

Committee(s): Police Authority Board	Dated: 2 May 2023
Subject: Annual Review of Police Complaints Activity – 2021/22	Public
Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?	1- People are safe and feel safe
Does this proposal require extra revenue and/or capital spending?	N/A
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain’s Department?	N/A
Report of: Town Clerk	For Information
Report author: Rachael Waldron, Police Authority Compliance Lead, Town Clerk’s / D/Supt Claire Cresswell / PC Ann Roberts	

Summary

This report provides an overview of complaints and allegations made about the City of London Police and the Action Fraud reporting service in 2021/22. There is a statutory requirement on specified local policing bodies¹ to publish quarterly Independent Office for Police Conduct (IOPC) complaints data relating to their force, and the relevant IOPC annual statistics report (the most up to date being for 2021/22). Local policing bodies are also required to publish a narrative setting out how they are holding the relevant chief officer to account and an assessment of their own performance in carrying out their complaints handling functions. They are required to publish this information in a prominent place on their website. The attached report, at Appendix 1, has been drafted with those obligations in mind.

Recommendations

That members note the contents of the attached report, to be published on the City of London Police Authority website.

Main report

Background

1. Reports of dissatisfaction with the City of London Police are logged and assessed in line with Schedule 3 of the Police Reform Act 2002 and the Independent Office for Police Complaints (IOPC) Statutory Guidance 2020.
2. This assessment can result in one of a number of outcomes (covered in IOPC data):

¹ Set out in the Elected Local Policing Bodies (Specified Information) (Amendment) Order 2021

- **Non-Schedule 3 or early service recovery.** The Professional Standards Directorate (PSD) of the City Police will make early contact with the complainant to understand their concerns and their dissatisfaction and, where the nature of their dissatisfaction allows, will try to resolve it to their satisfaction. This avoids a lengthier process of investigation and can provide a complainant with an early resolution, explanation or other satisfactory outcome. If at the end of this process, it cannot be resolved it may be dealt with as a formal complaint within Schedule 3.
 - **Schedule 3 Recorded** – IOPC Statutory Guidance stipulates where complaints must be recorded and those that must be investigated; these include the more serious matters. Complaints which do not require an investigation will be handled in a *reasonable and proportionate* manner to try to achieve an earlier resolution to the complainant's satisfaction, while others will be investigated formally. At the end of this process if the complainant remains dissatisfied with the outcome of the complaint, they have a right of review by either the Local Policing Body or the IOPC, depending on the seriousness of the allegation.
 - **Referral to Independent Office for Police Conduct** – some complaints will be referred to the IOPC and they may decide to independently investigate or oversee a police investigation.
3. In February 2020, The Home Office introduced reforms to the police complaints system including changes to how reviews of police complaints (formerly known as appeals) were dealt with. Local policing bodies now have a statutory responsibility for reviews of police complaints, where the force would have previously been the appeal body.

Report for 2021/22

4. There is no prescribed format for PCCs/Local Police Bodies to follow in relation to the publication of information concerning police complaints. The report at Appendix 1 seeks to fulfil the statutory obligations for publishing a report on this area. In preparation for the production of this report, similar report examples from a number of force areas were reviewed.
5. The report sets out complaints data for 2021/22 (which is already in the public domain on the IOPC website), a description of how the City of London Police Commissioner is held to account in terms of complaints, and an account of the Police Authority's own performance in terms of its responsibility to undertake complaints reviews. It also contains an explanation of how learning from the complaints processes is being embedded in the City Police.
6. For the City of London Police, IOPC data also includes complaints made about the national Action Fraud reporting service. This makes it difficult to make

comparisons with other forces in terms of volume of complaints. It is also difficult to make meaningful comparisons with the number of complaints made in years prior to 2021/22 because of the pandemic and also changes made to legislation and police conduct regulations.

7. The City of London Police received 588 complaints in 2021/22, of which 137 were about the local force and 451 were about the Action Fraud service. These complaints contained a total of 680 allegations.
8. In terms of complaint reviews, review panels formed under the auspices of the Professional Standards and Integrity Committee met on four occasions during 2021/22 to consider nine cases. The average number of days taken to make determinations in these cases was 197 days.

Improvements

9. The Professional Standards Directorate of the City Police have introduced a number of processes to improve the efficiency, timeliness and quality of outcomes provided to complainants. Template letters developed for use as the basis of outcome letters have been continuously reviewed and refined to ensure they remain fit for purpose and explain the rationale behind outcome decisions in clear and unambiguous language. This has helped to improve understandability for complainants and ensure that they are appropriately signposted to alternative agencies, outside the police complaints system, who may be able to provide further assistance.
10. The Police Authority Team in the Corporation has been expanded, since January 2023, to include the appointment of a new policy officer to lead on professional standards and integrity work. This additional capacity will improve the support given to the Professional Standards and Integrity Committee, including in terms of the efficiency of its complaints review responsibilities, and the continuing professional development of the Team's compliance lead.

