

**Police and Crime Commissioner**

**for Dyfed Powys**

**Complaints Dip Sampling Report**

**January 2024**

Contents

[1.0 Overview 2](#_Toc161230229)

[2.0 Background, Purpose and Methodology 2](#_Toc161230230)

[3.0 IOPC Statistics 3](#_Toc161230231)

[4.0 Dip-Sample Findings 6](#_Toc161230232)

[5.0 Conclusion 33](#_Toc161230233)

[6.0 Next Steps 35](#_Toc161230234)

# 1.0 Overview

A series of dip sampling of complaints cases was undertaken by the Office of the Police and Crime Commissioner (OPCC) between September and December 2023.

The OPCC reviewed a total of 19 randomly selected closed complaint cases that that were handled by the Professional Standards Department (PSD) between April 2022- March 2023. 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.

# 2.0 Background, Purpose and Methodology

The background and purpose of scrutiny dip sampling work, alongside how dip sampling is carried out is detailed within the Dip Sampling Protocol, which is available on the PCC website via the following hyperlink: <http://www.dyfedpowys-pcc.org.uk/en/the-office/strategies-and-policies/>.

The Policing and Crime Act 2017 and supporting regulations made significant changes to the police complaints and disciplinary systems. They introduced a number of changes designed to achieve a more customer-focused complaints system in February 2020.

The complaints system has expanded to cover a broader range of matters. Formerly, the way that the term ‘complaint’ was defined meant that it needed to relate to the conduct of an individual officer. Now a complaint can be made about a much wider range of issues including the service provided by the police as an organisation. This is designed to increase access to the police complaints system.

The IOPC expects forces to consider the information they keep about complaints with the intent of the reforms in mind – a positive obligation to increase access and to collect information that enables forces and local policing bodies to learn from complaints and other matters.

##

# 3.0 IOPC Statistics

The IOPC publishes quarterly data on Force performance which includes timeliness of investigations, complaint factors, complaint outcomes and complaint reviews. The reporting period considered for this report is for 1st of April 2022 – 31st of March 2023.

The information is broken down for each Force area which can be viewed on the [IOPC website.](https://www.policeconduct.gov.uk/information-for-police/police-data)

The table below shows that Dyfed Powys performance is better in comparison to similar forces in the timeliness of handling complaints outside of schedule 3.

The table below shows that Dyfed Powys performance is better in comparison to similar forces in their timeliness of handling complaints not subject to investigation.

Complaints handled by local investigation took longer to finalise than similar Forces.

|  |  |  |  |
| --- | --- | --- | --- |
| Avg no days to finalise allegations | Force | SPLY | MSF Average |
| Outside Schedule 3 | 8 | 7 | 19 |
| Under Schedule 3 – not investigated | 79 | 69 | 95 |
| Under Schedule 3 – by local investigation | 166 | 107 | 151 |
| Under Schedule 3 –directed investigation | 0 | 0 | 0 |
| Under Schedule 3 – independent investigation | 0 | 0 | 84 |

Having considered the actions taken for complaints handled outside of Schedule 3, the OPCC queried what was deemed as “Other Action”. Following a focus in Policing Board on the 21st of September 2023, an action was taken for the OPCC to carry out a dip sample of complaints where the action was finalised as “other action”.

|  |  |  |  |
| --- | --- | --- | --- |
| Action following outside schedule 3 complaint cases | ForceNo % | SPLYNo % | MSF AvgNo % |
| Organisational learning | 0 | 0 | 0 | 0 | 1 | 1 |
| Learning from reflection | 21 | 3 | 56 | 12 | 13 | 7 |
| Policy review | 0 | 0 | 3 | 1 | 1 | 0 |
| Goodwill gesture | 0 | 0 | 4 | 1 | 0 | 0 |
| Apology | 14 | 2 | 4 | 1 | 17 | 7 |
| Debrief | 6 | 1 | 3 | 1 | 3 | 1 |
| Explanation | 247 | 40 | 122 | 26 | 250 | 61 |
| No further action | 72 | 12 | 68 | 14 | 66 | 14 |
| Other action | 263 | 42 | 205 | 43 | 81 | 17 |

The Police and Prime Commissioner set out in his Police and Crime Plan under priority 1 that victims are recognised and supported which includes victims of hate crime. The table below shows the number of complaints recorded where a factor for the allegation was “Hate Crime”.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Allegation Category |  |  |  |
| Factors | Delivery of duties and service | Police powers, policies and procedures | Handling of or damage to property/premises | Access and/or disclosure of information | Use of police vehicles | Discriminatory behaviour | Abuse of position/corruption | Individuals | Sexual Conduct | Discreditable conduct | Other | Total |
| Hate Crime | 12 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 1 | 15 |

The OPCC decided to dip sample cases where the complaint factor related to Hate Crime and considered whether there was any disproportionality.

