



**Interim protocol for the inspection of  
police complaints procedures  
by**

**Her Majesty's Inspectorate of Constabulary  
(HMIC)**

**and**

**the Independent Police Complaints Commission  
(IPCC)**

**March 2004**

## **1. Introduction**

- 1.1. The protocol which follows set out the roles and responsibilities of Her Majesty's Inspectorate of Constabulary (HMIC) and the Independent Police Complaints Commission (IPCC) for the inspection of police procedures for handling of complaints against staff from members of the public. Both organisations have a duty in law to carry out such inspections.
- 1.2. Under the Police Reform Act 2002 both organisations have a duty to enter into arrangements, assist and co-operate in the inspection of the handling of police complaints. This protocol formalises these arrangements.
- 1.3. The purpose of this protocol is to ensure that each agency is enabled to fulfil its statutory role in a way which complies with legislation, accords with Guidance, leads to the attainment of its overall objectives, and takes account of any strategic direction set by either agency from time to time.

## **2. Role of Her Majesty's Inspectorate of Constabulary (HMIC)**

- 2.1. It is the role of HMIC to promote efficiency and effectiveness of policing in England, Wales and Northern Ireland through inspection of police organisations and functions to ensure agreed standards are achieved and maintained, good practice is promulgated and performance is improved. The Inspectorate also provides independent advice to constituent members of the tripartite structure of the Home Office, police authorities and police forces.
- 2.2. HMIC have a statutory duty to keep itself informed about the handling of complaints against the police, as set out in Section 15 of The Police Act 2002.

## **3. Role of the Independent Police Complaints Commission (IPCC)**

- 3.1. The IPCC was established under the Police Reform Act 2002 and will become operational from 1<sup>st</sup> April 2004, it has a statutory duty to ensure that misconduct and complaints against the police are properly investigated. One of its statutory objectives is to increase public confidence in the police by demonstrating independence, integrity and accountability in the complaints system.
- 3.2. The IPCC will independently investigate the most serious complaints and will manage or supervise some but not all police investigations of alleged misconduct. Through their Guardianship function the IPCC has a statutory duty to oversee the operation, performance and improvement of the police complaints system. They will work with others to learn and disseminate the lessons from police complaints.
- 3.3. The IPCC have a statutory power and duty, which is analogous to that of HMIC to inspect police handling of complaints

3.4. The IPCC has the power to issue statutory Guidance to be followed by police forces in complaints matters

#### **4. Parties to the protocol**

4.1. The Parties to the protocol are:

- HMIC England and Wales; and
- The IPCC.

#### **5. What the Protocol provides**

Briefly summarised the protocol is a statement of intent as to how the organisations will share and seek to agree the framework of assessment for any inspection and the performance indicators to be used, with due regard to the provisions of legislation and Guidance. It provides:

5.1.:

- a A statement of intent by HMIC as to the inspection process the organisation will exercise following the establishment of the IPCC.
- b An statement of intent by the IPCC as to the development of the inspection process the organisation will exercise.
- c The provisions for arrangements between the two organisations for conducting inspections and sharing results.
- d The arrangements for conducting joint inspections, if appropriate.

5.2. This protocol will remain a live and working document with regular reviews. Signatories or their representatives will monitor its operation.

#### **6. HMIC Inspection process**

##### **A. On-going Baseline Assessment**

6.1. With effect from 2004, prior to conducting any force inspections HMIC risk assesses a range of police functions using a method known as Baseline Assessment (BA). BA seeks to monitor change in each force (improvement or deterioration) against a baseline of performance. Following this assessment a tailored, three year inspection for each force is agreed with areas of under performance being subjected to a more detailed inspection.

6.2. Throughout the year, Lead Staff Officers (LSO) from HMIC will maintain a close and regular liaison with forces and each quarter they will visit each force to update relevant areas of the BA. The current BA questions relating to the police Professional Standards Departments (which includes police complaints procedures) are attached at Annex A.

