



**West
Yorkshire
Policing
& Crime**

**Tracy
Brabin
Mayor of
West Yorkshire**



**Alison Lowe
Deputy Mayor for
Policing & Crime**

Item 7

Report to: Police and Crime Panel

Date: 12 July 2024

Subject: Professional Standards Department Update (1 Feb 24 – 31 May 24)

Report of: West Yorkshire Police

1. PURPOSE OF THE REPORT

1.1. To provide an overview of the work of the Professional Standards Department (PSD) in West Yorkshire Police.

2. INFORMATION

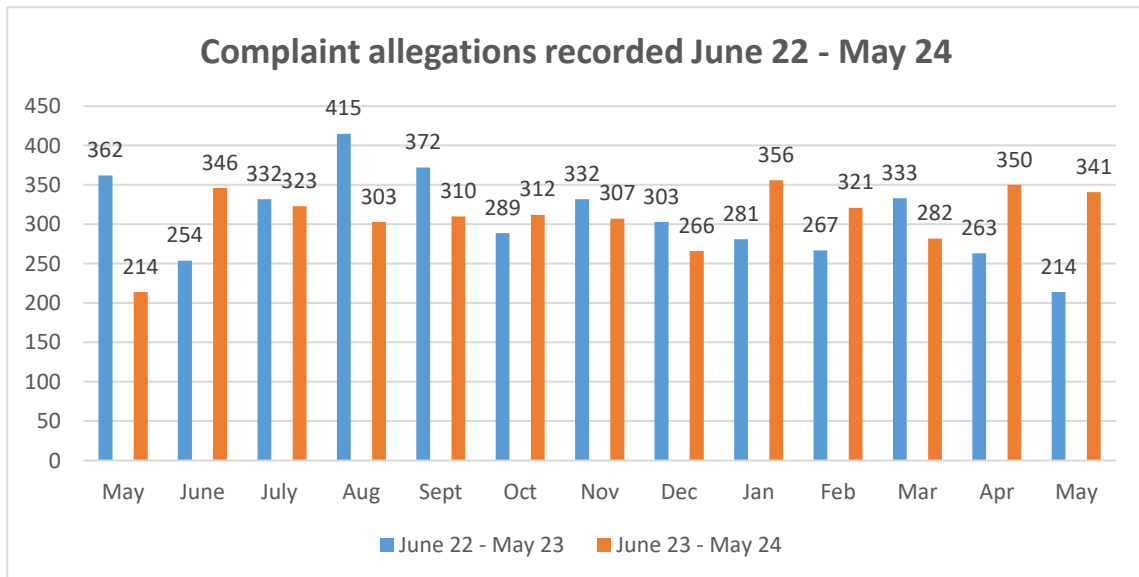
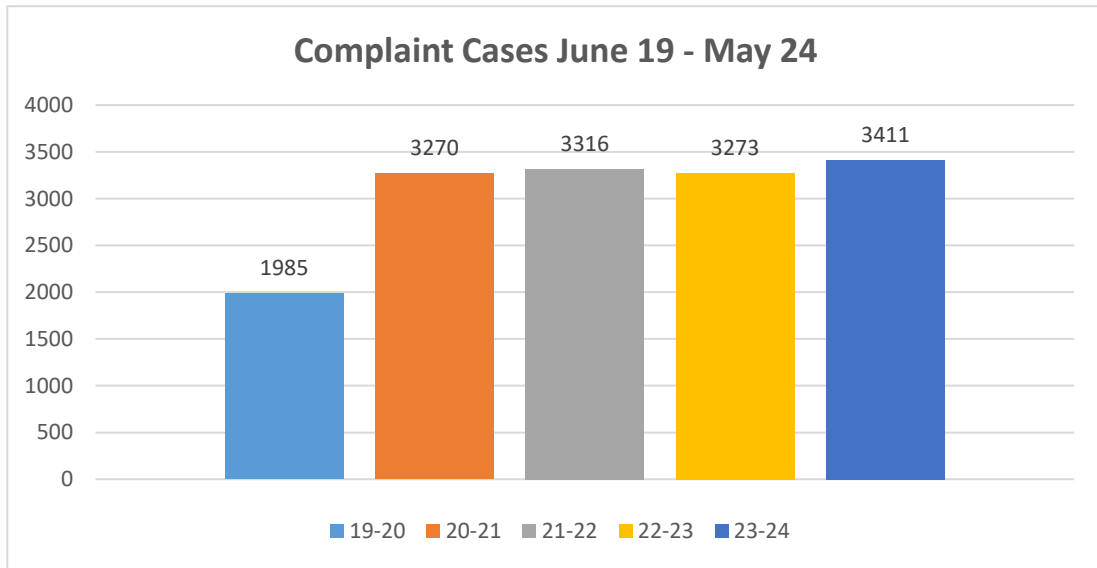
2.1. Complaints

