance and training to be reinforced by supervisors; measures should be put in place to ensure continued contact during periods of abstraction.

Initiative - ‘Improper disclosure of information’ and ‘Breach Code C’ have been identified as increasing issues and are being monitored against 2007/08 which is the most comparable period; if an upward trend continues further work will be undertaken and reported back to the authority at the next meeting.

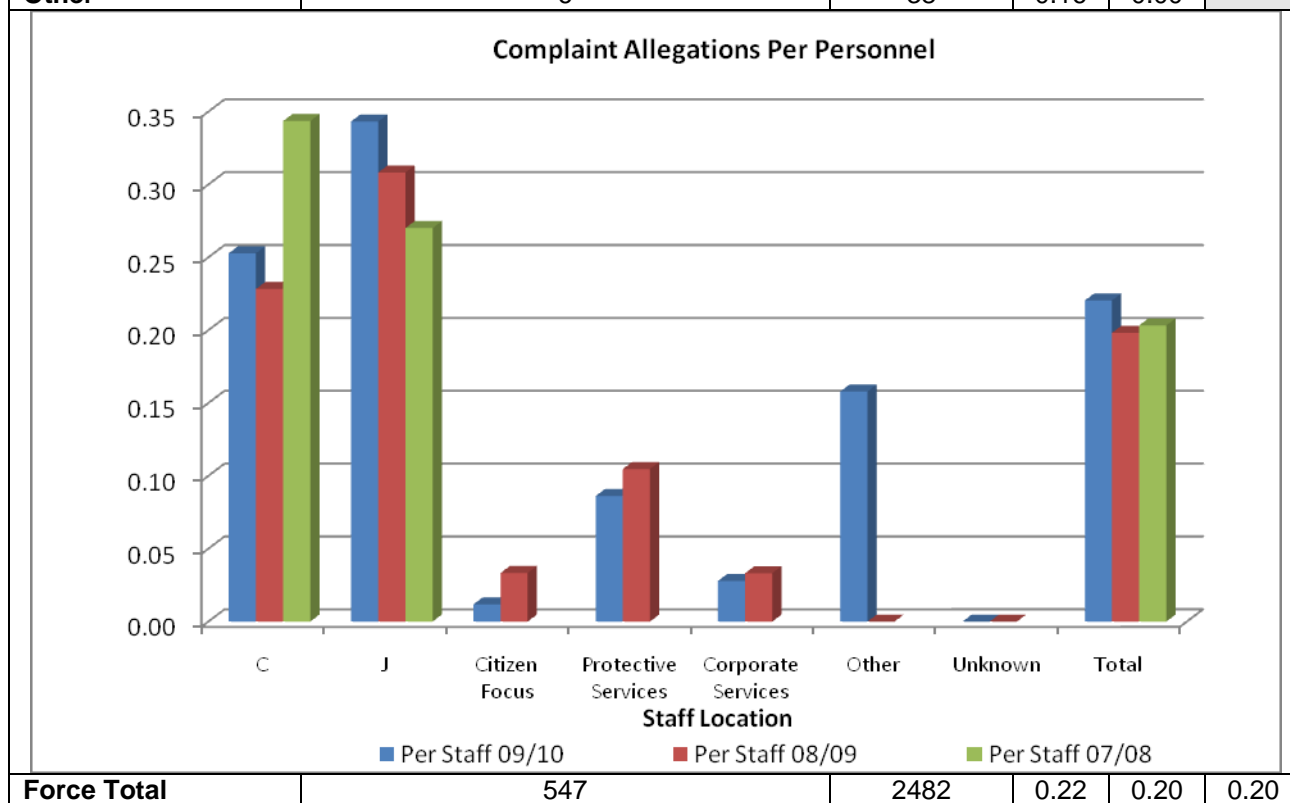
Action - ‘Other assault’ and ‘Oppressive conduct or harassment’ have continued to increase compared to 2007/08. Further research will be undertaken and reported back to the Authority at the next meeting.

Complaint Allegations per Staff – Staff Location

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

Table 7 Complaint Allegations per Force Headcount – All Staff Types

Staff Location	Allegations 09/10	Headcount	Per Staff 09/10	Per Staff 08/09	Per Staff 07/08
C	135	534	0.25	0.23	0.34
J	254	740	0.34	0.31	0.27
Citizen Focus	3	256	0.01	0.03	
Protective Services	54	627	0.09	0.10	
Corporate Services	8	287	0.03	0.03	
Other	6	38	0.16	0.00	



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

- Complaint allegations per staff at both territorial divisions has increased compared to last year
- The force total of complaint allegations per staff has increased compared to last year

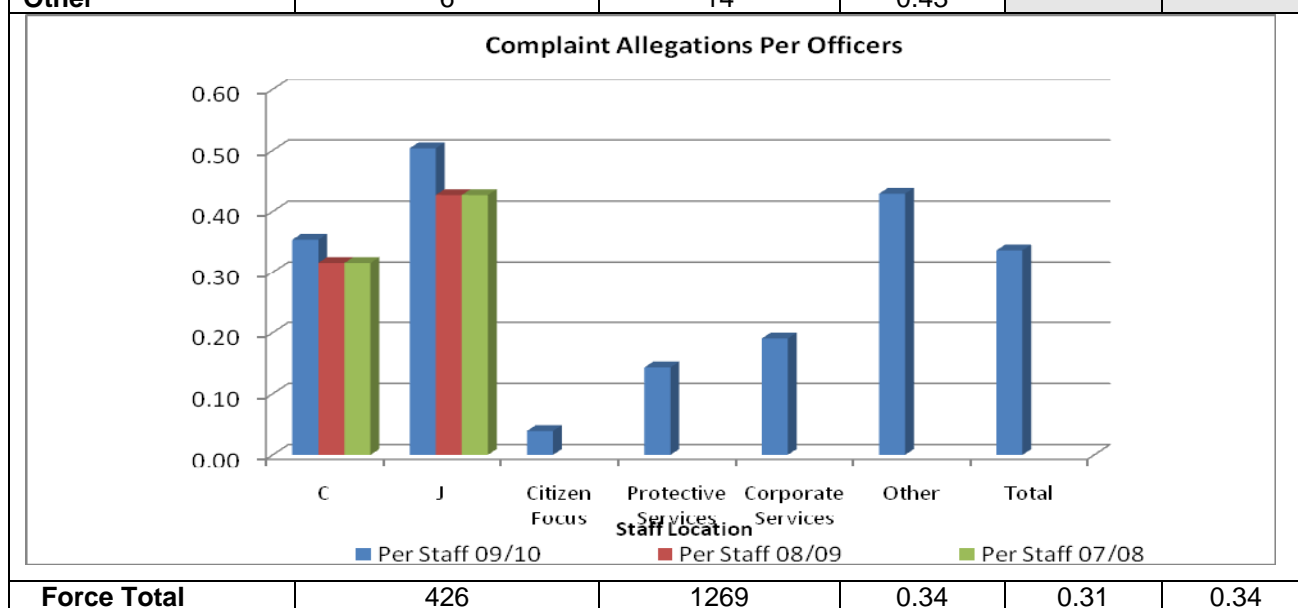
Table 8 Breakdown of Complaint Allegations per Protective Services Directorate Units – All Personnel – year to date