6.3. On one quarterly liaison visit per year, in addition to the BA questions, the LSOs will undertake a specific inspection of the arrangements for dealing with complaints, discipline and issues of professional standards in each force. Such inspection covers the areas set out in the relevant HMIC inspection protocols (attached as Annex B).

6.4. In addition to routine liaison visits, HMIC carry out a number of different types of inspections of forces that could touch upon complaints procedures.

### **B. Focussed (force) Inspections**

6.5. Where BA highlights concerns in any specific function or service area, part of the three-year inspection programme will be focussed inspections in one or more of the functional areas. These inspections are detailed examinations of functions based on HMIC's Inspection Protocols, of which there are in excess of 50. Any focussed inspection of complaints procedures would be carried out against the generic HMIC protocols for these functions (see Annex B).

### **C. Thematic Inspections**

6.6. HMIC adopt a thematic approach to some inspection activity. Such inspections focus on particular issues or themes and involve a representative sample of forces to gain a better understanding of current practices, activity, good practice and areas where improvements could be made. Thematic Inspections result in detailed publications to provide guidance to forces aimed at improvement of the delivery of the theme under inspection.

6.7. Examples of recent HMIC Thematic Inspections include PNC data quality & timeliness, workforce modernisation, visibility & reassurance and forensic science.

### **D. Inspection of Best Value Reviews**

6.8. Police Authorities are under a statutory duty to conduct Best Value Reviews (BVR's) of policing services to ensure "continuous improvement". BVR's are carried out on a rolling programme in order to review all services for which they police are responsible. HMIC inspect BVR's to ensure they have been conducted in accordance with legislation. BVR's are likely to include a review of police complaints procedures.

### **E. Inspection of non Home Office Police forces**

6.9. HMIC also carry out inspections of non Home Office forces by invitation. Such inspections may be of the entire force or of a particular department or function.

## **7. IPCC Inspection of Police Complaints**

- 7.1. Section 15 (1) and (2) of the Police Reform Act 2002 places a general duty on HMIC and Police Authorities to keep themselves informed of the working of the complaints system as part of carrying out their general functions. Section 17 requires police authorities and chief officers to provide information to the Commission for the purpose of it carrying out its functions.
- 7.2. Section 18 of the Police Reform Act 2002 places a duty on the chief officer and Police Authority to allow access to the IPCC to premises and documents and other things on those premises to any person nominated by the IPCC for the purpose of:
- an investigation it is undertaking managing or supervising; or
  - examining the efficiency and effectiveness of the arrangements in that force for the handling of complaints and other conduct matters.
- 7.3. The IPCC will develop and consult upon its likely inspection processes over the next twelve months. It will issue statutory Guidance as appropriate, but will not commence inspection in the year to 31 March 2005. Prior to commencing inspection it will agree and update this protocol accordingly.
- 7.4. However, in order to effectively discharge its Guardianship function, the IPCC will require information from police forces and will undertake visits to forces, where Commissioners and staff will discuss the nature of current processes and any issues or trends which may be appearing from data. These visits will not constitute formal inspection, but may include areas that the formal inspection process will cover in later years.
- 7.5. The IPCC will keep HMIC fully informed concerning the status and progress of its development of the inspection process and will ensure that appropriate consultation is undertaken on these processes.

## **8. HMIC / IPCC Arrangements for conducting Inspections**

### **8.1. HMIC and IPCC will:**

- a Seek to agree in outline, a strategy for monitoring complaints processes and performance, through inspection, on an annual basis at national level
- b Share information on the planned timetable of inspections in relation to the handling of police complaints by forces.
- c Notify one another of the arrangements for conducting special inspections such as any thematic which may cover complaints matters.
- d Share performance indicators and performance measurement data of forces in relation to the handling of police complaints by forces.