Therefore as a result of this data this round of dip sampling has considered:

* Complaints closed as “other action”
* Complaints Investigated under Schedule 3 of the Police Reform Act
* Complaints where a factor was Hate Crime

# 4.0  – Dip-Sample Findings

Complaints closed as “Other Action”

|  |  |
| --- | --- |
| Dip sample subject:  | Other Action |
| Complaint handling type:  | Outside of Schedule 3 |
| Number of cases viewed:  | 5 |
| Average number of days to finalise complaints reviewed:  | 6 |

|  |
| --- |
| Case1  |
| Summary of Complaint | Initially recorded as Hate Crime (victim had disability) changed to ASB following officer attendance. Concerns regarding a neighbour kicking a ball at their door and then shouting at them. |
| OPCC Comments | The officer who attended was not accommodating to the individual’s needs. Complainant noted that she could not lip read the officer as he kept looking down.PSD contacted complainant to see how they would like their complaint to be handled. Complainant was happy on this occasion for complaint to be handled less formal and to send to the officer’s supervisor so that feedback can be given and the officer spoken to informally.Whilst it was good practice for the supervisor to inform PSD that reflective practice had taken place, the response from the supervisor only commented on importance of wearing Body Worn Video (BWV). There was nothing to suggest learning had been shared around the officer’s communication with the complainant. |
| PSD Comments | It was agreed with the complainant that the concerns could be addressed by way of feedback to the officer.The cases reviewed were all complaints handled outside schedule 3. These are usually low level matters that can be addressed quite quickly without the need for detailed enquiries. In many instances these are allocated to local supervisors to address and whilst it is preferable to receive an update from these supervisors it is not always necessary or proportionate.Complainants would not necessarily be updated with the outcome of a reflective practice discussion. |
| Action | What training is provided to officers for dealing with the public with disabilities? |

|  |
| --- |
| Case 2  |
| Summary of complaint | Complaint against call handler for the way they had spoken to the complainant who was reporting a welfare concern following a domestic incident which happened in a different Force area. |
| OPCC Comments | Complaint was handled well by the supervisor who reviewed the call and contacted the complainant to provide an apology.  |
| Good practice identified. | Example of good practice demonstrated within the response from Force Communication Centre (FCC) to PSD. Detailed email noting what learning was given and confirmation that the complainant had been informed. |
| PSD Comments | Observation noted. |

|  |
| --- |
| Case 3  |
| Summary of complaints | Traffic concern of a complaint van driving dangerously |
| OPCC comments | Complaint was passed to local supervisor. Efficient and relevant checks were undertaken and clarity was sought from the complainant. Local inspector reminded officers of the driving standards expected even though there was no evidence of dangerous driving |
| Good Practice identified | Feedback of learning undertaken provided to PSD. |
| PSD Comments | Observation noted. |

|  |
| --- |
| Case 4  |
| Summary of complaint | Report of an assault not being followed up |
| OPCC Comments | Complaint forwarded to supervisor to be service recovered. Complainant was unable to purse a crime of assault on the premise that the Officer In Charge (OIC) did not get back in touch within the necessary timeframe to pursue prosecution. The supervisor provided an apology for the service received and advised that the officer dealing would be spoken to.No further evidence of any learning identified. Complainant hadn’t responded to PSD so the complaint was not formally recorded. |
| PSD Comments | The cases reviewed were all complaints handled outside schedule 3. These are usually low level matters that can be addressed quite quickly without the need for detailed enquiries. In many instances these are allocated to local supervisors to address and whilst it is preferable to receive an update form these supervisors it is not always necessary or proportionate.  |

|  |
| --- |
| Case 5  |
| Summary of complaint | Complaint about lack of police action following reports of trees being cut down which has a preservation order on it.  |
| OPCC Comments | Complaint handled by local Inspector and was handled reasonably and proportionately in a timely manner. Long standing neighbour dispute. Issues reported had been investigated. Inspector contacted complainant to provide an explanation. |
| Good practice identified | Inspector copied in PSD to the correspondence sent to the complainant. |
| PSD Comments | Observation noted. |

