

INDEPENDENT RESIDENTS' PANEL

Complaints Review: Thursday 15 June 2017, 10am–3.30pm

STRUCTURE OF THE SESSION

Eight out of 12 Independent Residents' Panel (IRP) members attended this quarter's meeting, reviewing 37 complaints from a total of 92 requested cases. One of the Vice Chairs reviewed a specific, completed complaint case, requested by the complainant and this member's feedback report was forwarded to the Police and Crime Commissioner (PCC) and Professional Standards Department (PSD).

Themes: The most recently completed complaints against the Police (and beyond the appeal period) were requested by the Panel within the following IPCC complaint allegation categories:

- 1: Discrimination – 26 cases and the main theme; plus:
- 2: Body worn video camera used during the complaint investigation - 6 cases;
- 3: Stop and Search - 2 cases (to work alongside the PCC's Scrutiny of Police Powers panel); and
- 4: Serious assault – 2 cases, sexual assault - no cases - and 'other assaults' – 26 cases.

Also reviewed were early/informally resolved complaints.



Panel members recorded their comments for the Constabulary's PSD to read, comment upon and use for any individual and organisational learning, including highlighting to the Constabulary Management Board. A part of this Panel meeting was attended by the PCC's Chief Finance Officer (who took an action about petrol receipts for volunteer travel expenses). There was also a round-table summary where each Panel member summarised

their feedback on the complaint cases that they had reviewed.

DISCUSSION WITH THE PROFESSIONAL STANDARDS DEPARTMENT

Avon and Somerset Constabulary's Deputy Head of the Professional Standards Department (PSD), Chief Inspector Susan Wilshire, attended for the Panel member summary session and was available to respond to any questions about the last Panel report.

The PSD performance 'dashboard' report is published each month on the Police website [here](#).

FEEDBACK REPORT

This feedback report contains Panel members' comments and views, both positive and negative, along with the responses from the Professional Standards Department. All Panel member completed feedback forms are also forwarded to the PSD to review, along with this feedback report.

POSITIVE COMMENTS

Panel members highlighted the following positive aspects within the complaint case files:

1. The quick resolution of complaint cases due to Police Officer body worn video camera (BWVC) evidence is commended. BWVC footage is extremely helpful when it is in the complaints file. In one complaint reviewed with BWVC footage, the complainant's case totally collapsed.
2. General, overall Panel comment is that complaints are being well handled, with enough information stored in the complaints files. Also the finalisation letters are good.
3. Compliments to the PSD and Complaints Handling Officer for informally resolving some challenging cases. In one case PSD sorted out a problem that had lasted over a year.
4. Good use again of early intervention terminology (removing 'Service Recovery' narrative is welcomed) in a clear and well explained manner.
5. Despite being over 12 months since the complaint incident occurred, meaning a legislated 'disapplication' (no further action) decision, the complaints Investigating Officer still answered the allegations. Congratulations to **Detective Inspector (DI) Lindsay SHEARLOCK** for being complainant-focussed.
6. A highlighted example of an extraordinarily well-presented complaint case, including an exemplary finalisation letter by **DI Gary STEPHENS**.
7. An excellent locally resolved complaint case was reviewed, with a very good and clear apology plus learning points. Compliments to the complaints Investigating Officer, **Inspector Jason SHEARS**.
8. A Panel member summarised that all the reviewed complaint cases had positive points of note and no negative issues at all. Early resolution and local resolution of complaints cuts down the complaint completion time compared to local investigations and is working well.
9. A fantastically well documented case example, again by **DI Gary STEPHENS**.
10. Congratulations from a Panel member to **Sergeant Tom GENT** for taking the bold move to go out and visit the complainant.
11. Good examples of complaints handled in a timely manner and the complainants kept apprised during the process.
12. A thorough and detailed complaint investigation by **Sgt. James PAGE**.

PSD response:

We welcome the Independent Residents Panels comments; it is particularly reassuring to read these positive comments. Please be assured that feedback and recognition will be given to all individuals.

Body-worn video is an invaluable resource, Professional Standards Department use footage to investigate any allegations wherever it is available. The Constabulary has recognised many benefits following the introduction of bodycam footage, we praise the tool as a means of resolving complaints, such as use of force, to clarify situations with context and balanced explanations.

The feedback provided by the panel members over the past number of years has highlighted where we could improve the quality of our letters, use of jargon and quality of files, on reflection we have improved significantly in these areas, this is highlighted by the panel's comments in this month's report.