- e Share inspection methodology including inspection protocols in relation to the inspection of forces' handling of police complaints.
- f Co-operate in the sharing of information which relates to the inspection of police handling of complaints.

8.2. The IPCC will keep HMIC updated on information and interim advice issued by them for the handling of police complaints by forces.

8.3. HMIC will ensure interim advice from the IPCC is reinforced through their inspection of forces handling of complaints.

## **9. Liaison Arrangements**

9.1. HMIC and IPCC staff will endeavour to resolve locally any differences in respect of this protocol.

9.2. Conflicts that remain unresolved should be discussed between the Chair of the IPCC and Her Majesty's Chief Inspector of Constabulary or their nominated representatives.

## **10. Monitoring and Review of Protocol**

10.1. Signatories to this protocol (or their representatives) will:

- a monitor the application of this protocol, as necessary.
- b meet regularly to review progress, performance and other issues.

10.2. The protocol will be a live and dynamic document subject to change by mutual agreement of the parties, as and when necessary.

10.3. A formal review of this protocol will take place in October 2004 and this Interim Protocol will expire in March 2005 if not already revised.

***[Signed]***

Annex A

**Baseline Assessment - 2003**

**Leadership & Corporate Governance**  
**Activity: Professional Standards**

<b>Questions</b>		<b>What are we looking for?</b>	<b>Pre-visit document analysis</b>	<b>Structured Interview</b>	<b>Reality Check</b>
17.1	Is there an appreciation throughout the force of why high professional standards are crucial?	<ul style="list-style-type: none"> <li>• A widespread understanding of what constitutes professional standards and a visible commitment to raising them</li> <li>• Professional standards objectives communicated to staff effectively</li> <li>• Professional standards issues integrated into the force's decision-making policies and procedures</li> <li>• Effective PSD in place, or an evidenced commitment to developing an effective PSD</li> <li>• Appropriate use being made of ACPO PSD Guide<sup>1</sup></li> <li>• Force vulnerability to corruption assessment completed based on ACPO product<sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Force PS strategy</li> <li>• Force (professional standards) bulletin or newsletter</li> <li>• Any BVR/BVRI, if available</li> <li>• Number of complaints per 100 officers. (Information collected quarterly by RDS)</li> <li>• PSD structure chart</li> <li>• PSD role definitions</li> <li>• Vulnerability to</li> </ul>	<ul style="list-style-type: none"> <li>• Chief officer lead</li> <li>• Head of PSD</li> <li>• Police Authority lead member for professional standards</li> <li>• Force Security Manager (if in existence) or individuals with these responsibilities</li> <li>• PSD Staff</li> </ul>	<ul style="list-style-type: none"> <li>• Force personnel</li> <li>• Appraisal system addressing development needs</li> </ul>
17.2	What evidence is there of a commitment to raising professional standards?				
17.3	Do the structure and resources of the PSD indicate an effective response to the issues the force faces?				
17.4	Has there been a realistic risk-assessment of vulnerability to corruption?				



17. 5	Are appropriate measures in place to counter the threats identified?	<ul style="list-style-type: none"> <li>• Local, intelligence-led risk assessment of corruption, dishonesty and unethical behaviour<sup>3</sup></li> <li>• Strategy/plans in place to counter the threats identified</li> </ul>	<p>corruption assessment and force's response to it</p> <ul style="list-style-type: none"> <li>• Local strategic assessment of police corruption</li> </ul>		
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<sup>1</sup> CHIEF OFFICER: A Professional Standards Department: Guidance on Philosophy, Structure and Resource Implications

<sup>2</sup> CHIEF OFFICER: A Document to Assist Chief Constables Assess the Vulnerability of Their Force to Corruption

<sup>3</sup> Prepared to give local perspective on the annual NCIS national strategic assessment of corruption in the police service