Staff Location	Allegations 09/10
Uniformed Protective Services	
Firearms Support Unit (FSU)	11
Roads Policing	13
Dogs	3
Vehicle Recovery	1
Public Protection Unit (PPU)	
On Line Investigation Team	0
Child Abuse Investigation Team	14
Special Branch (ports)	0
Sex Offenders Management Team	1
Adult Protection Team	0
Domestic Abuse Units	1
Serious Sexual Offences Team	2
Intelligence & Serious & Organised Crime	
FIB	4
Economic Crime Unit (ECU)	0
Beds and Herts Major Crime Investigation Team	3
Professional Standards Department (PSD)	1

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

Table 9 Complaint Allegations per Force Headcount – Officers

Staff Location	Allegations 09/10	Headcount	Per Staff 09/10	Per Staff 08/09	Per Staff 07/08
C	127	360	0.35	0.32	0.32
J	231	459	0.50	0.43	0.43
Citizen Focus	1	26	0.04		
Protective Services	53	368	0.14		
Corporate Services	8	42	0.19		
Other	6	14	0.43		



Force Total	426	1269	0.34	0.31	0.34
--------------------	-----	------	------	------	------

- This year compared to last has seen complaint allegations per headcount of officers' increase for both territorial divisions, especially J.

Table 10 Complaint Allegations per Force Headcount – Specials

Staff Location	Allegations 09/10	Headcount	Per Staff 09/10	Per Staff 08/09	Per Staff 07/08
C (Luton)	0	41	0.00	0.17	0.11
J (County)	8	101	0.08	0.09	0.10
Citizen Focus	0	2	0.00		
Protective Services	0	4	0.00		

Staff Location	Allegations 09/10	Headcount	Per Staff 09/10	Per Staff 08/09	Per Staff 07/08
Force Total	8	148	0.05	0.11	0.10

- Complaint allegations per special constables has decreased since last year; and is at its lowest over the last three years.
- Comprises 4 special constabulary officers from 4 cases.

Table 11 Complaint Allegations per Force Headcount – PCSO

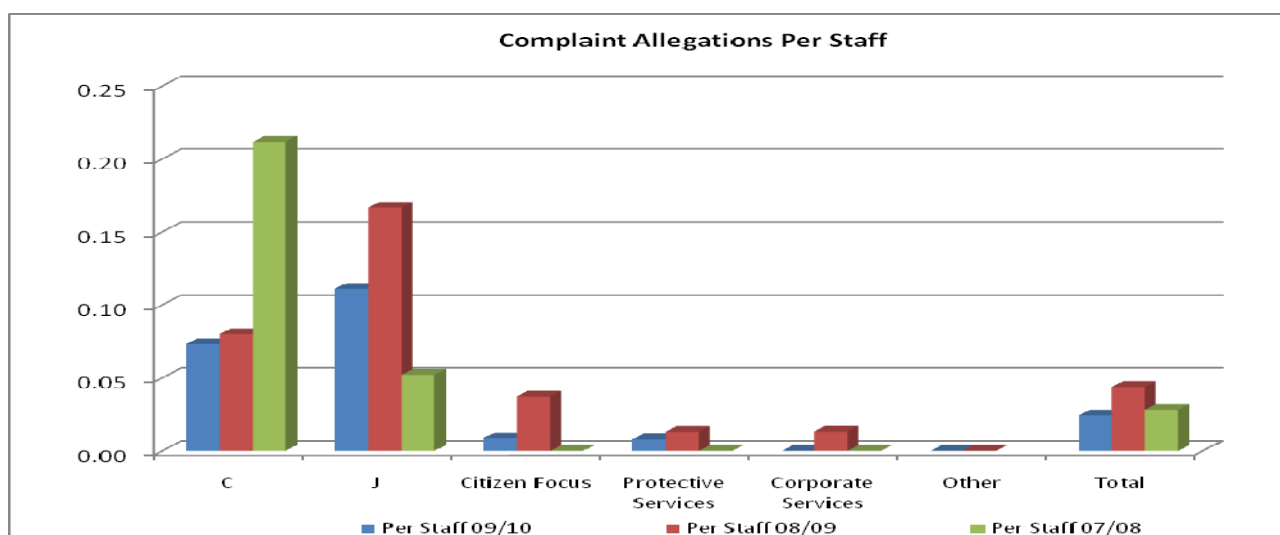
Staff Location	Allegations 09/10	Headcount	Per Staff 09/10	Per Staff 08/09	Per Staff 07/08
C	6	52	0.12	0.04	0.1
J	4	64	0.06	0.11	0.02
Protective Services	0	6	0.00		

Force Total	10	122	0.08	0.08	0.09
--------------------	----	-----	------	------	------

- Complaint allegations against PCSO's located within J division has decreased compared to last year but C division has increased and the force has remained stable.
- Possible factor for difference between two territorial divisions:
 - deployment and role of PCSOs

Table 12 Complaint Allegations per Force Headcount – Police Staff

Staff Location	Allegations 09/10	Headcount	Per Staff 09/10	Per Staff 08/09	Per Staff 07/08
C	6	82	0.07	0.08	0.21
J	13	117	0.11	0.17	0.05
Citizen Focus	2	229	0.01	0.04	0.00
Protective Services	2	250	0.01	0.01	
Corporate Services	0	246	0.00	0.01	
Other	0	19	0.00	0.00	



Force Total	23	943	0.02	0.04	0.03
--------------------	----	-----	------	------	------

- Complaint allegations against police staff decreased for the force and decrease is spread across all divisions.

Initiatives & Actions to Improve Performance

Action - J Division management team are working with PSD (D.I Tapping and Business Performance) to identify if there are any underlying issues in the rise in allegations and are actively working to address the imbalance.

Update: J Division allegations are not evenly spread with more being recorded in Bedford Borough compared to Central Bedfordshire. The divisions 'Raising the Bar' Committee with PSD has agreed the following interventions to identify any trends, performance or welfare needs: 1) Those with three or more complaints in a period of twelve months have a professional discussion with their second line manager 2) Response team Inspectors have received a complaints and discipline

profile of their staff 3) quartley health checks at team level 4) Inspectors and Sergeants have had bespoke advice and training regarding the changes being implemented due to the collaboration and harmonisation processes within PSD

