

ABERDEEN CITY COUNCIL

COMMITTEE	Public Protection
DATE	28/04/2021
EXEMPT	No
REPORT TITLE	Complaints About The Police
REPORT NUMBER	POL/21/081
DIRECTOR	
CHIEF OFFICER	
REPORT AUTHOR	Superintendent Richard Craig, North East Division, Police Scotland
TERMS OF REFERENCE	5.7

1. PURPOSE OF REPORT

- 1.1 To provide information to the Committee on Police Scotland's Complaints process and the local context in respect of figures, recurring themes and insight into work undertaken to improve both our response to Complaints About the Police and to reduce the volume of such reports.

2. RECOMMENDATION(S)

- 2.1 The Committee discuss, comment on and endorse the report.

3. BACKGROUND

- 3.1 Police Scotland takes Complaints About the Police seriously in order to reflect our commitment to providing members of the public with an excellent Local Policing service and to ensure our communities are safe.
- 3.2 Police Scotland continually strives to improve relations with the community and the service provided. This practice is implemented by continual scrutiny of complaints received by Police Scotland and data received from User Experience Surveys conducted with members of the public.

Complaint Investigations

- 3.3 There are a number of different ways in which individuals can express their dissatisfaction with Police Scotland and when any complaint is received it is logged and assessed by the Professional Standards Department.

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- 3.4 Complaints About the Police are divided into three key categories namely:
- **On Duty** with 12 sub categories including 'Irregularity in Procedure', 'Unlawful Arrest' and 'Incivility';
 - **Quality of Service** with three sub headings namely 'Policy & Procedures', 'Service Delivery' and 'Service Outcome';
 - **Off Duty**
- 3.5 Criminal investigations involving Police Officers are investigated solely by the Professional Standards Department.
- 3.6 For non-criminal investigations, the majority of the complaints received within Aberdeen City are resolved through the 'Front Line Resolution' process which affords the complainer an opportunity to ask questions and receive an explanation regarding the actions taken by Police.
- 3.7 Where complaints are not resolved by Front Line Resolution, they are allocated to the Service Delivery Unit where a full and thorough investigation is conducted. This model ensures consistent investigations are carried out in a timeous manner. North East Division consistently performs well above the national average in terms of progression and completion of outstanding complaints within strict deadlines.
- 3.8 Each month, members of the public who have contacted Police Scotland are asked questions regarding the service they received. These User Experience Surveys allows us to capture learning and identify areas for improvement.
- 3.9 The Service Delivery Unit collate and scrutinise the complaints received along with the results from the User Experience Surveys where common themes of complaints and dissatisfaction are identified. This information is shared across the Division to further enhance our performance and meet the expectations of the public.
- 3.10 It is worthy of note that among the challenges of complaints there are also frequent letters of thanks received from members of the public reflecting positively on the level of service provided.
- 3.11 On average Officers within Aberdeen City deal with 200 incidents per day, 6,098 per month and 73,179 per year. Complaints average at 276 per year and therefore represent 0.4% of incidents in the City.

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Complaints and Satisfaction in Aberdeen City 1 April 2020 - 28 February 2021

Indicator	5 Year Average	Apr 2020-Feb 2021	Apr 2019-Feb 2020	Difference	%Change 2019/20 v 20/21
Overall Satisfaction of How Police Dealt With Your incident ²	N/A	72.0%	84.0%	-	-12.0%
Complaints Received About The Police	N/A	315	236	+79	+33.47%
On Duty Allegations Raised	N/A	405	273	+132	+48.35%
Off Duty Allegations Raised	N/A	1	1	0.0%	0.0%
Quality of Service Allegations	N/A	105	53	+52	+98.11%
Total Allegations	N/A	511	327	+184	+56.26%

- 3.12 Levels of overall satisfaction with Police remain high at 72% in line with the national average. In January 2020, the User Experience Survey process changed from telephone based interactions with members of the public to online and text message feedback. This change in process for communication is thought to contribute to the overall reduction in satisfaction and is replicated nationally.
- 3.13 There have been notable increases in the number of Complaints About the Police and associated allegations made during the above time frame.
- 3.14 With any rise in complaint numbers there is also a rise in the number of allegations, particularly so in light of recommendations from the Police Investigations and Review Commissioner (PIRC) which aim to ensure each aspect of a complaint is recorded separately. Ultimately this can result in one complaint generating several allegations.
- 3.15 By far the most common allegation raised by the public in Aberdeen City is 'Irregularity in Procedure' which generally involves a lack of understanding of Police procedures such as grounds for search, forced entry to premises and recording of personal information.
- 3.16 Similarly, a large proportion of local allegations stem from 'Quality of Service' matters. Issues raised include perceived failure to take action, levels of response and lack of satisfaction particularly during this unprecedented time.
- 3.17 The Coronavirus pandemic has resulted in dynamic and evolving laws, regulations and guidance throughout the reporting period. This has resulted in swift and, at times difficult, decisions around Officer deployment and attendance in our efforts to keep both the public and our officers safe. Of the 315 complaints received, 40 (13%) can be directly attributed to Coronavirus incidents although it is considered that many others have been influenced by people's behaviour, general tolerance levels and frequently changing legislation over the last year.