17.6	<p>Are the force's crucial assets protected by a series of measures addressing :</p> <ul style="list-style-type: none"> <li>- physical security</li> <li>- personnel security</li> <li>- information systems security?</li> </ul> <p>(Often referred to collectively as a 'Security Management Programme')</p>	<ul style="list-style-type: none"> <li>• Evidence of an effective and co-ordinated approach to managing these requirements</li> <li>• Members of staff allocated responsibility for these requirements, either based within PSD or with clear links to PSD</li> </ul>	<ul style="list-style-type: none"> <li>• Security policy for physical assets (incl. Access control and buildings' security systems; Govt. Protective Marking Scheme; inventories of valuable equipment; etc)</li> </ul>	•	•
17.7	<p>What is the capability to receive, analyse and develop information and intelligence relating to unethical and dishonest conduct?</p>	<ul style="list-style-type: none"> <li>• Intelligence roles and tasks adequately staffed within PSD</li> <li>• Use of the NIM by trained analyst(s) who process information and intelligence for decision making</li> <li>• Stand-alone, secure database for recording intelligence, configured to enable easy searching</li> </ul>	<ul style="list-style-type: none"> <li>• Personnel vetting procedures<sup>4</sup> (incl. transferees; for sensitive posts; and for contractors)</li> <li>• Information systems security policy</li> </ul>		

<sup>4</sup> See 'The National Vetting Policy for the Police Community' document, being published in 2003

<sup>5</sup> CHIEF OFFICER document 'Policy for Professional Standards Reporting: Doing the Right Thing' governs this

17.8	What is the capability to investigate allegations of unethical and dishonest conduct - including complaints of racial harassment or discrimination - effectively, and to pursue criminal and/or disciplinary proceedings, as appropriate?	<ul style="list-style-type: none"> <li>• Adequate number of investigators with requisite skills and experience</li> <li>• Senior PSD management supportive of investigative needs</li> <li>• Appropriate use made of ACPO Investigators' Manual<sup>6</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Policy for reporting wrongdoing amongst staff<sup>9</sup></li> <li>• Recruitment and selection policy</li> <li>• Welfare policies, including re-integration of staff at end of time in PSD</li> </ul>		
17.9	Are there accessible mechanisms for staff to report allegations of unethical or dishonest behaviour?	<ul style="list-style-type: none"> <li>• Evidence that staff feel comfortable in reporting such allegations</li> <li>• Evidence that intelligence is being received</li> </ul>			
17.10	How are welfare and development needs for PSD staff addressed?	<ul style="list-style-type: none"> <li>• Recruit processes resulting in appointment of staff with necessary skills, integrity and resilience to operate effectively</li> <li>• Major welfare and development needs being attended to</li> <li>• Supportive working environment</li> </ul>			

<sup>6</sup> CHIEF OFFICER: Guidance for Investigators: Corruption Enquiries (Confidential)

<sup>9</sup>CHIEF OFFICER document 'Policy for Professional Standards Reporting: Doing the Right Thing' governs this

17.11	<p>Does the force have fair and open systems for receiving, investigating and handling:</p> <ul style="list-style-type: none"> <li>- Complaints against the police</li> <li>- Organisational complaints</li> <li>- Civil actions</li> <li>- Direction &amp; Control complaints</li> </ul>	<ul style="list-style-type: none"> <li>• A good relationship with the PCA (from April 2004, the Independent Police Complaints Commission)</li> <li>• Informal resolution levels of between 30-40% that do not include assault allegations</li> <li>• Evidence that there is no disproportionality regarding the manner in which complaints against minority ethnic staff are dealt with</li> <li>• A system by which the force learns lessons from complaints, civil actions, employment tribunals and customer feedback</li> </ul>			
17.12	<p>Are these systems adequately resourced, managed and monitored to ensure integrity?</p>				
17.13	<p>What mechanisms exist to help the force and police authority learn the lessons from critical cases and complaint trends?</p>				

**Baseline Assessment - 2003  
Leadership & Corporate Governance  
Activity: Best Value**

Annex B

## Inspection Protocol for Complaints and Discipline

### INTRODUCTION

This protocol covers the processes for handling complaints against the police and the application of disciplinary procedures, and covers:

- force policy/strategy for the investigation of complaints and handling of discipline;
- complaint trends, and issues arising;
- the use of information from complaints (training issues etc); and
- policy and process for handling civil actions.

