

DIP SAMPLING OF COMPLETED CASE FILES

PURPOSE OF THE REPORT

1. The Police Authority has an important role in the monitoring and oversight of complaints against the Force. In furtherance of this role, a number of visits have been undertaken to dip sample completed complaints and conduct case files. This report sets out the findings of these visits along with the response of the Force to the issues raised at the visits.

MEMBER DIP SAMPLING OF COMPLETED COMPLAINTS FILES

2. The dip sampling programme is intended to complement the Chief Constable's quarterly report on complaints and aims to allow Members to determine, through a structured process, whether or not proper procedures are being followed and whether an appropriate and proportional approach is taken to complaints and conduct issues.
3. Reports from such visits were previously submitted to the Human Resources Committee, however following the Committee restructure in March 2011 will now be received at meetings of the full Authority. This change in reporting will provide the opportunity for all Members of the Authority to partake in such visits rather than just the Members of a specific Committee.
4. The table below details the dates of the last round of visits, the visits that have since been conducted and future visits that are planned.

Division/ Branch	Last Visited	Visit(s) conducted	Next visit
A Division	January 2010	11 October 2011	October 2012
B Division	April 2010	20 October 2011	October 2012
C Division	March 2010	24 October 2011	Early 2012*see Para 7
D Division	November 2010	11 October 2011	October 2012
Ops/CMB	March 2010	25 October 2011	October 2012
PSB	Sept 2010	28 July + 2 November 2011*see Para 6	January 2012
RADAW	January 2011	N/A	January 2012
CTO	March 2010	N/A	2012*see Para 5

Note: At the meeting of the Human Resources Committee on 8 February 2011 (minute 46 refers) Members agreed to scale back the dip sampling programme to 6 monthly for PSB Complaints and annually for Direction and Control Complaints.

5. Due to the low numbers of complaints received to the Central Ticket Office, it is proposed that future visits be conducted on an ad hoc basis, as and when there is capacity within the timetable to facilitate it.

ADDITIONAL VISITS

6. At the visit to PSB on 28 July 2011, the Member and Officers in attendance were only able to inspect four files. Due to the small number of files inspected and as the visit was already overdue, it was felt appropriate that a further visit be conducted. An extra inspection visit was therefore conducted at the beginning of November with the following visit being planned for January 2012, as per the original timetable.
7. The Authority has been informed that changes are to be made with regards to the handling and processing of complaints at C Division; the change will see complaints being sent direct to the Division's Public Service Centre to be handled by the Sergeants and Inspector based there. As far as the Authority is aware, this change is only to be made at C Division and therefore clarity is required with regards to the future corporate approach for the handling of complaints. Due to this change potentially impacting on the quality of the handling of complaints, it is proposed that a visit be carried out at the Division once the transition has been made with the following visit then being conducted in October 2012 as per the original timetable.

COMPLETED DIP SAMPLING RECORD SHEETS

8. The forms completed following the visits are held by the Secretariat, along with those from previous visits. A summary of the main findings is included at Appendix A.

ADDITIONAL MONITORING OF FORCE PERFORMANCE – COMPLAINANT SURVEYS

9. As stated in the Dip Sampling report submitted to the Human Resources Committee in February 2011, the Force does not have any plans to conduct any customer satisfaction surveys. Although it was previously proposed that the Authority conduct some work in this area, changes to staffing arrangements within the Secretariat means that the Secretariat no longer has the capacity to fulfil these plans.

OPTIONS/RISK

10. Dip sampling of complaints forms an important part of the Police Authority's monitoring and oversight of complaints against the Force. The Police Authority's opportunities for scrutiny in this area would be much reduced without this programme of dip sampling.

CONCLUSIONS

11. The Authority's dip sampling programme allowed a number of Police Authority Members and Officers to increase their knowledge of the Force's systems and processes with regard to complaints and conduct issues. Whilst no serious issues were raised during the programme, a number of matters were highlighted requiring further consideration and action by the Force.
12. Therefore it is appropriate that further dip sampling of completed complaints and conduct files is undertaken, taking into account the findings this time around, and progress made will be reported back to Members in due course.

