

RECORD OF DECISION

TITLE: Complaint Review Changes

Ref: PCC/D/2020/15

EXECUTIVE SUMMARY

PCCs took on the legal duty of reviewing complaints against police earlier this year.

Resources and processes within the PCC's office were established at that time to meet the additional anticipated demand. However, upon review, it is apparent that additional resilience and flexibility are required beyond the resources currently in place.

The PCC is recommended to approve changes to the resources dedicated to this business areas to ensure a good service to the public, in line with the PCC's responsibilities.

PROPOSAL

It is proposed that, as per the below report, the process of reviewing complaints be outsourced (at least in the short term) as a means of maintaining business as usual, with additional administrative capacity created on a permanent basis within the PCC's office to handle associated paperwork.

**APPROVAL OF
West Mercia Police and Crime Commissioner**

I hereby approve the above proposal.

Signed



PART 1 – NON-CONFIDENTIAL/EXEMPT FACTS AND FIGURES

SUPPORTING REPORT

Having put in place in-house arrangements to take on the new responsibility of police complaint reviews within the PCC's office, the post-holder has had to leave their role within a matter of months for personal reasons.

This creates an immediate issue within the office in terms of maintaining business as usual in a highly specialised and specific area. It also creates the opportunity to review the function and address issues coming to light in its early days.

Current Arrangements

The current Complaint Review Manager role is a grade H post, previously offered at 0.2 FTE (1 day a week) It is a senior role with a high level of skills required The post-holder is expected to manage the review process from start to finish, including all administration.

Issues Arising

At only one day per week, the talent pool for recruitment is limited, and would always be so, particularly given the requirements for the role

Elements of the role sit at a grade H, but not all of the role. For example, the review process and decision making processes are grade H. However, the first few months of the function have shown a significant part of the role is also administration and correspondence management.

Demand of the post fluctuates significantly A number of complex reviews involving large volumes of correspondence have been submitted already within the first few months When the post holder is only contracted for 1 day per week such reviews can very quickly create a backlog. Clearing this backlog can be difficult, again because the post-holder is only working one day per week.

Resilience of the system as currently configured is almost non-existent. The post-holder operates independently. Absences due to annual leave, sickness, flex or family emergencies also contribute to a backlog of work. It was originally anticipated that these could be accommodated in the current system, taking into account the nature of the workload, however this has not proved the case.

Options

With the current post holder leaving, there is a need to maintain business as usual, but also the opportunity to review the function in full.

Six options have been considered including.

- 1 Continuing with current arrangements
2. Maintain existing role, but increase capacity

3. Seek to collaborate with other PCC offices
4. Contract in external support and increase administrative capacity in the OPCC
5. Build the function into existing OPCC staff roles
6. Recruit to the current post and increase administrative capacity in the OPCC

After analysis, the PCC is recommended to approve option 4, at least as an interim measure.

The use of an external supplier is the only option to maintain BAU in the coming months. This is important in delivering a timely, fair and accurate service to the public and meeting the requirements of the Commissioner's role. Even if recruitment commenced immediately, a gap of at least two months would be left where a means of maintaining service would be required.

Engaging an external partner now gives flexibility to try an alternative option, without a long term commitment. The coming months can be treated as a trial. If the consensus view is that the system works well and is worth the additional cost, the arrangement with the external provider can be confirmed and extended.

Pursuing this as an interim measure means the option to recruit a new Complaint Review Manager remains should it be preferred (option six). Should we go to recruitment and not get any suitable applicants we can maintain the use of the external provider.

The first few months of the complaint review function have shown that there is significant administration required within the process. This is additional demand within the PCC's Office. It is not feasible to realistically build in to an existing OPCC role without damaging current output or creating fragmented services in other business areas. For these reasons, options 1 and 5 are not considered suitable. This administration will be required regardless of who is conducting the actual reviews. It is not cost-effective to build into the existing Complaint Review Manager capacity, therefore option 2 is also not suitable.

It is important that this administration capacity is flexible. Simply having one person working one day per week does not solve resilience issues in itself. It is therefore proposed that the administrative side of the complaint review function can be built into the ICV Co-Ordinator role, taking it to 0.8 FTE (an additional day per week). This capacity will mean that the post-holder can flex their demand as required across four working days each week. At times of peak complaint review demand they can dedicate more time to it to prevent a backlog and maintaining a timely service to the public, while focusing more on ICV work when review demand is low. Impact in terms of loss of work time will also be minimised regarding things such as one-to-ones, team meetings etc.

STRATEGIC CONSIDERATIONS

This decision supports the following element(s) of the Safer West Mercia Plan

- Putting Victims and Survivors First
- Building a More Secure West Mercia
- Reforming West Mercia
- Reassuring West Mercia's Communities

The decision supports this/ these objective(s) through the following.

The activity supports each of the main elements of the Safer West Mercia Plan.

The primary function of complaint reviews is reassurance, both for the individuals concerned and the wider community, whether police complaints are being handled properly and scrutinised as they should be within the review process

An effective and efficient review process can therefore by extension contribute to the other key elements of the plan, by ensuring the voices of victims (in some instances) are heard and represented and issues are identified and acted upon within the police force driving through reform. Ultimately, seeking to change behaviour where appropriate within the force and enable learning supports the delivery of a more secure West Mercia as well as theoretically, the force should perform better moving forwards

The effective and efficient delivery of the review function is important in maximising the impact in each area.

FINANCIAL CONSIDERATIONS

The proposed option carries an additional cost implication above the current allocated budget.

The current salaried post is £8,100 - £9,100 per annum (depending on spinal point), plus on costs.

Outsourcing would cost an estimated £17,500 across a full year of complaints. Additional administrative capacity would cost an estimated £5,000 per annum, plus on costs.

TREASURER COMMENTS

The additional costs can be met from predicted underspends within the Office budget

LEGAL CONSIDERATIONS

By virtue of schedule 11, paragraph 14 of the Police Reform and Social Responsibility Act 2011 the Police and Crime Commissioner may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of commissioner. That includes: entering into contracts and other agreements (whether legally binding or not) and acquiring and disposing of property (including land).

PUBLIC ACCESS TO INFORMATION

Information in this form is subject to the Freedom of Information Act 2000 (FOI Act) and other legislation. Part 1 of this form will be made available on the West Mercia Police and Crime Commissioner's website. Any facts and advice that should not be made automatically available on request are not included in Part 1 but instead in the separate Part 2 report.

OFFICER APPROVAL

Chief Executive Officer

Signature .  Date 3rd July 2020