

**DIRECTION AND CONTROL COMPLAINTS:
MEMBER DIP SAMPLING OF COMPLETED CASE FILES**

BACKGROUND

1. At its meeting on 8 February 2005, this Committee approved a programme of Members' dip sampling completed case files for complaints of a direction and control nature (minute 118 refers). The purpose of this dip sampling is to understand further the procedures that the Chief Constable has in place to deal with such complaints and to check that these procedures are being carried out in practice, in the interests of efficiency and effectiveness.
2. This report sets out the key issues arising from the third round of dip sampling visits to the Divisions and Operations / Crime Management Branch in Spring 2006.

COMPLETED VISITING MEMBER RECORD SHEETS

3. The forms completed by Members on these visits are held by the Secretariat.
4. The key issues arising from the visits made to the Divisions/Branches in Spring 2006 included:

i. A DIVISION

- One Member found that the completion of the Form 1097 was unsatisfactory in one of the cases sampled. As an action point arising from the dip sampling, the Liaison Officer has emailed all operational officers regarding the quality of Form completion.
- Another Member queried why there was no record of any action taken against the officers involved in one case. In response, the Liaison Officer has clarified that no action was taken against the officers because they were following Force policy.
- The same Member noted that a file contained only Form 1097 and a minute sheet stating that the complainant had been updated. Members will wish to note in future visits that there is no need to include anything further (for example, telephone conversations with the complainant) on the file, providing the Form 1097 is completed.

ii. B DIVISION

- One Member commented that there is nothing on file to indicate whether the complainant was satisfied with the response. Members may wish to note in future visits that the Practice Direction does not require the Enquiry Officer to ascertain the complainants satisfaction with the result – merely to inform them of the result of the investigation
- A Member made general comments about the content of the Enquiry Officer's reply, which were passed on to that Enquiry Officer
- A Member noted that one complainant claimed that he had received no response to his first letter of complaint. In response, the Liaison Officer stated that the first letter had been sent to the Chief Constable. Subsequent enquiries with PSB have revealed that a change has very recently been made to the process for dealing with complaints received by Chief Officers: all such letters are forwarded by Staff Officers to PSB who acknowledge the complaint and decide whether the complaint is of a conduct or direction and control nature. The former are retained for PSB action whilst the latter are forwarded to Divisions for their action. The process has been thus revised to reduce the number of acknowledgement letters complainants receive (sometimes up to 3 acknowledgement letters were being sent out to each complainant, one each by Chief Officer Staff Officers, Divisions and PSB, before any action was taken). In due course, amendments will be made to the Practice Direction to reflect this new procedure.

iii. C DIVISION

- Following the comments of one Member on two of the cases scrutinised, the relevant officers were contacted by the Divisional Liaison officer and an explanation of events has since been provided to the Member concerned.

iv. D DIVISION

- As at the last visit, Members found that in all but one of the cases examined, the Form 1097 was not completed beyond section 4. This is a recurrent problem in this Division (and see A Division above and Crime Management Branch below). In response, the Liaison Officer has contacted all the Divisional Inspectors and Sergeants (a number of who are new) reminding them of the need for full completion of the Form and also the need to adhere to the Practice Direction.
- A Member commented that the handling of one complaint was unsatisfactory and that this gives the Force a bad image. In response, the Liaison Officer has stated that he will take

responsibility in ensuring that this matter is resolved, advice will be given to the Officer in charge and any shortcomings in respect of the way the complainant was treated will be put right.

v. **OPERATIONS / CRIME MANAGEMENT BRANCH**

- As above in D Division, Members found that Form 1097s were not always fully completed. The same problem was identified during the last round of dip sampling. Comments on how this problem will be resolved are awaited from the relevant Liaison Officer.
- A Member commented that a completed Form 1097 did not detail the complainant's telephone number. Members will wish to note that such information will not necessarily be available if the complaint was made in writing.
- One Member commented that the complainant did not receive a final letter but, instead, received his response by telephone. Members will wish to note in future visits that the Practice Direction states that it may be more appropriate to contact the complainant personally (by phone or face to face) rather than by letter.

COMPLETION OF FORM 1097s

5. A recurrent finding both in these and previous dip sampling visits has been incomplete Form 1097s. This has been followed up with the relevant Liaison Officers and they are responding as outlined above. The matter has also been discussed with the Head of PSB as he is responsible for ensuring that the procedure for dealing with direction and control complaints is working. He has called for a balance to be struck between Form 1097 being properly completed whilst not having to slavishly fill out text boxes on the Form when there is no need or value to be added in doing so. He stated that the really important issue is that complainants should feel and know that their complaints have been properly addressed and that this should be reflected on the Form.
6. It has been agreed that Divisional/Branch Liaison Officers will dip sample the complaint case files themselves to ensure that as much information as possible is being properly captured on the Form 1097. Further information on this quality assurance work will be brought to the next meeting of this Committee.

FUTURE VISITS

7. Dip sampling is an important means by which the Police Authority can carry out its role of overseeing and scrutinising complaints. Members visit each of the Divisions (plus the Crime Management and Operations Branch) twice a

year to dip sample completed complaints. A further programme of dip sampling will be organised for visits in Autumn 2006 at which time consideration will be given to whether the programme should be expanded to include a visit to the Central Ticket Office, where the complaints recording procedure is currently under review.

RECOMMENDATIONS

8. It is recommended that:
 - i. Members consider the issues arising from the Spring 2006 dip sampling visits and take account of these issues in future dip sampling visits; and
 - ii. A further programme of dip sampling of direction and control complaints be prepared for Autumn 2006.

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Background documents: Secretariat File 2.2.9