

**Independent Residents' Panel - Annual review report – December 2018
Avon and Somerset Constabulary area**



The Independent Residents' Panel has now been in existence for 5 years, and it is clear that the quality of complaints handling, in particularly the communications with complainants, has improved considerably. The Panel's focus has continued to increase on the fine detail of more recent complaints, now that the Professional Standards Department has ensured that many of our early recommendations have been accepted and implemented.

The Panel has had 4 quarterly meetings since the last annual report in September 2017.

Attendance

Attendance by the 11 panel members has been good, but unfortunately, due to moving out of the area and other life circumstances, our numbers have reduced by 3 during the year. It is unlikely that the PCC will conduct a full external recruitment campaign to boost our numbers before the next PCC election unless the membership falls below the minimum specified in the Terms of Reference, so we are investigating other options to provide resilience and support the panel. Currently we are considering if members from other vetted panels could be co-opted, in either a guest capacity or more permanent basis to support our work.

Meeting date	Members attending	Complaints reviewed
Dec 17	7/11	35
Mar 18	7/11	36
June 18	7/9	28
Sept 18	7/8	34
	Total	133

The Panel Meetings

For 3 meetings the complaints reviewed are grouped by Independent Office for Police Conduct (IOPC) complaint categories. This year the panel has dip sampled complaints within the following IOPC categories:

- Other neglect or failure in duty (the largest complaint allegation category)
- Other irregularity in procedure
- Discrimination (disability). As there were *no* disability discrimination complaints since April 2017, complaints from complainants with a self-declared disability were requested. Some were live/ongoing cases. This theme was a request from the Disability Independent Advisory Group (DIAG).
- Sexual assault and Other sexual conduct
- Stop and Search
- Custody, specifically where the detainee has mental ill-health
- Taser related complaints
- Incivility complaints

For each September Panel meeting, members request the most recently completed complaints against the Police, rather than within a specific category of complaint allegation by the Independent Office for Police Conduct (IOPC). This is in order to do an annual comparison and 'check and test' of the complaints handling process.

In addition, each meeting reviews Early Intervention/Informally resolved complaint cases.

Panel members record their comments (including praise!) on each complaint reviewed. The Professional Standards Department (PSD) read, comment upon and use these for any individual and organisational learning, including highlighting to the Constabulary Management Board and the Learning Board.

The Panel also answer 6 questions which are used to monitor progress in Complaints handling. (See below).

There is then a round-table summary where Panel members summarise their overall feedback on the cases reviewed. Avon and Somerset Constabulary's Deputy Head of the Professional Standards Department (PSD), Detective Chief Inspector Mark Edgington, attends these sessions and responds to any questions about the last Panel report. On several occasions the Police and Crime Commissioner, Sue Mountstevens and John Smith, the PCC's Chief Executive Officer have also attended, and joined the discussion. On one occasion, we were pleased to have the Chair of the Avon and Somerset Police and Crime Panel, Councillor Martin Wale, as observer.

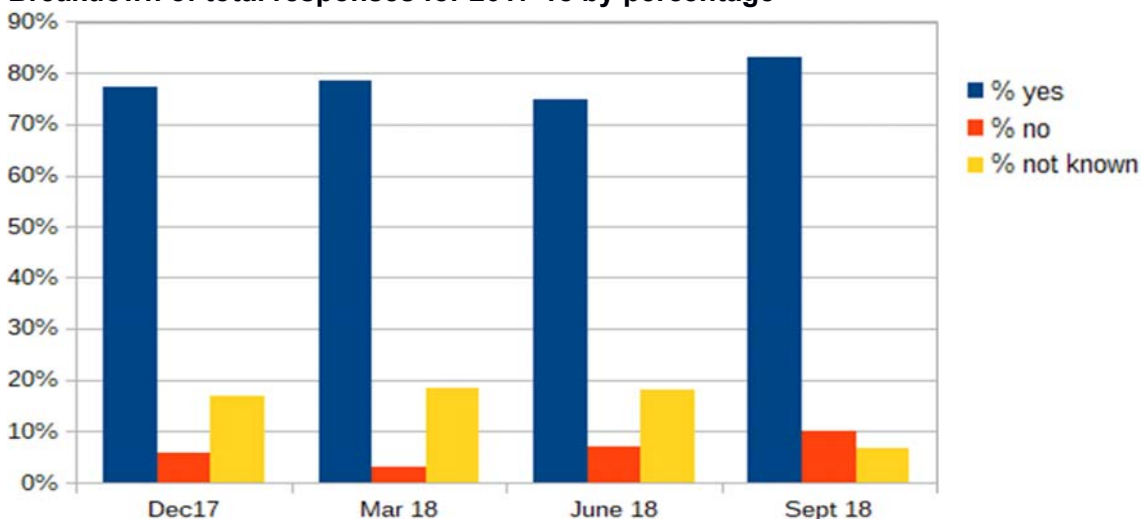
The panel is updated on the work and progress of PSD and has had the opportunity to discuss wider issues such as Body Worn Video Camera use, police digitalisation (the roll out of laptops, and mobile devices to Officers), funding challenges, and the change from the IPCC to The Independent Office for Police Conduct (IOPC), with the PSD Deputy Head. This is very helpful in increasing our understanding of changes and challenges within the police service.

Comparative Data for 2018

Each of the complaints is assessed against the following 6 questions, using Yes/No/Unknown.

- Q1 Has the complaint been handled in an open, fair and proportionate manner?
- Q2 Do you think that the correct final outcome was reached for this complaint?
- Q3 Has the appropriate support been offered to the complainant throughout the process?
- Q4 Has the complainant been kept appropriately informed about the progress of their case? (at least every 28 days)
- Q5 Has the complaint handling process been timely?
- Q6 Is the complaint handling and outcome fair and free from any form of discrimination or bias?

