

**Annual Complaints Data Report 2022/23**

The Elected Local Policing Bodies (Specified Information) (Amendment) Order 2021 provides that further information is published by Police and Crime Commissioners (PCCs). As such, PCCs must publish the most recent Independent Office for Police Conduct (IOPC) quarterly complaints data for their force and the IOPC annual statistics report, alongside a narrative setting out how the PCC is holding the Chief Officer to account. In addition, PCCs should include an assessment of their own performance in carrying out other complaint handling functions. The Order requires that the IOPC data and report are to be published on the PCC’s website within one month of their publication by the IOPC. Please see Appendix A for data relating to the Thames Valley or follow the below link for the full IOPC report.

[Police Complaints Statistics-England and Wales Report 2022/23](https://www.policeconduct.gov.uk/publications/police-complaints-statistics-england-and-wales-report-202223).

**Introduction**

In February 2020, The Home Office introduced changes to the Police Complaint system and part of these reforms were how reviews of police complaints (formerly known as appeals) were dealt with. As of 1 February 2020, PCCs have a statutory responsibility for reviews of police complaints, where the force would have previously been the appeal body. The reason for this change is to ensure that the reviews are impartial and carried out independently, providing greater assurance and transparency to the public. Previously, complaint reviews (appeals) were conducted by the force’s Professional Standards Department (PSD), which raised integrity issues in terms of lack of impartiality and public perception of bias.

In Thames Valley, this responsibility was delegated to the Head of Governance and Compliance, and as such, no further resources were initially provided. However, due to the high volume of reviews, in July 2021, a Complaints Review Manager was appointed whose primary role is to undertake reviews. As such, the length of time to conduct reviews has been reduced and a more efficient service introduced.

**Holding the chief officer to account**

How Thames Valley Police (TVP) is measuring complainant satisfaction

There is currently no formal complainant satisfaction survey, or other feedback mechanism save for the right of review. The exercise of the right of review alone provides the PCC with an indication of how many complainants are not satisfied with the outcome of their complaint. According to IOPC Data, 3808 complaints were logged by TVP, 1622 complaints were finalised (under Schedule 3) and the OPCC received 238 reviews, making a total of 14.7% of complaints leading to a request for a review. In addition, the number of complaints completed by the Complaints Resolution Team (without the need to be recorded under Schedule 3 of The Police Reform Act 2002) was 2035, making up 57% of all finalised complaints. It is worth noting that as these were completed outside of Schedule 3, there is no right to a review, however, this would always be with the co-operation and agreement of the complainant.

Progress updates on implementing relevant recommendations made by the IOPC and/or HMICFRS concerning complaints handling, or where recommendations were not accepted an explanation as to why

* IOPC

The Office of the Police and Crime Commissioner (PCC) monitors recommendations and requests that the IOPC send recommendations directly to the Head of Governance and Compliance so that they can be appropriately recorded and monitored. These recommendations go to the force recommendations panel who deal with and implement as necessary. At the time of writing, no IOPC recommendations are outstanding and none which have not been accepted by the force.

* HMICFRS

HMICFRS recommendations are addressed by the force through regular Deputy Chief Constable’s Risk, Improvement and Learning meetings. The force’s responses to these recommendations are then considered by the PCC at his bimonthly Performance and Accountability Meetings (PAMs) which are open to the public to attend. The PCC will then publish his own response where appropriate, as per his statutory obligations. To make these reports easily accessible and to keep the public informed, we have provided links to the relevant reports along with the PCC’s response on the OPCC website:

[HMICFRS Responses - Thames Valley PCC (thamesvalley-pcc.gov.uk)](https://www.thamesvalley-pcc.gov.uk/our-information/himfrc-responses/)

At the time of this report, no HMICFRS recommendations are outstanding specifically in relation to complaints handling.

Mechanisms put in place to identify and act on themes or trends in complaints

Every 6 weeks, the Professional Standards Department have performance and tasking meetings, where themes and trends of complaints are identified and discussed with actions being set to respond immediately. Information relating to thematic issues are escalated in forums such as the Force Performance Group.