### BACKGROUND INFORMATION

Public confidence in the police service continues to have an inextricable link to the effectiveness of complaint investigation and the appropriate use of police discipline regulations.

Complaints can be an indicator of public confidence, and quality of service delivery issues and there may be associated training implications. The expeditious completion of investigations remains as a key issue together with proper handling.

The appropriate use of informal resolution is an effective method of dealing with minor and non-criminal matters in a timely and responsive manner. This avoids unnecessary time and expense whilst providing an opportunity to address minor management or service delivery issues at the appropriate level.

It is essential that forces make arrangements to deal constructively with complaints which do not allege misconduct on the part of the officer but merely that something went wrong - usually due to poor procedures, poor quality of service or perhaps because a member of public objects to the style of policing or the policing itself. Handling these complaints should be a part of a force's strategy to improve its quality of service delivery and is closely related to the way it is perceived by the community it polices.

The Police (Conduct) Regulations 1999 came into effect on 1.4.99. These have changed procedural issues particularly in relation to hearings and the standard of proof to be applied but in essence do not affect the actual investigation or management of complaints or breaches of discipline. There are transitional arrangements for the new procedures whereby conduct which (allegedly) occurred before April 1 1999, will be dealt with under the previous (1985) arrangements, unless it does not come to light or is not reported until after 1 April 2000. In which case it will be dealt with under the new procedures.

Civil claims are increasingly being used as an alternative to or in addition to invoking the complaints procedure. In 1998/99 12,378 civil claims were received by forces in England and Wales of which nearly half were public liability claims for malfeasance eg assault and false imprisonment. Payment to claimants together with legal costs amounted to over £8 million, in addition to the cost in loss of public confidence. There is no national guidance on how to deal with civil claims and the structures and procedures forces adopt to deal with them vary considerably. Responsibility may rest with complaints and discipline department, within the legal department or with external solicitors.

Civil action investigations can provide useful customer feedback which forces need to take account of to reduce the opportunities for litigation and improve service delivery. In April 1999 the Woolf Reforms introduced new Civil Justice Rules governing civil litigation. These were designed to reduce costs and delays by courts actively managing cases. Failure to comply with stringent time limits set could result in cost penalties or loss of cases.

The Police (Efficiency) Regulations 1999 were also introduced on 1 April 1999 to deal with inefficiency. Whilst there may be occasions where an officer's efficiency/conduct invokes the application of both sets of regulations they should be applied separately and as such it is expected that in most forces the 'Efficiency' regulations will be dealt with within the Human

Resource or Personnel function. For this reason protocols in respect of efficiency are included within the Human Resources Protocols and not this section.

#### **MAIN SOURCES OF EVIDENCE BEFORE THE INSPECTION**

- Home Office Guidance on Police Unsatisfactory Performance, Complaints and Misconduct Procedures.
- Force Strategy/Complaints Dept Plan.
- Complaints Data, trend analysis for previous three years.
- Civil Action data, number, type, costs incurred, for past three years.
- Policing Charter.

#### **DURING THE INSPECTION**

- Interview with ACPO member with responsibility for Complaints and Discipline/Civil Claims.
- Interview with Head of Complaints and Discipline Department/Civil Claims Section.
- Interviews with Department/Divisional Staff.
- Bulletins/Monthly reports from Complaint and Discipline Department.

#### **GUIDANCE NOTE**

During the inspection a random selection of files should be examined, these should include:  
At least 6 assault and 6 non-assault in the following categories:-

(although the numbers should be varied if there are very low numbers or increased cause for concern in any category.)