FINANCIAL IMPLICATIONS

13. Not applicable.

LEGAL IMPLICATIONS

14. Not applicable.

EQUALITY AND DIVERSITY IMPLICATIONS

15. One of the key aims of the Authority's role in scrutinising Force complaints generally and in particular dip sampling of completed complaint files is to identify any discrimination or disproportionality in the handling of complaints.

RECOMMENDATIONS

16. It is recommended that:
- (i) the Committee considers and discusses the issues arising from the last round of dip sampling and takes account of these in future visits;
 - (ii) due to the low numbers of complaints received to the Central Ticket Office, future visits be conducted on an ad hoc basis;
 - (iii) due to the changes being made with regards to the handling of complaints at C Division, an additional visit be conducted once the transition has been made;
 - (iv) Members receive additional information in respect of the planned changes to the handling of complaints at C Division to provide clarity and assurance in respect of the Force's corporate approach in the handling of complaints, and
 - (v) further dip sampling visits be conducted as set out in the report.

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Background documents: Secretariat Dip Sampling File

A. PSB

28 July 2011

Four files were inspected at this visit (1 complaint, 3 conduct). There were no issues raised with the three conduct files inspected however a number of issues were raised with the complaint file. A summary of the issues and the response provided from the Force is provided below. Full details can be provided to Members on request.

Issue raised by reviewer	Professional Standards Branch response
1a (Complaint file transferred to direction and control complaint) Why did it take a full week between the complainant being advised that the complaint was being logged as a direction and control matter and a letter being sent to inform them that the complaint had then been logged by the Division?	The file travelled in the internal mail from the PSB satellite office to PSB admin where the file was closed down and the Centurion record updated. The 'new' Direction and Control complaint then had to be recorded and assessed before being passed to PSB admin to issue the acknowledgement letter. Workloads are such that this can take several days to reach the top of the queue for each part of the process.
1b Why was the complaint overlooked and no contact made with the complainant for 9 weeks and even then, only because it had been chased up by PSB?	The Inspector assigned to handle the case struggled to progress the complaint due to workload and geographical issues. PSB set a reminder for progress checks with Division on all direction and control complaints however the complainant contacted PSB prior to this date. PSB do not routinely check up to see if the complainant has been contacted by Division as Direction and Control complaints are a divisional matter. However, we will now add this in to our process.
1c Following transference of a complaint to Division, should a confirmation of receipt letter automatically be sent by the Division to provide contact details for the complainant should they have any queries relating to their complaint and also details as to when the Division will endeavour to contact them by?	All Direction and Control files are now sent electronically to Divisions so we know they have been received. The Division should then make some form of contact with the complainant and advise them who the resolving officer will be and how to contact them. This does not have to be by way of letter as we are encouraging the use of e-mail to reduce stationery and postage costs. The process has now been amended to include a reminder from PSB 14 days after the file is sent to Division to ensure that initial contact has been made.
1d As this file concluded in being transferred to Division to be logged as a direction and control complaint, it may be useful, for completeness, for the corresponding files to be made available at the next direction and control dip sample visit.	A request will be sent to Division for them to ensure this file is available at the next Direction and Control dip sample visit. (File inspected at C Division visit – see below).