SECTION 4

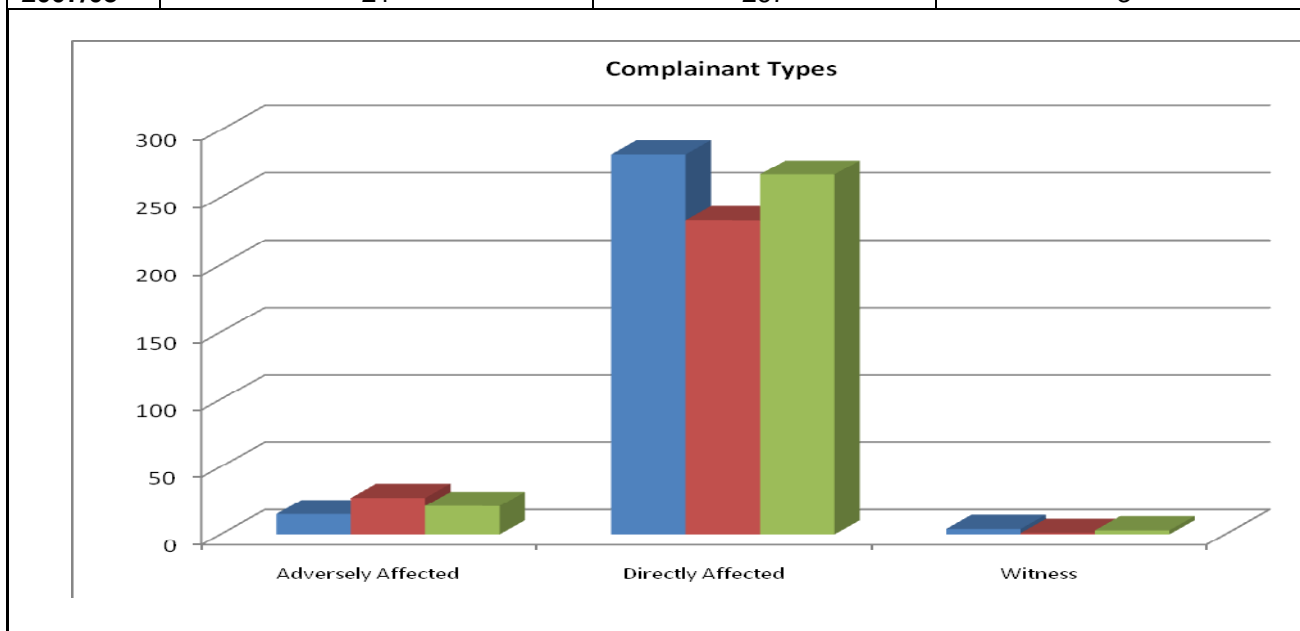
Analysis of social factors relating to complainants characteristics

Percentage change in the tables: ■ Positive ■ Negative

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

Table13 Complainant Types

	Adversely Affected	Directly Affected	Witness
2009/10	15	282	4
2008/09	27	233	1
2007/08	21	267	3



- Majority of complainants are those directly affected and has seen a slight increase; this is reflective of the increase in recorded cases.
- Adversely affected are parents of minors or the partner of the directly affected individual or who have been affected by being present at an incident

Table 14 Gender of complainants

	2009/10	2008/09	2007/08
Males	181	169	178
% Change	+7%		-5%
Females	118	91	112
% Change	+30%		-18%

Note: two complainants gender unknown.

- Complaints by males has seen an increase, they account for 61% of complainants
- Female complainants have significantly increased compared to last year but is in line with 2007/08

Table 15 Age of complainants

	2009/10	2008/09	2007/08
0-19	11	14	18
% Change	-21%		-22%
20-29	59	46	55
% Change	+28%		-20%
30-39	67	63	96
% Change	+6%		34%
40-49	74	76	76
% Change	-3%		-
50-59	29	31	36
% Change	-6%		-13%
60+	23	22	22
% Change	+5%		-
Unknown	38	9	53
% Change	+322%		-83%

- The age of complainants has fluctuated over the last three years, although 'unknown' has significantly increased there has been a decrease compared to the first quarter which was 51. The majority of unknowns are from live cases where there is still an opportunity to gather such information. 6 cases have been finalised without these details of which 3 were dispensation where the complainant was not seen.
- Difficult to identify any trends at this stage due to the number of 'unknowns'

Table 16 Ethnicity of complainants

	2009/10	2008/09	2007/08
White	191	181	244
% Change	+5%		-25%
Black	33	25	37
% Change	+32%		-32%
Asian	39	33	43
% Change	+18%		-23%
Other	3	11	6
% Change	-73%		+83%
Unknown	35	11	26
% Change	+218%		-57%

- Compared to 2008/09 the actual increase in terms of numbers is small and when compared to 2007/08 they have decreased.

- The ratio of ethnic minority complainants per population is higher than those from the white community; no particular reason has been identified but two possible factors are:
 - complaints system is open, accessible and approachable and that the ethnic minority groups have confidence in using the system, and / or
 - there are more individuals from the ethnic minority groups that feel that they are not receiving a satisfactory service from the police.

- The percentage for 'unknown' is high especially when referring to ethnicity. This will be addressed by more robust recording processes.

- Number of 'unknowns' is significantly reduced when cases are finalised and Bedfordshire are best performing amongst the region.

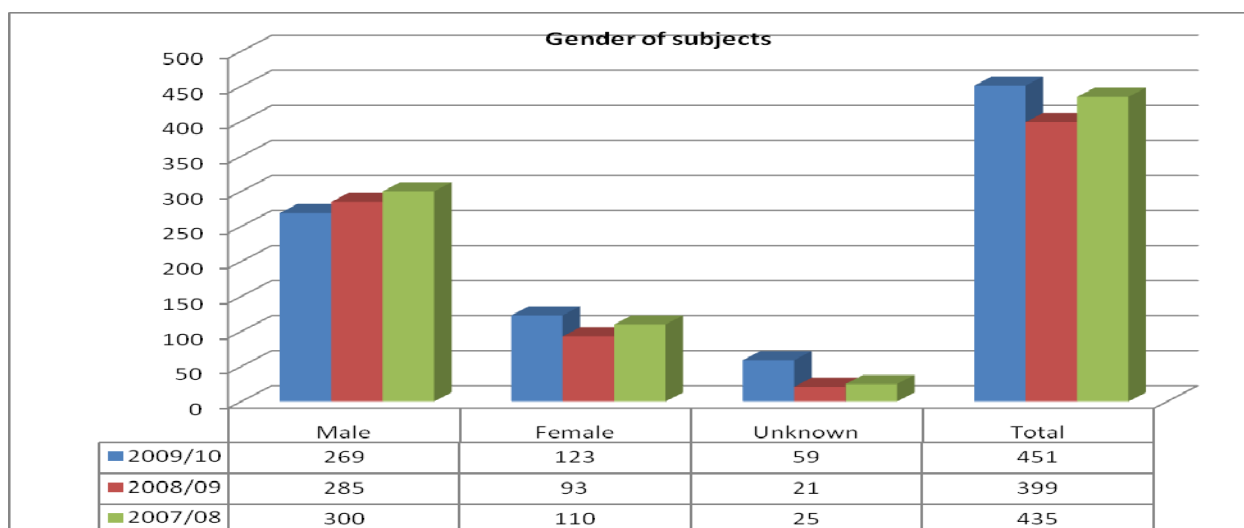
Initiatives & Actions to Improve

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

SECTION 5
Analysis of social factors relating to subjects characteristics

Percentage change in the tables: ■ Positive ■ Negative

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



- In line with the increase in recorded cases the number of subjects has increased.
- Percentage and number of female subjects is increasing
- The 59 unknown are subjects whose identity was unknown at the time of recording. These are from 28 cases.