- withdrawn
- dispensation
- complainant dissatisfied
- PCA supervised
- substantiated
- unsubstantiated
- informal resolution.

In addition a selection of files classified as 'miscellaneous complaints' should be examined, together with 'organisational complaints'.

A selection of 'civil action' files should be sampled and may include actions arising from police operations such as arrest/road crashes/searches etc.

**NB** Actions commenced by staff against the force are generally a matter for the Police Authority and are covered under 'Risk Management' in the Finance Protocol as well in the protocol for inspecting Police Authorities.

## **LEADERSHIP**

How the behaviour and actions of the departmental management inspire, promote and support an ethical culture as the best way to achieve the force objectives

- Interview. Communication methods
- Staff interviews (RC)



**What involvement does the head of the department have in actively communicating the strategy, aims and objectives to all staff?**

- within and outside the department
- inputs to staff, probationers etc
- training courses
- interview
- minutes of meetings

**How does the head of the department develop and review policy, practice and working methods within the department?**

- Does the head of department have a case load or lead on investigations?
- Interview

**What involvement does the head of the Complaints and Discipline/Professional Standards Dept have in determining strategy and objectives of the force regarding complaints and discipline?**

- Portfolio Holder/staff interviews (RC)
- Job descriptions

**Who has overall responsibility for managing the Complaints and Discipline portfolio?**

- Do all the staff know?

## **POLICY AND STRATEGY**

**How the department achieves the force purpose through a clear strategy based on consultation and supported by policies and objectives that have clear targets**

- Interview with head/customers (RC)
- Examples of consultation methods/SLA's etc

**How has the department identified the needs and expectations of its customers?**

- SLAs
- Consultation - internal and external
- How are future needs and expectations identified?
- How have public expectations been shaped to a likely pattern of response?
- Interview head/Departmental strategy/plan.
- Best Value Review

**Why does the department exist?**

- What purposes are defined for the department/what products are expected from it?
- How has it been determined that the current structure is the best method of delivering this service/function?
- Interview head/staff (RC)
- Training records

**What involvement does the head of department have in supporting development of staff?**

- eg responsibility for training/granting time/finance/participation in courses

- interviews/focus groups
- diary audit

**How does the head of department promote and support working relationships within and outside the force?**

- eg regional complaints and discipline forums
- liaison with other forces regarding investigations
- interview with head of dept/staff (RC)
- examples of challenges to behaviour

**What involvement does the head of unit have in creating and applying the required standards of ethical behaviour?**

- how do senior managers demonstrate, by example and action, the ethics, values and standards required to deliver the strategy?
- how is inappropriate behaviour challenged?
- review methods/documents
- interviews with head/staff (RC)

**How is the policy/strategy reviewed and updated and how is account taken of:**

- performance information?
- feedback to/from complainants/officers investigated ie re frequency of reports; use of staff associations etc
- benchmarking
- force publications
- notice boards/bulletins
- staff interviews (RC)

### How is policy/strategy/plan communicated to staff?

- do all staff know of the policy/strategy/plan?
- examine plan
- interview head

### Is there an annual plan based on the strategy?

- does it contain objectives and realistic targets?
- are there clear links to the strategy?
- examine strategy/plan
- examine processes
- interview head of dept

### Is the strategy/plan for the department clear and comprehensive?

- how does it take account of:
  - customers needs including the expectations of complainants and the concerns of staff under investigation?
  - local information including dealing with organisational complaints/civil actions?
  - performance data in investigating complaints/discipline cases?
  - force policy and strategy?
  - national standards (e.g. 120 days)?
  - the provisions of the Human Rights Act 1998 especially right to fair trial/no punishment without due process/privacy etc?
  - the new misconduct procedures?
- Does it outline the process that will ensure delivery of the strategy? Including:

- policy on recording complaints?
- method of classifying/handling informal resolutions?
- criteria for who deals with complaints, departmental or OCU staff?
- criteria for dealing with cross-border complaints ie involving NCS staff/operations?
- monitoring the quality of investigations including periodic reviews of the time scales?
- information to be collected, such as by:-
  - categories of complaints?
  - category of officers (e.g. Firearms, TSG etc)?
  - officers attracting multiple complaints including trigger points?
  - Staff/post-holders requiring the information?

