

GJPB - COMPLAINTS SUB-COMMITTEE

Present:- Councillors Boulton, Evison, McKail (as substitute for Councillor Walker), Ross and Tuke.

In Attendance:- Deputy Chief Constable Colin Menzies; and Chief Superintendent Ewan Stewart, Grampian Police, Ms F Smith, representing the Depute Clerk and Ms K Riddoch, Aberdeen City Council.

APPOINTMENT OF CHAIRPERSON

1. Ms Smith advised that the Sub Committee were required to appoint a Chairperson from within its membership and called for nominations.

Councillor McKail, seconded by Councillor Boulton, nominated Councillor Forsyth for the position of Chairperson. There were no further nominations.

In the absence of Councillor Forsyth, the Sub Committee agreed to appoint a Chairperson for this meeting. Councillor McKail, seconded by Councillor Boulton, nominated Councillor Ross to the position for this meeting only.

The Sub Committee resolved:-

- (i) To appoint Councillor Forsyth as the Chairperson of the Sub Committee; and
- (ii) For this meeting only, to appoint Councillor Ross as Chairperson.

APOLOGIES FOR ABSENCE

2. Apologies for absence were intimated on behalf of Councillors Forsyth and Walker, Ms J MacEachran, Clerk to the Board and Ms K Donnelly, Depute Clerk to the Board.

PROFESSIONAL STANDARDS DEPARTMENT QUARTER 1 PERFORMANCE REPORT 1 APRIL TO 30 JUNE 2012

3. The Sub Committee had before it a report from the Chief Constable, which provided an oversight opportunity and informed members of the performance of the Force in relation to their handling of complaints.

The Deputy Chief Constable introduced the report; and advised that in relation to the volume of complaints received, there was a decrease in comparison with the same quarter in 2011/12 and Figure 1 detailed that 106 complaints were received by the Force, 96 of which were on-duty allegations, there were no off-duty allegations and. there were 10 complaints relating to quality of service. He explained that 51 letters of appreciation had been received by the Force and forwarded to Professional Standards.

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The report contained various graphs and comments which outlined the nature of the complaints and the conclusions. The report appended the Police Complaints Commissioner for Scotland Overview which provided details of Complaints Handling Reviews issued during Quarter 1. The Commissioner had issued 4 Complaint Handling Reviews and 2 Decision letters.

The Sub Committee resolved:-

To approve the report.

POLICE COMPLAINTS COMMISSIONER FOR SCOTLAND - COMPLAINT HANDLING REVIEW REPORT

4. The Sub Committee had before it a report by the Depute Clerk which provided the outcome of a recent Complaint Handling Review conducted by the Police Complaints Commissioner for Scotland on the manner in which the Board dealt with a complaint.

Ms Smith introduced the report and advised that the Complaints Sub Committee considered a report on 28 November 2011 relating to a complaint about a Senior Officer of which the outcome was that the Sub Committee could not draw a reasonable inference from the complaint that any misconduct had been committed therefore they decided to take no further action. The Complainer received the outcome by letter from the Depute Clerk on 29 November 2011. The letter outlined that the Complainer could contact the Police Commissioner for Scotland to request that they review the handling of the complaint if they were not satisfied with the outcome.

The report further advised that on 19 January 2012 the Board were advised by PCCS that it was to undertake a Complaint Handling Review and the Board were instructed to submit all paperwork to PCCS. The PCCS published the Complaint Handling Review report which was attached at Appendix A to the report.

The PCCS report concluded that the Board dealt with the complaint in a reasonable manner and there were no recommendations or learning points identified within the report.

Councillor Ross sought clarification as to why reports before the Board referred to 'Senior Officer' but PCCS referred to the rank of the Officer. Ms Smith advised that she would contact PCCS for an explanation which she would circulate to members.

The Board resolved:-

To note the report.

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HOLDING TO ACCOUNT - FOLLOW UP REPORT

5. The Sub Committee had before it a report by the Depute Clerk which informed members of the publication by the Police Complaints Commissioner for Scotland (PCCS) of an update to 'Holding to Account – An Audit of Police Board and Authority Capabilities'.

