

PROFESSIONAL STANDARDS AND DIVERSITY COMMITTEE – 4 MARCH 2010

THE NEW INDEPENDENT POLICE COMPLAINTS COMMISSION (IPCC) STATUTORY GUIDANCE

REPORT BY THE CHIEF CONSTABLE

PURPOSE OF THE REPORT

To inform members about the new IPCC Statutory Guidance.

1. INTRODUCTION

- 1.1 The new IPCC Statutory Guidance is due to come into effect on 1 April 2010. It will bring the complaints system into line with the Taylor recommended reforms on misconduct and delivers on many of the proposals resulting from the 'Stock Take' of the complete system undertaken by the IPCC and supported by the Association of Chief Police Officers (ACPO).
- 1.2 The statutory guidance will help police forces to respond more effectively to concerns raised by citizens about the contact they have had with the police and aims to reduce the amount of bureaucracy associated with complaints. It should deliver a better complaints system for both complainants and police officers and staff.
- 1.3 The guidance was developed in close consultation with the ACPO Complaints and Misconduct Working Group, including operational practitioners from several professional standards departments. It was also subject to a formal public consultation, to which many forces responded. Overall it received widespread, positive support.

2. THE CONTENT OF THE GUIDANCE

- 2.1 Copies of the new guidance were circulated to forces at the end of January 2010. The guidance itself is a very comprehensive document (in excess of 300 pages) that provides advice on all aspects of the complaints system. It replaces a more general guidance (40 pages) that was issued by the IPCC in 2006.
- 2.2 Much of the new guidance merely clarifies, in considerable detail, the previous guidance. It had become apparent that the old guidance was open to different interpretations and the manner in which a complaint was dealt with could differ according to where that complaint was made. The new guidance should ensure a high level of consistency of practice across the country.

2.3 The new statutory guidance is designed to make fundamental changes to:

- Enable front line officers and staff to resolve dissatisfaction on the spot where possible and allow minor issues to be addressed immediately before they escalate to the point of becoming a complaint.
- Enable officers and staff to take a proportionate approach to investigations, by setting out factors to assist in judging proportionality and setting minimum expectations of what must be done.
- Help to make the outcome of a complaint more meaningful to the citizen, by replacing the 'substantiation' of a complaint based solely on establishing provable misconduct with 'upholding' a complaint based on whether in all the circumstances it appears to be justified.
- Widen the range of tools forces and police authorities use to drive improvement, by ensuring they consider and apply a broader range of outcomes, including good quality explanations, apologies and learning.

3. TRAINING ON THE GUIDANCE

3.1 During February and March the IPCC Chairman and the ACPO Complaints & Misconduct lead will be delivering workshops on the guidance for police professional standards departments, police authorities and staff association representatives. These workshops will go over the key changes in more detail and seek to address any practical queries attendees may have.

3.2 Staff from the Dorset Police Professional Standards Department are scheduled to attend one of these workshops and Mr Faridun Jabbari and the Senior Policy Officer will be attending on behalf of the Authority. The Head of the Complaints & Misconduct Unit is preparing a briefing programme to be delivered at the end of March 2010 and a copy will be brought to members of this Committee in May to highlight the key changes in greater detail.

4. RECOMMENDATION

4.1 Members are asked to note this report.

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