

**Police and Crime Commissioner**

**for Dyfed Powys**

**Complaints Dip Sampling Report**

**April to June 2024**

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# 1.0 Overview, purpose and methodology

A series of dip sampling of complaints cases was undertaken by the Office of the Police and Crime Commissioner (OPCC) between April and June 2024.

The OPCC reviewed a total of 16 randomly selected closed complaint cases that were handled by the Professional Standards Department (PSD) between April 2023- March 2024. The main purpose of this scrutiny work is to independently review that the recording and handling of complaints complies with the guidance set out by the Independent Office of Police Complaints (IOPC) and that the service provided to the complainant is reasonable and proportionate.

The background and purpose of scrutiny dip sampling work, alongside how dip sampling is carried out is detailed within the [Complaints Scrutiny Framework](https://www.dyfedpowys-pcc.org.uk/en/about-us/strategies-and-policies/) which is published on the OPCC website.

The IOPC publishes quarterly data on Force performance which includes timeliness of investigations, complaint factors, complaint outcomes and complaint reviews. This reporting period has considered Quarter 4 force performance which is dated from April 2023 – March 2024.

The information is broken down for each Force area which can be viewed on the [IOPC website.](https://www.policeconduct.gov.uk/publications/police-complaints-information-bulletin-dyfed-powys-police-q4-23-24) The OPCC analyses the quarterly reports to identify any trends or peaks in complaints recorded. Additionally, the OPCC will consider National or Local concerns which have been identified as a theme from trend analysis.

As a result, this round of dip sampling has considered:

Complaints categorised as “Individual behaviours” which can include, unprofessional attitude and disrespect, impolite language/tone, overbearing or harassing behaviours, impolite and intolerant actions and lack of fairness and impartiality. The rationale being it was identified that there had been a slight increase in complaint allegations considering under this category compared to the same period last year.

The Dyfed Powys PEEL assessment 2023-2025 references the Force handling of domestic abuse cases. Therefore, it was decided that dip sample to consider allegations concerning “Delivery of duties and service” where domestic abuse was considered a factor to consider how such complaints are handled.

Finally, it was considered appropriate to consider complaints which are handled Outside Schedule 3 as such complaints are not entitled to a complaint review once they are concluded as they are informally handled with the aim to service recover the complaint without it needing to escalate for formal consideration. Dip sampling such cases will provide assurance to the public on the performance of complaints handled informally.

# 2.0 Summary of findings

Overall, it was considered that the cases reviewed were handled reasonably and proportionately. Although no investigated complaints were considered during this dip sample, cases reviewed were thorough and there was a clear use of decision-making forms to make informed decision on how the complaint will be handled.

Positive areas of note:

* It is positive to highlight the safeguarding of a vulnerable young person when dealing with a domestic abuse case.
* Best practice identified where a complaint handler had made a clear term of reference and confirmed with the complainant what action they would take to handle their complaint.
* Best practice was identified for a complaint handled informally Outside of Schedule 3 where learning had been identified. The complaint was allocated to the local supervisor to service recover and provide feedback to the officer complained about and once actioned an update was provided to PSD. This demonstrates good communication between PSD and the Force and from a scrutiny perspective that concerns are being appropriately addressed by supervisors.

Matters which could be improved:

* There are a few cases highlighted below where it is difficult to ascertain what the outcome of the informal complaint was and what action, if any, had been taken. In some cases, the supervisor had not responded to PSD to confirm that they would take forward the action.
* It was also identified in two cases where following allocating a complaint to the local supervisor to handle, PSD would respond to the complainant to advise if they do not receive a response within a “reasonable amount of time” that the complainant can contact PSD for them to chase the matter. Whilst the intention it to provide a good service, the use of this phrase is considered ambiguous and would suggest that PSD consider providing the complainant with a clear time frame i.e. 7 working days.
* In most cases it was identified that the timeliness of the initial handling of complaints could be improved.

# 3.0 – Dip-Sample Findings

## Individual Behaviours

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| **Case number** | **Complaint Summary** | **Handling Type** | **OPCC Observations** |
| 1 | Complainant was unhappy with service received from Call Handler. Despite being told that the complainant was dyslexic, they were advised by the call handler to make report online.Complainant is also unhappy with the progress of an investigation. | OTBI | Outcome reached was reasonable and proportionate.Thorough and detailed investigation with the complainant being regularly updated throughout the complaint handling process.Delay in the recording of this complaint of (60 days), despite the PSD contacting the complainant 3 days after receiving the initial complaint.The complaint was received on the 15th of August 2023, but a Complaint Handler was not assigned until 18th December 2023.  |
| 2 | Complainant is unhappy with the manner of a member of Dyfed Powys Police who was “rude” and “arrogant” over the phone. | OS3 | It took 21 days for PSD to make initial contact with the complainant after receiving the initial complaint. The complaint was handled thereafter, reasonably and proportionately through Outside Schedule 3. |
| 3 | Complainant is unhappy that Dyfed Powys Police are pursuing a prosecution for a driving offence. Complainant also alleges to have received a threatening letter and that an officer had fabricated the circumstances. | OTBI | It took 25 days between the initial complaint being made and PSD sending acknowledgment. Very detailed Complaint Handling report and regular updates provided to the complainant once allocated.Outcome was assessed as reasonable and proportionate. |
| 4 | Complainant alleges that whilst arrested they were called names and that officers drove in a manner to custody which was considered too fast. | OS3 | Since receiving the complaint from custody, there was regular contact attempts made via letter to address the allegations made. The letters were sent on a monthly basis.The complaint was appropriately closed after 66 days of attempts to contact complainant with no response. |
| 5 | Officer was rude and showed inappropriate behaviour. | OS3 | This was handled reasonably and proportionately through Outside Schedule 3. This addressed the complaint in a timely manner and complainant was happy with the outcome. However, lack of recording of lessons learned means it is hard to verify the meeting between the supervisor and the officer concerned regarding their conduct and no recording of the discussion, suggests that this is an area for future consideration. |

