

PROFESSIONAL STANDARDS AND COMPLAINTS COMMITTEE – ANNUAL REPORT 2006-7

Report by the Chief Executive

Fundamental Review of the Directorate of Professional Standards Implementation Programme

1. One of the Morris' Inquiry key recommendations was that the Commissioner should carry out a fundamental review of the way DPS operates. That review has been conducted and throughout 2006, PSCC has continued to receive progress reports and monitor the implementation of individual projects within the review programme.
2. In December 2006, PSCC received a report detailing the progress that had been made in the restructuring of core activities within Professional Standards and defining the strategic programme of work for the following financial year (2007/08).
3. Receipt of regular reports to the Committee signifies a continuing readiness on the part of the Directorate to be held to account.

Professional Standards Support Programme

4. On 27 November 2006, the Deputy Commissioner launched the Professional Standards Support Programme ('PSSP'). The MPA is supportive of the work that DPS Prevention and Organisation Learning Command have been undertaking to raise the profile of and support borough level ownership of public complaints and conduct matters. MPA link Members have been encouraged to engage with the Programme through increased interaction with their individual Borough Commanders on professional standards issues.

Oversight of police complaints and discipline

5. PSCC has continued to consider a report at every meeting outlining the key changes or exceptions within the data relevant to public complaints and conduct matters. Provision of data relating to variations in performance of each of the TP family groups has been enhanced as a consequence of PSSP activity.
6. There has been a notable rise in the number of public complaints allegations being recorded; a 22% increase over the past 12 months. PSCC continues to view the increase positively in that it is suggestive of a growth in public confidence in the complaints procedures, following the creation of the IPCC in 2004, and as a result of improvements in MPS' recording practices.
7. In the aftermath of extraordinary events such as the "Pro-Hunt" demonstrations in September 2004 and the "Danish Newspaper Cartoon" protests in February 2006 there was a significant rise in the number of complaints received, particularly in relation to oppressive behaviour allegations. These no longer fall within complaints data

covering the 12 months period from March 2006 to February 2007. Whilst it appears that there has been a significant decline in the number of complaints received in recent months (28% reductions), in reality the number of complaints has stabilised, returning to a level existent prior to these extraordinary incidents.

8. A decision to revise performance indicators relevant to complaints handling was taken within the 2006/07 work-programme. This resulted in a reduction in the target time frame for completion of investigations from 120 to a 90 days threshold. Irrespective of the reduction in the threshold, the average number of days taken to complete complaints investigations has remained below the threshold at approximately 80 days.
9. The number of days taken to complete an investigation into a conduct matter has continued to improve and it too remains below the 90 days threshold.

Professional Standards Strategy

10. PSCC has continued to review progress on work undertaken by DPS to manage organisational risks including, for example, information leakage, corruption and staff and officer misuse of substances. DPS has systematically provided information to the Committee on a number of anti-corruption investigations and trends. Throughout the year, progress on individual strand activities and strategic outcomes have been reported to PSCC.

Reform of the misconduct procedures

11. The Taylor Review and the Morris Inquiry reported a need for reform of police disciplinary arrangements. A new misconduct procedure has been drawn up to replace the current procedures. However, as the changes require primary legislation and clearance for inclusion in the new Criminal Justice Bill, it is unlikely that the new procedures will come in to force before May 2008.
12. In the last year, PSCC has nevertheless contributed to the consultation process, particularly in relation to disciplinary procedures relevant to ACPO officers, and has retained oversight of the programme of work that the MPS plan to deliver over the next 12 months to prepare the organisation for the new legislative process.

Assistant Commissioner Reviews

13. In order to secure the integrity of the discipline process as a whole, PSCC has continued to review Assistant Commissioner Review (ACRs) decisions, particularly in cases involving drink driving where it appears that the decisions have been inconsistent or have resulted in reductions in sanction contrary to MPS and Home Office policy.
14. PSCC will continue to monitor the outcome of discipline cases involving drink drive convictions and will review ACR decisions.

Suspensions

15. PSCC Members have continued to receive regular updates on officers who have been suspended from duty. DPS has been willing to supply the information to enable the Authority to consider whether the MPS' use of suspension is proportionate taking account of the nature of the allegation and level of risk. Information relating to officers suspended from duty will continue to be received in 2007/08.

Case Management Model

16. The Case Management Model is designed to give effect to a recommendation of the Morris Inquiry. The purpose of the model is to provide a review mechanism under which the MPA has oversight of "live" public complaints and conduct investigations that have exceeded the target time frame for completion.
17. In the last year, a more effective system for MPA scrutiny of "live" investigations has been affected as a consequence of DPS authorising the MPA's Professional Standards Officer to directly access Tribune. Direct access to Tribune enables the MPA to scrutinise case management information and perform regular reviews on the progress of investigations. In addition, DPS are currently carrying out a pilot to test more sophisticated usage of the Tribune system; this is with a view to improving the quality of management information available on individual cases.

Dip Sampling and the Local Resolution Project

18. Work undertaken to dip sample of closed public complaints files and provide feedback to the DPS Independent Review Team in furtherance of organisational learning has over the last six months lost momentum. This is as a consequence of resources being diverted to the local resolution project, specifically, to review complaints that have been locally resolved on the borough of Brent, the details of which will be reported to PSCC in September 2007.
19. The MPA does however acknowledge that the dip sampling of public complaints files should remain high on the agenda since feedback to date suggests that the MPA's findings have prompted some significant changes to MPS organisational practices.

The Independent Police Complaints Commission

20. PSCC Members are grateful to Deborah Glass, IPCC Commissioner for the constructive part she has played in PSCC meetings which has contributed to the MPA being able to fulfil its statutory responsibilities to monitor MPS complaints and conduct matters. The sharing of IPCC complaints management data supported by the presentation of an IPCC annual report to PSCC has been particularly welcomed.
21. The close working relationship with the IPCC on matters of common interest has continued to extend beyond the context of PSCC

meetings. In the last 12 months, the MPA has engaged with the IPCC in the delivery of a specific project to improve officer awareness and usage of the local resolution procedures within the borough of Brent.

Professional Standards Cases Sub-Committee

22. In the last twelve months, the Professional Standards Cases Sub-Committee met in total on nine occasions to consider complaints, allegations and investigations concerning the conduct of senior officers of the MPS. Within the context of those meeting the Sub-Committee also considered cases in accordance with the Police Pensions Regulations 1987 (this figure does not include the number of special meetings convened to consider Stockwell 1).
23. A total of nine public complaints against ACPO officers have been concluded since July 2006.
24. There have been a total of five appeals by complainants against non-recording decisions, three of which have been dismissed; the MPA's determination not to record the complaints has accordingly been upheld by the IPCC. An IPCC decision is awaited in respect of two remaining applications
25. In relation to the pension forfeiture procedures, the Sub-Committee determined in five cases that an application for certificate of forfeiture should be made to the Secretary of State. Decisions not to apply for a certificate were taken in relation to two separate cases. In total three officers' pensions were considered suitable for forfeiture.

RACE AND EQUALITY IMPACT

The fairness, responsiveness and proportionality of the Service are core to the work of this Committee. We intend to develop further our monitoring methods, and the level of stakeholder consultation, in the year ahead to ensure that the MPA's commitments in relation to equality and diversity are taken forward in all the work that we do.

FINANCIAL IMPLICATIONS

None

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Background Papers: None