## PEOPLE

How the department manages and releases the full knowledge and potential of its people.

## PARTNERSHIPS AND RESOURCES

How the department plans and manages its external partnerships and internal resources.

- staff dispositions
- interview departmental head

How is the department meeting staff diversity targets?

- minority groups; female; civilian staff?
- interview head/staff (RC)
- demand profile

### **How are the staffing levels for the department determined?**

- how is account taken of case load/case load/officer?
- interview Head/staff (RC)
- examples of communication methods
- attend briefings etc
- departmental plan

### **How are staff able to influence and inform the policies and processes of the department?**

- what is the process within the department, which allows
- communication between staff and management?
- interview responsible officer/staff (RC)
- Sample appraisals/training plan

### **How is the force appraisal system operated within the department?**

- who is responsible for it?
- how are departmental objectives reflected within the personal objectives set for staff?
- how are training needs identified (give examples)?
- how is evidence gathered for the appraisals?
- are relevant staff trained in the process?
- interview with head/staff (RC)
- copy of tenure policy
- staff service profiles

### Does a tenure policy exist?

- if not prescribed by the force HR policy how was the length determined?
- what is the average/maximum/minimum length of service in the department?
- how rigorously is the tenure policy applied?
- interviews with head and staff (RC)
- role descriptions
- training records
- interview
- training plan

### How are staff selected for the department?

- what are the required criteria (eg skills, rank)?
- are posts advertised?
- what training do they receive?
- what training did they receive in respect of the new misconduct procedures?
- is there a familiarisation process?
- how are Superintendents identified, selected and trained for the role of discipline panel members?
- what training is provided for Area/BCU Commanders/Inspectors regarding discipline and complaint issues?
- examine systems/Departmental Data.
- interview head/staff (RC)

### What Management Information Systems (MIS) are available in the department?

- do the relevant people have access to these systems?
- how is information: identified, stored, accessed?

- how is the integrity of data such as complaint figures ensured?
  - audit methods/frequency.
  - who is responsible?
- are appropriate security measures in place?
  - how is the information used, eg how does it inform tasking, planning/support the achievement of the unit's objectives?
  - interview
  - letter to respective
  - agencies/bodies
  - interviews
  - letter to PCA

**How satisfactory are relationships with:**

- the Police Authority?
- what role do they take in complaints and discipline procedures?
- what access are they afforded to:
  - complaints files?
  - discipline files?
  - staff associations?
- Crown Prosecution Service?
- Div/Area/Dept heads?
- the PCA?
- Best Value Review/Interview
- with head/action plans etc



**Has the department been subjected to a Best Value review in accordance with best value criteria?**

- if so when and what was the result?
- what changes resulted?
- what impact on service?
- budget/costing papers.
- interview department head

**Does the department have a devolved budget?**

- how is activity costed?
  - ie costs per complaint?
  - costs per case?
  - costs per officer?
  - costs per staff member?
- interview
- departmental structure/chart

**How are staff deployed and supervised?**

what is the structure of the department?

are staff deployed within a team structure or do they work as individuals?

what is the rank of investigating officers?

## PROCESSES

How the department plans, manages and improves its processes in support of its policy and strategy.

- interview head of department/examine procedures/records
- interview staff (RC)

What are the provisions for the suspension of officers?

- who suspends?
- what is the role of the staff associations?
- how are officers monitored (including welfare considerations)?
- how are they kept informed of progress?
- what are the arrangements for returning to work?
- how is 'admonishment' and 'advice' recorded? (Force/Area Discipline Register)
- interview head/examine
- processes

What is the process for monitoring the consistency of outcomes from misconduct procedures (i.e. Discipline Boards)?

