

INDEPENDENT RESIDENTS' PANEL

Complaints Review: Thursday 7 September 2017, 10am–3.30pm

STRUCTURE OF THE SESSION

Seven out of 11 Independent Residents' Panel (IRP) members attended this quarter's meeting, reviewing 37 complaints from a total of 82 requested cases. One of the Panel members 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: 70 of the most recently completed complaints against the Police (and beyond the appeal period) as at 31 August 2017 were requested by the Panel, irrespective of the IPCC complaint allegation category. This is an annual request by the Panel, to compare the quality of case files, year-on-year. Also requested were 12 of the latest 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. There was also a round-table summary where each Panel member summarised their feedback on the complaint cases that they had reviewed. The Panel noted their reviewed Terms of Reference.

DISCUSSION WITH THE PROFESSIONAL STANDARDS DEPARTMENT

Avon and Somerset Constabulary's Head of the Professional Standards Department (PSD), Superintendent Richard Corrigan, attended for the Panel member summary session and was available to respond to any questions about the last Panel report. A PSD update was also provided. The PSD performance 'dashboard' report is published each month on the Police website [here](#). The PSD has a busy Autumn 2017, including a number of Misconduct Hearings to process smoothly as a PSD role. The latest Hearing outcome on 6 September 2017 is that the case to answer was not proven and dates back to a 2010 death in custody and 2013 Coroner's inquest. The Panel were concerned about the welfare and support for those involved and the length of time taken – over 7 years - by the independent investigation by the Independent Police Complaints Commission (IPCC)

and the case review by the Crown Prosecution Service (CPS) before the PSD handled the Hearing process during 2017. The Head of PSD agreed that the length of time is unacceptable, with no winners for the family and the Police Officer. However, there has been positive learning and change of approach for the Police regarding engagement with people with mental ill-health since 2010. It is now a medical not criminal justice provision and people detained under section 136 of the Mental Health Act are not taken into custody as a 'place of safety'. This is recognised by Police and Crime Commissioners and Chief Constables and is being recognised Nationally now by the Government, although the Police are an emergency service and remain a first and sometimes a last resort if there is no medical provision.

A Panel member commented about the IPCC report about the tragic murder of Mr Ebrahimi and said that the Police had moved on from this since 2013. The Head of PSD said it was nice to hear this positive feedback and that the organisation Stand against Racism and Inequality (SARI) had also acknowledged this. The Constabulary don't await an IPCC report in 5 or 6 years' time but act on learning and improvements. The IPCC timeliness is again far from acceptable but on an optimistic note, there appears to be improvements in the IPCC being more timely and proportionate. The PSD Head answered a Panel member's concern about the IPCC annual report (April 2016 to March 2017) that there was an error and the narrative '876 average number of days to finalise allegations by *'supervised'* (IPCC oversight of PSD) investigation was actually an IPCC independent investigation. The PSD look at long term trends. Supervised investigations are not used now and the IPCC quarterly report for April to June 2017 shows the figure as zero.

A Panel member asked about the IPCC report and 'Most Similar Force' groups being compared to Avon and Somerset Constabulary, such as Staffordshire (and Essex, Kent, Sussex, Hants., Herts., Derbyshire). The PSD Head believed it to be geographical area and demographical.

Note: The IPCC explanation of 'most similar force' (MSF) states that decisions on which Police forces are the most similar to each other are based on information about forces' geography, population make-up, and socio-economic information. The most similar force groups used in the force bulletins are the same groups used by the Home Office.

THIS 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.

POSITIVE COMMENTS

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

1. The reduction in jargon and 'techno-speak' by complaints Investigation Officers - when comparing September 2016 with September 2017 complaint case reviews - is commendable. There are examples of good care in letter-writing, which are clear and jargon-free.
2. Excellent letter quality is acknowledged within the informal resolution process.
3. Excellent letters are also highlighted in the formal complaint cases, including examples in the finalisation letter which contain *what was actually said* to an Officer complained against, rather than using the unhelpful terminology 'words of advice were given'. This is a very welcome improvement.
4. Some challenging complainants are dealt with well during the complaint handling process, including an example of a complainant with mental ill-health being spoken to sensitively on the telephone, the complaint Investigations Officer – **Inspector Mark Hunt** - was respectful and wrote a kind response, providing a very detailed finalisation report after a thorough local resolution process.
5. An example of a nice explanation of the terminology 'disapplication' (no further action being taken, in accordance with the complaints legislation, due to over 12 months time-lapse since the incident) and 'representations' (the complainant can explain the reason for the delay in making the complaint) is a good improvement.
6. Informal resolution of complaints doesn't mean 'quick and brushed under the carpet'. It is efficient and complainant-focussed, with examples of complaints being dealt with satisfactorily within 2 days.
7. Empathetic and good histories of action, in writing, are recorded in complaint case files, the restorative approach being similar to 'Restorative Justice'.
8. Examples of good responses from Complaint Investigating Officers, are commended by Panel members, particularly highlighting the exemplary responses by **Jennifer Potter** to complainants.
9. Examples highlighted of "we got it wrong" email responses when the allegations were agreed with (upheld) by the complaints Investigations Officer.