2 November 2011

Ten complaint files were inspected at this visit. Summary of key issues:

Issue raised by reviewer	Professional Standards Branch response
i. Form 640 incomplete.	The form 640 does not indicate that the complainant is adversely affected and that the person making the complaint is acting on behalf of someone. I apologise for this and have made the member of staff who completed the form aware of this. However, the Centurion record is complete and contains all the relevant details.

ii. Although content that the files had been dealt with correctly, a general comment was that some of the files were not in chronological order and contained duplicate information making them difficult to follow.	The files will have some duplicate documents and we understand that this may appear a little confusing. In order to assist in future, we will devise a checklist for the order of files to make it easier for those viewing the files to find the documents they require.
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B. DIVISIONS/BRANCHES – DIRECTION AND CONTROL COMPLAINTS

A Division

11 October 2011

Twelve files inspected. Summary of key issues:

Issue raised by reviewer	A Division response
i. Acknowledgement letter sent to complainant and a further letter sent just 2 days later. Both letters were acknowledgements; the second simply had more information. Would it not have been better to just send the second letter?	<p>PSB response: In relation to the comments on this file it appears to me that the PA have misinterpreted the letters and do not understand the process.</p> <p>The first letter is an acknowledgement of receipt of the complaint within PSB. Normally we try to acknowledge receipt by phone but if we can't make contact by phone we send a letter or email.</p> <p>The second letter is information that the complaint has been recorded as direction and control and been passed to the relevant Division/Branch. We are required to send this letter because we have to offer the complainant a right of appeal to the IPCC (with an appeal booklet) on the recording decision with a strict time limit for them to respond.</p> <p>We have 10 days to assess and record a complaint. If we are up to date with recording and we have been unable to acknowledge receipt of the complaint by phone then it is possible for the letters to be sent in quick succession. I consider this is better than not acknowledging the receipt promptly. If we have enquiries to make before recording the complaint there can be a delay of up to 10 days between initial acknowledgement and the recording decision letter.</p>
ii. The IO tried to contact the complainant to provide her with an update and eventually spoke to her partner via telephone. As it had not been possible to personally update the complainant, it should perhaps have been followed up with a letter to the complainant to confirm the call, highlight the key update information and provide details should she have had any additional queries. Throughout the file, reference was made to the need for reassurance for the family and following extra efforts being made as far as investigation of the case was concerned, a letter may have helped provide the family with greater reassurance and clarity.	<p>Third party update by telephone noted and will feed back to the Inspector concerned.</p> <p>PSB opinion: if the update is provided to a knowing third party then the complainant should be provided with a written update either letter or email as a matter of courtesy. We cannot guarantee the third party will pass on the outcome and we should not be reliant on them.</p>

iii.	Lengthy time from initial response to concluding and filing.	Noted complaint was received at a satellite station – will feed back to Inspector concerned.
iv.	Initial contact from NCC prompt. Local division took nearly a month to follow up.	Clarification required from Inspector as to the date that contact to the i/p was made – it may have been before the completion date on the form. Will feed back to Inspector.
v.	Complaint received by phone - more detail could have been given. Only had mobile number so no contact made, only messages left. No visits made, only letter sent. Response to complainant only loosely covered the complaint. Needed a visit - if only a PCSO during day shift.	General information on letter (and format) had been picked up by MSU (and e-mail in file to Insp). Discretion of Inspector whether to send PCSO - PCSOs do not routinely give complaint updates or conclusions.
vi.	Time taken? From date of incident to closing reply was 9 months. Although serious and updates given, this still seems an excessive timescale.	Timeline is taken from complaint to closing reply and was therefore 4 months. As noted, MSU requested regular updates.

B Division

20 October 2011

Twelve files inspected. Summary of key issues:

	Issue raised by reviewer	B Division response
i.	Unfortunate that the PC failed to reply to complainant's e-mail. Apology given and accepted. PC advised to be more prompt with replies in future.	As a division we need to remind staff that all contact with the public requiring any form of actions has to be conducted promptly and effectively. This is a matter that would not have been placed on a WAD and got lost in the system.
ii.	Complainant named an officer in respect of a number of complaints – is this not a conduct complaint? Complainant asked about his DNA and queried his inclusion on the sex register – both requests were not completed. Reassurance one way or another may have been better. This appears to be the case of the person complained about writing a reply to his boss, no formal chat/interview – testimony accepted and complainants case dismissed – no questions asked. Could have been dealt with better.	The feedback from the Police Authority has been forwarded to the IO for their attention. I can assume that questions were asked but if it's not written down or explained then the Police Authority can only go on what they have been given. Email to be circulated to the division to emphasise the need for prompt and effective investigations, the returning of property promptly and to reassure all complainants regarding police processes and data management.