- 2.1.1. Total complaint allegations show a decrease in the last month of 2.6%. There were 341 complaint allegations recorded in May 24 (277 complaint cases) compared to 350 in April 24 (294 complaint cases) and 282 in March 24 (251 complaint cases). The average number per month is now 336 complaint allegations.
- 2.1.2. Yearly totals for complaint allegations have increased slightly in the last 12 months. Allegations have increased from 3,889 from June 2022 – May 2023 to 4,205 from June 2023 – May 2024 (up by 8.1%), whilst complaint cases have increased by 4.2% from 3,273 to 3,411 in the same period.
- 2.1.3. The number of complaints waiting to be assessed and recorded is now 47 (as of 26 June 2024). Processes are in place to ensure that the numbers stay at an acceptable level.
- 2.1.4. There remains a high workload for the PSD Reviewing Officers due to the number of misconduct hearings which are ongoing and require considerable resources. There are currently 15 hearings with fixed dates and 23 waiting to be booked (of which 17 are under the new Police Conduct Amendments Regulations 2024).
- 2.1.5. The Department is still finalising the process for allocation of Chairs for misconduct hearings under the new legislation and none of these have been booked, although several cases are awaiting allocation.
- 2.1.6. The PSD Hearings Officer role has been in place since November 2023 using an

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 existing member of PSD staff. Their role is to assist the Reviewing Officers with the arranging of misconduct hearings and all the subsequent work which comes prior to the date of the hearing.

2.1.7. This role has been a major success and has had a significant impact, allowing the Reviewing Officers to concentrate on the initial and final assessments of cases and complaint recording. This role is being reviewed in summer 2024.

2.1.8. In the last 12 months (June 2023 – May 2024) there have been 36 misconduct hearings involving 36 staff members. 33 staff members were dismissed or would have been dismissed from the Force. One staff member received a written warning and cases against two were not proved.



2.1.9. Around 55% of complaints are resolved outside Sch 3, meaning that early intervention and an explanation has resolved the complaint to the complainant's satisfaction. This is one of the main functions of the Service Review Team (SRT) and allows for a swift resolution to the complaints without the need to formally record.

2.1.10. Due to the volume, the SRT Sergeants only dip sample the quality of the

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outside Sch 3 (OS3) complaints. Since the end of May 2024, a new process is being trialled around telephone contact for failed OS3s as a result of feedback received from the Independent Office for Police Conduct (IOPC). Note: OS3s are those that fall outside Schedule 3 of the Police Reform Act 2002.