PSD response:

The feedback received signifies the improvements, which have transformed the way in which Avon and Somerset Constabulary handles and investigates complaints.

The work of the Professional Standards Department continues to ensure the confidence of the communities we serve, by dealing with expressions of dissatisfaction in the most timely and

professional manner. Recent changes have seen us place more emphasis on resolving complaints through early intervention procedures. Where we respond to complaints quickly, aiming to achieve an early resolution, we try to keep the needs of the complainant in mind. Wherever possible, we will use this approach rather than go down the formal complaints route.

The panel's feedback is as always positively received and has helped shaped some complaint and early intervention procedures. The recognised improvement in complaint-handling processes and high quality investigations, increases public confidence in the police service and improves levels of satisfaction with service delivery.

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. Some informally resolved complaints during August 2017 are noted as taking over 10 days to complete. Officers have been on holiday, away or Officer/Staff don't reply to the PSD complaint handler by the deadline stated and a follow-up/chaser email has to be sent. What priority and authority does the PSD have over normal business work for Officers and Staff? Is knowledge of the informal resolution complaints process widely cascaded to all Avon and Somerset Police employees, with the need for prompt engagement and response?
2. Is there a PSD conflict between the timeliness in completing informally resolved complaints versus the best resolution for the complaint, such as waiting for the Officer's comments and explanation when returning to work from holiday?
3. An informally resolved complaint was finished by the PSD complaint handler and passed to the District Officer, so it was devolved to someone else to resolve. How do PSD evaluate outcomes for informally resolved complaints?
4. If a complainant uses the IPCC online complaints form and completes the Equality monitoring form, both the complaint allegation(s) narrative and the equality monitoring narrative is forwarded by the IPCC in one single non-editable (pdf) form to the Police PSD when the complaint is referred, and again the protected characteristics data is passed on to the complaints Investigating Officer. The Panel member does not understand this process, (as mentioned in 2016 complaint reviews and an outstanding action for the Chair to write to the IPCC). What is the PSD policy for seeing, recording, dealing with and passing on this equality data?

5. One informally resolved complaint case reference is marked as 'attempted'? The complaint appears to have failed to be resolved informally so has been formally recorded and handled. However, there is no note of the formally recorded complaint reference number in the case file. A PSD link would be helpful to follow through the written audit and process of the complaint.
6. An Officer Complaint History record is included in the complaint file. However, what is the comparator or norm?
7. Some complaints relied on Body Worn Video camera footage, which is not linked in the complaint file. It was noted that this lack of video access will be rectified when Panel member computer logins allow access to a separate Police database (Reveal DEMS) holding the video footage, expected for the next Panel meeting.
8. There are complaints being reviewed where Panel members recognise that the complaint could have been prevented or at least quickly resolved if the Officer had a Body Worn Video camera been turned on during the incident/encounter with the member of the public.
9. Is no reply from the complainant after a finalisation letter is sent being interpreted as complainant satisfaction? Case reference 29 refers below.
10. Where there are a number of complaints from one complainant over a short period of time, such as a 10 day period, what is the PSD policy to either to keep them separate or amalgamate them? Should one complaint Investigations Officer handle all the complaints from one complainant, for consistency? Case reference 22 refers below.
11. Quality Assurance was raised by a Panel member where a blank/template Action Log was sent to the Investigating Officer but the complaint was finalised without the log being completed.
12. Complaint reference 10 below contains an Officer Complaint History and cross reference to another complaint involving the same Officer regarding another similar complainant and the same neighbour's injunction. Is this cross-referencing routine practice?
13. How can PSD confirm and monitor that Informally Resolved complaints are resolved and finished? Complaint reference 21 below refers.
14. In an incident that may potentially impact on public safety - a speeding allegation – are there any other measures that could be implemented to protect the public? Also, why is the audit trail weak in identifying the responsible Officer? This could have ensured a swifter response to the complainant. Complaint reference 25 below refers.
15. What training is there for Specials and what is done to ensure their training is up to date? In this case a serious mistake – failure to record a report of a knife-point robbery of a 13 year old victim – was made and the prior lack of training may have contributed? Complaint reference 31 below refers.