PSD training and guidance supports managers across the organisation in handling complaints and reinforces crucial factors such as the need for twenty-eight day updates for the complainant. Key aspects of the guidance are reinforced at PSD training sessions delivered at various courses across the Constabulary. Where possible, we encourage managers responsible for resolving complaints in a timely manner either at the first point of contact or through local resolution procedures. This work is reinforced through messaging, in particular via the 'Landing the Lessons' publication.

The positive feedback reflects our great performance figures for our timeliness in complaint handling. In addition, the Professional Standards Department have developed performance reports, which are published externally to improve public trust and confidence in the Constabulary.

QUESTIONS, CONCERNS, NEGATIVE COMMENTS & SUGGESTED ORGANISATIONAL LEARNING POINTS

Panel members highlighted concerns about the following issues and also made suggestions that may improve the quality of policing service, Police Officer performance, conduct, or improve the complaint handling process:

1. The term 'upheld' is unnecessary and unhelpful language to a complainant within an early/informally resolved complaint. Instead, the Complaints Officer could write 'I agree with your complaint'.

2. Similarly to point 1, some Complaint Investigating Officers are still using formal language and sticking to the template. Plain English would be better. An example is the term 'disappication' which should be explained. Also, '{name}' parenthesis is left in some letters to complainants so this requires attention to detail to maintain high quality responses.
3. Punctuation in a PSD template initial letter needs correcting: 'The matters ... will be looked into; ...': the semicolon should be replaced with a full stop and a capital letter to follow. See complaint case 5 below.
4. If there is an outstanding task after a complaint is finalised, such as a compensation claim suggested in the finalisation letter or 'management action' for a Police Officer regarding performance or conduct, how does the PSD know it is completed? It's an internal, PSD matter, but there is generally nothing in the complaint file for 'task and finish'.
5. 'Management Action' and 'Management Advice' is narrative not welcome by the Panel. It can sound like a 'fob-off' to the complainant. Alternative narrative could be 'I've tasked the Officer to <summary action points ...> and report back to me'. More information in the log report would be beneficial in these circumstances, for file review. Also, some letters still include 'management speak' such as 'learning and development input' narrative in a finalisation letter.
6. Early intervention/informal resolution narrative is greatly improved but the narrative, if a template, could be improved by changing the words about 'service levels' to 'the service provided by the Police'.
7. Is there a timescale/deadline for a complainant to reply to the finalisation correspondence in informally resolved complaints to state if they are still dissatisfied and want to make a formal complaint?

PSD response:

The terminology 'upheld' is used to result complaint allegations that are not subject to special requirements, this is set out by regulations and IPCC statutory guidance. Complaint investigations that are not subject to special requirements should be resolved by using the terms 'upheld' or 'not upheld'. Additionally, in accordance with the Yorkshire judgement, cases subject to special requirement will be concluded by the terminology 'case to answer' or 'no case to answer'. However, In this case the matter was informally resolved, therefore, the complaints officer should have used alterative wording to conclude the matter.

'Disappication' again is terminology set out under regulations and IPCC statutory guidance, we have recognised where we should be providing further information in our letters explaining the process and requirements in accordance with regulations and IPCC statutory guidance. Feedback previously from the panel regarding use of Management Action and Words of Advice has been addressed. Our final letter templates have been amended to encourage managers to explain in

detail what is meant by the terminology. We appreciate that the case files reviewed during this session may have been finalised prior to these new templates being available.

We have an established finalisation process in Professional Standards Department, whereby all investigations are submitted for finalisation. At the finalisation stage the case file is reviewed for quality assurance purposes, reviewing final letter, report, and outcomes, cases do not reach this stage until all actions relating to the complaint case have been concluded. However, if there were a subsequent linked matter i.e. claims for compensation, relating to the case then there would either be a live linked civil claim case reference, or an open progress action allocated to a workflow. Progress actions are tasked to workflow groups, containing the details of the action with a required completion date. This workflow action will remain live in the relevant workflow until the action has been completed and closed by the appropriate persons.

The suggested narrative by the panel is welcomed by Professional Standards Department, letters will be amended accordingly.

There is not a set timescale for members of the public to contact us should they remain dissatisfied with the resolution through early intervention.

REQUESTS FOR COMPLAINT FILE REVIEWS

The following complaint case is requested to be reviewed:

Complaint case reference 1:

The Panel member suggests that Allegation 2 needs further investigation.