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3.18 Further statistical analysis of the above figures has been carried out in order to provide context to the rise in the number of complaints received within Aberdeen City:

- Of the 315 complaints received at the Professional Standards Department, 239 were resolved by the Officers within this Department including the use of Front Line Resolution. 76 (24%) complaints were allocated to the Service Delivery Unit for further investigations;
- Of the 76 complaints by the Service Delivery Unit, 218 allegations were generated and investigated with 26 (11.9%) of these 'upheld'.

Reducing and Improving our Response to Complaints About the Police

- 3.19 Police Scotland strives to improve performance and all complaints are scrutinised to ensure early identification of any common themes or issues. Any learning points are issued monthly to Officers in order to reduce the number of complaints being received and for Officers to have an understanding of the nature of complaints received.
- 3.20 Specific guidance has been provided to Officers to better communicate Police Procedures to the public and where possible to explain all available and proportionate lines of enquiry at the outset an investigation.
- 3.21 If any particular Officer is repeatedly involved in complaints appropriate measures are put in place to mitigate against further complaints.
- 3.22 Learning points from the Police Investigations and Review Commissioner are circulated to ensure Officers of Police Scotland are providing a consistent high level of service to the public.
- 3.23 Inputs are also provided to Supervisors and Probationary Officers by the Service Delivery Unit to ensure a consistent and informed approach.
- 3.24 It has been suggested previously by Elected Members that in order to reduce the number of complaints relating to knowledge of Police powers and procedures that this information should be provided to members of the public. It is, however, assessed that given the volume of legislation and Police powers used by Officers there would be challenges producing a concise guide on all of this information.
- 3.25 Should members of the public require any additional information in this regard there are several helpful websites which allow members of the public to conduct research on Police powers, should they so wish. One such website is <https://www.askthe.scottish.police.uk/content/@1.htm>.
- 3.26 A recent review led by the Rt Hon Dame Elish Angiolini DBE QC in relation to Police Complaint handling, investigations and misconduct, made 81 recommendations, 36 of those relating directly to Police Scotland. The report advocated increasing the powers of the Police Investigations and

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Review Commissioner and expanding the use of Police Officer Body Worn Video Cameras, which is already well established within North East Division.

3.27 Further key recommendations include:

- All Complaints About the Police to be retained and investigated by the Professional Standards Department who will receive additional mediation and unconscious bias training;
- The Police Scotland website to be made easier to navigate for making complaints and complaint guidance to be updated;
- Making the complaints process more accessible to hard to reach groups and better communicate with external agencies to ensure individuals from diverse backgrounds are aware of how to make complaints;
- Improvements to be made in the recording and dissemination of learning points to operational Police Officers;
- Police Scotland to collate data on the gender/ethnicity of complainers.

3.28 It is assessed that Officers within Aberdeen City are providing members of the public with a quality service and appropriate measures are implemented to ensure Officers are provided with guidance to carry out their duties to a consistently high standard.

4. FINANCIAL IMPLICATIONS

4.1 There are no direct financial implications arising from the recommendations of this report.

5. LEGAL IMPLICATIONS

5.1 There are no direct legal implications arising from the recommendations of this report.

6. MANAGEMENT OF RISK

	Risk	Low (L), Medium (M), High (H)	Mitigation
Financial	N/A		
Legal	N/A		
Employee	N/A		
Customer	N/A		
Environment	N/A		

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Technology	N/A		
Reputational	N/A		

7. OUTCOMES

Local Outcome Improvement Plan Themes	
	Impact of Report
Prosperous People	Police Scotland are key partners within Community Planning Aberdeen and help contribute to the shared vision for 2026 that 'Aberdeen is a place where all people can prosper' and towards the achievement of the LOIP theme which aims to make people more resilient and protect them from harm; where every child, irrespective of their circumstances, is supported to grow, develop and reach their full potential; and where all people in Aberdeen are entitled to live within our community in a manner in which they feel safe and protected from harm, supported when necessary and fully included in the life of the City.
Prosperous Place	Police Scotland are key partners within Community Planning Aberdeen and help contribute to the shared vision for 2026 that 'Aberdeen is a place where all people can prosper' and towards the achievement of the LOIP theme which aims to support individuals and communities to live in healthy, sustainable ways; and the development of sustainable communities with strong and resilient communities.

Design Principles of Target Operating Model	
	Impact of Report
Governance	The Council has an oversight role of the North East Division of Police Scotland in terms of its performance and delivery of the Local Police Plan.
Partnerships and Alliances	The Council and Police Scotland are Community Planning Aberdeen partners with a shared commitment to deliver the LOIP.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	Not required.
Data Protection Impact Assessment	Not required.

Duty of Due Regard/Fairer Scotland Duty	Not applicable.
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9. BACKGROUND PAPERS

N/A

10. APPENDICES (if applicable)

N/A

11. REPORT AUTHOR CONTACT DETAILS

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