Schedule 3 Complaints Investigated

|  |  |
| --- | --- |
| Dip sample subject:  | Schedule 3 Investigation |
| Complaint handling type:  | Investigated |
| Number of cases viewed:  | 8 |
| Average number of days to finalise complaints reviewed:  | 91 Days |

|  |
| --- |
| Case 1  |
| Summary of complaint | Relative of complainant, complaining on behalf of her brother who is in prison.Her allegation relates to the investigation against her brother has resulted in the imprisonment of an innocent man. |
| OPCC Comments | Complaint went through the review process (Relevant Review Body were the IOPC). Identified that allegations had been missed and not considered, review was upheld and returned to be investigated.PSD identified that officer didn’t follow force policy, however they were unable to identify the officer. |
| PSD Comments | Re: LearningThe investigator determined there would be learning for the officer who confiscated the complainant’s key had they been able to identify the officer.It should however be noted that the investigator was unable to establish whether the complainant even had a key in their possession, but assumed they must have.It cannot be determined with any certainty whether there had been any failure to record property and this is reflected in the Appropriate Authority’s decision that there were no performance issues.Had any of the facts been properly established it potentially would not have been proportionate to deliver force wide learning for one officer not booking in a door key. |
| Action | When learning is identified at the conclusion of the complaint handling, and PSD are unable to identify the officer/staff or when staff have left the organisation, should the learning still be shared? |

|  |
| --- |
| Case 2  |
| Summary of complaint | Allegation of an unlawful arrest of two separate complainants as there was no warrant or any evidence to justify the arrest.Items including phones and laptops were seized from the families of the complainants with no inventory and not returned.A search was conducted at a premises where further items were seized and the complainant does not believe should have been seized. Complainant believes that police have disregarded an allegation they have made regarding burglary in his home.Other complainant alleges that not all cash that was seized was returned. |
| OPCC Comments | Investigating Officer has completed a thorough complaint investigation and has taken appropriate steps in obtaining accounts from officers involved, legal advice and handwriting expert etc. |
| Good practice | OPCC considers this investigation to be good practice, initial handling had clear Terms of Reference and report was comprehensive. |
| PSD Comments | These were two particularly challenging complainants, one of whom previously tried to defraud DPP through a previous complaint in about damaged property.Throughout the complaint handling process both complainants displayed unreasonable complainant behaviour.The Appropriate Authority is grateful for the OPCC’s recognition of the good work carried out by DC Rachel MacLaren in such difficult circumstances. |

|  |
| --- |
| Case 3  |
| Summary of complaint | ASB. The complainant accused the officers of threatening with an arrest, which resulted in 6 or 7 officers surrounding the individual and tackling them to the floor resulting in injuries. Allegations were also raised concerning treatment in custody. |
| OPCC comments | OPCC considers the handling of complaint to be reasonable and proportionate and handled in a timely manner. Demonstrates the positives of the use of BWV being utilised as it demonstrated the difficulties that officers are faced with. |
| PSD Comments | Noted |

|  |
| --- |
| Case 4  |
| Summary of complaint | The complainant contacted Dyfed Powys Police on the morning of the 3rd August 2022 to report concerns over a colleague who had attended the workplace that day acting out of character. The colleague was later found deceased having appeared to commit suicide. The complainant feels that had police acted on her call this could possibly have been avoided. |
| OPCC comments |  First call made to FCC was not recorded on STORM. They requested the caller to attempt to make contact themselves with the person concerned. Call Handler, who dealt with the call, has since left DPP. PSD have deemed the service to be unacceptable, which the Panel agree with; however, PSD considers there is no learning as the call handler has since left the organisations. The OPCC considers that this case could be used as learning for all call handlers as a reminder of the importance of complying with Force policy.  |
| PSD Comments | In hindsight, despite the fact that the individual staff members had left the organisation, some organisational learning (i.e. departmental targeted learning) could have been actioned in this case. The most appropriate course of action is for this case to be highlighted to the FCC SMT for learning to be cascaded as appropriate. |

