

Police Complaints System Reforms

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OPCC Reviews: One Year On

As of 1 February 2020, the OPCC has taken on responsibility for undertaking 'reviews' of the outcome of police complaints (formerly known as 'appeals')

Since then, there have been:

189 requests for a review

111 completed reviews

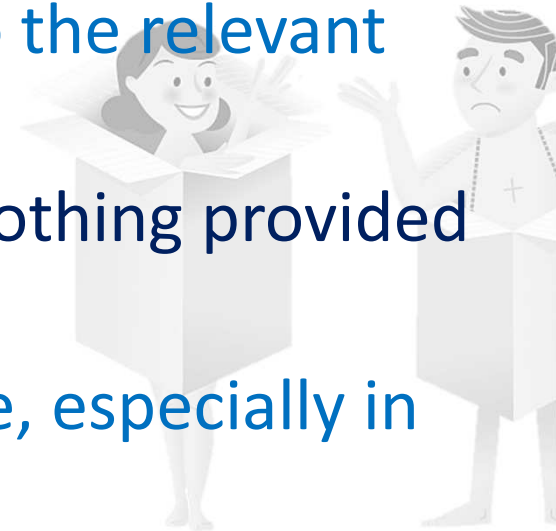
5 reviews have been upheld*

**Data taken as of 13 January 2021*



Oversight Learning

- Use of terminology such as ‘repetitious’ should now be ‘substantially the same’
- Better use of Body-Worn Video
- Confirmation that a complaint has been passed on to the relevant Force prior to closing a case
- More efforts should have been made in relation to clothing provided to a naked detainee
- Guidance around use of racist inflammatory language, especially in social media



Types of Complaints



Disputes between neighbours, due to COVID restrictions. E.g. arguments regarding 'spying' on neighbours, use of hosepipes and reporting of smells coming across garden fence

- Allegations of Officers breaching COVID restrictions; being too tough, or not tough enough
- Complaints about Custody e.g. Detainees' confiscation of mobile phones or not being able to keep their mask on in a cell. (NB Independent Custody Visiting (ICV) scheme conducts weekly checks on detainees in Custody to ensure Police and Criminal Evidence Act (PACE) requirements are followed).

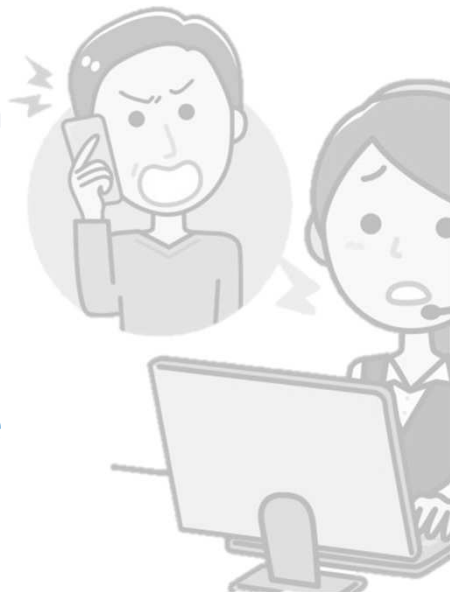
Persistent Complainants

In some cases, where complainants are believed to be, or become vexatious, communications strategies will be put in place in order to:

- Ensure that an individual's complaints/requests for information are dealt with promptly and accurately
- Protect staff welfare
- Limit the disproportionate cost on public purse when handling reviews
- Ensure the OPCC can function and manage workload effectively

Individuals will be informed prior to any action being taken and the reasons for a communication strategy being implemented. However, where OPCC staff safety or welfare is threatened due to unreasonable behaviour, the individual may not receive prior warning.

Individuals may challenge communication strategy implementations, and will be informed of the process involved. If they do wish to challenge this, they may raise their concerns in writing to the Chief Executive of the OPCC who will consider their points and make a final decision, which will be communicated to the individual.





Persistent Complainants Communication Strategies

Communication strategies will be unique to each individual and implemented on a case-by-case basis. The strategy may include:

- Requiring an individual to only email the main PCC inbox (or a designated Single Point of Contact (SPOC)).
- Placing time limits on telephone conversations.
- Restricting communication to one method of contact.
- Confirming that the OPCC will only contact the individual on a periodic basis, e.g. no more than bi-weekly or monthly.
- Reading and filing correspondence, but only acknowledging or responding to it if the individual provides new information relevant to the consideration by the OPCC of a current 'live' complaint or is making a substantially new complaint.
- Requiring that any requests for information must be submitted through a formal process, such as a Freedom of Information or Subject Access Request, otherwise any requests for information not done so will not be responded to.
- Taking any other action that is deemed appropriate and proportionate, e.g. in extreme cases, the OPCC may choose to block telephone numbers or email addresses.

If an individual breaks a restriction put in place via a communication strategy, OPCC staff have the right to not engage in conversation or respond to communication as is appropriate and lawful.



Complaints against the PCC

- 2 complainants have escalated complaints against the Force, on the back of a review, direct to the PCP as complaints against the PCC
- We have received complaints as a result of 2 complainants being dis-satisfied with my decision not to uphold a review.
- One of which was a serial complainant who had escalated complaints against the PCC previously. The other being a complaint related to the refusal to accept that the issue at hand was a civil matter, not a criminal one.
- The escalations of complaints to the PCP is minimal. However, still time consuming when receiving numerous complaints from the same individual who repeatedly escalate the same matter.

Workload Capacity

The number of requests for reviews received has resulted in extra workload for the
OPCC

This is being absorbed by the OPCC and PSD by implementing the following
method:

- Previously, PSD were gathering paperwork and drafting responses to be passed to the PCC.
- Due to current sickness absence within PSD, this work has now been reallocated to the OPCC and is being managed by way of overtime.





More Oversight

- New Regulations have resulted in the OPCC having more direct oversight of the Force's handling of complaints
- Oversight of instruction of Legally Qualified Chairs (LQCs) for misconduct hearings, as well as reviews.
- 12 monthly reports from PSD to the OPCC, and the Independent Office of Police Conduct (IOPC) on misconduct matters which are over 12 months old.

Stay in touch

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