- 2.1.11. Once notification is received that the complainant is unhappy with the outcome of the OS3, the complaint handler will contact the complainant and confirm the reason why they remain dissatisfied. They will explain their rationale if appropriate and ask if there is any other action they could take to resolve their complaint. If this can be done then it will be, but if not then the process for failed OS3s will be explained and the call ended. It is hoped that this will prevent some of these cases being formally recorded and reduce the number of reviews to the Mayor's Office.
- 2.1.12. 45% of complaints are formally recorded inside Sch 3 and are either investigated or dealt with otherwise than by investigation (OTBI). These cases are recorded as they could result in disciplinary proceedings if proved (assaults and discrimination). Additionally, if the complainant does not want their case to be dealt with informally, they can ask for it to be recorded. All IS3 cases (those under Schedule 3) now begin with a telephone call to the complainant, the complaint handler will identify themselves, confirm the complaint points and explain the process.
- 2.1.13. The SRT within PSD who deal with all these complaints currently finalise between 50-70 cases per week. However, it is anticipated that this number will decrease due to the extra time taken with the new telephone process. This will be regularly monitored.
- 2.1.14. The most commonly recorded complaint type is related to delivery of duties and service. These often relate to service delivery complaints such as a lack of updates or delays in responses, rather than concerns around police misconduct. These themes are discussed at every PSD SPOCs (Single Point of Contacts) meeting for them to feed back to their District or Department.
- 2.1.15. The move to Centurion for complaints, which began on 18 September 2023, is still working well as it has streamlined processes and reduced the number of systems being worked on. CCU scoping (Counter Corruption Unit), intel requests and Team 2 Reactive DSIs (deaths and serious injuries) and scoping cases are now being allocated by using the Centurion Workflow groups, as this is more efficient and prevents double keying.
- 2.1.16. The use of Centurion for Reactive will be reviewed in June 2024 and it is anticipated that all scoping's and DSI investigations will be run via the Workflow groups on Centurion. We are awaiting the next upgrade for the new legislation. This will move us to Centurion 7.4 and will include a new file structure known as DiD (Documents in the Database) which will allow for separate folders to be created and again improve processes and efficiency.
- 2.1.17. Business Interest annual reviews are also now on Workflow and these are graded accordingly. The same process is being used for Notifiable Associations and they are being given a risk rating of either high, medium or low with appropriate review dates on Workflow so it is easy for CCU staff to see when a review of the association is required.

2.2. Conducts

- 2.2.1. Total conduct allegations (breaches within a case) have increased in the last month. There were 106 conduct allegations recorded in May 2024, compared to 81

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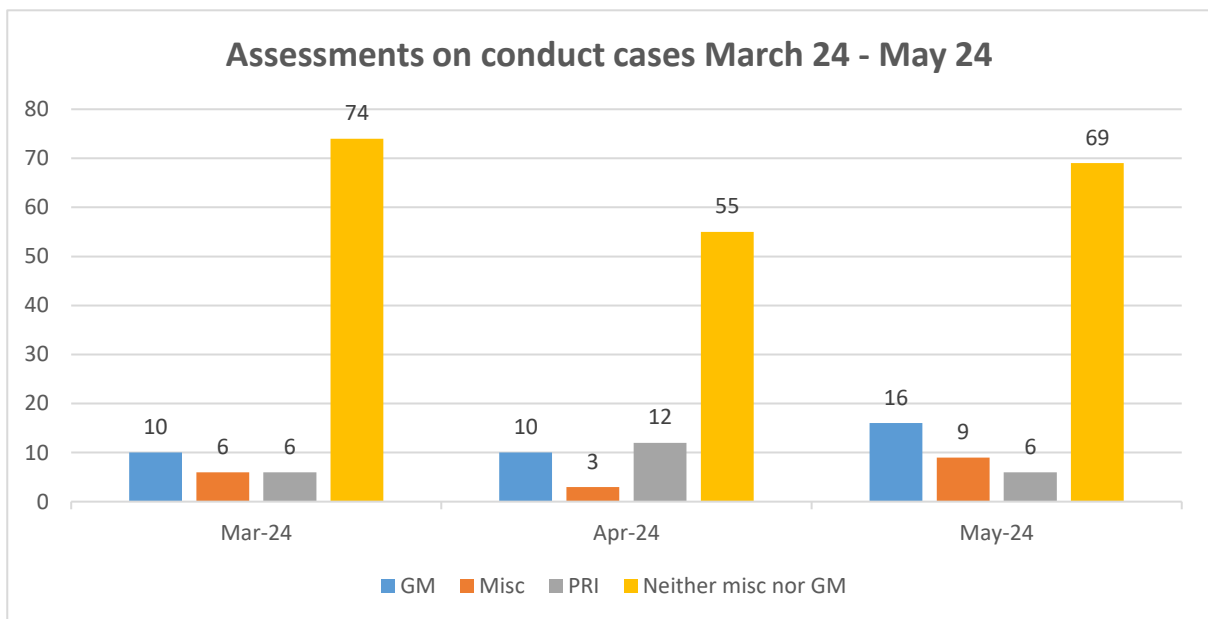
in April and 90 in March. There is increased awareness of reporting any breaches of the standards across the Force together with the PSD CPD training which is ongoing to all staff.