PSD response:

We are a learning organisation and one capable of effectively recording and investigating complaints and misconduct allegations. Furthermore, we recognise where improvements can be made to improve newly implemented procedures, such as early intervention. Work is ongoing to develop our approach, in particular around consistency and ownership.

All forces have now been supplied with the National Complaint Form, which will have the ability to download data direct to the department's database, Centurion. This form will be in use both externally and internally by 1st October 2017. The IPCC will also adopt this form. This should reduce the need for duplication in obtaining complainant personal information through different mechanisms, required for recording and reporting purposes.

Where matters are unsuccessful through early intervention, a complaint case will be created and linked to the SQ reference on complaints system, Centurion. Unfortunately, the panel members are unable to access this system and are therefore, unable to review this process.

Due to file size of Body Worn video footage, we are unable to download all footage to the Professional Standards Department network drives. At the point, we identify / use footage for complaint investigations we mark this on the database (Reveal DEMS) in order to retain for investigative purposes.

The majority of early intervention resolution is achieved through telephone communication, from our initial point of contact through to final resolution. All matters are recorded and monitored through our complaint management system, including those resolved by local managers. We liaise internally with the person resolving, to ensure that matters are discussed with the complainant to their satisfaction. We will always obtain confirmation that the outcome / resolution has been discussed, before a final letter is sent from the Professional Standards Department explaining the complaint resolution. If no response received from the member of public after sending our final letter then we consider the matter closed.

REQUESTS FOR COMPLAINT FILE REVIEWS

Four complaint cases are requested to be reviewed by the PSD as follows:

Complaint case reference 1: There are two allegations in the complaint (email on 23/5/2017 refers within '#B 27.6.17' email) but only one (regarding the call handler) appears to be addressed in the final response letter. There is no mention of the anti-social behaviour which was the reason for the resident calling 101. Given how angry the complainant was, this is unlikely to be a satisfactory response (although it is noted that the complainant didn't appeal).

Had there only been one complaint, the handling was appropriate, although 7 weeks is too long for half a response. The Communications Department (101/999 call handling) log indicates initial contact on 4/7/2017. However, the complaint was received on 15/5/2017.

Has something gone wrong with the complaints management process? There is only one log on file, re the call handler complaint.

Case reference 2

The Panel member would like this complaint management and categorisation reviewed. The complainant alleges that Police Officers did not take action (about anti-social behaviour) and subsequently lied. However, the latter allegation of lying is not addressed in the complaint investigation or the response. This can be checked as the complainant alleges that the Police later returned to deal with the anti-social behaviour. The response dealing with the anti-social behaviour part is acceptable. However, there are no notes recorded on the file from interviews with the Police Officers. The Local Resolution Action Plan is also not completed.

Case reference 3

A thorough investigation and very good finalisation letter.

Operational policing enquiry: The Panel member would like to understand the legal grounds for the arrest and the reasons for subsequently releasing without charge. Specifically:

- Is common assault an arrestable offence?
- It appears that the complainant was detained but not interviewed – why was that?
- Why was the complainant released without charge? It may be that the code numbers on the custody record give the reason, but what was it?

[It is noted that Body Worn Video footage is essential to view in order to review this complaint. The system was being upgraded and video access is planned for the next Panel meeting.]

Case reference 4

The following points are of concern: The tone of the finalisation letter appears dismissive; There are no details of what action has been taken other than liaison with the exhibits/policy; Paperwork

suggests that the laptop concerned was destroyed because it was suspected to be stolen property. However other paperwork suggest there was an owner identified; No communication is evident to inform the people concerned about how seized property is treated and at what point suspected stolen property is destroyed; The process from receipt of complaint to resolution was more than 60 days which seems excessive for such a dismissive response; There is also very little evidence that any investigation has taken place and no Officers were interviewed.

Operational Police question: Are subjects of criminal investigations relating to theft aware of the actions taken regarding property?

Question to PSD: Is there a theme of unconscious bias when dealing with complaints from offenders?

PSD Response

Case ref 1: On review of this local resolution complaint, the two allegations were split between departments and the panel's comments are accurate in that it would appear only allegation two has been resolved. Learning will be addressed and feedback provided.

Case ref 2: On review of this case, it is apparent there is no local resolution action plan, the investigating officer completed a log of enquiries in this instance, we agree with the panel's comments with the final letter not being at the expected standard.

