

## Complaints Handling

[The Elected Local Policing Bodies \(Specified Information\) \(Amendment\) Order 2021](#) requires the Commissioner to publish the most recent IOPC quarterly complaints data for their force and the IOPC annual statistics report, alongside an annual narrative setting out how the Commissioner is holding the chief officer to account, and the Commissioner's assessment of their own performance in carrying out their other complaints handling functions.

### Summary

North Yorkshire Police work hard to deliver an outstanding service to all residents, but we fully appreciate that this does not always happen, and in these instances we want to ensure that it is put right as quickly as possible.

Major reforms to the Police complaints system were brought in through the Policing and Crime Act 2017, and these new regulations came into force in February 2020. In North Yorkshire, the Commissioner took on the maximum responsibility for complaints afforded to Commissioners through the legislation and now has responsibility for,

- Being the first point of contact for all police complaints;
- Service recovering less serious complaints where possible;
- Keeping complainants updated as to the progress of their complaints; and
- Undertaking reviews of complaints.

To this end the Commissioner now has a Customer Service Team within the Office of the Police, Fire and Crime Commissioner who undertake the first three elements of this work, and has appointed an Independent Adjudicator to conduct the latter on the Commissioner's behalf.

The Chief Constable continues to investigate more serious complaints against North Yorkshire Police through the Professional Standards Department.

### Holding the Chief Constable to account

The Commissioner's Chief Executive and Monitoring Officer and the Deputy Chief Constable, as the delegated authorities, meet on a monthly basis with to review complaints information and data to ensure that a timely, proportionate and appropriate service is being provided to the public. Where it is felt that service is below expectations or where causes of concern are identified in process these can be raised and the relevant party held to account.

As the Commissioner has taken on responsibility for elements of the complaints process, the Commissioner, Chief Constable and their teams work together to ensure that continuous improvement is made to the way in which complaints are handled.

## Complaints data

The Independent Office for Police Conduct collates data on the number of complaints received and how they were dealt with. The latest data quarterly and annual data for North Yorkshire can be found at <https://www.policeconduct.gov.uk/tags/north-yorkshire-police>.

## Complaint handling

The OPFCC and North Yorkshire Police work closely to ensure complaints are dealt with in a timely, appropriate and proportionate manner. A Service Level Agreement (SLA) exists between the OPFCC and NYP so that the public can understand what level of service to expect. This SLA is reviewed annually and monitored on a bi-monthly basis by senior officers within the OPFCC and NYP through a working group to ensure it remains valid and relevant and that performance is maintained.

The Commissioner's Customer Service Team acknowledge all expressions of dissatisfaction and triage them to determine how they should be handled within 48 hours of receipt.

All schedule 3 complaints should be transferred to PSD within 48 hours of receipt.

For cases suitable for Service Recovery, the Customer Service Team have a gateway review point of 10 days. If there is a viable prospect of resolution the Customer Service Team retain ownership. If there is no viable prospect of resolution at that point, the case is transferred to PSD.

- During October 2021 67% of complaints assessed for PSD were recorded within 10 days, 6 cases took over 10 days to record; There is no particular theme to the delay, however, a watching brief will be maintained regarding this.

Where NYP has not completed an investigation within 12 months, they must issue a written notice to the Commissioner and the IOPC under Regulation 13 of the Police (Complaints and Misconduct) Regulations 2020 and Regulation 19 of the Police (Conduct) Regulations 2020. Each notice is reviewed at the monthly Appropriate Authorities meeting.

NYP have so far issued 7 notices.

The Commissioner purposely recruited a Customer Service Team of individuals with customer service backgrounds who are independent of the police and can bring their experience to bear to ensure that the system is easy to understand and more transparent. They work to resolve complaints and dissatisfaction quickly to the satisfaction of the customer and workforce without apportioning blame, and to ensure that customers understand the outcomes of their complaints and are happy that they have been treated fairly. Communications by the team are monitored and dip-sampled to ensure quality and accessibility.

North Yorkshire Police undertake their own quality assurance processes for communication of complaints investigated by PSD or by local Commands. Within PSD there are clearly defined approval protocols in place before a complaint outcome can be dispatched. Where a complaint goes to the local Command to be resolved, terms of reference are drawn up with the complainant and the outcome is quality assured by the Appropriate Authority to ensure all elements have been covered prior to the outcome being released. Further training is planned to upskill senior officers on Commands to provide better supervision of complaint handling.