2.2.2. All conduct issues are recorded whether they meet the conduct threshold or not. After the Health Check from Centurion in Nov 2022, we were recommended to record these cases as conduct allegations to obtain a more accurate picture of each District and identify any patterns and trends. Previously, a conduct issue was only identified as such if it met the misconduct threshold.

2.2.3. Yearly totals for conduct cases have increased with 956 recorded between June 2023 – May 2024 compared to 560 in June 2022 – May 2023 (71%). This is due to the change in recording and has added a significant increase in the last 12 months. If the cases assessed as ‘neither misconduct nor gross misconduct’ are removed, then the annual total is 425 compared to 325 (a 31% increase).

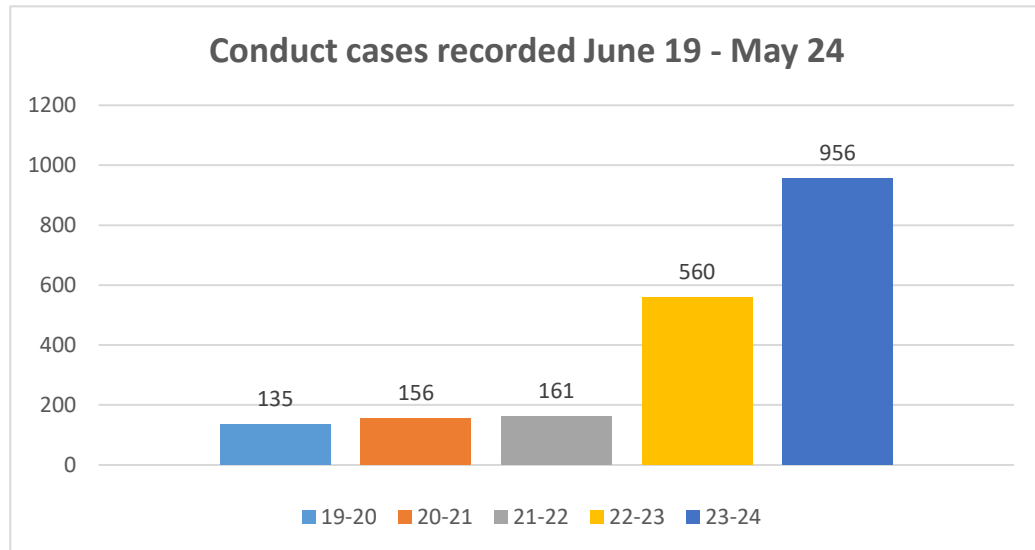
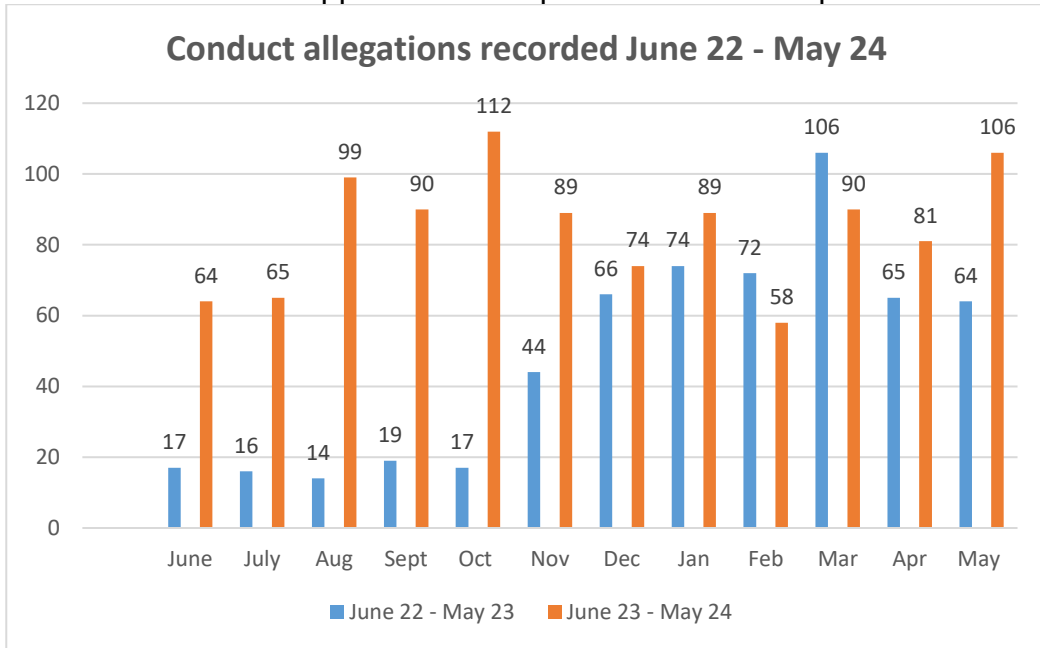
2.2.4. Low level matters from District which do not meet the threshold for misconduct will be reviewed and assessed as ‘neither misconduct not gross misconduct’. There will either be no further action, or the staff member may be given reflective practice to improve their performance. Some of the cases are also sent for initial scoping to obtain more information before a full assessment can be made.