In relation to Case ref 3: The IRP feedback was positive concerning the complaint investigation, but generally a question about law/procedure. None of which form any basis of complaint so we were under no obligation to explore, responses below;

- There is no such thing as an arrestable offence nowadays, any offence is arrestable as long as sect 24 PACE applies, it is down to the officer's discretion as to whether to arrest or not and to justify that decision
- He was interviewed
- Following interview the custody officer has to take a decision to charge, release or bail (RUI), in this case he clearly felt it was appropriate to NFA (granted there should have more of a rationale recorded on the custody record or Niche perhaps).

Case ref 4: The context of the letter is factually correct. The author should have explained in more detail what was discussed, what happened and the legal basis for doing so, this may have avoided this impression. As this was a local resolution there is no requirement for officers to be interviewed if sufficient information was gleaned from other sources, it is apparent that this wasn't explained.

There is no obligation to inform those arrested for theft of disposal of the property seized, if they can prove it is theirs it will be returned. If not, and subject to the circumstances it will be returned or

destroyed appropriately. We are unaware of any unconscious bias towards offenders and would be interested to see any evidence of such.

SUMMARY OF COMPLAINT FILE REVIEWS

Complaint case reference 5: The finalisation letter is good, explaining why each of the allegations have not been upheld. However, the initial acknowledgement letter on file is the template letter with 3 conditional sections all left in the letter, which is undated. If this version of the letter was posted then it reflects badly on the reputation of the Complaints Department for maintaining professional standards, albeit administrative, but the letter is signed by the Head of the PSD.

Case ref 6: A training opportunity was identified by the Police call-handler and details of how this will be accomplished are explained to the complainant. This is positive action and gives confidence to the member of the public that improvements will be made and the complaint hasn't been ignored or not taken seriously. However, 25 days to complete an informally resolved complaint (from 5/8/2017 to 30/8/17) seems a long time for a relatively straightforward query.

Case ref 7: Excellent communications from the informal complaint handling officer to the complainant. The first letter summarises the complainant's concerns, apologises and explains the process. The finalisation letter confirms that the Officer complained against has been told how the complainant felt and advised that more sensitivity and consideration should be shown when attending a sudden death in future. This is a big improvement on the previous narrative of just "words of advice" or "the Officer has been spoken to", without any further feedback of what the learning was for the Officer.

Although the complaint was forwarded to the officer's supervisor, who was on a period of leave and unable to reply in the timescale, on a positive note, this was communicated promptly to the PSD and appropriate actions were taken swiftly.

Case ref 8: It is unclear from the case file what communication took place with the complainant beyond the initial acknowledgement and the final resolution letters. There is reference to email communication with the complainant but nothing on file. Also, the finalisation letter contains a typographical error and the section makes little sense, reading like a poor 'cut and paste'. The log then reports that:

"(d) When officers arrive the log is closed that no offences have been committed and that the driver has driven off and then have taken the passenger to the **bust** station so he can get home."

There is also inconsistent use of capitals in the final letter:

"offences of Theft and **making off without** payment are explained".

Case ref 9: A well-handled and very human "we got it wrong" email response, particularly important as the complainant's email was very hostile to the Police.

Case ref 10: There is no Local Resolution Action plan. However there is a speedy resolution in seven days. The Log of Enquiry was completed fully, setting out clearly the content of discussion with the complainant. The finalisation letter was also well written, acknowledging the complainant's frustrations and providing information, which appears to be sincere.

Multi-agency partnership comment: It is important to continue communication with the Housing Association as it was their injunction which was breached. Partnership-working between the Police & Housing needs re-visiting, to agree an approach and ensure that Tenants are not made to feel that it is their role to enforce injunctions.

Question point 12 above refers.

Case ref 11: The complaint Investigating Officers appear to have dealt with these repeated complaints robustly but fairly and have tried to direct the complainant to the appropriate authority, being the Judicial Conduct Office.

Case ref 12: A very good finalisation letter. The quality of the investigation and report by PSD complaints Investigations Officer **Jennifer Potter** was thorough and measured. The report deals with the IPCC criteria for discrimination cases and the Panel member is impressed by the systematic way in which this was addressed. The complainant might have perceived a degree of victimisation due to receiving a visit from the Police but the report and finalisation letter effectively addressed the complaint's concerns.

A minor point: When the allegations are summarised in the finalisation letter they are put in the first person rather than the third person. Also, is it necessary for the final letter to state that "I apologise that you had cause to complain initially..." if the complaint is not upheld? The Panel member would prefer to omit the word 'apologise' if there is nothing to apologise for. 'Sorry' could be used instead.