- how are the results of discipline boards disseminated?
- interview head/examine processes

What processes are in place for the new misconduct procedures?

- interview head/examine processes

### **What processes are in place to deal with organisational complaints?**

- ie general complaints about charter standards not being met etc.
- interview head/divisional staff (RC)
- examine policy

### **What is the informal resolution policy?**

- what rank is authorised to deal with them?
- who signs them off?
- what is the level of awareness in Divisions and Departments?
- what is the feedback from complainants?
- Interviews with head/IO's/staff (RC)
- examine processes/information
- interview divisional staff (RC)

### **How are cases monitored and managed?**

how are they allocated (e.g. Geographically)?

how are cross-border complaints handled? i.e. arising from NCS etc operations/staff

who itemises the complaints and when?

who serves Reg.7 notices (Reg 9 under 1999 regulations)?

when are notices served?

what additional information is given to officers (Advice re support etc.)?

who has responsibility for monitoring complaint trends?

how is information regarding complaints/civil claims/organisational complaints disseminated to Areas/Departments identifying trends and issues, which require attention?

## RESULTS

What the department is achieving in relation to the satisfaction of its external customers, its people, society at large and its planned performance.

How many cases were referred to the PCA?

- what proportion were voluntary referrals?

What proportion of completed complaints are:

- substantiated?
- withdrawn?
- investigated within the department?
- referred?
- supervised?
- resulting in proceedings being directed?
- examine results/local performance and matrix data

What is the current level of complaints?

- examine measures/national/local
- indicators

### **What measures are in place to assess the contribution and performance of the department?**

- how were these measures determined?
- how often are they reviewed?
- how relevant are they to the:
  - unit plan and its objectives?
  - the department/force strategy?
  - national priorities?
- examine register/interview
- head of dept

### **How is the Public Corruption Register managed?**

- who is responsible for making the entries?
- who is responsible for notifying NSY of entries?
- interview head of unit/examine process and records.
- examine 'Woolf' processes.
- methods for learning from civil claims

### **What are the arrangements for dealing with civil actions?**

- who deals with them? (legal department, police, complaints and discipline dept)
- what is the Chief Officer involvement?
  - how is financial settlement made?
  - who authorises payment?

- how has the Force addressed the demands of the 'Woolf' Reforms?
- what processes have been introduced to ensure assessment of a claim and preparation of a defence within the new time limits?
- what safeguards are in place to ensure confidentiality of information obtained during investigation of a civil claim?
- what management information on civil claims is available for feedback to the organisation?
- how is that feedback used to enable lessons learnt from civil actions to be promulgated?

How do the above levels of performance compare with:

- previous years?
- the family of similar forces/nationally?
- against force/departmental targets?
- what trends have emerged?

How many proceedings been brought against the force

- eg under the Race Relations Act?
- under equal opportunities legislation or any allegations of discrimination in employment or training?

In how many cases has the force used the discipline/misconduct regulations to deal with officers in respect of behaviour involving racial issues?

How many civil actions have been started?

- internally/externally?
- how much has the force paid out in civil actions in the past year?
- how many cases are settled in and out of court?
- what trends are emerging?

What proportion of informal resolutions are dealt with by the department/Areas?

What is the forces performance for completing initial investigations against the national (120 day) or local targets?

How many investigations have been conducted for or by other forces?

How many officers have been suspended from duty?

How many investigations have resulted in criminal prosecutions?

- as a result of internal discipline investigation?
- as a result of complaints?

How many disciplinary proceedings have been initiated?

- what proportion originated from complaints/discipline?
- what were the average time scales between report and hearing?
- what were the results?
- how many resulted in appeals and what were the results?
- how many officers retired during the investigation process/prior to hearing?
- how many officers were medically retired during investigation?