2.2.5. The charts below show the breakdown of assessments on conduct cases for the last 3 months (note that more than 1 staff member can be linked to a case) plus the number of cases and allegations recorded.



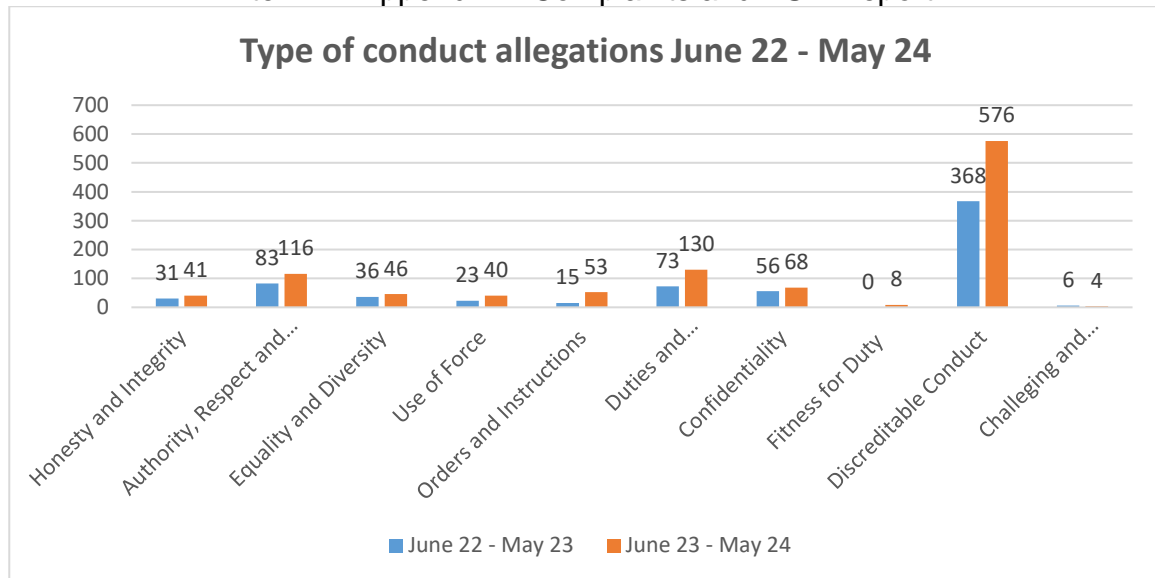
* Note: PRI stands for Practice Requiring Improvement

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2.2.6. The chart below shows the type of conduct allegations being made. Discreditable conduct (mainly off duty allegations) make up 63% of all allegations. There is an increase in the number of allegations of authority, respect and courtesy - this links to the increased scrutiny on Workplace Behaviours and Sexual Misconduct and Harassment within the working environment.