This issue is whether or not the discussions were initiated by the Police Officer or the Social Worker. It is disappointing that there did not seem to be a reply from one Officer, giving his side of the incident. It appears that the Police Officer did initiate the discussion based on advice from the Supervisor to check out the issue of an arranged marriage. This was not part of the original assessment and would be seen as going beyond the remit of the investigation. The Panel member can appreciate why the complaint was made by the complainant. Whilst the visit to the school was appropriate the level of discussion of religious beliefs as outlined in the complainant's daughters report was perhaps not. See Complaint letter from Solicitors (.pdf) of the Investigating Officer log reports.

It could be reasoned that as the Safeguarding Unit and Social Services are involved in the protection and welfare of young persons, including intelligence of forced marriage, it would be appropriate and proportionate for this subject to be addressed.

There was no case to answer. However, the Panel member requests that allegation 2 is reviewed by the PSD.

PSD Response

An informed discussion took place before the joint visit and, working based on the 'one opportunity to engage' principle, it is entirely appropriate that other potential risk issues are explored at that initial contact. Whilst the parties involved may disagree with further questions, being asked there was clear, objective evidence of the father's controlling behaviour so it is entirely right that wider issues surrounding the daughter's welfare were addressed. This is actually a reasonable investigation and the investigating officer has reached the correct conclusion, therefore, we consider there to be no need for further investigation.

SUMMARY OF COMPLAINT FILE REVIEWS

Complaint case reference 2:

The Panel member does not think that this complaint handling and outcome is fair and free from any form of discrimination or bias. Also, it is not considered to have been handled in an open, fair and proportionate manner.

One letter to the complainant begins:

"... your complaint had been forwarded to **{name of CI or Supt}** who would ask the most appropriate manager to contact you about your complaint."

Specific narrative has not been added to the template. Additionally this whole paragraph is considered to be redundant as the letter is a second attempt to establish contact with the complainant.

The document titled '...ghes 352' refers to the complainant as a "gypsy". Why has the author used quotation marks? A gypsy is a member of a protected characteristic group under the Equality Act 2010 and the author of this document does not appear to understand this. The quotation marks suggest that this protected characteristic is being queried or that gypsy is not an accepted term.

Does the author need an assessment about his/her understanding of protected characteristics?

Case ref 3: On a positive note, although sub judice, there has been significant investigation of the complaints in this early intervention complaint, but no outcome. The Panel member found this case to be a very confusing case and struggled to make sense of it. There are a significant number of complaints and it would appear that these cannot be investigated because the complainant faces criminal charges. The Panel member had to answer 'not known' to all 6 questions on the feedback form. Appendix 1 below refers.

Case ref 4: This is a complaint via a third party SARI (Stand against Racism and Inequality) on behalf of the complainant regarding a Stop and Search incident 3 years before the complaint was made. This is beyond the normal 12 months' complaint-time (unless there are specific

circumstances for the lateness in complaining). The disapplication process followed legislation but did not act with any positive action. There was no flexibility. The finalisation letter (disapplication – no action taken) was clear but unequivocal.

Case ref 5: Concern item 3 above refers: the template initial letter's punctuation needs correcting. Otherwise, there is an excellent set of documents throughout. This has a sound assessment of the complaint and a high level of flexibility in handling the complaint and being complainant-focussed, following the complainant's request for the outcome. PSD Gary STEVENS provided full information and sound advice to the local Officer on what and how management advice should be given and also asked to be informed once the advice was given. The final letter is clear and comprehensive, with no jargon and the complaint has been completed in less than a month, which is timely.

Case ref 6: The local resolution action and the full explanatory letter to the complainant (who alleged discrimination) were very well received and also appeared to make the complainant feel well supported during a difficult domestic situation. The local resolution process has cut down processing time significantly compared to local investigations.

Case ref 7: The custody CCTV evidence backed up the police response of an uncooperative detainee. However, there was no audio recording so no evidence whether or not the words 'sir' and 'mate' were said.

Question: The risk assessment of the detainee did not allude to any potential self-harm or the need to remove the detainee's clothing and replace it with anti-suicide clothing so what was the rationale? The finalisation letter states that the Officer would "receive learning and development input (sic) in order to improve future performance". This wording does not really help anyone understand what the learning is about which is unsatisfactory for the complainant and for the IRP review. The Officer complained against declined to respond to the complaint which left questions unanswered about actions taken.

Question: Is the equivalent of the 'right to remain silent' an option for Officers?

Case ref 8: Good, plain language is used in this early intervention process, in a clear and well explained manner, appropriate to the 88 year old complainant.