Table below provides a breakdown of gender and staff type

Table 17 Gender & Staff Type of subjects

Gender	Staff Type	2009/10	2008/09	2007/08
Male	PCSO	5	3	5
	Police Staff	12	15	20
	Officers	247	263	263
	Special Constables	4	4	10
	Unknown	1	0	2
Female	PCSO	3	4	6
	Police Staff	12	14	23
	Officers	104	72	79
	Special Constables	3	3	2
	Unknown	1	0	0
Unknown	Officer	59	21	25
Total		451	399	435

Table 18 Age of subjects

	2009/10	2008/09	2007/08
0-19	0	1	3
% Change	-100%		-66%
20-29	132	129	130
% Change	+2%		-1%
30-39	151	139	144
% Change	+9%		-3%
40-49	87	83	89
% Change	+5%		-6%
50-59	17	22	40
% Change	-23%		-45%
60+	4	4	2
% Change	-		+100%
Unknown	60	21	27
% Change	+185%		-18%

- The majority of subjects this period are aged between 30 and 39 and this band has seen the biggest increase in terms of numbers
- Unknown are the 60 subjects unknown at the time of recording.

Table 19 Ethnicity of subjects

	2009/10	2008/09	2007/08
White	356	350	377
% Change	+2%		-7%
Black	3	1	6
% Change	+200%		-83%
Asian	24	19	21
% Change	+26%		-9%
Other	8	5	2
% Change	+60%		+150%
Unknown	60	24	29
% Change	+150%		-17%

- Workforce composition (NMIS) compared to those subject to complaints is:
 - 92% White - 91% of known subjects
 - 8% Minority ethnic - 9% of known subjects

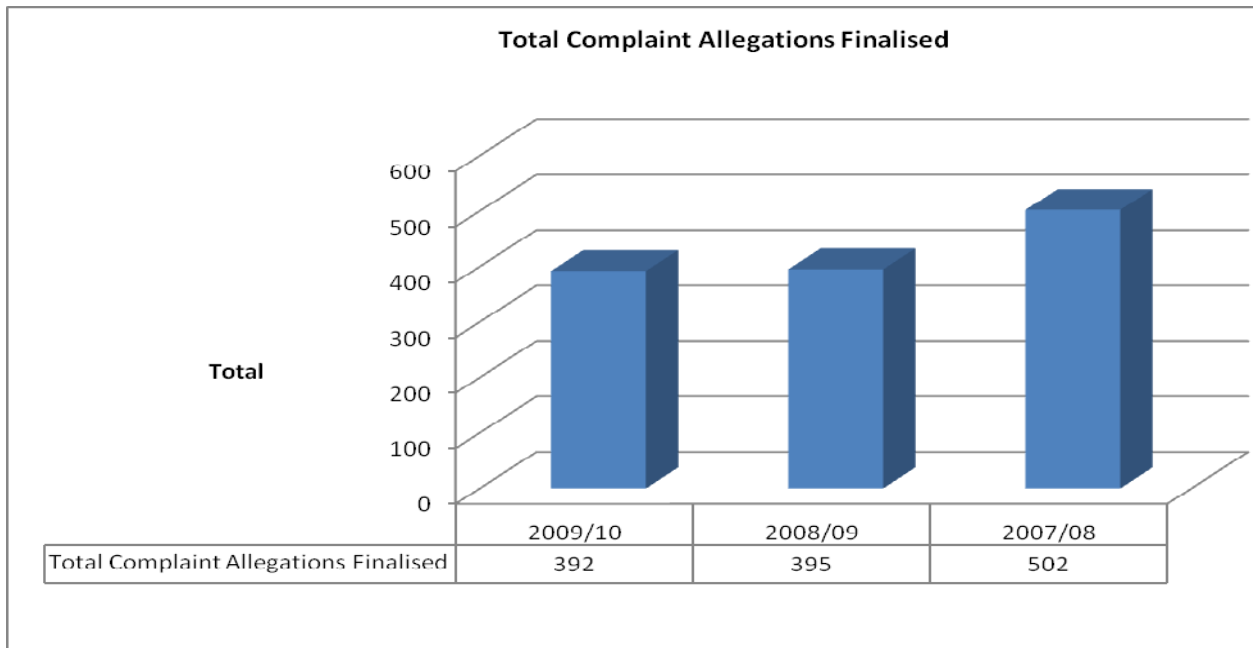
Table 16 Length of service

	2009/10	2008/09	2007/08
0-2	83	88	131
% Change	-6%		-32%
3-5	123	141	136
% Change	-13%		+4%
6-10	99	84	56
% Change	+18%		+50%
11-15	29	30	41
% Change	-3%		+26%
16-20	18	26	41
% Change	-31%		-57%
21-25	22	29	14
% Change	-24%		+107%
26+	17	11	16
% Change	+54%		-31%
Unknown	60	NA	NA

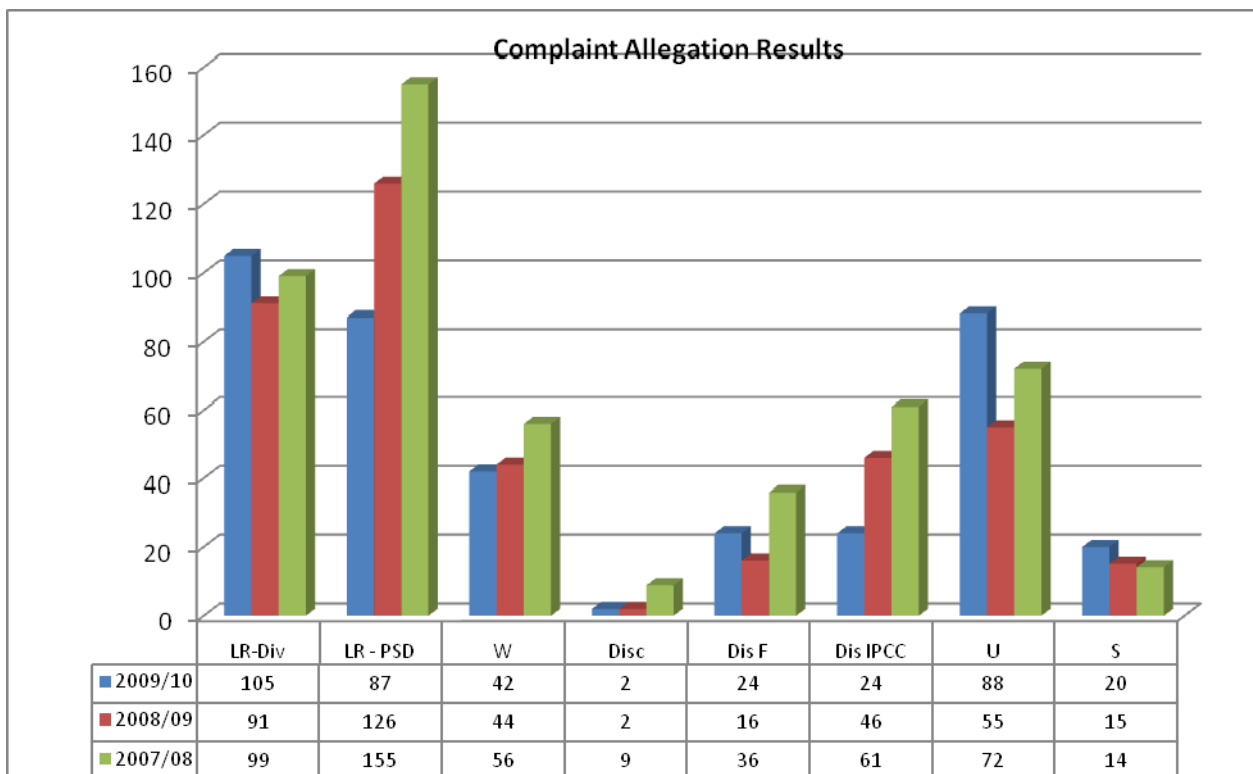
- 0-2 years service is the probationary period for student officers who are more susceptible to complaints during this time of learning although it is continually decreasing.
- The 60 unknowns are at the time of recording and may decrease by the end of investigation.
- The largest decrease in terms of numbers is those with 3-5 years service
- Whilst it is of use to monitor comparisons around length of service, it should be noted that as the data does not track individual 'cohorts' of staff as they move through their career. The data may fluctuate as a reflection of changes to generations, training and social factors