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2.2.7. The PSD Reactive and Counter Corruption Teams are currently dealing with 218 ongoing investigations. 17 staff members are currently at court for criminal cases. (14 police officers and 3 police staff members). The offences include rape, sexual assault, misconduct in a public office and domestic assault.

2.3. Suspended and Restricted Officers and Staff and Misconduct Outcomes

2.3.1. On 12 June 2024 there were 65 police officers and police staff members suspended and 60 police officers and police staff on restricted duties.

2.3.2. There were 16 misconduct hearings between February 2024 – June 2024 involving 10 police officers and 6 police staff members. 15 staff members were dismissed or would have been dismissed for offences ranging from excessive use of force, criminal convictions for sexual assault, s18 assault, over the prescribed limit (OPL) and assault on emergency worker to honesty and integrity issues and inappropriate sexual language.

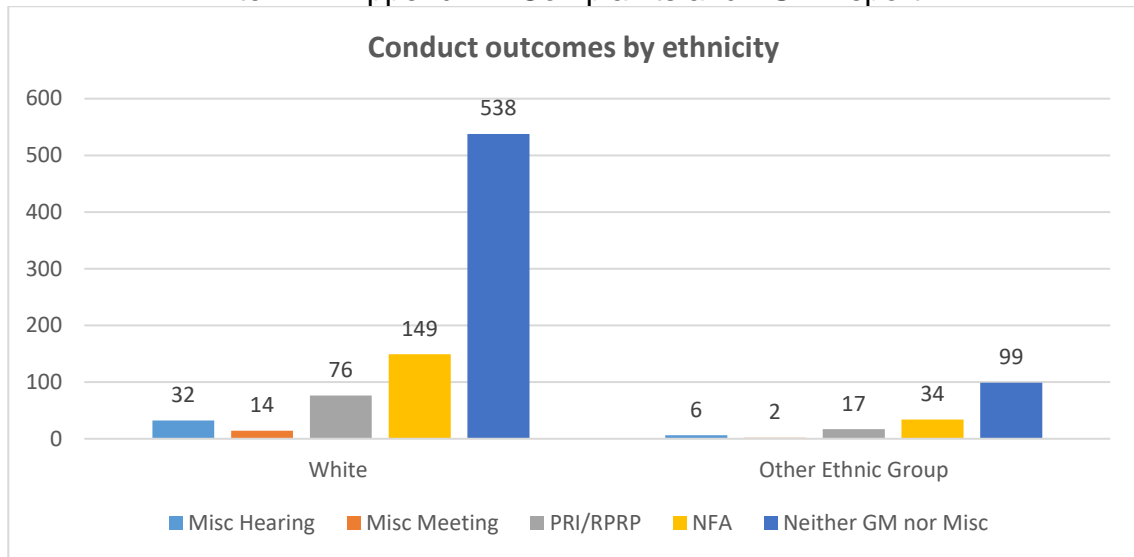
2.3.3. 1 police staff member received a written warning for misconduct after an incident involving inappropriate behaviour with a colleague whilst off duty.

2.4. Conduct Disproportionality Data

2.4.1. The latest Dashboard was prepared in May 2024 and covers the 12-month period from May 2023 – April 2024. The data shows that there were 967 staff members linked to finalised conduct cases in the 12-month period. 240 were police staff (24.9%) and 725 were police officers (75.1%).

2.4.2. The breakdown of staff shows that 158 staff members are from ethnic minority groups (16.3%) and 809 are White (83.7%). The current force representation of minority ethnic staff stands at 8.5%. Broken down by gender, there are 324 female (33.5%) and 643 male (66.5%).