Case ref 13: A definitive endorsement of the value of Body Worn Video camera footage providing evidence that the complainant was potentially guilty of public order offences and that the Police Officers acted proportionately. Without the video it would have been one word against another.

Case ref 14: A very speedy resolution and generally good letter. However, the finalisation letter did not explain the reason why the second allegation in the complaint (Officers repeatedly calling at the address) was not upheld, although the answer is in the complainant's original complaint narrative, admitting that the family member frequently visits the address, therefore it is a legitimate line of enquiry. The Panel member feels that this should have been clearly communicated in what was otherwise a good finalisation letter.

Case ref 15: The matter was thoroughly investigated, despite the complainant's plea, somewhat invalidating some aspects of his complaint. The finalisation letter has some very good elements. However there is 'police-speak' in the letters to the complainant. The initial complaint acknowledgement letter to the complainant has the phrase 'Response Chief Inspector... has been appointed' and it's not obvious what 'Response' means here and feels like police-speak. In the Log of Enquiries document the Inspector's message to two colleagues has a request that seems rather

vague: ‘...can you see what part you played in his detention...’. As a complainant, I might like to see very specific questions asked by the Inspector to the Officers. It is to one of the Officer’s credit that acknowledgement is made that the complainant does not appear to have been offered food when detained, after an initial hot drink was provided and the finalisation letter correctly apologises for this point.

The finalisation letter says ‘...not placed on lie down...’. What does this mean as it feels like police-speak? Addressing the final allegation in the complaint, this final letter magnanimously apologises in case something had happened, but for which there was no information or evidence. This is a great thing to do by the complaint Investigations Officer, **Inspector 2321 Usher**.

Query: The complainant’s submission of the Constabulary website complaint form called ‘Dissatisfaction with service’ contains all the protected characteristics monitoring information (gender, age, ethnicity, sexual orientation, disability) and the Panel member remains concerned that this monitoring information does not appear to be kept separate from the investigation of the complainant. The concern remains from 2016 Panel feedback about how this data is used and that data privacy is treated with respect regarding complaint handling.

What is PSD’s policy for handling this monitoring data, specifically how this is separated from the body of the complaint (and from those investigating the complaint), all to the end of monitoring whether there are effects of ethnicity, gender, etc., on how complaints are handled over all. Put simply, what actually happens to this information and how is it used to monitor bias?

Case ref 16: This is a very thorough investigation, with plenty of corroborating evidence (Body Worn Video and CCTV at the site). However, ‘Police-speak’ in the letter to the complainant reads: ‘Response Team 1 Chief Inspector’ in the ‘Letter Post fact finding’. Inclusion of the ‘Equality of Service Monitoring Form in the Local Resolution Action Plan is also of concern regarding the privacy of this data in respect to investigating the complaint.

Case ref 17: The complainant makes numerous, sequential complaints. The finalisation letter takes the extra step by arranging to deliver an additional copy of the Community Protection Notice, despite this not being required. The complaint was swiftly completed and there are no negative points of concern.

Case ref 18: The finalisation letter acknowledges the seriousness of this matter to the complainant and the complaint was investigated – 5 years after the caution in 2012 – when it didn’t have to be – it could have been ‘disapplied’. The investigation is thorough, as much as it can be after this long period of time. The finalisation letter concludes that on the balance of probability the caution was not incorrectly done. However, on the Panel member’s first reading it was read the other way around, the English being quite convoluted.

Case ref 19: This is a Solicitor acting on behalf of three people. The file contains no evidence in support of the conclusion in the email response to the Solicitors, even though the Assessment document refers to a ‘log’ and the Police database ‘Niche’, so the accuracy of the answer to the

complaint can't be checked by the Panel member without access to these Police documents. It may be that the letter from the Solicitors isn't a complaint per se, but rather a request for information from the Police. The original Solicitor's email refers to 'complaints' and these may be complaints made to the Solicitors about the Police. However, it's unclear. On a positive note, there is an appreciative response from the Solicitor.

Case ref 20: An email to the complainant states that there has been difficulties in calling the complainant and mentions the complainant's dissatisfaction with the early intervention /informal resolution procedure and concludes: "I hope that you are satisfied with the outcome of the process" which seems odd having acknowledged two sentences before that the complainant is dissatisfied. The Early Intervention doesn't seem very swift in this case. It seems that the whole process has rather stalled because of non-answers from Officers and difficulty in contacting the complainant. The PSD finalisation devolves the matter to a Police Sergeant –this isn't helpful to the complainant and at worse, one might feel that one is being given the run around.

Question point 13 above refers.