C Division

24 October 2011

Nine files inspected. Summary of key issues:

	Issue raised by reviewer	C Division response
i.	This file was inspected as part of the Authority's audit of PSB Complaint files. As this complaint was transferred to the Division as a Direction and Control Complaint, it was requested that the file be made available at this visit to allow the Authority to	Lesson learnt - This was dealt with at Goole on 08.06.11 and not recorded or brought to the attention of MSU/PSB until 17.08.11. As a result ALL Inspectors were informed that any complaints received at any stations must be recorded

<p>fully complete the inspection of the file.</p> <p>When the file was inspected at PSB, it was queried why the complaint was overlooked and no contact made with the complainant for 9 weeks. The issue of delays in respect of this complaint further continued; 13 months passed between the confirmation of the matter being dealt with as a direction and control issue to the complainant being sent their final letter. Following the PSB inspection, the reasoning provided for these delays were that 'the Inspector assigned to handle the case struggled to progress the complaint due to workload and geographical issues'. Indeed in the letter to the complainant, the complainant was advised that the delay was a result of sickness and operational matters. It went on to say that the officer handling the complaint was not responsible for that geographical area and that work in his own area had resulted in the matter being put back.</p> <p>The Inspector handling this case was doing so due to being present at the initial meeting with the complainant. Surely this matter would have been more effectively managed had it been transferred and handled locally from the outset?</p>	<p>appropriately via MSU or PSB.</p>
<p>ii. States Direction and Control Complaint recorded 06.04.11. However the complaint was not received and recorded in the Division until 19.10.11 when the case had already been investigated. Process issues?</p>	<p>As a result of MSU receiving this late via the internal post, PSB now e mail the complaints electronically to MSU to avoid any delay.</p>
<p>iii. A complex assault incident(s) compounded by range of occasions and definition issues which became statute barred. Complainant handled well and within acceptable time limits.</p> <p>Lack of effective coordination between officers, substantive workload and inadequate supervision. Other parties involved which should have resolved some of the underlying problems before police service becoming enmeshed with this case (i.e. bullying).</p> <p>Hopefully lessons have been learnt - but perhaps a check on any organisational changes as a result of the complaint should be made.</p>	<p>This had already been received at C Div and allocated to CID as instructed by C/Supt Davison</p> <p>This was received at Division and dealt promptly and personally by C/Supt Davison on 31/01/11 and was received from PSB as direction and control on 22/02/11.</p>

D Division

11 October 2011

Eight files inspected. Summary of key issues:

Issue raised by reviewer	D Division response
<p>i. Delay in recording and acknowledging complaint.</p>	<p>This was recorded by an IRT Sgt on 12/02/11. It was received in PSB on the 14/02/11. This was assessed on 15/02/11 and the combined recording decision/acknowledgement letter was sent out on 16/02/11. As the recording decision wasn't made until the 15/02/11 the letter could not have been sent sooner. PSB are satisfied everything was done correctly and that this is a case of the PA not</p>