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* Note: RPRP stands for Reflective Practice Review Process.

- 2.4.3. In relation to conduct cases finalised, there were 6 staff members who went to a gross misconduct hearing who were from ethnic minority groups. This is out of a total of 38 (15.7%). 36 out of 38 staff members were dismissed without notice after the hearings. The two officers who were not proved were both white.
- 2.4.4. In relation to cases going to misconduct meetings there were 16 in total – two staff from an ethnic minority group and 14 white (12.5% and 87.5%). It has been noted that the number of cases going to misconduct meetings has decreased over the last two years and more cases are being assessed as gross misconduct instead.
- 2.4.5. The data shows that an increasing number of staff from an ethnic minority group have their cases finalised as PRI / RPRP (Practice Requiring Improvement / Reflective Practice Review Process) – 18.3% and 81.7% (17 cases compared to 76 for white staff).
- 2.4.6. 18.6% of cases involving staff from an ethnic minority group were finalised as no case to answer after investigation compared to 81.4% for white staff. The figure is also high for cases which are assessed as ‘neither misconduct nor gross misconduct’ – 15.5% compared to 84.5%.
- 2.4.7. These cases cover matters which are recorded for audit purposes such as speeding tickets plus low level use of force and CARM issues (Computer Aided Resource Manager). They also include cases which go for scoping as there is insufficient information to make a full assessment. A significant amount of work has already been undertaken re these cases, including going through all the Jan 2024 referrals for the last QGM report.
- 2.4.8. Looking at cases which meet the misconduct threshold only (gross misconduct, misconduct, PRI and no action after investigation) 17.9% of cases relate to ethnic minority staff (59 out of a total of 330). This is double the representation of ethnic minority staff in the Force so further work will be required to understand the reasons behind this.

2.5. IOPC Police Complaints Information Bulletin – Q4

- 2.5.1. The most recent data was received from the IOPC in May 2024. This covers the 12-month period from April 2023 – May 2024. Again, the figures for complaints are positive for West Yorkshire Police.
- 2.5.2. West Yorkshire Police logged 316 complaint cases per 1,000 employees. This is

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down from the same period last year (319) and less than the Most Similar Force (MSF) average of 353 and the National average of 338. The Force logs complaint cases in an average of 4 days and contacts complainants in an average of 8 days. This is less than the same period last year (10 days) and just over the MSF and National average of 7 and 6 days respectively.

2.5.3. Types of complaint allegations are also largely in line with other Forces – delivery of duties and service make up 54% of all allegations. We remain high for allegations of discriminatory behaviour at 6% compared to 3% nationally. However, this is mainly down to our robust recording processes where any allegation of discrimination is taken at face value and recorded as such.

2.5.4. The Force also performs well re finalising complaints. Cases resolved outside Schedule 3 take an average of 6 days compared to the national figure of 18 and cases under Schedule 3, both OTBI and locally investigated take on average 97 days compared to the MSF average of 164 days and the national average of 148 days.

2.5.5. The Force still has a higher percentage of reviews received (32% compared to the MSF figure of 20% and the national figure of 21%). The number of upheld reviews by the Mayor's Office, however, is low – 15% compared to 21% for the same period last year and the National figure of 21%.

2.5.6. The figures for upheld IOPC reviews remain high at 46.5% and has increased slightly from the same period last year (41%). It is hoped that the new telephone pilot will have an impact on these figures.

3. EQUALITY, DIVERSITY AND INCLUSION BENEFITS AND IMPLICATIONS

3.1. The Force is undertaking additional work to better understand the conduct disproportionality data.

3.2. This introspective work will provide a platform to ensure that people from an ethnic minority background are treated equally in this area.

4. FINANCIAL IMPLICATIONS

4.1. Both West Yorkshire Police and the Policing and Crime Team and invest resources into this area.

5. LEGAL IMPLICATIONS

5.1. All work in this area is completed to legal requirements and this is checked on a regular basis.

6. RECOMMENDATIONS

6.1. That this Professional Standards Department Update is noted by the Panel.