Case ref 21: A swift transfer from the attempted informal resolution to a formal complaint, so it is closed under the former heading, seemingly within 2 days. This is also a good outcome, because it shows that the police made sure that they understood what the complainant wanted to achieve and were able to help the complainant find the best route to do this. There are no negative points regarding this complaint.

Case ref 22: There is reference to four complaints by the same person and the theme across them is consistent. The initial response times are good, being resolved in four days with an acknowledgement on the same day as the complaint is received. There is evidence of the complaint Investigations Officer – **Steve Crouch** (PSD) - meeting with the staff member complained against to resolve the issue and the finalisation letter was excellent, polite, courteous, informative and seeking complainant satisfaction through detailed explanation of what action has been taken with the member of staff involved and generally taking account of the impact of the incident on the complainant. It is empathetic and the letter includes the action taken on a number of other complaints by the same complainant. There are no negative points to report.

Question 10 refers, as above.

Case ref 23: Elements of the allegations appear to be out of scope such as the criminal allegations against the family. There is a timely response – resolved within a month – following the opportunity to provide grounds for consideration as the case was disappplied and the reasons and evidence supporting disapplication are provided. The letter also refers the other criminal issues raised as appropriate. There are no negative points.

Case ref 24: Positive points highlighted are: Referrals to other partners working to support victims of homelessness, to provide learning opportunity to the complainant; Community partnership approach to tackle the issue; Evidence of interaction with the complainant through allocation of a

Case Officer throughout the process; also adequate information is shared about the reasons for the situation. There are no negative points.

Case ref 25: The complainant has been kept informed throughout to complaint process, as well as the final outcome of the informal resolution and the complaint has been dealt with in a timely manner, in 7 days. The complaint case file documentation suggests that the record of the incident was not readily available, despite it being high-profile and the Police Officer complained against could not initially be identified. There is no record of an interview with the Officer complained against.

Question point 14 above refers.

Case ref 26: This informally resolved complaint has been closed but the request remains to the Officers involved for additional information, should it become available. However, an email states that it has not been possible to make contact the complainant, but there is no evidence recorded in the complaint file of contact attempts.

Case ref 27: Officer's comments give Avon and Somerset Police a poor image. This is potentially a serious allegation about an Officer failing in their duty to follow up on a person driving away from an accident yet this was initially assessed as suitable for Early Intervention. The change to Local Resolution is commended and indicates good communication established with the complainant.

Case ref 28: The final letter is well organised and comprehensive in its detail. All reports stick to the facts and make no judgements about drunken behaviour towards people who were trying to help and keep other patients and staff safe in this incident. The finalisation letter offers help if the complainant wished to complain about the Hospital security staff or appeal to PSD. It took two and a half months to complete the complaint but the Hospital and video footage needed to be collected and reviewed.

Case ref 29: A speedy conclusion of the complaint, all in one day. Body Worn Video footage is helpful in drawing a conclusion. Assertive behaviour by the Sergeant is condoned by the Senior Manager, given the likelihood of public order offences if arguments had continued by the group of intoxicated people at the location. However, the complainant may think that this has not been taken seriously and swept under the carpet, despite the video evidence. The complainant did not reply after the finalisation letter was sent but there is uncertainty whether or not this concludes acceptance of the findings. Question point 9 above refers.

Case ref 30: It is commended that there is noticeably a lack of jargon and 'police speak' in recent letters. In this informal resolution there is clear communications throughout and considerable care and thought has gone into the letters. There are good explanations and the Police Complaints Officer ensures that the complainant realised that the early intervention process does not mean that the complaint is brushed under the carpet, but dealt with in a timely manner (within two days).

Case ref 31: This complaint is well handled with a clear explanation of the decisions and conclusion that there was a case to answer for the Officer complained against (failure to record an offence) and that the Police Officer would be subject to an Action Plan. This included training and checks to ensure they achieved set goals, rather than formally disciplining them. It is good to see apologies from all involved to the complainant throughout the complaint process. However, the complaint investigation took a long time (nearly 8 months, with 116 documents in the case file), which has been acknowledged with apologies from the complaint Investigations Officer. It would still have been preferable for it to have been completed quicker, especially considering the victim was only 13. The finalisation letter or investigation report might have benefited from more explanation as to why there was not any formal disciplinary proceedings for the more Senior Special Officer as it was a serious error on their part. Possibly the complaint investigating Officer could have reviewed the Complaint Officer History if this hadn't already taken place. The Special Constable involved in this complaint mentioned in his statement that since 'District PDUs' (Personal Development Units?) were taken away a few years after 2009 then the Officer's training has been spotty to non-existent and this leads to issues with skill set and confidence.

