

**Joint Audit and Standards Committee  
15 December 2022**

**Standards Update**

**1. Update from Fairness, Policy and Standards Meeting**

- 1.1 The last Fairness, Policy and Standards meeting was held on 04/11/22. The meeting is chaired by the Deputy Chief Constable (DCC).
- 1.2 The meeting covered a range of topics including:
- Fairness at work (FAW);
  - Promotions processes;
  - MyMax (the force's new approach to PDRs); and
  - Professional standards performance report.
- 1.3 15 FAW submissions were recorded to date (01 Apr 2022 – 30 Sep 2022). Current forecasting suggests that the volume of submissions in 2022/23 will exceed volumes recorded in 2020/21 and 2021/22.
- 1.4 The force has improved the availability of management information in relation to FAW and are able to identify trends in reporting. Over the last five year period, females are consistently submitting a higher volume of FAW reports than males. There has been a small, decreasing trend in the age of people submitting FAWs (average age in 2022/23= 43).
- 1.5 Following extensive scrutiny, the timeliness of the FAW process has improved compared to previous years. However, there are still challenges with appointing suitable fact finders to cases. The average number of days to appoint a fact finder in Q2 was 20 days, this is an improvement compared to Q1 (down 13 days on the Q1 average).
- 1.6 Significant progress continues to be made in respect of the police officer promotion process review. The purpose of this review was to design a process which will select the most able officers efficiently and in a fair, transparent, and consistent manner.
- 1.7 A draft paper on proposed changes to the Promotion Board process was submitted to the West Mercia Police Executive Board for discussion on 11/10/2022. A number of changes will be made to the proposals as a result.
- 1.8 As set out in the previous Standards update, the force has launched a new approach to PDRs – MyMax.
- 1.9 Within each PDR, managers and supervisors will set 3 corporate objectives aligned to the force's vision and values:
- Delivering a Quality Policing Service

- Inclusion
- Personal development

1.10 The new PDR process will help the force improve how it manages individual performance and identifies talent. This was an Area for Improvement (AFI) identified by HMICFRS in the 21/22 PEEL Inspection.

1.11 As of 01/10/2022 the overall completion rate for annual PDRs set since April 2022 across the force was 87%<sup>1</sup>. This marks a significant improvement in completion rates compared to previous years.

## **2. Update from Quarterly PSD Performance Meeting**

2.1 The PCC has a quarterly performance meeting with the DCC, Head of PSD and the Senior Complaints and Misconduct Manager.

2.2 The last meeting took place on 11/08/2022. An overview of complaints performance and live misconduct matters in Q1 (Apr - Jun 2022) was provided and summarised in the last JASC standards update in September.

2.3 The Q2 meeting will take place on 30/11/2022. The meeting will include review of performance metrics and live misconduct matters in Q2 (Jul – Sep 2022), in the context of key reports that have been published within the period including:

- HMICFRS inspection of vetting, misconduct, and misogyny in the police service (national report published 02/11/2022).
- HMICFRS report into the effectiveness of vetting and counter-corruption arrangements in West Mercia Police (published 17/11/2022).
- IOPC Annual Complaint Statistics Report 2021/22 (published 17/11/2022).

## **3. IOPC Annual Complaint Statistics Report 2021/22**

3.1 The Independent Office for Police Conduct (IOPC) published their annual complaint statistics report for 2021/22 on 17/11/2022.

3.2 This is a high-level national report that presents figures on complaints about the police in England and Wales for the financial year 2020/21.

3.3 It presents different data from previous annual complaints reports due to the changes in legislation and recording practice from February 2020.

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<sup>1</sup> Data source: West Mercia Police Fairness, Policy and Standards Delivery Group Presentation. The Fairness, Policy and Standards presentation for September had reported a completion rate of 89%. However, the latest force presentation for November reports a completion rate of 87% “an increase from 77% in the last report”.

3.4 Individual forces are not referenced in the body of the report, however individual force level data is provided in the appendices.

3.5 The PCC's policy lead for PSD has reviewed the data from the IOPC report (now some 8 months in arrears) and has cross-referenced this with up-to-date internal PSD data (Q2 Apr – Sep 2022) and more recent meetings with the IOPC. A number of areas of performance have been identified as requiring additional scrutiny/ discussion and will be raised at the PSD performance meeting on 30/11/2022. These areas relate to:

- The proportion of complaints resolved outside of Schedule 3 (informal triage);
- The timeliness of resolving complaints;
- The relevant review body test.

3.6 As required by The Elected Local Policing Bodies (Specified Information) (Amendment) Order 2021, the PCC has published a link to the IOPC annual statistics on his website and will be publishing an updated narrative report on complaint handling in December 2022.

#### **4. 12 month timeliness letters**

4.1 PSD must provide the PCC and the IOPC with a notification letter for any local investigation (complaint, conduct or death or serious injury matter) which has not been completed within 12 months. 6 month updates are then required thereafter until the matter has been completed.

4.2 In this context, 'completed' is defined as a final report being submitted to the Appropriate Authority (i.e. does not include the reviews period). Letters must still be submitted even where cases are subjudice.

4.3 0 letters have been submitted in Q2 2022/23. This will be raised with PSD at the Q2 meeting on 30/11/2022 to ensure it is correct and that the PCC is in receipt of all letters as required by legislation.

4.4 2 cases originally flagged in 2021/22 remain open and 6 monthly update letters were received in August and September 2022. Both of these cases are subjudice and awaiting the outcome of court proceedings.

4.5 The PCC's office has developed a mechanism to monitor the submission of these letters and to provide oversight of trends. These trends are discussed at the PCC's quarterly PSD performance meeting where appropriate.

#### **5. PCC Review Function**

5.1 As of February 2020, the PCC has become the relevant review body (RRB) for low level complaints.

5.2 A log has been created to monitor the progress, outcomes and learning for all complaint reviews. This data is also recorded on Centurion (the ICT system used by PSDs nationally), to ensure compliance with national data standards.

5.3 51 valid reviews have been received year-to-date (01/04/22 – 22/11/2022). 39 of these reviews have been completed and 12 are pending (either awaiting representations/ details from the complainant or with the independent external body that assesses reviews on the PCC's behalf).

5.4 Of those completed, 17 have been upheld (44%). This is an increase on previously reported upheld rates, but it should be noted that the volumes are still low and therefore percentages likely to fluctuate. This trend will be monitored going forward.

5.5 Key themes identified through the recommendations are set out below:

- Over half of the recommendations (10) were issued as not all aspects of the complaint were addressed. This was more common for complex cases with multiple allegations.
- In over a quarter of cases (5), the finding of acceptable service did not logically follow from the information provided in the final letter.
- In 4 cases a more comprehensive explanation was required to enable the complainant to understand the process / outcomes of complaint handling.
- In 3 cases it was recommended that further lines of inquiry/ investigation were conducted.

5.6 These trends have been shared with the Complaint Sergeant in PSD to help inform and improve internal processes.

5.7 The review data will be subject to review and discussion at the quarterly PSD performance meeting on 30/11/2022. This will ensure greater oversight of reviews data and provide an opportunity for the PCC to discuss trends with the PSD command team.