

## **GRAMPIAN JOINT POLICE BOARD**

### **COMPLAINTS SUB-COMMITTEE**

ABERDEEN, Monday 13<sup>th</sup> June 2011 – Minute of meeting of **GRAMPIAN JOINT POLICE BOARD, COMPLAINTS SUB-COMMITTEE.**

Present:- Councillor Hendry, Chair, Councillor Bell, Councillor Collie (as substitute for Councillor Dunbar), Councillor McKail, and Councillor Shepherd.

In Attendance:- Deputy Chief Constable John McNab, Grampian Police, Chief Superintendent Ewan Stewart, Grampian Police, Ms K Donnelly, Depute Clerk to the Board and Ms F Smith, Aberdeen City Council.

Mr John McNeill, Scottish Police Complaints Commissioner and Mr Ian Todd, Director, Scottish Police Complaints Commission.

#### **APOLOGIES FOR ABSENCE**

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

#### **MINUTE OF PREVIOUS MEETING OF GJPB COMPLAINTS SUB-COMMITTEE OF 28<sup>TH</sup> MARCH 2011**

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 28<sup>th</sup> March 2011.

#### **The Sub Committee Resolved:**

To approve the minute.

#### **MATTERS ARISING**

3. There were no matters arising.

#### **POLICE COMPLAINTS COMMISSIONER FOR SCOTLAND**

The Convener welcomed Mr McNeill and Mr Todd to the Complaints Sub Committee meeting and invited them to address the Committee on two matters, vexatious and persistent complaints and the uniformity of complaints recording across Scottish Police Forces.

Mr McNeill thanked the Convener and the Sub Committee for inviting PCCS to attend the meeting. He noted that this was their second visit to the Complaints Sub Committee.

In addressing the issue of vexatious and persistent complaints, the Commissioner noted that this is a difficult issue. It is important that all complaints receive a fair hearing however, given the public sectors limited resources, this response must also be proportionate. The Commissioner noted that he has encourage Police Boards to develop persistent and vexatious complaint policies. A PCCS policy on this issue has also been developed which draws on the SPSO guidance in this area. The Commissioner believes it is vital to have a clearly defined policy to deal with this difficult area and believes that a standard approach across different agencies can also be beneficial.

The Commissioner updated the Sub Committee with respect to a PCCS Research Project which is currently underway. This will examine issues connected to querulous complainers and draws on previous research conducted in New South Wales, Australia. The results of this research project will be issued in the Autumn of 2011 and the outcome expected is that a series of management strategies to tackle querulous complaints will be developed which can be shared across the public sector.

The Commissioner further advised that he is now issuing 'letters of comfort' in some cases. The purpose of these is to provide assurance to the complainer and to draw a conclusion to the matter. This requires distinction to be made between complaints which are on the same issue as previous complaints and which do not provide any new information or evidence which requires reviewed and not for any new complaints.

Finally, the Commissioner drew the attention of the Sub Committee to the fact that it can request that the PCCS conducts a Case Handling Review on any complaint. In situations where the Board have already undertaken reasonable steps to address a complaint, the Commissioner suggested this may be an appropriate route to take.

Thereafter followed a question and answer session during which Mr McNeill and Mr Todd provided further information regarding the research project, definitions of vexatious complaints and standardisation of recording. Mr Todd advised that work is on-going at present by ACPOS which is intended to provide standard guidance to all Forces regarding the process for complaints recording. Additionally, Mr Todd advised that PCCS have bid for additional funding to undertake an audit of complaint recording in all 8 Scottish Police Forces which will further support work in this area.

The Convener thanked Mr McNeill and Mr Todd for attending the Sub Committee meeting and for their input in the Sub Committee's discussions on these matters.

**QUARTERLY REPORT ADVISING NUMBER OF COMPLAINTS AGAINST THE POLICE – QUARTER 4 - 1<sup>ST</sup> JANUARY 2011 – 31<sup>ST</sup> MARCH 2011**

5. The Sub Committee had before it a report by the Chief Constable, providing members with an update on the number of complaints made against Grampian Police for the period 1<sup>st</sup> January 2011 – 31<sup>st</sup> March 2011.

The Deputy Chief Constable introduced the report and advised that, in respect of the volume of complaints received in the three month period in question, there was an increase from the last quarter and an increase in comparison with the same quarter last year. Table 1 detailed that 179 complaints were received by the Force, giving rise to 184 on duty allegations and no off duty allegation. Action was taken in relation to 32 allegations.

Mr Stewart went on to advise that the most common type of allegation made in this quarter was Irregularity in Procedure (100 allegations) followed by Incivility (52 allegations).

Table 2 summarised Quality of Service complaints received by the Force and put these figures into context. 69 Quality of Service complaints were received during the period 1<sup>st</sup> January to 31<sup>st</sup> March 2011, the equivalent of 1.27 complaints per 10,000 population. During this same period, 61 letters of appreciation were received by the Force which compares to 70 for the corresponding period in 2009/10.

The report stated that the national target for completion of minor non-criminal and quality of service complaints is 56 days. The aim is to achieve this 85% of the time in the quarter in question, 77% of cases were concluded in 56 days.

Criminal and serious non-criminal cases require more complex investigation and the target for criminal cases fully reported to the Area Procurator Fiscal is within 126 days of receipt of the complaint. In the quarter in question, no cases were reported on.

Councillor McKail noted that, with an anticipated decrease in Police Officer numbers, would the standards in relation to Quality of Service become more difficult to maintain. The Depute Chief Constable advised that the biggest challenge to this would be a reduction in time available to Officers to resolve matters.

Councillor McKail further noted that there has been a large increase in the number of complaints in Aberdeenshire Division and requested details of any reason for this. Chief Superintendent Stewart advised that there was no particular area in which the increase in complaints was focused therefore there was no specific logic for these increases.

Councillor Shepherd noted that 61 letters of appreciation had been received and welcomed this outcome.

**The Sub Committee resolved:**  
To note the content of the report.

**REPORT PROVIDING A RESUME OF COMPLAINTS AGAINST THE POLICE WHICH HAVE BEEN CONSIDERED BY THE POLICE COMPLAINTS COMMISSIONER FOR SCOTLAND**

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

Mr Ewan Stewart introduced the report and provided an overview of the PCCS considerations in each case. The Sub Committee considered each case, noting the outcome of each.

**The Sub Committee resolved:**

To note the content of the report.

**COUNCILLOR ALLAN HENDRY - Chair**