Case ref 9: It is good to see use of the early intervention process terminology rather than 'Service recovery'. However it could be improved further by changing the words about 'service levels' to 'the service provided by the Police', see **changes** below:

*"This matter is being dealt with through the early intervention process. This process ensures that expressions of dissatisfaction or complaints about **the service provided by the Police** are dealt with promptly and effectively, in order to provide a high quality of service whilst working closely to manage complainants' expectations positively. These concerns and complaints can then hopefully be **completed** without having to record them as formal complaints (under the Police Reform Act)."*

However, the wording below is considered spot on by the Panel member. It is written in plain and understandable English and explains very clearly the progress without being burdened by Police

jargon. Also the Panel member is glad to see that the email is signed by a Police Complaints Officer. This is very clear and to the point.

“Avon and Somerset Constabulary are working towards resolving complaints such as yours as quickly and effectively as possible through early intervention. The role of Police Complaints Officer is to receive reports of dissatisfaction and where appropriate, seek to make early contact with you to resolve the issues to your satisfaction. This will avoid the lengthy process of carrying out a formal complaint investigation, in accordance with the requirements of the Police Reform Act 2002.”

The Panel member considers that it gets even better: Gone is the terminology that ‘the matter has been filed’ by PSD, it says very clearly it has been ‘closed’ by PSD:

“In view of the above, this matter will now be closed by the Professional Standards Department.”

One negative point: There is no record if the complainant was happy with the response, just an email that the complainant had called and got no reply.

Case ref 10: This complaint has been handled in a timely manner and the complainant has been kept apprised during the process. There are no negative points of concern.

Case ref 11: This complaint has been conducted in a timely matter. The complainant was given the option to continue his complaint after the offence was discontinued. There are no negative points of concern.

Case ref 12: This has been handled in a timely manner and the complainant seemed content with the outcome. There are no negative points of concern.

Case ref 13: This is a very comprehensive and sensitive letter sent to the complainant, after a thorough complaint investigation, by Shaun SCREEN from PSD.

Case ref 14: There has been a thorough complaint investigation, including important body worn video camera evidence. Also, there is an appropriate finalisation letter.

Case ref 15: The body worn video camera evidence conclusively shows that many of the allegations made are incorrect. Again, a thorough and detailed complaint investigation by PS James PAGE from the PSD.

Case ref 16: There is a good account of the complaint investigation provided in this complaint and a clear finalisation letter. However, the body worn video camera evidence alluded to, which was crucial for one of the allegations, is not in the file so cannot be reviewed.

Case ref 17: There has been a very thorough complaint investigation, which is well documented. However, there was an unreasonable delay in forwarding the complaint to the appropriate person and also the Police did not let the complainant know the outcome of the complaint.

Operationally, there were silly mistakes at the beginning of the process and a failure to keep the person informed which caused the complaint and the subsequent complaint investigation.

Case ref 18: There has been a full complaint investigation and response to the complainant. This is a case example in general of overall improved recording and storage of contact correspondence with a complainant. However, it seems a missed opportunity that the complainant was not invited to view the body worn video camera footage.

The second Panel member reviewing this complaint agreed with the final decision that there is no case to answer regarding all except one allegation and that is regarding the use of the PAVA spray. Also, the addition of an apology within one of the first two Police response letters to the complainant would have improved the letter.

Question: Why were there some many Officers standing outside the custody cell of this female detainee?

Case ref 19: The day after the complaint was made, a Police Staff member spoke with the complainant and gave an immediate apology. The case was re-opened and an Officer attended to view the complainant's video evidence. However, it would have been helpful to have informed the complainant of the timeframe for the Police Officer to contact the complainant, which was internally set as within 7 days. In the finalisation letter of this informally resolved complaint, the complainant has been invited to reply – as standard - if they remained dissatisfied.

Case ref 20: This early resolution case does invite the complainant to respond if dissatisfied, as standard practice, and the PSD did chase for a response from the complainant. However, the PSD had to chase for an internal response as there had been no contact with the complainant. The Inspector had just reviewed the case and flagged it as a person with mental health issues. The Panel member considers that the appropriate support had not been offered to this complainant during the complaint handling process.

Case ref 21: It was good that both an initial complaint and a secondary complaint was opened when the complaint was made. However, the discrimination doesn't appear to have been dealt with. The complainant's appeal was upheld.

Case ref 22: Prior to the complaint re-assessment the Officer contacted the complainant and apologised. This was appreciated by the complainant and brought about an early resolution of the complaint.

A very satisfied response from the complainant who said:

"After the convo we had I had more of a understanding on the police actions so I'm happy that our local police force Avon and summerset on average do a great job in policing our communities to make it safe for us to live in." and a "Big Thank you for addressing the matter directly."

Compliments from the Panel member to PS GENT.