Rachael Waldron

Police Authority Compliance Lead

Town Clerk's Department

E: Rachael.Waldron@cityoflondon.gov.uk

Claire Cresswell

Detective Superintendent

Professional Standards Directorate | City of London Police

E: claire.cresswell@city-of-london.pnn.police.uk

Ann Roberts

Counter Corruption Officer/ Analyst

Professional Standards Directorate | City of London Police

E: Ann.Roberts@cityoflondon.pnn.police.uk

Appendices

- Appendix 1 – Annual Review of Police Complaints Activity 2021/22

City of London Police – Complaints 2021/22

Introduction

This is an annual report of complaints and allegations made about the City of London Police and its national Action Fraud reporting service in 2021/22. Legislation² requires local policing bodies to publish the most recent Independent Office for Police Conduct (IOPC) quarterly complaints data for their force and the IOPC annual statistics report³, alongside a narrative setting out how it is holding the chief officer to account, and its assessment of its own performance in carrying out its complaints handling functions.

A glossary of terms used in relation to police complaints is at Annex A to this Report.

2021/22 complaints data – At a glance

The City of London Police received **588 complaints** in 2021/22, of which **137** were about the local force and **451** were about the Action Fraud service*. These complaints contained a total of **680 allegations****.

The average time to log a complaint was **3 days** and the average time taken to contact a complainant was **6 days**. On average it took **10 days** to finalise cases falling outside of Schedule 3***, and **54 days** to finalise Schedule 3 cases.

The commonest complaints – accounting for 531 (78%) of cases – were about deliveries of duties and service. Of the 9 cases reviewed by the local policing body, 8 were not upheld (meaning the policing body concluded the complaint had been handled appropriately) and 1 was upheld.

**The City of London Police operates the national Action Fraud reporting service, complaints about which are included in its totals in IOPC figures*

***Each complaint may contain one or more allegations*

****Some complaints can be resolved by early intervention. If this does not occur, it must be recorded and investigated in line with IOPC guidance, which is known as a 'Schedule 3' complaint.*

City of London Police complaints 2021/22

Chart 1 visualises the total volume of complaints, allegations, and number of complainants in 2021/22 and their split between the local City of London police service and national Action Fraud reporting service. It shows that the majority (c.70-80%) relate to the latter.

² See [here](#)

³ Available [here and relevant data attached as Annex B to this report](#)

Chart 1 – Total complaints – local service and Action Fraud

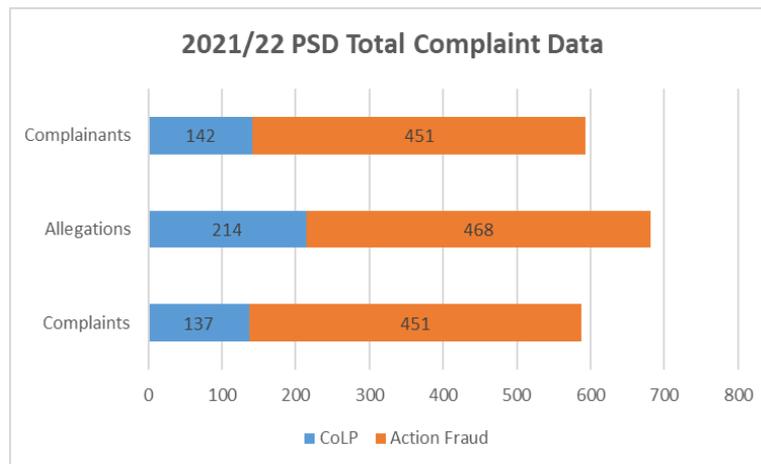


Chart 2 shows how many complaints against the local City of London police service were recorded under ‘Schedule 3’ in each quarter of 2021/22. ‘Schedule 3’ refers to complaints recorded and investigated in line with the Independent Office of Police Conduct’s statutory guidance. Some complaints may not require a detailed ‘Schedule 3’ enquiry to address, for example if someone wants explanation of an issue or to note a concern. In these cases, a complaint is logged as ‘outside Schedule 3’. See Chapter 6 of [IOPC guidance](#) for full detail.