		understanding the process.
ii.	Recording of Complaint – Quality of Completion of F1097 – Ethnicity not recorded	The Officer who completed the F1097 has been made aware of this. Awaiting reply and will complete the file with complainant's ethnicity before filing.
iii.	Recording of Complainant – Quality of completion of F1097 – Ethnicity not recorded. General comments – QA checklist Some of the boxes ticked 'no' but action taken is not stated.	This was recorded by PSB from an email complaint via the IPCC that did not reveal the ethnicity of the complainant. Unfortunately the IPCC no longer require complainants to complete a form which includes personal details. They now accept a complaint in any format. The complainant on a separate issue was later arrested and PSB managed to get his ethnicity from this information. Updated the file to White/British. There was only one box ticked 'no' which was 'Could Service Recovery have been achieved without recording the complaint?' – this file has been dealt with in an appropriate manner.
iv.	Handling of Complaint – informing the Complainant	Letter was dated 11/05/11 but not received by the Chief Officers Support Unit until 17/05/11. COSU acknowledged receipt of the letter on 17/05/11 and informed the complainant that it would be passed to PSB. Assessed in PSB on the 18/05/11 and recorded on database on 20/05/11. A recording decision/ acknowledgement letter was posted out on the 20/05/11. The delay that the letter took 6 days from the date it was apparently written to arrive with Humberside Police could be down to the date the complainant posted it or an issue for Royal Mail.
v.	No QA Checklist	QA Checklist completed and put in the front of file.

Ops/CMB

25 October 2011

Eight files inspected. Summary of key issues:

	Issue raised by reviewer	Ops/CMB response
i.	Response to complainant - Delays in conclusion of complaint.	There was some confusion regarding which traffic inspector would deal with this complaint due to the divisional traffic inspector being away from the office for 3 weeks (emails can be provided if required). The 28 day deadline wasn't quite met - a shortfall of 3 days.
ii.	States on file an email was sent to NPT asking them to contact the complainant to discuss her concerns. A copy of this email on file would have been useful. General Comments – on the minute sheet it states an Inspector contacted the complainant who then advised she had already been contacted by the Force and was satisfied with the response. Would have been helpful if the Inspector had been made aware of this.	The point raised shall be forwarded to the investigating inspector for future reference. The point raised shall be forwarded to the investigating inspector for future reference.
iii.	Handling of Complaint – informing the Complainant – delay in acknowledging complaint.	Complaint received on a Friday and response sent on the Monday - 10 working day recording

	<p>Response to Complainant – delays in conclusion of complaint.</p> <p>General Comments - Minute sheet states 'please note C Division have also dealt with this direction and control'. No evidence of this on file, slightly confusing as to what their involvement was.</p>	<p>decision in place before response required. Also as 1097 completed in the presence of the complainant then complainant already had received a verbal response.</p> <p>The response time is within the set 28 day deadline given to the officer, if this needs to be reduced further notification of this will be required.</p> <p>Sent to C division in error then forwarded to IHU by C Division. Complaint never dealt with by C Division.</p>
iv.	<p>Handling of Complaint – informing the Complainant - No evidence of written acknowledgment from the branch</p> <p>Response to Complainant - Letter sent to complainant, but it would have assured the complainant if it had included the action undertaken – i.e. remind staff to assess risks via training document. Then complainant would have felt complaint had resulted in action.</p> <p>General Comments - A relatively low level complaint handled fairly well with decent timescale. Letter rather formal and defensive.</p>	<p>F1097 completed 28/2 and sent in internal mail to PSB, received 02/03. Recording decision made on 02/03 and letter sent out within 3 working days.</p> <p>Inspector didn't feel that this was an internal point raised and wasn't necessary to inform the complainant, focused more on the incident that happened and the actions taken.</p> <p>Letter explains the issues preventing deployment and apology made to the complainant in the letter.</p>
v.	<p>General Comments - Why was the complaint handled as a full complaint with PSB standard response; why not handled immediately as a local resolution?</p>	<p>Inspector made decision due to the operational circumstances surrounding the complaint – it falls under policies and procedures.</p>
vi.	<p>Handling of Complaint – delays in conclusion of complaint. File seems to have been handed around as no one took responsibility.</p> <p>Response to Complainant - Surprised no final letter to complainant confirming the action taken (i.e. meeting) at which the issue seems to have been resolved.</p>	<p>There was confusion regarding responsibility of the area that this complaint fell under (as pointed out) which led to delay. No other reasonable explanation.</p> <p>The investigation was explained in full verbally.</p>