



STRATEGIC POLICING AND CRIME BOARD

4 February 2014

Decision

Dip Sampling of Completed Complaints Files

PURPOSE OF REPORT

1. Attached to this report is a copy of the draft decision paper to approve a new system to dip sample complaints that have been made against the police.

BACKGROUND

2. Police and Crime Commissioners (PCCs) were appointed as a result of the Police Reform and Social Responsibility Act 2011. Their responsibilities under the Act include duties to:

- secure an efficient and effective police for their area; and
- hold him the Chief Constable to account for running the force

PCCs do not have the power to investigate complaints against the police (other than a complaint against the Chief Constable) but do have a responsibility to ensure that the system for dealing with complaints against the police is effective and that it is well managed.

3. The West Midlands Commissioner supported by the Strategic Policing and Crime Board undertake this duty by receiving regular performance reports on the work of the Professional Standards Department together with a regular programme of meetings with senior police officers to discuss complaints matters. In order to support this and to provide a further check on the system, this report proposes the introduction of a new programme of dip sampling for completed police complaints files.
4. It is proposed that the dip sampling be undertaken by all members of the Strategic Policing and Crime Board three times each year. A category of complaint allegation type should be selected in advance of the session (this could be done when the preceding dip sampling report is presented to the Strategic Policing and Crime Board), and a randomly selected group of completed complaints files then be made available for the dip sampling

session. A report of the outcomes from the dip sampling exercise shall then be presented to the next meeting of the Strategic Policing and Crime Board.

5. During dip sampling Board members should restrict their examination of the file to three key issues:
 - a. Does the decision in the case appear reasonable? (and this is different from looking for a decision that is legally correct)
 - b. Has the complaint been dealt with in a timely manner?
 - c. Was a customer friendly approach followed?
6. This simple checklist should allow the Board to concentrate on the overall flavour of the complaint and the level of customer service being delivered. This approach is not intended to deliver a statistically significant check on the operation of the complaints system but rather to provide an opportunity for members of the Board to increase their personal knowledge and understanding of the process and also allow them to sample the levels of customer service in response to complaints.
7. If the recommendations in this report are approved, dip sampling sessions will take place at 9am on the following dates:

Tuesday 4 March 2014	(report to Board 6 May 2014)
Tuesday 1 July 2014	(report to Board 2 September 2014)
Tuesday 4 November 2014	(report to Board 2 December 2014)

FINANCIAL IMPLICATIONS

8. The administrative costs associated with the proposed dip sampling exercise can be contained within the budget for the West Midlands Office for Policing and Crime.

RECOMMENDATIONS

9. The Board is asked to:
 1. Approve the proposals for dip sampling of completed complaints files, as set out in this report.
 2. If approved, select a category of allegation type to be the focus for the first dip sampling session (the list of allegation types is contained at the appendix to this report).

Allegation Types
a. Serious non-sexual assault
b. Sexual assault
c. Other assault
d. Oppressive conduct or harassment
e. Unlawful/unnecessary arrest or detention
f. Discriminatory Behaviour
g. Irregularity in relation to evidence/perjury
h. Corruption or malpractice
j. Mishandling of property
k. Breach Code A PACE (Stop & Search)
l. Breach Code B PACE (Searching premises & seizing property)
m. Breach Code C PACE (Detention, treatment & questioning)
n. Breach Code D PACE (Identification of persons by police)
p. Breach Code E PACE (tape recordings)
q. Lack of fairness and impartiality
r. Unspecified breaches of PACE which cannot be allocated to a specific code
s. Other neglect or failure in duty
t. Other irregularity in procedure
u. Incivility, impoliteness and intolerance
v. Traffic irregularity
w. Other
x. Improper access and / or disclosure of information
y. Other Sexual conduct
Categories for Direction and Control Complaints:
Operational Policing Policies
Organisational Decisions

General Policing Standards
Operational management decisions

**WEST MIDLANDS POLICE
AND CRIME
COMMISSIONER**

NON-CONFIDENTIAL

**DRAFT NOTICE OF
DECISION**

[Insert sequential decision number i.e.
000/2013]

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Title Dip Sampling of Completed Complaints Files

EXECUTIVE SUMMARY

The proposal is to introduce a new system for dip sampling completed complaints files.

DECISION

I approve the proposed new system for dip sampling completed complaints files.

West Midlands Police and Crime Commissioner

I confirm that I do not have any disclosable pecuniary interests in this decision and take the decision in compliance with the Code of Conduct for the West Midlands Office for Policing and Crime. Any interests are indicated below.

Signature.....

Date.....

NON - CONFIDENTIAL FACTS AND ADVICE TO THE POLICE AND CRIME COMMISSIONER

INTRODUCTION AND BACKGROUND

1. The proposed system of dip sampling completed complaints files is intended to assist the Commissioner and the Strategic Policing and Crime Board in their responsibility to ensure that the system for dealing with complaints against the police is effective and that it is well managed.
2. It is proposed that the dip sampling be undertaken by all members of the Strategic Policing and Crime Board three times each year, following the process set out in the Report to the Strategic Policing and Crime Board on 4 February 2014.

FINANCIAL IMPLICATIONS

3. The administrative costs associated with the proposed dip sampling exercise can be contained with the budget for the West Midlands Office for Policing and Crime.

LEGAL IMPLICATIONS

4. Police and Crime Commissioners (PCCs) were appointed as a result of the Police Reform and Social Responsibility Act 2011. Their responsibilities under the Act include duties to:
 - secure an efficient and effective police for their area; and
 - hold him the Chief Constable to account for running the force

EQUALITY IMPLICATIONS

5. There are no equality implications directly arising from this decision.

Schedule of Background Papers

6. None.

Public Access to Information

7. Information contained in this decision is subject to the Freedom of Information Act 2000 and other legislation. This decision will be made available on the Commissioner's website.