When reviews are undertaken by the Local Policing Body (LPB), Organisational Learning is sometimes identified and passed to the force. This is then considered by the Investigation Review Panel which has been established to manage the recommendations generated by the various review panels, including PSD investigations. Learning opportunities are then shared via the Force CID Organisational Learning Newsletter together with the PSD Newsletter. Approximately a quarter to one third of complaints that are not upheld will have some form of Organisational Learning attached to them. This is different to upholding a review but it covers situations where it is accepted that whilst the complainant may have received a reasonable and proportionate response to their complaint, it is recognised that there is room for improvement in force processes or with an individual. Themes and trends of complaints are also reported to the Professional and Ethical Standards Panel (PESP). PESP consists of a selection of members of the public representing a cross-section of society who encourage constructive challenge over the way complaints, integrity and ethics issues are handled by the force and overseen by the PCC. Further information about PESP can be found on the OPCC website:

[Professional and Ethical Standards Panel - Thames Valley PCC (thamesvalley-pcc.gov.uk)](https://www.thamesvalley-pcc.gov.uk/our-work/panels-and-committees/professional-and-ethical-standards-panel/)

Systems in place to monitor and improve performance in the timeliness of complaints handling

According to the IOPC data, the average amount of days to finalise an allegation outside of Schedule 3 was 7 and under Schedule 3 was 152 (not investigated) and 121 (local investigation). This number is skewed by a small number of outliers that have taken a considerable time to resolve owing to complexity or waiting for other proceedings to finish. At the time of completing this report, the average time to finalise a complaint outside of Schedule 3 is 9 days and under Schedule 3 is 135 days (including suspension).

In order to tackle issues regarding timeliness, TVP employed a number of new staff within PSD and began streamlining their processes, including better use of technology to become more efficient and a new complaint investigation template, which was implemented at the end of the financial year (meaning that improvement should be seen within the 2023/24 data set. Another of these measures was the creation of the Complaints Resolution Team (service recovery) who work with complainants to come to a resolution to negate the need for complaints to be recorded under Schedule 3.

In addition, any complaint or conduct matter which has been ongoing for longer than 12 months, is reported by PSD to both the PCC and the IOPC explaining the reasons for the delay so that the matter can be monitored and addressed, where necessary.

Quality assurance mechanisms in place to monitor and improve the quality of its responses to complaints

TVP PSD has two dedicated Complaints Managers whose role is to review the reports submitted by Investigating Officers (IOs) of complaints to ensure that they are providing an appropriate and comprehensive response to the complainant. PESP members also dip-check complaint responses from PSD and provide scrutiny of these at Panel meetings.

Furthermore, as explained above, Organisational Learning is identified by the Local Policing Body (LPB) in relation to IO reports and outcome letters which is fed back to the force for them to consider. One example of this is for IOs to explain what policing terminology/acronyms mean to complainants.

Details of the administrative arrangements the PCC has put in place to hold the chief constable to account for complaints handling

When members of the public raise matters with the PCC, using powers of oversight, appropriate staff will make enquiries with the force as necessary. If it is appropriate, the matters will be escalated to the PCC who, as explained above, regularly holds PAMs which are open to the public to attend bimonthly. It is attended by the PCC, Chief Constable and relevant senior staff from both the OPCC and TVP and is an opportunity for the PCC to publicly hold the Chief Constable to account. Separate to this, the PCC holds a private liaison meeting with the Chief Constable every two weeks.

Furthermore, the Head of Governance and Compliance and the Complaints Review Manager regularly meet with the force PSD to discuss reviews and any relevant matters about complaints handling. In addition, when the LPB considers that a review should be upheld, this is discussed with PSD to ensure that any recommendations made are achievable/realistic. It is worth noting that according to the IOPC data, the upheld rate of reviews during the financial year 22/23 stands at 27%. Any recommendations made are monitored and followed up by the OPCC. Formal recommendations often include a request that the complaint is re-investigated by the force to provide the complainant with a reasonable and proportionate response. It should also be noted, as stated above, that in addition to upheld reviews, Organisational Learning makes up approximately a quarter to one third of other reviews that are not formally upheld.

**PCC assessment of their own performance in carrying out their other complaint handling functions**

Timeliness of complaint reviews

All requests for reviews are acknowledged within 5 days of receipt. The time it takes to provide an outcome of a review depends on its complexity. The OPCC will aim to complete all reviews within 2 months of receipt but this is not always possible and complainants are advised that it can take up to six months. This is due to various factors including whether further queries have to be raised with the force and/or the complainant which may cause a further delay in completing the review. Processes are now in place to streamline reviews, however, each review is considered on a case by case basis. However, it should be noted that there is no statutory time limit by which a review must be completed. As stated above, since July 2021, a new role was created within the OPCC to deal principally with reviews so it is anticipated that the timeliness to complete reviews will continue to improve as processes become further streamlined, embedded and mature.