|  |
| --- |
| Case 5 |
| Summary of complaint | Parent is complaining about the use of taser on their 14 year old son and the lack of any aftercare. |
| OPCC Comments | The Complaint Handler has dealt with the complaint reasonably and proportionately and with the use of BWV it provides more context to the situation. The Complaint Handler has provided good level of updates and was also thanked by the complainant for this.  |
| PSD Comments | Noted |

|  |
| --- |
| Case 6  |
| Summary of complaint | Domestic AbuseComplainant has recently reported his former partner for historic physical abuse. The complainant believes that an officer recently met with ex-partner to disclose information about this case to him.  Complainant is also concerned that a DC has disclosed information indirectly through family connections associated with ex-partner. The concern centres around a view that the police are trying to incriminate him in some way or possibly take advantage of the fact he is a victim in an on-going case. |
| OPCC Comments |  The Complaint was dealt with reasonably and proportionately. Good example of PSD showing patience and providing a detailed report. Conducted ATA checks to verify officer's identity, persistent in the request for more context in relation to the evidence and detailed explanations to the emails. |
| PSD Comments | Noted |

|  |
| --- |
| Case 7  |
| Summary of complaint | Neighbour dispute, Stop & SearchThe complainant is involved in an ongoing dispute with their neighbour who is a police sergeant(PS) for DPP. The complainant believes the PS has misused their position to harass them by arranging for officers to stop her family, search her home and report her to the local housing association to be removed from the house. |
| OPCC Comments | Complaint went through the review process, IOPC upheld complaint.Allegations not recorded accurately at the start of the complaint in relation to the harassment by the PS and interference with investigations. |
| Recommendation |  Incorporate a ToR as standard practice when recording initial complaints to ensure the scope is agreed with the complainant before commencing the complaints process. |
| PSD Comments | TOR comment noted and accepted.While the regulations only mandate terms of reference for investigations that are subject to special procedures, the IOPC expects all investigations to have terms of reference.Furthermore, copy of the terms of reference and also any revisions to them should be sent to complainants, interested persons and also any person whose actions are under investigationPSD Supervisors will be asked to debrief their team members and remind them of the need to produce Terms of Reference and provide them to complainants. |

|  |
| --- |
| Case 8  |
| Summary of complaint | Following RTC which resulted in father's death, complainant is alleging that officers have stolen a sum of money from his father's wallet. |
| OPCC Comments | Delay with the initial handling and communicating with the complainant. However the complaint was then handled reasonably and proportionately. No right for review was requested. |
| PSD Comments | A response has been provided in respect of unavoidable delays in previous dip-sampling reports. |

**Hate Crime**

|  |  |
| --- | --- |
| Dip sample subject:  | Hate Crime |
| Complaint handling type:  | Outside of Schedule 3 | 3 |
| Inside Schedule 3 | 2 |
| Number of cases viewed:  | 5 |
| Average number of days to finalise complaints reviewed:  | Outside Schedule 3 | 41 days |
| Under Schedule 3 (not investigated) | 142 days |

|  |
| --- |
| **Case 1**  |
| Summary of Complaint | Complainant believes that DPP did not take the incident seriously. Incident concerns racial abuse and spitting on the complainant’s car. |
| OPCC Comments | There was a delay with the initial handling of the complainant. However, the complaint was handled by a local Inspector who met with the complainant. Complaint handler identified learning through reflection as the officers could have used Early Evidence Kit following the report of the incident. |
| PSD Comments | It is part of a supervisor’s role to deal with complaints and we are reliant on their assistance, however we have to remember that this is one of many aspects of their role that they have to balance. Other matters may take priority over complaints and they may not always be able to give complaints their immediate attention.It should also be noted that the complainant was updated regularly during the complaint handling process and with greater frequency than the statutory requirement to update the complainant every 4 weeks.**Learning by Reflection (point 4)**PSD has not received notification that reflection has taken place. Where a performance related issue has arisen it is the responsibility of the officer’s supervisor to ensure action is taken to address it. Due to the sheer volume of complaints received, PSD cannot micromanage this process and we have to trust that supervisors will carry out their duties responsibly.While it may be useful to have a record of any reflective practice for completeness it is not necessary. In fact a record of this nature should ideally in principle sit on an officer’s PDR.It is also worth noting that PSD and the OPCC attended an IOPC Complaint Handler’s workshop on the 29th March 2023, where the IOPC advised that any process of reflective practice sits outside of the complaint handling process and can be completed following the finalisation of the complaint.**Repeat Learning (point 6)**PSD do not specifically monitor repeated incidents of learning against officers as these are performance related issues, which are the responsibility of supervisors.It is important to understand that complaints will only make up a small portion of any performance monitoring framework, and it would not be appropriate for ownership of this framework this to sit with PSD.PSD have processes in places to identify officers who have been subject to previous/similar complaints about their conduct, which are flagged up with the officer’s supervisor.It is the supervisor’s responsibility to look at these in the context of the officer’s wider performance and address any issues accordingly through performance related procedures. |