Chart 2 – Breakdown of Schedule 3 and non-Schedule 3 complaints (exc. Action Fraud)

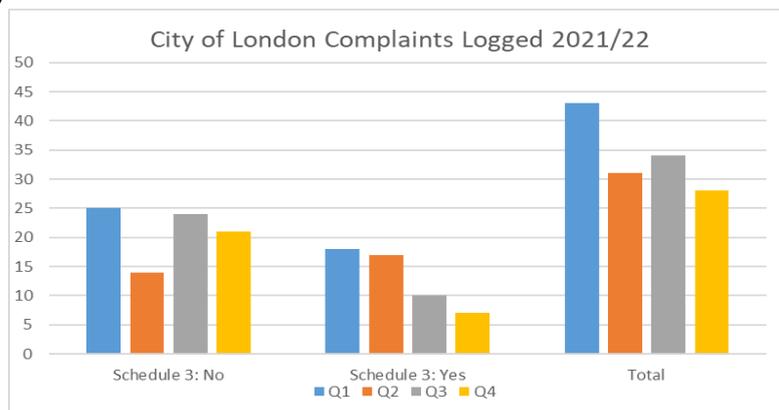


Chart 3 shows why complaints were recorded as ‘Schedule 3’ by the City of London police. IOPC guidance (see link for Chart 2) sets out that complaints must be logged under Schedule 3 if a) the nature of allegations meets certain criteria of seriousness, b) if the chief officer or local policing body decides it is appropriate to do so, c) the complainant requests it be logged as such. A complaint initially not logged under Schedule 3 may then be if initial handling does not resolve it to the complainant’s satisfaction.

Chart 3 – Reasons for recording complaints under Schedule 3 (inc. Action Fraud)

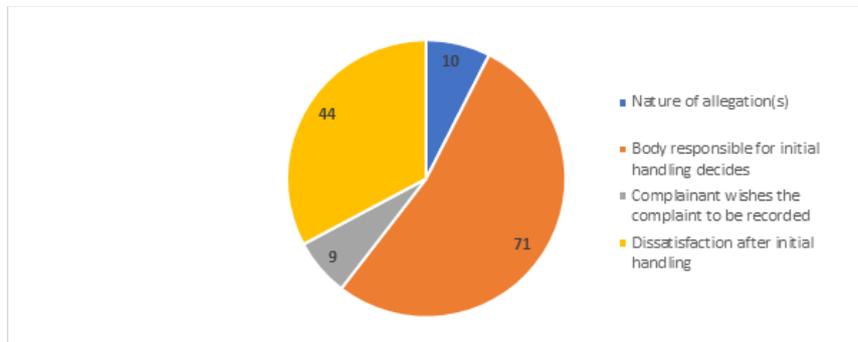


Chart 4 shows the breakdown of what types of allegations have been made against the City of London police. The following Table 2 shows the same information for additional clarity.

Chart 4 – Breakdown of allegations – what has been complained about (inc. Action Fraud)

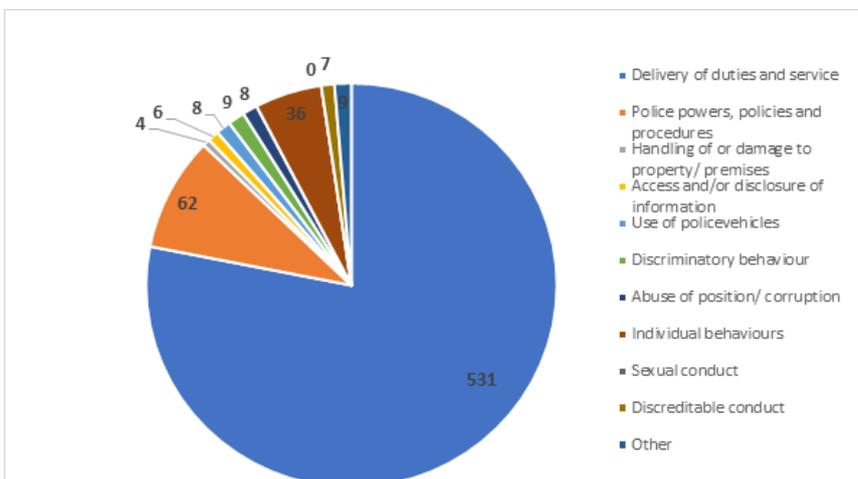
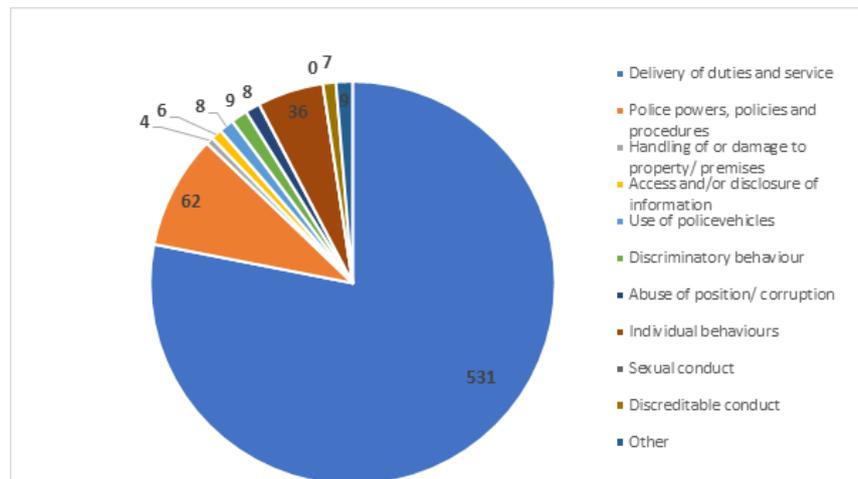
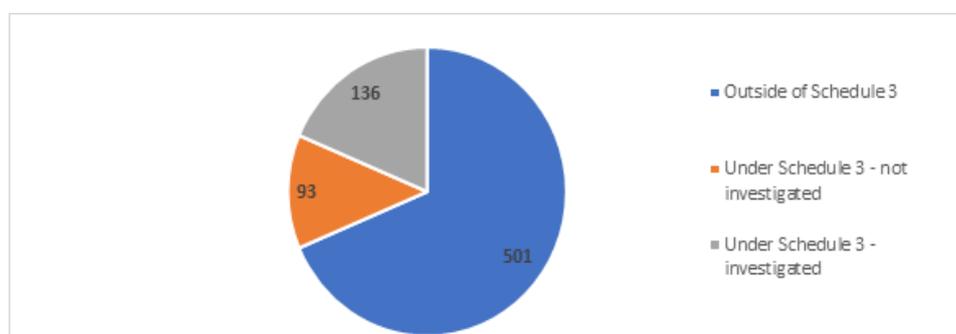