Question point 15 above refers.

Case ref 32: The use of the term 'Disapplication' is well explained with 'no further action taken or investigation carried out' afterwards in all correspondence with the complainant. Despite the incident having occurred more than 12 months before the complaint, the initial letter acknowledges, as standard procedure, that the complainant is invited to explain why the complaint should not be disappplied. All communication with the complainant is clear and polite and the decision letter by the Appeals Officer apologises for the complainant feeling let down despite being unable to investigate or uphold the complaint.

Case ref 33: A very thorough investigation, including reviewing Body Worn Video camera footage. The fact finding report and letter sent to the complainant were clear and fully explained the reasons for the decision that there is no case to answer. Query point 6 above refers.

Case ref 35: Within this informal resolution process the finalisation letter has been sent to the complainant before the Officer complained against has been spoken to. The Officer has telephoned the complainant despite the complainant having previously requested that all communication is to be in writing by letter due to a severe health problem. Whilst the Officer's Manager was able to offer reassurance that he would not do it again, it would have been preferable to speak to the Officer first before the finalisation letter so that an apology or explanation could have been sought and if received, it could have been included within the narrative of the finalisation letter.

Case ref 36: The early intervention/informal resolution process works well for this complaint and the complainant is satisfied with the outcome. It is good to see consistent improvements in explaining terminology such as 'early intervention' and well written emails which include an apology for the person having cause to make a complaint. However, the finalisation email sent to the complainant

doesn't address all the complainant's allegations about comments made by the Police Officers so the email would be improved by including more detail.

Case ref 37: The Panel member reviewing this complaint on behalf of the PCC who offered this independent Panel review to the complainant, is that all those investigating the complaint have been respectful and thorough in their dealing with the complainant, including long telephone conversations and extensive reports prepared in an attempt to resolve the complaint to the complainant's satisfaction. Police Officers on the scene of the incident, after the Hospital called the Police for help, behaved in accordance with procedures in the face of difficult and argumentative opposition and the actions taken are considered appropriate. It is good that the complaint Investigations Officer checked with PSD about the suitability for Local Resolution in the light of the complainant's objection to this process. It is unfortunate that video footage is not helpful in this case from the Hospital or no Police Body Worn Video cameras. The incivil behaviour of the Detention Officer was certainly inappropriate despite the circumstances. This swearing was admitted with an apology given by the Officer to the complainant. A more detailed report has been written for the attention of the PCC and PSD.

PSD response:

We appreciate the panel raising concerns around the length of time to resolve some recent early intervention cases; unfortunately, this was due to a significant increase in demand and staff shortages during the summer period. This was recognised at the time and efforts were made to resolve backlogs as effectively and swiftly as possible.

We have seen a considerable improvement in complaint handling, with increased communication and engagement with complainants, detailed and explanatory letters, refraining from using police jargon, seeing an overall improvement in transparency and accountability throughout the complaint resolution and investigation process.