|  |
| --- |
| Case 2  |
| Complaint summary | Racial assault, incident happened in a restaurant. Complainant alleges officer didn’t take the report seriously. |
| OPCC comments | Complaint handled by supervisor in the Crime Incident Hub over the phone. There was insufficient evidence to take the matter forward.Calls not recorded so unable to consider interaction between complaint handler and complainant. |
| PSD Comments | It should be noted that this was a complaint suitable for handling outside of schedule 3 of the Police Reform Act, where the aim is to promptly address the concerns a complainant has raised in the most efficient, effective and beneficial way.This was not an investigation and so there was no requirement to take detailed accounts from officers or to treat anyone as a ‘witness’. This would not have been proportionate to the circumstances and nature of the complaint.There are no concerns around transparency or accountability and there is no suggestion that there should be. |

|  |
| --- |
| Case 3  |
| Complaint Summary | Unhappy with how the Force are dealing with online Hate incident. |
| OPCC Comments | Complaint received 15/08/2022 and was acknowledged on 26/08/2022. IOPC guidance states that contact, “*should be done as soon as possible after receipt of the complaint. Early contact with the complainant is pivotal to the success of resolving the complaint to the complainant’s satisfaction, and in many cases, where this is done promptly, and the complaint is suitable to be resolved outside of Schedule 3, the complaint may be fully resolved during this initial contact”.* Is there any clarification for the timeliness for this complaint to be acknowledged? |
| PSD Comments | Coincidentally this complaint features the same complainant as the first complaint reviewed The complaint was initially passed for formal recording by the PSD admin team, but following review by the Complaints & Misconduct Supervisor it was determined that it may be suitable for handling outside of schedule 3.This may account for a slight delay in contacting the complainant, but occasionally delays are inevitable and can be dependent on many factors including resources, workloads and the need for prioritisation.In this instance the complainant was contacted within 9 working days. This is not indicative of any wider concerns as our average time for contacting complainant during this period was 5 working days, which was in line with the national average. |

|  |
| --- |
| Case 4  |
| OPCC Summary | The complainant has reported numerous incidents of abuse and harassment involving her neighbour, and is unhappy with the way the police have handled the matters. She feels let down by the police stating that time and time again there have been poor updates, a failure to secure evidence and submit to the CPS and a failure to charge the individual. |
| OPCC Comments | Some discrepancies with recording dates on different forms, made it difficult to assess timeliness. Complainant noted they were happy with the updates provided. There was some confusion as to who was handling the complaint. On the 18th May PSD were handling the complaint; however, Inspector Williams appeared to be dealing as of 13th September. The following learning was identified in the complaint outcome letter.* *“Any learning for the organisation will be ongoing and will link in with the input you provide at a more strategic level should you decide to apply to join one of the above mentioned groups (QAP, IAG)”-* Was any support offered to support the complainant with this learning.
* What are the specifics of the learning and what learning was undertaken?
* Where the outcome letter states,