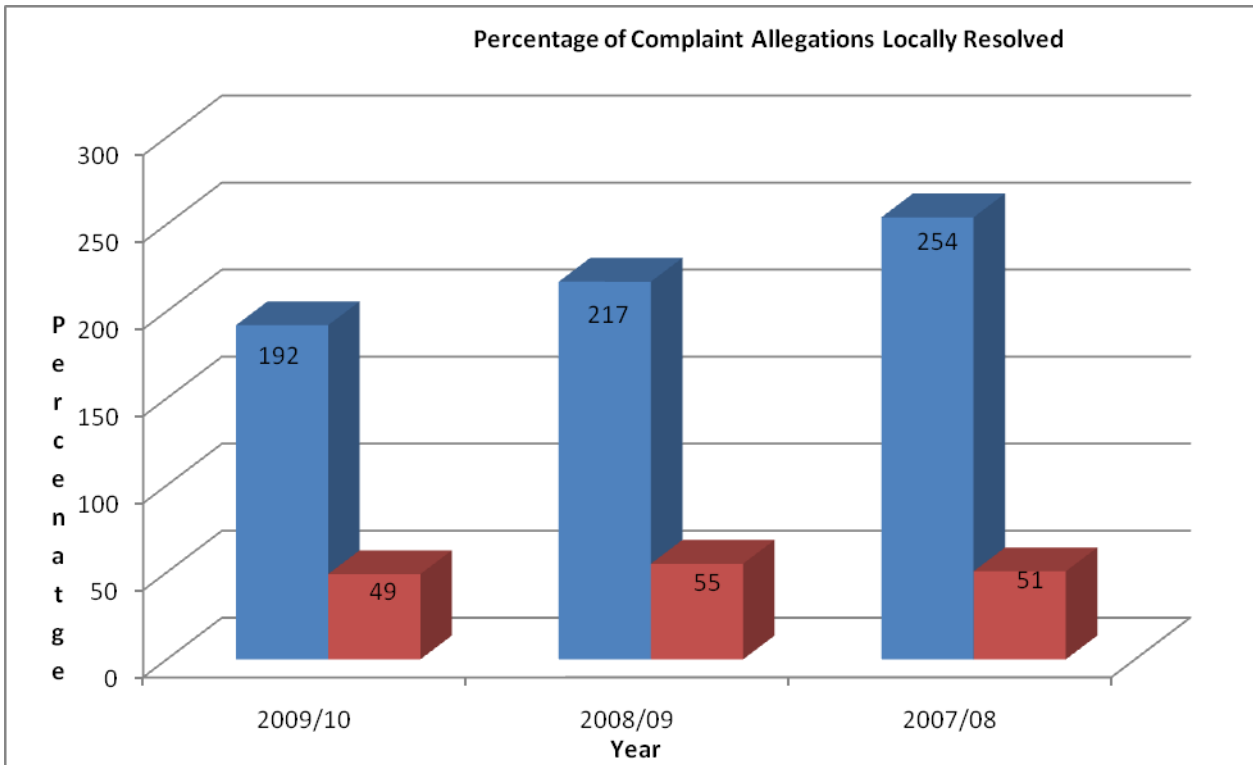
**SECTION 6
Complaint Allegations Finalised**