## Domestic/Gender abuse

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| **Case number** | **Complaint Summary** | **Handling Type** | **OPCC Observations** |
| 1 | Complainant is dissatisfied with the Force’s response to a Claire' Law disclosure and had made allegations of harassment by an officer. | Outside Schedule 3 | Case record wasn’t provided, therefore there is no record of contact with Local Policing Area and PSD.However, it is clear from the letter to the complainant that PSD discussed this with the supervisor of the officer against whom the complaint has been made. |
| 2 | Complainant is alleging that they are being maliciously pursued by police in coercive and controlling behaviour. Also states that being arrested has impacted his mental health. | OTBI | Positive safeguarding of vulnerable young person.Outcome letter is detailed from PSD, however there is no mention of available support services given the mental health issues raised. |
| 3 | Complaint about officers' lack of contact with the male victim of Domestic Abuse, alleging that officers are neglecting his concerns and correspondence.  | Outside Schedule 3 | *"If you don't hear from anyone in a reasonable amount of time…"* – PSD. What does *"reasonable"* mean?Positive that PSD have directly contacted the Chief Inspector as the Officer in the Case and supervisors were all on leave. Confirmation that the Inspector has resolved the case. - This is considered best practice as this is not always visible in the files.  |
| 4 | Complaint is unhappy that the Dyfed Powys Police officer had not disclosed certain information during an interview. Complainant also had concerns that officers were withholding CCTV footage.  | Outside Schedule 3 | Complainant advised by PSD that if he did not hear from the officer within a 'reasonable amount of time' to recontact PSD.No evidence that a conversation took place between the Sergeant and complainant. Don't know the outcome other than it was sent to the Sergeant to contact the complainant. So, we can't truly assess timeliness nor the outcome.  |
| 5 | Complaint that an individual was being harassed by officers due to being an alleged perpetrator of Domestic Abuse. Dissatisfied that an officer had ignored evidence and provided false evidence at court.  | OTBI | Clear write up and rationale identified, only concerns was the timeliness of initial handling of complaint.IOPC were identified as the review body, but complainant did not submit a review which can be an indicator that they were satisfied with the outcome. |

## Complaints handled Outside Schedule 3

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| **Case number** | **Complaint Summary** | **Handling Type** | **OPCC Observations** |
| 1 | Stop & search and strip search was conducted on the complainant. Complainant was looking for compensation due to alleged damage a police dog had done to the car (scratches) and for not allowing a solicitor present prior to the search. | OS3 | PSD advised that legal services would deal as complainant was looking for compensation as opposed to learning. Complainant appeared to be content with this; therefore, handling Outside Schedule 3 is considered to be reasonable and proportionate. |
| 2 | Complainant is a Domestic Abuse victim. Unhappy that they did not receive updates and states that the bail conditions on their son are too strict. | OS3 | Victim/complainant has specified their desire:*"My observation would be that officers leading the enquiry must make regular contact, primarily to determine whether there has been any change and give updates even when victims are not supportive of any proceedings."*This feedback was provided to the officer's supervisor which was considered to be good practice. Complainant did not wish to proceed with Domestic Abuse investigation.No confirmation of acknowledgment from the Sergeant or the Officer in Case from PSD's outcome; therefore, unable to determine whether this was handled Reasonably and Proportionately. |
| 3 | Assault occurred to on the complainant and complainant's son. Dissatisfied that the Police have not attended to take statements. | OS3 | A separate complaint is being handled for the same complainant.Officer has telephoned, explained and apologised for the delay; therefore, Outside Schedule 3 has been handled reasonable and proportionate. |
| 4 | Complainant is unhappy with how officers spoke with them whilst administering first aid. | OS3 | Not clear on the outcome of the complainant. Unknown if there has been any follow up.Timeliness delay for initial contact of 16 days would appear to be disproportionate.  |
| 5 | Complainant was unhappy that an officer stated that there were no criminal offences when citizens advice advised there were. | OS3 | PSD have enquired for further information- Complainant has provided no response.As the complainant did not respond, the attempt to handle Outside Schedule 3 was deemed to be reasonable and proportionate.  |
| 6 | Complainant was trapped & attacked in their car. Officers did not appear to be taking the incident seriously and the complainant felt abandoned. | OS3 | PSD had reviewed relevant documents held on police systems.Victim has requested an apology and a recognition of mistakes. PSD have apologised and asked if the complainant wants to escalate further. No detail of a reply from the victim; therefore, handling Outside Schedule 3 is considered to be reasonable and proportionate. |

# 4.0 PSD Response

PSD welcomes the latest Complaints Dip Sampling Report from the Police and Crime Commissioner, which provides useful feedback and a fresh perspective. This is beneficial in our continuing commitment to learning and improvement.

The overall positive feedback is welcomed and PSD are grateful for the recognition of the decision making that goes into the assessment and handling of complaints.

Areas for improvement are noted and it is recognised that there can be an improvement in the timeliness of the handling of some complaints. This is an area we are continually monitoring and striving to improve. This has been taken on board by the department in addition to the other identified areas for improvement.