Breakdown of total responses for 2017-18 by percentage



Over the year the panel has reviewed 133 complaints and we are pleased to see that the improvements are sustained. We found plenty of examples of excellent complaint handling and communications with complainants. A brief review of the *No* and *Not Known* categories does not suggest any questions as being of particular concern or difficult to evidence from the records, although timescales slipping due to operational pressures or the leading officer being off long term sick without the complaint being picked up remain themes.

Examples from Panel feedback commentaries

Positive

- *Continually trying to engage the complainant in the process; Timeliness in corresponding to the complainant, despite no response or engagement; and proceeding with complaint investigations, even though the complainant is not responding.*
- *This is also a very timely response at all points, with rapid co-operation, leading to an apology and resolution of the complaint by the Officer and his Line Manager. There is a good final email, summarising what has happened during the process and the outcomes, closing off the case.*
- *Very refreshing and not seen previously by Panel members: The 'advice given' to Officers was actually explained within the case file, which is most welcome.*
- *There are good examples of complaints being fair and free from any discrimination or bias. The Complaint and Equality Form response for Disability showed no relevance to the complaint handling process, which was good as equality of service is shown.*
- *The complaint seems to have been taken very seriously and the complaint was investigated by CI who identified an organisational problemthat there is no process for such cases and will address this issue. The Panel member is very impressed that the CI took on the case personally, identified the problem and offered an unequivocal apology.*
- *An example of thorough complaint work regarding a complaint relating to a report of domestic violence in 2017. There were 91 potential occurrences on the Niche Police database and this was successfully narrowed down by the PSD complaint handler to one occurrence.*

Negative

- *Panel members do not consider it appropriate to use inverted commas/quotation marks when referring to another "Witness". It insinuates that it is not believed.*
- *The handling of this complaint is thorough, with comprehensive fact finding and it has a timely resolution. However, the finalisation letter written by a local Inspector, although good for grammar and plain English, does not state whether the allegations are supported by the Constabulary or not. The final letter refers the complainant to an attached report – the Action Plan - which is written more as an internal police document, detailing in the 8 pages all the investigation and is more in police-speak.*
- *The complainant complains about a number of items, including (i) how long they were detained, and (ii) why their phone was confiscated for so long. However, neither of these allegations are explicitly addressed in the final letter. While these may have been subsumed within the response to whether the arrest was lawful, it would be helpful to answer the complainant on their terms.*

Organisational learning points raised:

- *A single abbreviation for 'Body Worn Video Camera' is required to be used by Avon and Somerset Constabulary as an institution. Four versions have been used in documents and more thought is needed by the Constabulary.*
- *Panel members requested standardisation of complaint file sub-folder naming and standardised document naming.*

- *Within internal Constabulary emails, full names are not being used or job titles, for example for Avon and Somerset Police work colleagues, staff in the IOPC, another Force or other agencies.*
- *A number of complaints are made due to the lack of Police contact or a lack of information given to the member of the public at the earliest point possible. There is similarly a theme that the complaints are being made by victims who are frustrated about a lack of updates about their investigations.*

The work of the Panel, and welfare of the members, has been ably supported and facilitated by Kathryn Palmer (Public Contracts and Standards Officer), who also organised additional learning opportunities.

Panel Development

- The round-table summary and discussion with Deputy Head of the Professional Standards Department, Detective Chief Inspector Mark Edgington, the Police and Crime Commissioner, Sue Mountstevens and John Smith, the PCC's Chief Executive Officer have provided excellent opportunities for learning about and insight into the work of Avon and Somerset Police.
- We receive the IOPC "*Learning The Lessons*" bulletin, and information of interest such as IOPC consultations.
- Members have been offered the option of 2 visits prior to the start of Panel meetings: the Professional Standards Department for an overview of the department structure and complaint handling procedures, and the Police Control Room that handle all 999 and 101 telephone calls, dispatch officers, as well as being the location of the Mental Health Triage Staff that advise Police Officers. Both visits were very interesting and the panel is grateful to the staff who took time out to spend time with us.
- Several Members have taken the opportunity to join the Ride Along scheme, which is an excellent and thoroughly enjoyable opportunity to witness the police at their work.
- Members were invited to attend the Chief Constable's Roadshow.

Panel member additional work

In the past year panel members have been pleased to undertaken additional work to support to PCC:

- One Panel member attended the joint agency Enquiry Day regarding Mr Ebrahimi's tragic murder in 2013 and the IPCC independent investigation report response in 2017.
- One Panel member sat on an Appointments Panel, as requested by the PCC.
- A third Panel member sits on the Police Vetting Appeals Panel.
- Chair of the IRP was invited to feedback findings to the DIAG (Disability Independent Advisory Group) from the scrutiny session on Disability complaints. This has now evolved into a regular

attendance at these sessions as a panel member, which provides a valuable knowledge exchange between groups and hopefully a better service to the Constabulary and the PCC.

- Chair attended the Be Proud Award ceremony at Cadbury House Hotel. These awards recognise individuals and teams for their hard work in ensuring the communities in the Avon and Somerset Constabulary area are safe and feel safe.

Award Nomination

Although not shortlisted, the IRP panel was nominated by the PCC for a Lord Ferrers award. These awards highlight the vital role volunteers play in the support of policing and this year a new award was included for OPCC volunteers. The winner was West Yorkshire PCC's Victim Support volunteers for supporting the victims of the Manchester Arena bombing.