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

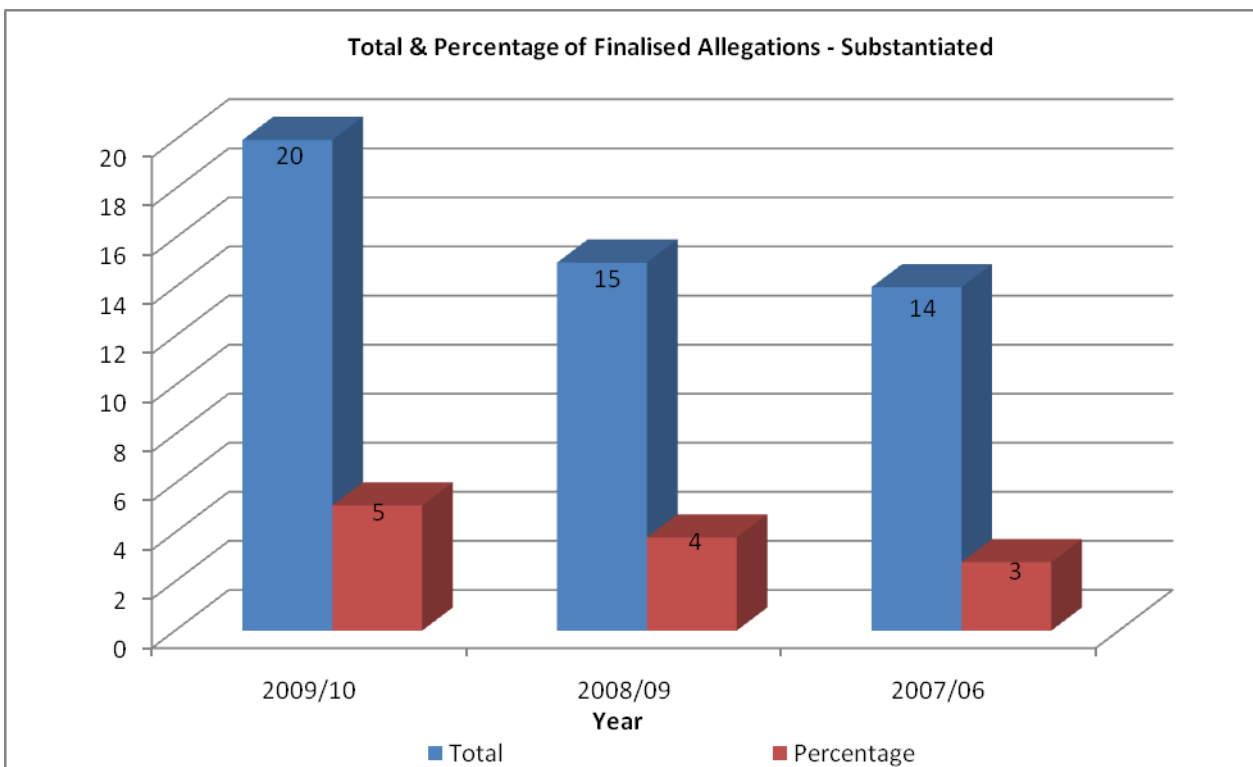


The chart below provides a breakdown of the complaint allegation results





- The actual number of complaint allegations locally resolved has decreased by 12%



- The actual number of complaint allegations substantiated has increased in number and percentage terms.

Allegations Result & Complainants Ethnicity

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

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

Allegations Result & Subjects Ethnicity

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

Initiatives & Actions to Improve

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

SECTION 7
Investigation Times

Percentage change in the tables: ■ Positive ■ Negative

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

Table 21 Cases Closed

	2009/10	2008/09	2007/08
All Cases Finalised	231	279	322
% Change	-17%		-13%
Cases Finalised of those received in same period	136	155	152
% Change	-12%		+2%

Table 22 Cases Closed within 120 days against cases

	2009/10	2008/09	2007/08
Cases Recorded	279	244	278
All Cases Finalised within 120 days	205	251	244
Percentage of cases	73%	103%	87%

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

Full Investigations

There has been an increase in the number of full investigation cases finalised this year and within the target timescale.

Table 23 Full Investigation Cases Closed & 120 Day Timescale

	2009/10	2008/09	2007/08
Total Full Investigations	51	43	41
% Change	+19%		+5%
Total Full Investigations completed in 120 working days	46	32	18
% Change	+44%		+77%

Local Resolutions

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

Table 24 Local Resolution Cases & 120 Day Timescale

	2009/10	2008/09	2007/08
Total Local Resolution Cases	117	162	175
% Change	-28%		-7%
Total completed in 120 working days	114	156	150
% Change	-27%		+3%

- 117 local resolution cases have been finalised and 114 closed within the 120 day period. An improvement in percentage terms on the preceding two years.

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

Table 25 Local Resolution Cases & 28 Day Average Timescale

	2009/10	2008/09	2007/08
Total Local Resolution Cases	117	162	175
Total completed in average of 28 working days	33	70	53
% Change	-53%		+32%
Average Working Days – all local resolution cases	49	44	65

Initiatives & Actions to Improve Performance

Initiative – The Weekly monitoring of complaint cases by the DCI is ongoing and will from Jan 09 – be reported on during the tasking and co-ordination meeting.

**SECTION 8
IPCC Appeals**

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

Table 26 Appeals – Category and outcomes

		Out-standing	Not Upheld	Upheld	Total
Complaint	LR Process				
	2009/10	1	7	0	8
	2008/09	0	11	1	12
	2007/08	0	5	3	8
	Outcome of Police Investigation				
	2009/10	10	11	4	25
	2008/09	0	9	2	11
	2007/08	0	11	1	12
Direction & Control	Non Recording of a Complaint				
	2009/10	3	3	5	11
	2008/09	0	6	4	10
	2007/08	0	2	2	4
Inbox	Non Recording of a Complaint				
	2009/10	0	2	2	4
	2008/09	0	2	1	3
	2007/08	0	2	2	4

Following a meeting with the senior case work team in December, it was made clear by the IPCC that whilst they had confidence with the BHPSD they did make it clear that they are minded to allow less dispensations and more appeals due to their the overriding concern for the complainant and that the Dept should not seek to draw any wider inferences into this data.

Table 27 Percentage of appeals against cases finalised.

	2009/10	2008/09	2007/08
All Cases Finalised²	492	419	419
Total Appeals	48	36	28

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

% Appeals of all Finalised Cases	10%	9%	7%
No upheld	11	8	8
% Upheld	23	22	28

The percentage upheld is below the IPCC 2008/09 national percentage of 29%.

The number of appeals has increased as has the percentage upheld.

SECTION 9
Most Similar Family (MSF)

Most Similar Family (MSF)

Due to severe weather conditions the MSF data is currently unavailable; the data will be supplied as soon as practicable.

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

MSF	Recorded Complaint Allegations	% LR	% Sub	% of Fully Investigated Cases Finalised within 120 days	Cases per 1000 Staff
Bedfordshire	449	49	5	90	112
Avon & Somerset					
Essex					
Hampshire					
Hertfordshire	701	38	2	84	85
Kent					
Sussex					
Thames Valley					
Average					

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

Bedfordshire is best performing in the areas of:

SECTION 10
Conduct Matters

Recorded

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

Table 28 Matters recorded:

Conduct Code	Categories	2009/10	2008/09	2007/08
01	Honesty & Integrity	8	12	13
02	Authority, Respect & Courtesy	8	6	8
03	Equality & Diversity	4	4	0
04	Use of Force	0	7	3
05	Orders & Instructions	1	6	3
06	Duties & Responsibilities	23	11	19
07	Confidentiality	5	9	5
08	Fitness for Duty	1	0	0
09	Discreditable Conduct	17	2	0
10	Challenging & Reporting Improper Conduct	0	0	0
H	Criminal Offences*	0	3	4
I	Property*	0	4	1
J	Sobriety*	0	0	1
L	General Conduct*	0	28	23
TOTAL		67	92	80

- The conduct codes above have been changed to reflect the new professional standards of behaviour as of 1st December 2008. (** These headings are no longer in use for newly recorded matters*)
- Duties & Responsibilities has seen the largest increase
- Majority of categories have decreased this year compared to last

The total has decreased compared to last year

- Impactive factor for decrease is
 - recording practices under new (Taylor) regulations seeing most conduct matter being dealt with on division under 'management action'.

