

GRAMPIAN JOINT POLICE BOARD

COMPLAINTS SUB-COMMITTEE

ABERDEEN, Monday 7 June 2010 – Minute of meeting of **GRAMPIAN JOINT POLICE BOARD, COMPLAINTS SUB-COMMITTEE.**

Present:- Councillor Greig, Convenor, Councillor Hendry, Councillor McKail, Councillor Bell, Councillor Shepherd.

In Attendance:- Deputy Chief Constable John McNab, Superintendent Iain McGrory, Superintendent Colin Brown, Ms Karen Donnelly, Depute Clerk to the Board and Mrs J Anderson, Senior Solicitor, Aberdeen City Council, Paul Bullen, HMICS.

APOLOGIES FOR ABSENCE

1. Apologies for absence were intimated on behalf of Councillor Dunbar and Fiona Smith.

MINUTE OF PREVIOUS MEETING OF GJPB COMPLAINTS SUB-COMMITTEE OF 16th March 2010.

2. The Sub-Committee had before it and approved as a correct record, the Minute of meeting of the Grampian Joint Police Board Complaints Sub-Committee meeting of 16th March 2010.

The Sub Committee Resolved:

To approve the minute.

MATTERS ARISING

3. There were no matters arising.

QUARTERLY REPORT ADVISING NUMBER OF COMPLAINTS AGAINST THE POLICE - 1st January 2010 - 31st March 2010 and to provide a résumé for the year 1st April 2009 - 31st March 2010

4. Prior to Deputy Chief Constable McNab introducing the report, he introduced Superintendent Colin Brown who was to take up post as the Head of Professional Standards as of next week. Superintendent McGrory would be moving on to continue his work at a national level on potential changes to Police Complaints and Conduct Regulations with the Scottish Government.

The Convenor on behalf of the Sub-committee thanked Superintendent McGrory for his hard work and support whilst he has been attending the Complaints Sub-committee.

Deputy Chief Constable McNab introduced the report and advised that in respect of the volume of complaints received in the three month period from 1st January to 31st March 2010, there continues to be an upward trend. Table 1 detailed that 131 complaints were received by the Force and that this was an increase of 11 (or 9% on the same quarter in 2008/09 and an increase 16 or 14%) on the previous quarter.

Deputy Chief Constable McNab then went on to discuss how these complaint cases were broken down per division.

Deputy Chief Constable McNab advised that during 2009/2010, a different test was introduced in relation to deciding whether an allegation was upheld or not. Rather than considering whether misconduct had been established, the test is whether the service or behaviour could have been improved upon. This resulted in an increase in the number of allegations where action was taken. In this quarter, the action taken in the vast majority of incidents was advice. The three most common categories in order where advice was given were irregularity in procedure, neglect of duty and incivility.

In relation to quarter 4 of 2009/2010 service complaints had reduced significantly on both the previous quarter and the corresponding quarter with a total of 19 complaints about the Force. Deputy Chief Constable McNab noted that this was the lowest of the year.

Deputy Chief Constable McNab advised that during this quarter, 70 letters of appreciation had been recorded as being received by the Force. This is the identical number for the corresponding quarter in 2008/2009.

Deputy Chief Constable McNab then went on to discuss complaint case management and reiterated that the national target for completion of non-criminal and quality of service complaints is 56 days. He noted the aim is to achieve this 85% of the time. In this quarter, 64% of cases were concluded in 56 days and this compares with 59% in the previous quarter.

Deputy Chief Constable McNab noted that whilst there has been a further slight improvement in performance in relation to non-criminal and quality of service complaints, the Force requires to do better. The Head of Professional Standards continues to have discussions with senior colleagues and performance is also being monitored through Force tactical tasking and co-ordinating group.

During quarter 4, the Force is asked to provide the Police Complaints Commissioner for Scotland with papers related to two complaints cases. In the same period, PCCS published one case handling review.

Deputy Chief Constable McNab advised the Members that an online form had been available on the Force's website since 1st April 2010 and 18% of complaints received were made via this forum by email.

Councillor Greig welcomed Superintendent Brown to the Sub-committee and thanked Superintendent McGrory for his assistance in reporting to the Board.

Councillor Greig noted that it was disappointing that the Force is not reaching the target of 85% and queried whether there was any way the Force could improve this. Deputy Chief Constable McNab advised that the Force had set the target of 56 days which it has been unable to meet and recognises that this is attainable but is still quite challenging. Deputy Chief Constable McNab that there was a capacity in terms of releasing officers to deal with complaint handling and that is also dependent on the availability of the Officer and the complainer however he advised that he would continue to look at the timescale and review performance.

Councillor Greig noted the increase in complaint cases received during 2009/2010 and the fact that this had increased by 49 cases. Deputy Chief Constable McNab advised that Grampian Police allocated less serious complaints to first line Supervisors rather than specialist investigators from the Professional Standards Department. There is no doubt this has an adverse affect on the 56 days target given these supervisors have many other duties to attend to.

Members observed that the online form may well generate more complaints from vexatious or constant complainers.

Councillor McKail queried whether there was a reason for the difference in complaint numbers between the divisions? Deputy Chief Constable McNab advised that Aberdeenshire and Moray were obviously more rural in nature compared to Aberdeen which was policed by a higher number of Officers and as such there was nothing surprising in the fact that more complaints were made regarding Aberdeen Division.

Councillor Bell queried whether the Force was keeping statistics on the number of repeat complainers. Deputy Chief Constable McNab advised that the Force could provide separate information on this. In response to this Councillor Bell queried whether this would change the statistical reporting. Deputy Chief Constable McNab said that once a complaint was made it became one case. Additional cases would only be counted if fresh complaints were made and as such repeat complainers would only affect the numbers if they continue to make new complaints.

Councillor Hendy queried how complaints are recorded and whether the complainer's home address was part of the recording process? Deputy Chief Constable McNab advised that complaints are recorded against the Division where the incident took place, therefore the complainer's address did not influence the recording process.

Deputy Chief Constable McNab highlighted that for him one of the most important issues was the time taken to deal with complaints. He accepted that the 56 day target was challenging and the Force would continue to make efforts to improve.

The Sub Committee Resolved:

To note the report but requested that additional information was provided in the next report to show how quickly the Force acknowledges receipt of complaints.

EXEMPT INFORMATION

Prior to considering the remaining items of business the Board resolved that in terms of Section 50A (4) of the Local Government (Scotland) Act 1973 that the public be excluded from the meeting during the consideration on the items on the grounds that it was likely in view of the nature of proceedings that if members of the public were present during the consideration of these items that there would be a disclosure to them of exempt information as defined in paragraph 1 of part 1 of Schedule 7A of the said Act.

Report Providing a Résumé of Complaints against the Police which have been considered by the Police Complaints Commissioner for Scotland - quarter 1st January 2010 - 31st March 2010 (and other issues to be discussed in private)

5. The Sub-Committee had before it a report which noted one complaint handling review had been published by the Police Complaints Commissioner for Scotland (PCCS) since the last meeting.

Members discussed the case and the Force's response and one Member queried the systems used to record a call coming in to the contact centre. The Force accepted that the call could have been handled in a more appropriate way and the particular staff member involved had been given advice. .

The Sub-Committee resolved;-
Note the content of the report.

COUNCILLOR MARTIN GREIG - Convener