“the above and many of the cultural issues (such as race and diversity training for officers) raised by you in your report need to be considered at a strategic level. As such, Inspector Williams has asked the Professional Standards Department to identify committees and boards that you can be signposted towards so that you can influence policy in that way. This will be carried out alongside the continued allocation of a police sergeant to capture more locally applicable suggestions.” Has this been done, and if so, has there been any learnings identified? Has the strategic level learning gone anywhere and have any improvements suggested occurred and what was the outcome of the organisational learning? |
| **PSD Comments** | **Background**This was a challenging and time consuming complaint to deal with. The initial complaint was discussed over the phone followed by a submission from the complainant which included three Word documents, cumulatively totalling 75 pages.The extent of this correspondence was disproportionate to the circumstances and nature of the complaint.The paperwork took a considerable amount of time to review and to identify the complainant’s concerns. This had to be done in such a way that it did not impact on other service users.**Date discrepancies**It is not clear what discrepancies with recording dates this case review is referring to. The complaint was initially made on the 24th March 2022, when PSD case worker, Daryl James contacted the complainant by telephone and it was logged on our system on that date.The complainant had made contact with the force through 101 the previous day, but this was only to signify her intention to make a complaint. There were no details given.The case received date was duly recorded as the 24th March 2022 on both the Centurion record and the Complaint Decision making Form.There was a delay in making a recording decision and sending a complaint recording letter to the complainant, but as explained above this was due to the extent of the complaint correspondence, which had to be managed without negatively impacting on other service users.Following the review of the correspondence, the complaint was formally recorded under Schedule 3 of the Police Reform Act on the 6th May 2022 and a recording letter was sent to the complainant on the 23rd May 2022.This was clearly an exceptional case and not indicative of the usual service provided. At this time we were logging complaints in an average time of 4 working days and contacting complainants in an average of 5 working days.**Complaint Handler**There were some initial queries over who should handle the complaint as the local Chief Inspector responsible for complaint allocation in her area identified that an Inspector had been named in the complainant’s correspondence and suggested that the complaint should be dealt with by PSD.It was then established that the Inspector named in the correspondence was not subject to the complaint and it was in fact suitable for handling by a local Inspector.**Learning**This complaint was subject to a review by the IOPC, which has been partially upheld. As a result the complaint is currently being re-investigated by a PSD Investigator.At this stage it would not be appropriate to comment on any outcomes or learning as they may be subject to change.*N.B.* *When a list of closed cases was provided to the OPCC for review this case was included in the list. This was due to the parameters used to retrieve the data, which due to the way Centurion records allegations/cases did not reflect the status of the complaint as one being under review.* |
| Action: | OPCC to seek assurance from any leaning identified at the conclusion of complaint review conducted by the IOPC. |

|  |
| --- |
| *Case 5*  |
| Complaint Summary | Not happy with how force have dealt with harassment from ex partner. |
| OPCC Comments | Good outcome, as the complainant had been directly contacted which led to them feeling reassured and matter does not need to be progressed.PSD did note in their acknowledgement that if the complainant was unhappy with the outcome then the complaint could be recorded. |
| PSD Comments | Observations noted |

# 5.0 Conclusion

Timeliness

To conclude the OPCC considers that overall that complaints have been handled reasonably and proportionately. The average time to finalise complaints that have been investigated was less than what has been recorded by the IOPC in their quarterly report. There were some concerns around the timeliness of complaints where the factor of the allegation concerned “Hate Crime”. However an explanation has been provided by the Appropriate Authority that the cases concerned were exceptional circumstances and should not be an indication of their performance for all complaints. Occasionally delays are inevitable and can be dependent on many factors including resources, workloads and the need for prioritisation.

Initial complaint handling

During the dip sample of complaints that had been investigated it was identified that the complaint handler had not completed a Terms of Reference which resulted in allegations not being recorded. While the regulations only mandate terms of reference for investigations that are subject to special procedures, the IOPC expects all investigations to have terms of reference. The Appropriate Authority has requested PSD Supervisors to debrief their team members and remind them of the need to produce Terms of Reference and provide them to complainants.

It should be noted that during the dip sampling the OPCC identified a common theme with Oversight concerns raised from OPCC complaint reviews, where allegations have been missed/not recorded. Additionally best practice has been identified where a ToR was provided for a complaint handled other than by investigation (OTBI). As such the OPCC recommends that ToR is extended to complaints handled OTBI to provide complainants with a clear understanding of the complaint that will be considered.

At the time of writing this report the IOPC are delivering workshops “Right First Time” which go through a tool kit that will be available to all complaint handlers to support and ensure there is consistency in the initial stages of handling complaints. OPCC representatives will also be attending the workshops.