Table 29 Staff type of subjects

Staff Type	2009/10	2008/09	2007/08
Community Support	3	4	2
Police Staff	41	39	9
Officers	45	43	48
Special Constables	1	6	3
Total	90	92	62

Finalised

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

Table 30 Matters finalised

Conduct Code	Categories	2009/10	2008/09	2007/08
01	Honesty & Integrity	11	11	12
02	Authority, Respect & Courtesy	4	3	7
03	Equality & Diversity	5	1	7
04	Use of Force	2	6	2
05	Orders & Instructions	4	6	2
06	Duties & Responsibilities	15	15	22
07	Confidentiality	4	9	3
08	Fitness for Duty	0	0	0
09	Discreditable Conduct	11	1	0
10	Challenging & Reporting Improper Conduct	0	0	0
H	Criminal Offences	0	3	4
I	Property	1	1	2
J	Sobriety	0	1	0
L	General Conduct	4	28	26
TOTAL		61	85	87

Of the matters finalised there were 3 conduct hearings and 7 meetings completed

Table 31 Total Conduct Hearings Completed

	2009/10	2008/09	2007/08
Gross Misconduct Hearings	3	2	3
Misconduct Meetings	7	0	0

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

Table 32 Sanctions

Most Severe Sanction	2009/10	2008/09	2007/08
Dismissal	1	0	0
Required to resign (old regulations)	0	0	0
Fine (old regulations)	2	1	1
Reprimand (old regulations)	0	1	13
Final Written warning	2	0	0
Written warning	4	0	0
Written warning (old regulations)	0	15	50
Caution (old regulations)	0	1	0
Advice (old regulations)	0	0	0
Management Advice	2	0	0
Management Action *	1	0	0
NFA	1	0	0

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

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

**Management Action - whilst under the new regulations this is used informally on division and is not a formal outcome, it can be issued at a meeting or hearing should the Chair / panel feel it is appropriate.*

Table 33 Resigned under investigation

Resigned Under Investigation	2009/10	2008/09	2007/08
Resigned before formal proceedings	0	6	6

SECTION 11
Criminal Prosecutions

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

Table 34 Criminal prosecutions recorded

	2009/10	2008/09	2007/08
Criminal Prosecutions	1	2	3

SECTION 12
Direction & Control

Recorded

Table 35 Recorded categories

Type	2009/10	2008/09	2007/08
General Policing Standards	150	99	56
Operational Management Decisions	10	7	18
Organisational Decisions	13	12	11
Strategy and Policy on Operational Policing	15	17	10
Total	188	135	95

Direction and Control cases have continually increased, especially 'General Policing Standards'.

Table 36 Recorded Letters of Appreciation

Type	2009/10	2008/09	2007/08
Letters Of Appreciation (LOA)	122	164	122

The number of letters of appreciation recorded compared to last year has decreased.

Finalised

Table 37 Categories

Type	2009/10	2008/09	2007/08
General Policing Standards	121	97	55
Operational Management Decisions	10	11	19
Organisational Decisions	12	14	12
Strategy and Policy on Operational Policing	14	15	10
Total	157	137	96

The number of cases finalised has fluctuated over the last three years with this period increasing compared to last as the numbers recorded increase.

Timescales

Table 38 Timescales

Type	2009/10	2008/09	2007/08
Total finalised (excl LOA)	157	137	96
Total Less than 28 days	56	91	54
% Less than 28 days	36%	66%	56%

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

SECTION 13 Conclusion

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

SECTION 14 Recommendation

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



Bedfordshire Police Authority

COMMITTEE AND MEETING DATE	COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE 26/01/2010
AGENDA ITEM No:	9
TITLE:	REVIEW OF INTERNAL CONTROLS, RISK MANAGEMENT, COMMITTEE EFFECTIVENESS AND TERMS OF REFERENCE
DATE OF REPORT:	08/01/2010
REPORT OF:	BEDFORDSHIRE POLICE AUTHORITY
AUTHOR:	STEPHANIE MCMENAMY

EXECUTIVE SUMMARY:

To review the internal controls of the Committee and be responsible for the risks attributed to the Committee. Also undertaking a self-assessment of the Committee's effectiveness and reviewing the terms of reference in light of these findings.

RECOMMENDATIONS:

Recommendation 1

That the Committee confirms it has undertaken a self assessment of its own performance and, where appropriate, suggested areas for improvement,

Recommendation 2

That the Committee assesses whether any changes are required to the Committee's terms of reference and that any such revisions are reported to the Annual General Meeting.

Recommendation 3

That the Committee incorporates into its work plan the scrutiny of those risks and associated controls for 2010/2011 as approved by the Audit and Business Assurance Committee.

Originators: Stephanie McMenamy
Date: 08/01/2010
Telephone No: 01234 842066
E-mail: stephanie.mcmenamy@bedfordshire.pnn.police.uk

BACKGROUND PAPERS:

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ADDITIONAL PAPERS:

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1 INTRODUCTION

- 1.1 Members will be aware that as part of the Accounts and Audit Regulations 2003 and 2006 the Authority is required to produce an Annual Governance Statement. This is similar to the previous Statement of Internal Control and still requires both the Authority and Force to consider its overall internal control framework and governance procedures.
- 1.2 As part of the review of the Authority's governance arrangements and internal controls a review of each Committee will continue to be undertaken annually focussing on risks and the effectiveness of the Committee itself.
- 1.3 It has also been agreed by the Police Authority that each Committee review its terms of reference and its specific role with regard to value for money to ensure they remain fit for purpose.

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

- 2.1 The current terms of reference for this Committee are attached in Appendix A. In addition it is incumbent on every Committee and Panel to embed risk management, equality, diversity and human rights and value for money within their decision making processes.

3 COMMITTEE EFFECTIVENESS

- 3.1 To assess the effectiveness of this Committee for the financial year 2009/2010 two specific areas will be considered, as follows:

- Delivery against Bedfordshire Police Authority's 2009/2010 Business Plan
- Delivery against the joint Authority and Force Strategic Priorities

3.2 Business Plan

The Authority's 2009/2010 Business Plan included the following areas of responsibility for this Committee in delivering the Authority's objectives:

- Scrutiny to be planned around strategic priorities and risks
- Raise Police Authority profile within all communities
- Monitor and scrutinise the Policing Pledge

3.3 Strategic Priorities

The Committee did not have specific monitoring arrangements for any of the strategic priorities as set out in the Annual Policing Plan monitoring framework however it did complement the monitoring arrangements with scrutiny undertaken against the following priorities:

- To ensure people experience an accessible policing presence in their neighbourhoods and are able to influence the local policing

- To ensure people see us working with partners both within Bedfordshire and Luton and with other police forces, making the best use of public money and improving services together
- To ensure we have in place the right workforce make-up and the right combination of skills, technology, equipment, people and flexibility to tackle our responsibilities as a police service.