Case ref 23: Police damage to a vehicle (mistaken identity) was resolved promptly with a full complaint investigation. This complaint includes a good response letter, with an apology. However, "Management Action" wording requires greater detail. What courses/action has been taken?

What happened about the injuries?

There is no invitation in the final letter to pursue this matter.

Case ref 24: The email sent in reply to the complainant gives a detailed explanation addressing why the complainant was arrested at the specific time. The email also acknowledges that the

complainant's feelings of anxiousness and says that they hope to have alleviated these - this is good to see.

However, this complaint was about the 7 year delay in a speeding prosecution against the complainant and the PSD does not address this point. The email from the PSD also fails to address the complainant's concern about the costs due to the delayed prosecution. It should have been responded to and the situation explained rather than being ignored.

Operational policing question: Is there a timeframe for an issued arrest warrant?

Case ref 25: A speedy apology has been given to this informally resolved complaint. There has also been good flexibility shown in communicating via the complainant's Accountant as English wasn't the first language for the complainant. However, PSD closed the complaint after putting the complainant in touch with the Detective Inspector who would consult with the Officer in Charge of the original police case. All parties were happy but it might have been better practise to keep the case with PSD open in order to ensure that this was done and the complainant was happy as a result. The Police Complaints Officer acknowledges that the complainant may come back with a formal complaint so there was no obvious reason for closing the case with PSD other than the Officer's concerns about it exceeding the time limit for early resolution.

Case ref 26: There is excellent work from the Police involved in this complaint case (allegation of discrimination) and a good example of the Police and the complainant talking together which has worked well for everyone involved.

The finalisation letter is a model example by Inspector 2477 Jason SHEARS. It is very well worded, including a direct apology:

"Firstly, I would like to take this opportunity to apologise on behalf of the constabulary that you have been involved in an interaction that left you feeling the need to raise this complaint. However, I thank you for taking the time to do so as I find it extremely useful to receive feedback, whether it is positive or negative."

This complaints Investigating Officer offered to personally oversee all ongoing cases involving the complainant and took steps to resolve the complainant's other concerns not directly related to the complaint. What began as an allegation of racist discrimination has now been resolved well.

Case ref 27: The complainant has been kept informed by letter due to the complainant not answering telephone calls. It has been a thorough investigation including reviewing body worn video camera footage for this allegation of discriminatory behaviour against the Police. Accounts have been taken from all Officers present and there have been attempts to get an account from the complainant and phone-footage that the complainant filmed. However, the initial letter to the complainant did not offer an apology and it would have been improved by doing so.

Query raised: At the time the person was first stopped and searched there were no other Police Officers present and the Police Officer's body worn video camera was not turned on. Highlighting

the grounds for the stop and search in the complaint record would have been helpful for reviewing this case.

Case ref 28: See case ref 18. Reviewed by two Panel members, as the complaint reference was duplicated – within both the ‘body worn video evidence’ complaint list and the ‘other assault’ category list.

Case ref 29: This complaint has been addressed quickly, sensibly, fairly and locally. The Officer in charge of the complaint has telephoned the complainant and spoke with the complainant after obtaining the complainant’s permission (the option was given to the complainant to speak to another Officer). PS Stuart CUMINE took a fair course of action and acknowledged that two mistakes had been made, apologised for them and offered future remedy to avoid similar mistakes. The complainant was happy with this informal resolution outcome. This is highlighted as an excellent example of early resolution.

Case ref 30: This has a speedy informal resolution. The case file does not detail interviews or correspondence between the complaints Investigating Officer and the Officers complained against but there are notes in the file that body worn video camera evidence clearly shows that Officers failed to carry out actions to safeguard property. Therefore, it was correct that the complainant was sent a property compensation claim form.

Case ref 31: Organisational lessons have been noted from the initial road rage complaint into this complaint case regarding the allegation of discriminatory behaviour. The complaint Investigating Officer (IO) welcomed third party SARI input to support the complainant and to aid understanding of communication. There has been positive inter-organisational communication and there has also been considerable IO attention to detail. The Panel member’s review of this complaint has been helped by having a comprehensive case summary in the file. However, actions suggested for PSD are as follows:

1. A copy of the report could be supplied to the local Senior Leadership Team (SLT) who could discuss the issues regarding checking the information before closing the crime database record (Niche) with two Officers (named of the feedback form).
2. A copy of the report could be supplied to the Constabulary’s Communications SLT who could identify the relevant Dispatch Staff member and discuss the importance of supplying accurate information to Response Officers.