Review functions the PCC has delegated and what measures they have taken to ensure quality, integrity and impartiality

All review functions are delegated to the Head of Governance and Compliance and the Complaints Review Manager within the OPCC. The Complaints Review Manager deals with reviews from start to finish and will discuss any complex reviews or reviews that they are considering upholding with the Head of Governance and Compliance.

Apart from the PCC being an independent entity, separate from the force, the Complaints Review Manager dealing with the review will also complete a conflict of interest form. If it is considered that they cannot be impartial, it will be passed to the Head of Governance and Compliance to deal with. Both roles are vetted to a high standard, have received complaints and review training from the IOPC and have independent access to police systems to obtain relevant information pertinent to the review so that they do not have to rely on the force.

Quality assurance mechanisms the PCC has established to ensure that review decisions are sound and in line with the requirements of the complaints legislation and IOPC statutory guidance

When conducting a review, the IOPC Statutory Guidance and relevant legislation are always considered. The OPCC regularly liaises with the IOPC regarding any queries regarding reviews and the Head of Governance and Compliance and the Complaints Review Manager often discuss individual reviews to quality check the decisions made, particularly on complex or upheld reviews. Further to this, the Head of Governance and Compliance attends regular meetings with other South East area OPCCs to discuss trends, outcomes and recommendations. As a further quality assurance mechanism, the Head of Governance and Compliance provides a bi-annual update to the PESP to provide a forum for any challenges to continue to seek the highest standards of scrutiny.

The OPCC together with the force during the period of 23/24 have undergone a review of its entire external scrutiny processes and procedures. Recommendations taken from an independent report have been agreed between the PCC and the Chief Constable. A Task and Finish Group has been set up with a new role of Trust and Confidence Support Officer to ensure that best practice is incorporated into the entire scrutiny governance framework and fed back not only into the Force and the Office of the PCC but infiltrated back into the communities it serves. In addition, the PCC and Chief Constable have worked in collaboration in conducting a Trust and Confidence Survey throughout Thames Valley to gauge the issues within the community and to ensure that everyone has a voice.

How the PCC assesses complainant satisfaction

At present there is no feedback mechanism regarding reviews, however, when complainants remain dissatisfied with the outcome of their review, further correspondence is considered within reason. The PCC often gets feedback correspondence from complainants (both positive and negative) and invites feedback on each review outcome letter. In addition, any dissatisfied complainants have the legal right to make an application to the High Court to seek judicial review proceedings. It is worth noting that there have been no successful applications for judicial review at the time of writing this report. The PCC has also taken the decision to review Model 1 with the intention of moving to Model 2/3 subject to viability.

**Report date: February 2024**

**Appendix A**

**Data for 2022/23- published by the IOPC on 16 November 2021**

Please see the below IOPC Statistics for Thames Valley Police (TVP). Please note that percentages will be rounded up so may add up to more than 100%.

The average time taken to log complaints was 4 days and the average time taken to contact complainants was 10 days.

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| --- | --- |
| **Number of complaint cases finalised:** |   |
| Under Schedule 3 | 1562 |
| Outside of Schedule 3 | 2035 |
| Total | 3597 |

|  |  |
| --- | --- |
| **Time taken to finalise complaint cases (days):** |   |
| Under Schedule 3 (inc suspension) | 135 |
| Outside of Schedule 3 | 9 |

|  |  |  |
| --- | --- | --- |
| **Reasons complaints were recorded under Sch 3:** |   |   |
| Body responsible for initial handling decides | 430 | 27% |
| Complainant wishes the complaint to be recorded | 918 | 57% |
| Dissatisfaction after the initial handling | 183 | 11%  |
| Nature of allegation | 91 | 5% |

|  |  |  |
| --- | --- | --- |
| **What has been complained about:** |   |   |
| Delivery of duties and service | 4603 | 60 |
| Police powers, policies and procedures | 1119 | 16.5% |
| Individual behaviours | 778 | 11.5% |
| Handling of or damage to property/premises | 144 | 2% |
| Discriminatory behaviour | 254 | 3.7% |
| Other | 74 | 2% |
| Access and/or disclosure of information | 125 | 2% |
| Use of police vehicles | 45 | <1% |
| Discreditable conduct | 55  | <1% |
| Abuse of position/corruption | 63 | <1% |
| Sexual conduct |  24 | <1% |