3.4 Assessment

The Committee has undertaken the following activities thereby contributing to the Authority's Business Plan and the Strategic Priorities set out in paragraphs 3.1 and 3.2 above:

- Supported the introduction of a joint Professional Standards Department that brought new capabilities to Bedfordshire, through an Anti Corruption Unit, thereby equipping the Force to proactively protect the public and the Police Service from a minority of corrupt officers who undermine public confidence.
 - Monitored the effectiveness of the new Bedfordshire and Hertfordshire Professional Standards Department against the collaborative business case
 - Raised the profile of the Police Authority and taken a proactive approach to a potential risk from the introduction of an effective Anti Corruption Unit by informing the public of the new capability, raising trust and confidence in the Police Force and Authority through press releases and marketing. This also supported the vision that the Force and Authority hold to be organisations 'that inspire trust and confidence'
 - Worked with partners, particularly Hertfordshire Police Authority and IPCC, to ensure that the service delivered to the residents of Bedfordshire does not fall during this period of change, through collaboration and restructuring of the named organisations respectively.
 - Continued benchmarking of key performance indicators, such as cases completed to timescale, local resolutions and recorded complaints, to ensure that the quality of the service received in the County continues to be of highest standard
 - The Committee has supported the local resolution training that has taken place in Force and continued to attend new recruit inductions to reinforce the key messages of professionalism and ethical behaviour, essential to providing a high quality police service.
 - Scrutiny, through dip sampling, commissioning specific reviews focussed on risks and priorities (direction and control, accessibility of complaints procedures to all communities, stop and search) and seeking reassurance of lessons learnt (IPCC bulletins) as well as quarterly performance report (Policing Pledge).
 - Committee work resulting in number of press releases to raise confidence and inform public of complaints/concerns
 - Provided input to IPCC statutory guidance for the police service through its consultation
 - The Committee met its statutory obligations, as set out in the terms of reference, through its activities during the course of the year.
- 3.5 The Committee needs to continue to exercise its value for money and scrutiny role and ensure that in line with the Authority's Business Plan the Committee's work plan continues to be appropriate to deliver the Authority's priorities.

- 3.6 The Committee will want to continue to promote an efficient and effective service with the overall aim of enhancing public confidence and may want to amend the terms of reference to reflect the learning being drawn from completed cases and how this is being acted upon thereby addressing the causes of complaints as well as improving policing generally.
- 3.7 The Committee may also incorporate specific actions into the coming year's work plan to ensure that public access to clear information from the Force and Police Authority on how to make complaints is available to all communities within Bedfordshire, including Luton in addition to any specific value for money initiatives arising from Operation QUEST relevant to this Committee.

4 RISK MANAGEMENT

- 4.1 The combined risk register for both the Authority and Force does not contain any strategic or operational risks at this time to report to the Complaints and Professional Standards Committee. There are two risks below the deminimis. In reviewing the risks during the year the Committee has considered the ratings, likelihood and impact and the actions undertaken to minimise the likelihood of the risk being realised.
- 4.2 In all cases items relating to the risks have been directly or indirectly discussed as part of the agenda at meetings.
- 4.3 As members are aware the risk management process and register have both been reviewed in order to identify and introduce improvements. The revised register and processes, including governance arrangements, will be taken to the next Audit and Business Assurance Committee in March and following approval will be incorporated into each Committee's work plan for 2010/2011. There will be appropriate training undertaken with all members to ensure that the Authority is able to use the improvements made to the risk management process to best effect.

5 OTHER IMPLICATIONS

5.1 Equality, Diversity and Human Rights

The work of the Committee will benefit from the implementation of the Authority's Single Equality Scheme and the resulting action plan (impact assessments).

5.2 Procurement

There are no direct implications within the report.

5.3 Legal Implications

These are no direct implications within the report.

5.4 Human Resources

There are no direct implications within the report although the connection between lessons learnt and training is made.

5.5 Corporate Governance

The report provides assurance that the elements feeding into the overall review of the Annual Governance Statement have been thoroughly examined.

5.6 Policy/Strategic Aims

The delivery of the strategic priorities, as identified in the main body of the report, can be positively impacted upon by an effective Complaints and Professional Standards Committee.

5.7 Welfare of Children and vulnerable adults

There are no direct implications within the report.

5.8 Reducing Carbon footprint/waste

There are no direct implications within the report.

5.9 Confidence

The work of the Complaints and Professional Standards Committee can have implications on public confidence and areas have been identified where the Committee may wish to develop its work in the coming year to improve public confidence.

6 RISK

6.1 The specific risks of the Committee are covered in the main body of the report.

6.2 If the Committee is not effective then this could have a detrimental impact on the perception that the public and partners have of the Authority and Force, compromising the vision and impacting on the ability to deliver against strategic priorities.

7 CONCLUSION

7.1 The Committee has made progress in delivering positive outcomes against the strategic priorities and its own Business Plan in 2009/2010 but has identified areas to incorporate into future work and consider for inclusion in its terms of reference.

7.2 The Committee has had responsibilities for a number of strategic/operational risks identified that could impact on the strategic priorities of the Force and Authority and has sought assurances that these risks are being appropriately managed through regular Committee reports during the year.

7.3 The Committee will also need to determine how it wants to reincorporate the findings of the White Paper into its work plan for 2010/2011 and whether the terms of reference will need to reflect any changes to the Committee's workings that are taken forward.

8 RECOMMENDATIONS

Recommendation 1

That the Committee confirms it has undertaken a self assessment of its own performance and, where appropriate, suggested areas for improvement,

Recommendation 2

That the Committee assesses whether any changes are required to the Committee's terms of reference and that any such revisions are reported to the Annual General Meeting.

Recommendation 3

That the Committee incorporates into its work plan the scrutiny of those risks and associated controls for 2010/2011 as approved by the Audit and Business Assurance Committee.

Appendix A

It is incumbent on all Committees and Panels to embed risk management, equality and diversity, value for money and human rights within their decision making processes.

**5.0 Complaints & Professional Standards Committee
Terms of Reference**

- 5.1 To fulfil the duties of the Authority imposed by Section 95 of the Police and Criminal Evidence Act 1984 with respect to monitoring (a) complaints about the conduct of police officers from members of the public and (b) internal discipline matters.
- 5.2 To monitor the effectiveness of the newly formed Bedfordshire and Hertfordshire Professional Standards Department against the collaborative business case
- 5.3 To exercise the functions of the Authority in relation to complaints under the Police Reform Act 2002.
- 5.4 To monitor the public confidence in the complaints process, as part of the single confidence measure.
- 5.5 To consider any complaints against Senior Police Officers and where necessary make recommendations to the Authority.
- 5.6 To consider and determine appeals from police officers under Regulation 10 of the Police Regulations 1995 (business interest incompatible with membership of a police force).
- 5.7 To oversee and monitor the development and application of ethical standards in Bedfordshire Police.
- 5.8 To keep under review the arrangements for Custody Visiting

<u>Risk Issue</u>	<u>Impact</u>	<u>Cause</u>	<u>L I T</u>	<u>Control in Place</u>	<u>Action Required</u>	<u>Cttee Res'ble Lead Officer</u>	
0169	Poor publicity from Employee misconduct brings the Force into disrepute	Loss of public confidence and credibility from the perception that corruption is inherent in the Service. Failure to deliver the policing pledge	Additional collaboration resources will allow proactive investigations which could create a temporary increase in the discovery of malpractice.	2 3 6	Performance Standards Strategy. Fraud and Corruption policy. Regulations and legislation re misconduct. Benchmarking and reporting to Cttee. Collaboration with Herts providing resilience in the investigation process.	Monitor trends from incidents. Implement action plan from PSSG strategy. Ensure investigation is proportionate. Proactive investigations and integrity testing.	Complaints & Professional Standards Committee ACC (PS)

Key L=Likelihood (1 Low to 4 High), I=Impact(1 Low to 4 High), T=Total Risk Rating