Case ref 32: This appears to have been a challenging complaint case to take on for ‘early resolution’, compared to previous cases reviewed, which is applauded by the Panel member, who supports this step-up to more intense case work. There has been a timely response to this complaint. However, as an operational policing matter, the complainant has been in contact with Avon and Somerset Police for over a year trying to get a copy of the Accident Report Book (ARB) without success, even though Solicitors have been involved. Action by the ‘early intervention’ PSD team has succeeded in a very short time to get the ARB where other attempts have failed. There is

also good, friendly wording on the introductory email, as stated in case ref 9 above (last narrative quoted).

Operational policing question: The Police Officer submitted an ARB at the time of the incident, as normal procedure, which subsequently went missing. Once this had been established (a year ago, after first contact from the complainant), should this have been followed up and a second ARB submitted retrospectively?

Case ref 33: Operationally, small learning opportunities have already been identified in the complaint Investigating Officer's report, which would have given better support to the complainant at the time of initial incident. However, neither are related to the racial discrimination allegation.

Case ref 34: This complaint could have been immediately concluded, with 'no further action', due to disapplication, but DI SHEARLOCK did more and continued with a very thorough explanation to the complainant, addressing all the issues raised and providing all the actions taken by Officers, including the reasons why.

Case ref 35: This complaint has been handled very well with a very good finalisation letter sent out which deserves thanks to the author – DI Gary STEPHENS - for the content and explanations.

Query: As the complainant is a member of Police staff, should the issue have been taken up informally or via an Employee/Staff Association as an issue about some subtext of racism that the staff member has experienced and wants to air?

Case ref 36: This is a specific case review for a complainant and the Panel member's feedback is in a separate report to the PSD.

PSD response:

Complaint case reference 2: The author of the letter dated 28th November 2016, unfortunately, did not amend the section of the template correctly, this was simply an administrative mistake. The quotation marks were not used in a report by the OIC, they were used in the 352 (initial complaint form) taken by the duty inspector. Quotation marks used were a result of direct speech by the complainant at the time the complaint was made. This specific narrative was used by the complainant to the duty inspector when explaining that they felt they were being harassed by another member of the community, additionally the complainant stated that they felt they were subject to racial abuse being called specific names. In this case, the officer used quotation marks when citing information from the complainant, therefore, the quotation marks were used to set aside the spoken words.

The duty inspector taking the initial complaint was not querying the complainant's demographic status, it is apparent from reading the initial complaint form that the complainant was clearly distressed while the complaint's details were being taken.

The initial complaint form was submitted to professional standards department, whom recorded the complaint under PRA 2002 and allocated to a PSD inspector and investigating officer.

The investigating officer recognised the seriousness of complaint and appropriately set several investigative actions to progress the investigation and to establish whether grounds for IPCC referral exist.

Unfortunately the complainant would not engage with the investigating officer and after numerous attempts to contact the complainant, the decision was taken to disapply the complaint under the PRA 2002.

We believe the comments around unfair, bias, discrimination do not truly reflect the attempts made to resolve the complainants concerns.

Complaint case ref 3: Complaint made in relation to a collision investigation, issues raised with the appropriate department who confirmed that District Investigating Officers would carry out a review in order to check if any criminal offences have been missed. The complainant was advised that this may take some time, but they will be updated in due course.

Complaint case ref 4: This complaint relates to an incident that took place on 15 April 2013, the complainant was provided with clear rationale for the decision to disapply the complaint. As the incident that took place on 15 April 2013 the Statutory Guidance issued by the Independent Police Complaints Commission (IPCC) states that where more than 12 months have elapsed between the incident giving rise to the complaint and the making of the complaint and either no good reason for the delay has been shown or injustice would be caused by the delay. In such cases, it is appropriate for police forces to disapply the requirement to investigate the complaint. The incident referred in this case occurred well in excess of 12 months ago.

As per our comments in the positive section above, BWV has proven to be an integral part of resolving complaints both swiftly and proportionately.

Thank you for the positive feedback relating to efficient, proportionate investigative enquiries and comprehensive final letters.

Early intervention procedures have considerably improved our customer service approach and reduced demand across the Constabulary. The immediate action resolves matters to the satisfaction of the complainant and negates the need to formally record the complaint and the associated procedures that follow.

It is particularly pleasing to note that the panel have highlighted the excellent customer focused technique and significant improvement of our 'early intervention' letter content.