The OPFCC and NYP undertake internal auditing of their complaints handling to ensure that the necessary and appropriate policies, processes and procedures are in place and robust such that confidence can be had in their delivery of a quality service.

The latest internal audit took place in January 2021. The review concluded that there is a strong control framework in place covering both the Police, Fire and Commissioner and North Yorkshire Police respective responses to and management of complaints and that these frameworks are being adhered to in practice as confirmed by their sample testing. The review recommended that further written procedural documents were created within both PSD and the OPFCC to codify and embed this framework. These management actions will be completed by October 2021.

North Yorkshire Police and the OPFCC work closely with the IOPC and HMICFRS in relation to complaints handling. There are times when the IOPC or HMICFRS will make recommendations in relation to complaints handling and when this happens both North Yorkshire Police and the OPFCC work to deliver a quick resolution. We welcome external scrutiny and use this as a learning opportunity to improve even further. Recommendations by the IOPC can be found on their website (<https://www.policeconduct.gov.uk/tags/north-yorkshire-police>) along with a response setting out whether the recommendation has been accepted (and if not why) and actions taken to resolve it.

There are no current recommendations in relation to complaints handling to update on.

## Complainant satisfaction

Complainant satisfaction is assessed based on outcomes.

For less serious complaints or expressions of dissatisfaction, satisfaction is measured by the service recovery rate of the Commissioner's Customer Service Team and NYP. Only complaints or expressions of dissatisfaction which are resolved to the complainant's satisfaction through service recovery are recorded as service recovery. Where it cannot be resolved to the complainant's satisfaction it is escalated to PSD.

- In the year to 31 March 2021, there were 1373 expressions of dissatisfaction and complaints
- 80% were resolved through service recovery.
  - 68% by the OPFCC Customer Service Team
  - 12% by NYP frontline staff receiving the complaint
- Of the remaining 20% transferred to PSD, these were either transferred because service recovery could not satisfactorily resolve the complaint or met the threshold for formal recording.

For more serious complaints transferred to PSD, satisfaction is measured by the rate of complaint review requests. Only complaints transferred to PSD under schedule 3 have the right to a review.

- In the year to 31 March 2021, 285 expressions of dissatisfaction and complaints were transferred to PSD (20%).
- During the same period 46 requests for review were made to the OPFCC.

- Of those transferred to PSD there is therefore a 84% satisfaction rate.

## Complaint Reviews

Every Police and Crime Commissioner has responsibility for undertaking reviews of Police Complaints under the 2020 Regulations.

In North Yorkshire, the Commissioner has delegated the undertaking of reviews to an Independent Adjudicator, who is appointed on a Service Level Agreement against which monitoring is undertaken by the Commissioner's team to ensure quality, integrity and impartiality. Review outcomes are dip sampled by the Commissioner's team to ensure decisions are sound and in line with the requirements of the complaints legislation and IOPC guidance.

Requests for review are acknowledged within 2 working days. North Yorkshire Police then have 2 working days to provide the necessary paperwork. On average it currently takes the equivalent of 1 day to undertake reviews. Due to the time taken to appoint an Independent Adjudicator there is currently a backlog to reviews which are being completed as quickly as practicable. However, we do provide an update every 28 days should it be necessary.

## Organisational Learning

Complaint information and statistics is published and circulated to senior officers forcewide on a quarterly basis.

At Quarterly performance meetings, PSD and the OPFCC provide insight to area commanders as to the nature of complaints and areas of learning and for improvement. Bulletins are prepared for officers and staff focusing on the key themes and trends which are then used to help address issues. The bulletins provide relevant information about good practice and organisational learning, they also provide a summary of those officers and staff who have received more than four complaints over a year. This instigates a locally driven reflective practice process to address any issues, provide support and reduce the likelihood of future complaints.

The OPFCC and PSD also work together to identify themes and trends in complaints through regular thematic meetings convened by PSD. Where the OPFCC identify trends they may also conduct further scrutiny work or raise areas for concern to Senior and Chief Officers.