

**PROFESSIONAL STANDARDS AND DIVERSITY COMMITTEE – 4 MARCH 2010**

**LOCAL RESOLUTION OF COMPLAINTS**

**REPORT BY THE CHIEF CONSTABLE**

**PURPOSE OF THE REPORT**

*To provide members with information about the local resolution of complaints and the reasons for the decision made to amend the target.*

**1. INTRODUCTION**

- 1.1 The Police Reform Act 2002 introduced Local Resolution as a means of dealing with complaints against the police. It is aimed to achieve a relatively quick and straightforward resolution of a complaint at local level, rather than by full investigation either locally, by officers from another force, or by investigators from the Independent Police Complaints Commission (IPCC).
- 1.2 The IPCC encourages forces to develop systems to deliver Local Resolution in a way that ensures the system is transparent, that complainants have realistic expectations about what the process can and cannot deliver and that forces learn from each complaint. The IPCC has also highlighted the importance of a timely conclusion to each complaint.
- 1.3 In October 2009 the Force reviewed the Local Resolution process and reduced the target for allegations to be finalised by Local Resolution from 50% to 40%. This report will outline the reasoning behind the decision.

**2. WHAT IS LOCAL RESOLUTION?**

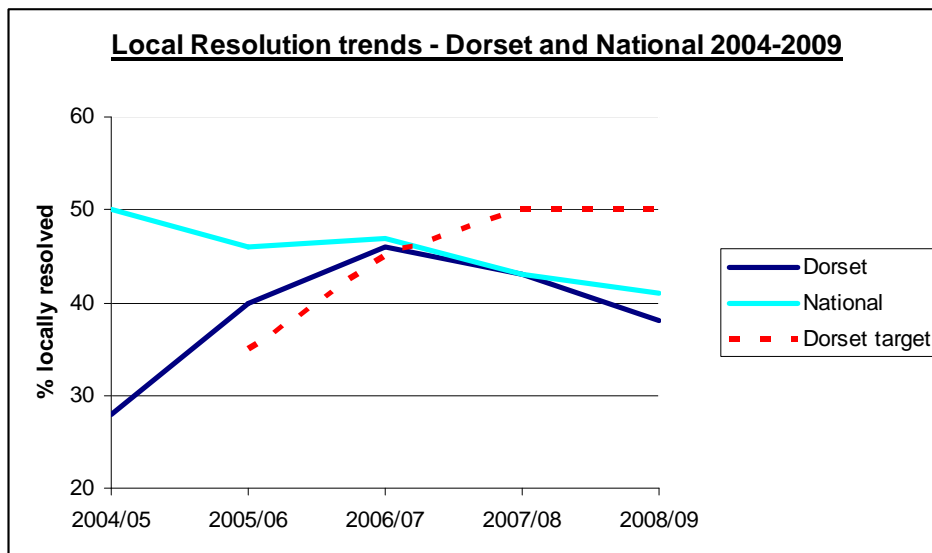
- 2.1 Local Resolution is considered appropriate only once the police are satisfied that the actions of the police officers or police staff involved should not result in criminal or misconduct proceedings. Local Resolution can only be used as a means for dealing with a complaint if the complainant agrees to the process.
- 2.2 The Professional Standards Department assesses new complaints and those that are suitable for Local Resolution. Where a complainant agrees to the process, a local police supervisor will handle the complaint.
- 2.3 The IPCC has noted that a key criticism of Informal Resolution, the predecessor of Local Resolution, was that investigating officers tended to guide complainants towards that process by raising expectations about what they might expect from the process. When complainants' expectations were not met at the end of the process, their satisfaction reduced. The development of the Local Resolution aimed to

address this issue. The Local Resolution process requires an action plan to be agreed between the officer dealing with the complaint and the complainant. The IPCC appeals process allows an appeal if the complainant did not agree for their complaint to be dealt with by Local Resolution or if the agreed action plan was not followed.

- 2.4 Typically complaints finalised by Local Resolution involve a provision of information to clear up a misunderstanding, an apology on behalf of the Force and / or an outline of actions to be taken to prevent similar complaints occurring in the future.