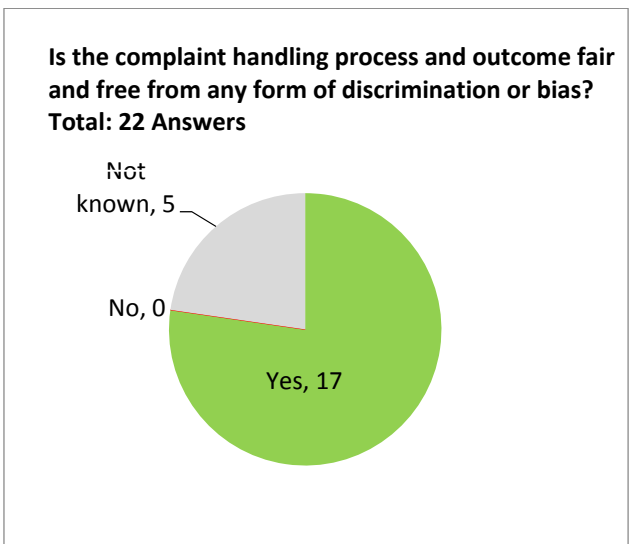
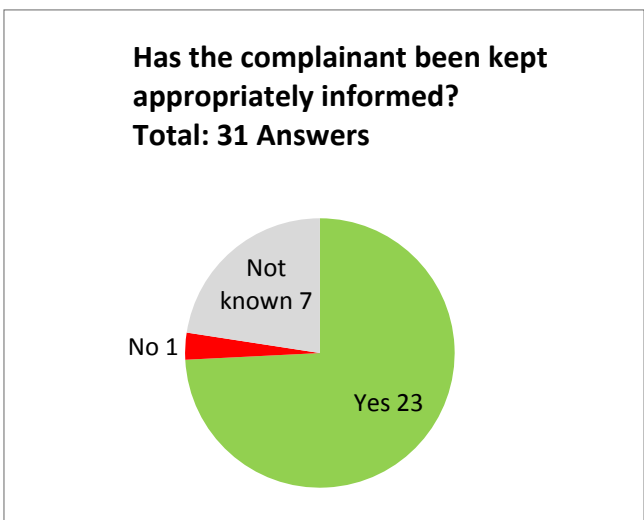
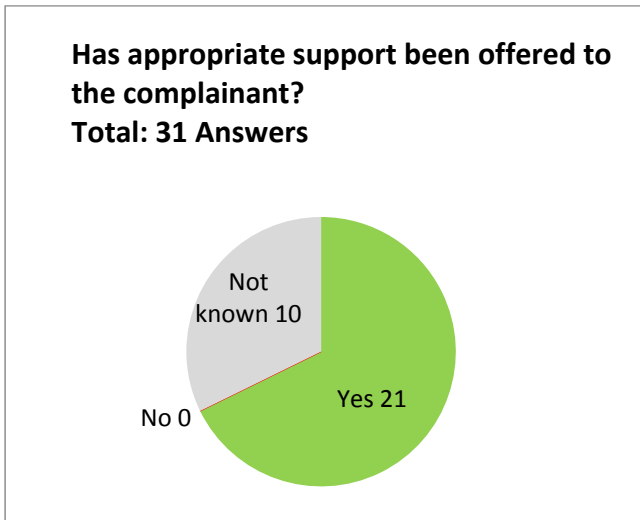
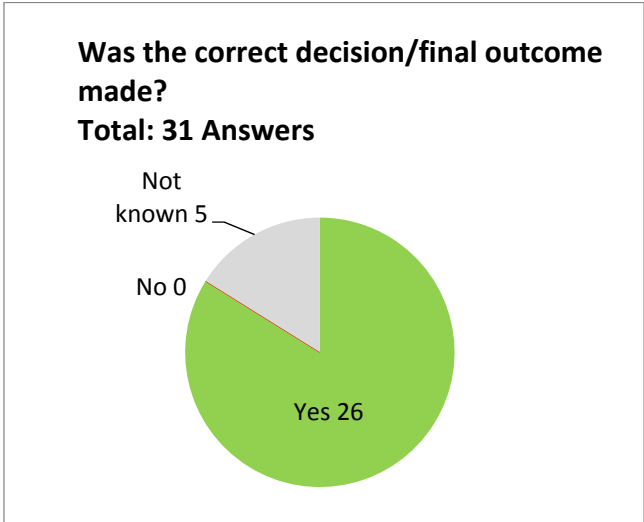
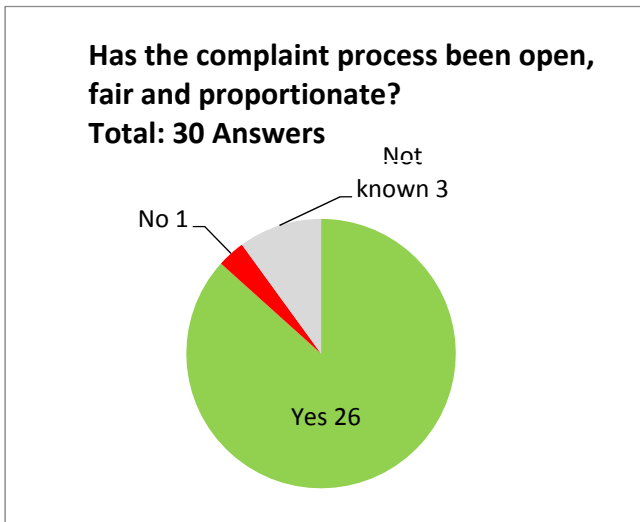
All comments and learning recommendations are considered and reflected upon for future improvements in the service we deliver.

We cannot emphasise enough the value of body worn camera footage in supporting fair and consistent decision-making and timely investigations.

Understanding the equality impact of our services and practices on different groups is a requirement under the Equality Act 2010 and helps service planning and improvement. Where possible and appropriate, under the Equality Act 2010 the Constabulary is required to measure the impact of services on different groups, specifically in relation to; Race, Gender (including Transgender), Disability, Age, Sexual Orientation, Pregnancy and Maternity and Religion and Belief.

For the above reasons, the Professional Standards Department records complainants protected characteristics against the complaint management system for equality monitoring and reporting purposes.

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.