Ms Smith introduced the report and advised that in March 2011, PCCS published a report entitled 'Holding to Account – An Audit of Police Board and Authority Capabilities' and that the report contained 13 recommendations which sought to assist the Board in holding the Force to account in relation to complaint handling. The Sub Committee on 28 March considered the report and agreed actions for addressing the recommendations.

The report contained a table which provided a summary of the current status of each recommendation for Grampian.

The report appended a response from the Board on progress with the recommendations; the updated 'Holding to Account' report as published by the PCCS on 6 August 2012; and the Procedure for Handling Complaints.

Councillor Ross sought clarification on recommendation 12 – Ascertain Costs of Complaint Handling and why these had been requested. Ms Smith advised that the costs were to see if there were any areas where they could be reduced. Mr Stewart advised that some details were being recorded such as hours taken and any mileage associated with the case. The Deputy Chief Constable stated that the information would be useful for Local Commanders so that they could compare costs in the present system and with the new system as of 1 April 2013.

The Sub Committee:-

- (i) To request a breakdown of costs for handling complaints; and
- (ii) To otherwise note the report and agree to the updates contained within the table for each recommendation.

GJPB COMPLAINTS SUB COMMITTEE ANNUAL PLAN

6. The Sub Committee had before it a report by the Depute Clerk which sought approval for the Annual Plan which was detailed in Appendix A to the report.

Ms Smith introduced the report and advised that the Police Complaints Commissioner for Scotland (PCCS) in his report 'Holding to Account – An Audit

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of Police Board and Authority Capabilities' recommended that the Complaints Sub Committee should prepare and publish an Annual Plan.

Appendix A to the report presented the Annual Plan which the Sub Committee were requested to consider and approve.

The Sub Committee resolved:-

To approve the Complaints Sub Committee Annual Plan.

DIP SAMPLING PROCEDURE

7. The Sub Committee had before it a report by the Depute Clerk which requested that members consider and approve a draft procedure for the undertaking of Dip Sampling of Grampian Police's Complaints Files and thereafter to consider the practical arrangements for the activity.

Ms Smith introduced the report and sought members' feedback on the contents of the draft procedure for Dip Sampling.

The report advised that the Police Complaints Commissioner for Scotland (PCCS) published a document entitled 'Dip Sampling of Police Complaints Files – Guidance for Police Boards and Authorities' in June 2012, a copy of which was attached at Appendix A. In response to the guidance, the draft procedure as detailed at Appendix B had been prepared. Appendix C to the report contained a draft Dip Sampling Record Sheet to be completed after sampling.

The report further advised that the Dip Sampling would take place at Bucksburn Police Station and that two sessions should take place in the remaining term of the Board and dates suggested were November 2012 and February 2013.

Councillor Ross sought clarification on why the maximum number of case files had been set to 18 (3 per Sub Committee member) and stated that it would be beneficial for all members to look at the same file, not separate ones. Ms Smith advised that other Boards had calculated the number depending on size of Force area and the number of complaints. Councillor Ross further asked if there was provision in the procedure for when a member may know the individual. Ms Smith advised that she would include the information as set out on page 69, paragraph 3 to the report in the procedure.

The Sub Committee discussed the content of the draft procedure for Dip Sampling and agreed to amend item 3 to remove the maximum number of files and (3 per member) and that for the first session in November that a maximum of 12 cases to selected.

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The report recommended:-

- (a) To approve the Dip Sampling procedure as set out in Appendix B;
- (b) To approve the Dip Sampling record form set out in Appendix C; and
- (c) To agree that Dip Sampling would be conducted in November 2012 and February 2013 and to instruct the Depute Clerk to make all necessary arrangements to facilitate this.

The Sub Committee resolved:-

- (i) To amend the draft procedure for Dip Sampling as detailed above; and
- (ii) To otherwise approve the recommendations contained in the report.

- COUNCILLOR ROSS, Acting Chairperson.