### 3. STATISTICS

- 3.1 The IPCC statistics show that nationally 50% has been the highest proportion of complaints finalised by way of Local Resolution, this was in 2004/05. In this same year Dorset achieved 28%. Dorset improved over the next two years to 40% and then to 46% in 2006/07. Since then Dorset has mirrored the national trend of falling percentages of locally resolved complaints, 43% in 2007/08 and 38% in 2008/09. In their annual statistics the IPCC note the general downward trend in locally resolved complaints, but do not comment on any reasons for this.



- 3.2 In 2005/06 a target of 35% was set for complaints finalised by Local Resolution, after the initial achievement in 2004/05 of 28%. In 2005/06 the Force bettered the target by finalising 40% of complaints by Local Resolution. In response to this improvement, the target was increased again to 45% and in 2006/07 the target was reached with 46% of complaints finalised by Local Resolution. In 2007/08 the expectation was that the improvement would continue and the target was increased to 50% and remained there until October 2009.

- 3.3 The general downward trend in complaints finalised by Local Resolution is also reflected by three of the four of our most similar family of forces. Sussex, Hampshire and Thames Valley police forces have all shown a downward trend since 2006/07. Surrey is an exception to the national trend, showing an increase since 2006/07 and achieved 51% complaints locally resolved, the fourth highest in the country.

- 3.4 The Force monitors the percentage of complaints finalised by Local Resolution out of the total initially assessed as suitable for Local Resolution. To illustrate this, if ten complaints are received, five for incivility and five for serious assault, then only five

(the incivility) would be suitable for Local Resolution. If all five out of ten were locally resolved then the Local Resolution percentage would be 50%, but the number locally resolved out of those suitable for Local Resolution would be five out of five, 100%. If for one of the complaints the complainant exercised their right for an investigation (proportionate to the allegation made) then the percentage locally resolved would fall to 40% (four out of ten) and the percentage locally resolved out of those suitable for Local Resolution would fall to 80% (four out of five).

3.5 In the year 2006/07 when 46% of complaints were locally resolved, this amounted to 75% of those which were suitable for Local Resolution being resolved. In 2007/08 and 2008/09, 68% of complaints suitable for Local Resolution were locally resolved.

3.6 To date, in 2009/10 complaints locally resolved is 36% of all complaints finalised and 70% for those with the potential for Local Resolution.

3.7 Of the 30% of allegations with the potential to be locally resolved, 11% of these are withdrawn by complainants. Anecdotally, a number of these are withdrawn after the complainant has received an explanation / information from the officer dealing with the complaint. In these circumstances there is little difference between Local Resolution and a withdrawn complaint, but the main achievement has been that the member of the public has had their complaint satisfied.

#### **4. WHAT ARE FORCES EXPECTED TO ACHIEVE?**

4.1 For the public to have confidence in the complaints process, complainants should not be pressurised into agreeing to Local Resolution. The IPCC in its statutory guidance take a view that complaints should be dealt with in a timely and proportionate way. It would like to see 20 working days as the average time taken to deal with a complaint by Local Resolution, but sees the outcome as more important than the timescale.

4.2 Local Resolution should be relatively quick and straightforward, but the length will depend on the nature of the complaint. On average Dorset Police take 32 working days to finalised a complaint by Local Resolution. Some complaints may be immediately resolved, others may take longer because of the availability of the complainant or officers or the complainant may wish to take time to consider their position.

#### **5. CONCLUSION**

5.1 The main points informing the decision to change the target were:

- The general downward trend in complaints being finalise by Local Resolution in Dorset, our most similar family of forces and nationally.
- The relatively high achievement of over 70% of allegations with the potential to be locally resolved, being locally resolved.
- Maintaining public confidence in the complaints system means that forces should not pressurise complainants into Local Resolution, but to explain options to them for dealing with complaints, leaving the complainant to decide.

5.2 The Local Reform Act requires that the complainant must give consent to Local Resolution and be provided with sound information and a clear understanding of what will and will not happen.

5.3 Trends in complainant expectations can be influenced by many factors including such things as national media reporting, or other factors affecting confidence in the police and this may affect how well the target is achieved.

5.4 The use of the target will however continue to provide a useful indicator of how many complaints are being resolved locally and will help to identify and additional training or support should be provided to staff who deal with complaints.

## **6. RECOMMENDATION**

6.1 Members are asked to note this report.

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