Over the past twelve months, we have worked continuously to improve the early intervention procedure, along with valid feedback from the Independents Residents Panel. Since the review in June 2017 we have adapted our approach in resolving these matters entirely by Professional Standards Department. This sees us taking ownership and resolving the complaints from beginning to end. However, this process will require us to engage with appropriate persons and managers across the Constabulary, so that accurate details and information are established to successfully resolve complaints. This approach provides greater consistency; ensuring members of the public receive the highest levels of service.

All matters dealt with through the early intervention process will be resolved by means of a final letter, which outlines the steps taken to resolve the complaint.

Complaint case ref 17: On 6 April 2017 an acknowledgement letter was sent to the complainant advising that enquiries were ongoing by the Professional Standards Department. Followed by a further letter on 13 April 2017 once all initial enquires were complete. Fact-finding established that the complaint allegations were suitable for local resolution once BWV had been viewed. However, the local area was under significant demand, therefore, the decision was made to retain and finalise the investigation in PSD. On 11 April 2017 the PSD investigator called and spoke to the complainant who was updated. The complainant was surprised by the call as he had sent his complaint to the IPCC which he expected to deal. The investigating officer explained the procedure to him. On 11 May 2017 a final letter was sent to the complainant outlining the conclusion of the investigation.

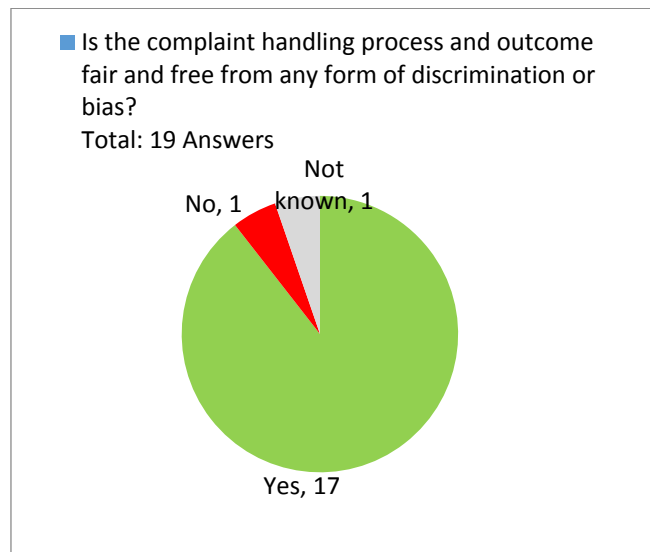
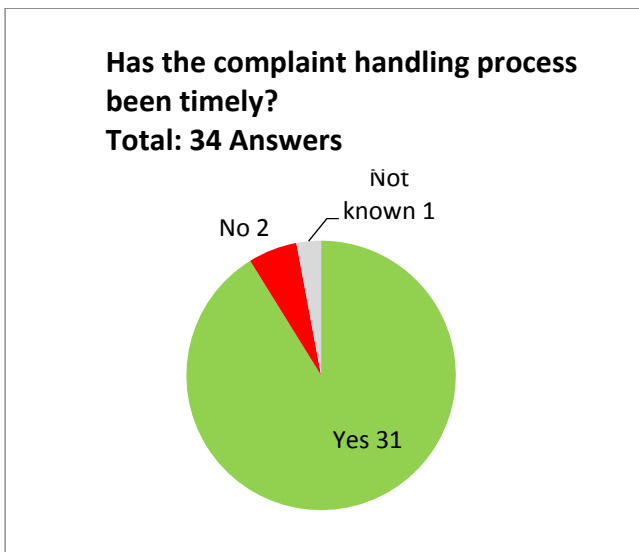
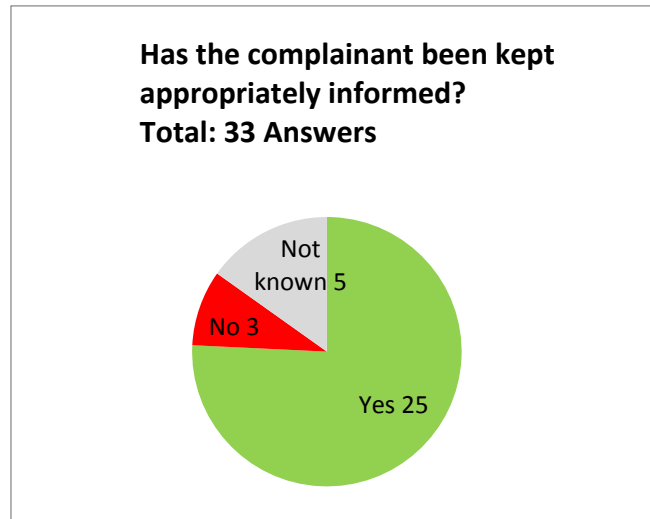
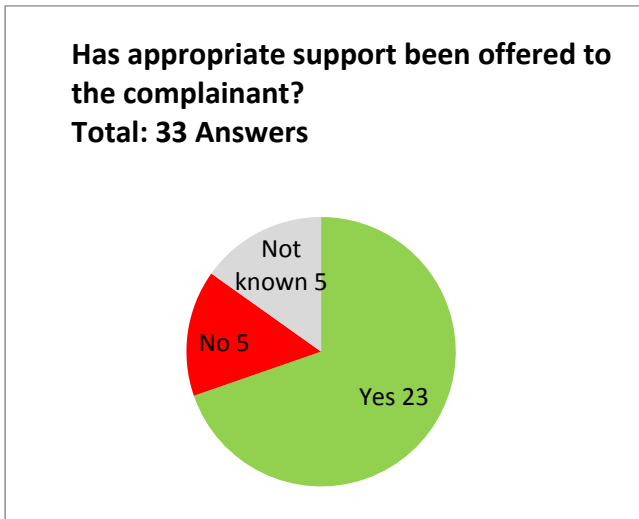
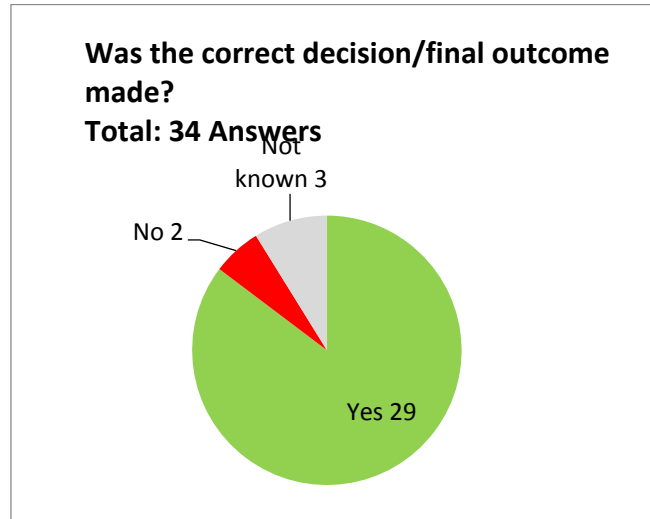
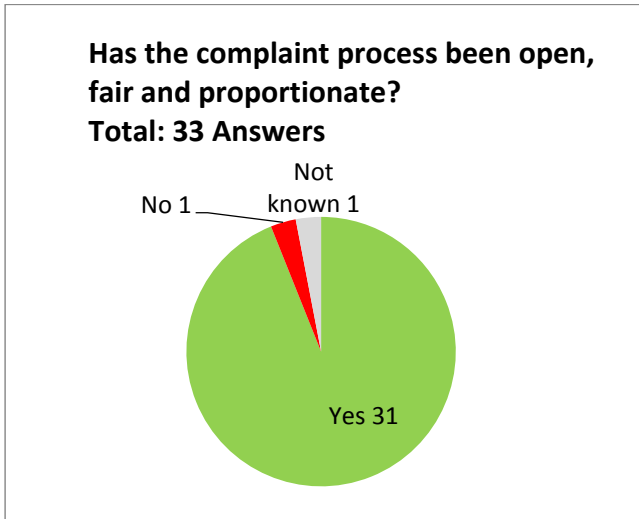
Complaint case ref 21: We have reviewed the case file and are satisfied that the discrimination was address, in the first final letter. The appeal was upheld on the basis that certain aspects of the general complaint (not discrimination) weren't satisfactorily addressed, therefore the investigating officer provided clarity and another right of appeal, which wasn't taken.

Complaint case ref 35: To clarify, the complainant is not a member of police staff. However, their family member does work for the Constabulary.

There is increased personalisation and engagement with complainants to resolve complaints at the earliest opportunity, providing very satisfactory outcomes for members of the public and restoring confidence in Avon and Somerset Constabulary.

We are pleased to note that the panel have found consistent good practice across the majority of the files and evidence of progress in some key areas since the panel was constituted. There should be a source of pride for everyone involved that the standard of complaint handling has significantly improved. This is very much mirrored by the improvements shown in the IPCC performance figures.

APPENDIX 1 – FEEDBACK FORM STATISTICS – SIX QUESTIONS



These pie charts relate to the six questions in the feedback form. Panel members record 'not known' when the case file does not give sufficient detail to allow a categorical yes or no answer.

Note: Answers left blank on the feedback form are excluded from the pie-chart figures.