Outcome/ Learning

In four of the cases reviewed as “other action” it is noted that during the handling of complaints PSD had identified learning for the officers subject to complaint which had been allocated to the local supervisors for action. Therefore it is considered that the recording of these complaints as “Other action” could have been recorded as “Learning from reflection”

Good practice was identified where as a result of reflective learning the Supervisor notified PSD what learning had taken place. The OPCC considers that supervisors adopt this method of sharing learning with PSD which would be beneficial for any external scrutiny. In cases where the learning was not fed back to PSD, the OPCC queried whether they have sight of complaints where there is learning from reflection. The OPCC also queried whether complainants are updated on any reflective practice which takes place. It is accepted that complaints will only make up a small portion of any performance monitoring framework, and that ownership of this framework should not just sit with PSD. Therefore the Force should consider it’s processes in relation to reflective practice to ensure there are sufficient links between PSD and HR and that there are Quality Assurance mechanism in place to monitor trends/themes of learning.

# 6.0 Next Steps

In line with the Policing Protocol 2023 the PCC has a duty to monitor all complaints made against officers and staff, whilst having responsibility for complaints against the Chief Constable. [The Policing Protocol Order 2023 (legislation.gov.uk)](https://www.legislation.gov.uk/uksi/2023/649) It is therefore considered that the organisation consider the following recommendations:

|  |  |
| --- | --- |
| OPCC Observations | Force Response |
| * Where Supervisors are handling a complaint by means of learning from reflection that an update is provided to PSD. This would provide confidence that learning from reflection is being carried out and useful for any scrutiny that is undertaken for complaints.
 | There is no requirement for an update to be provided to PSD. This was confirmed by the IOPC in the Compliant Handler Workshop held in March 2023.Reflective practice is part of a Supervisor’s responsibility and we should trust that the Supervisors will carry this out.It could become overly onerous to insist this process is followed each time or to chase it up. |
| * ToR are extended to complaints handled other than by investigation to ensure there is a clear understanding between the complaint handler and complainant
 | Terms of Reference are not required for complaints handled otherwise than by investigation. It would not be reasonable and proportionate to insist on a TOR for every complaint handled this way. |

In line with the Policing Protocol 2023 the PCC has a duty to scrutinise, support and challenge the overall performance of the Force. It is therefore considered that assurance is received to the following areas of concern identified during the dip sampling:

|  |  |
| --- | --- |
| OPCC Observations | Force Response |
| * Where learning is organisational/individual learning identified for not complying with Force policy how is this shared with officer/staff to ensure mistakes aren’t repeated.
 | This would usually be fed back through the officer/staff member’s supervisor. |
| * What is the process for Reflective Practice and how it is Quality Assured?
 | Information is available on the Force’s internal intranet page [Reflective Practice | DPPi2](https://dppi2/en/guidance/working-here/professional-standards/reflective-practice/)A reflective practice discussion usually takes place between an officer or member of staff and their line manager. The discussion should have a positive focus on reflection and learning. The purpose of the discussion is to agree any key actions that are required to address the issues identified and to prevent a recurrence of the matter, as well as to identify any learning.The line manager will make a record of the reflective practice discussion, using the reflective practice log and attach it to the officer or staff member’s PDR. The record should include the officer/staff member’s responses, any learning identified and the next steps to be taken.These records will enable any future line manager to understand what happened to assist future decision-making if other, similar, issues arise. |
| * How does the Force monitor learning/recommendations identified by the IOPC following an investigation or complaint review?
 | In general the IOPC recommendation are very specific to that case and require a particular action to be taken. Usually this goes to the relevant senior officer of that business area for them to implement/respond. We then write back to the IOPC to confirm the action that has been taken. |
| * Do PSD have any processes in place to monitor any trends/themes for complaints
 | Complaints can help identify potential issues, but that is just one small area where these problems could be identified. PSD record local factors which may identify an increase in complaints within a particular area of the Force.  |
| * What training is provided to officers for dealing with the public with disabilities?
 | Following response has been provided by Equality and Diversity:Contact has been made with Carmarthenshire People First who are going to provide training to students around “Lived Experiences”The force run BSL courses for PCSOs therefore officers should be aware of who their BSL champions are however, when it comes to investigations professional BSL interpreters should be used at all times – again officers would be aware of this. |