Table 2 – Breakdown of allegations – what has been complained about	
Category	Number of allegations
Delivery of duties and service	531
Police powers, policies, and procedures	62
Handling of or damage to properties / premises	4
Access and/or disclosure of information	6
Use of police vehicles	8
Discriminatory behaviour	9
Abuse of position / corruption	8
Individual behaviours	36
Sexual conduct	0
Discreditable conduct	7
Other	9
TOTAL	680

Chart 5 shows how allegations were finalised (i.e., concluded). As set out for Chart 2, some complaints and allegations are not recorded under ‘Schedule 3’. Not all complaints and allegations recorded as 'Schedule 3' must be investigated – for example if it is substantially the same as a complaint made previously. Chapter 10 [IOPC guidance](#) sets out when there is an is not a duty to investigate.

Chart 5 – Means by which allegations were finalised



Action Fraud complaints

The City of London Police is the National Lead Force for economic crime. As part of this role the City Police operate the Action Fraud service for reporting and recording fraud offences – since 2013 all reported offences are sent to Action Fraud.

This sub-section provides a brief breakdown of complaints about Action Fraud, using internal data. As set out in Table 1 and Chart 1 above, 70-80% of complaints and allegations received by the City of London Police are about Action Fraud.

Chart 6 shows the breakdown of ‘Schedule 3’ and ‘non-Schedule 3’ complaints about Action Fraud. Schedule 3’ refers to complaints recorded and investigated in line with the Independent Office of Police Conduct’s statutory guidance. Some

complaints may not require a detailed 'Schedule 3' enquiry to address, for example if someone wants explanation of an issue or to note a concern. In these cases, a complaint is logged as 'outside Schedule 3'. See Chapter 6 of [IOPC guidance](#) for full detail.

Chart 6 - Breakdown of Schedule 3 and non-Schedule 3 complaints – Action Fraud (internal data)

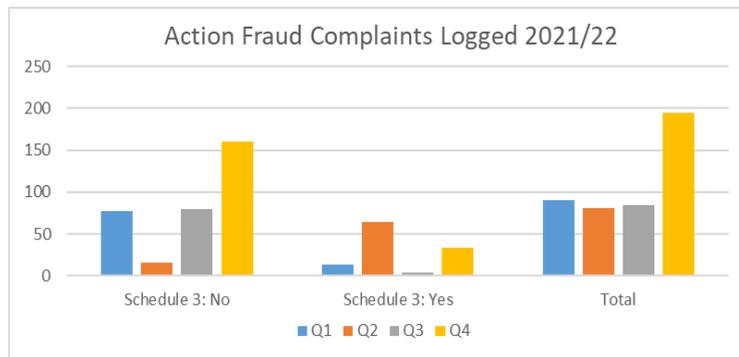
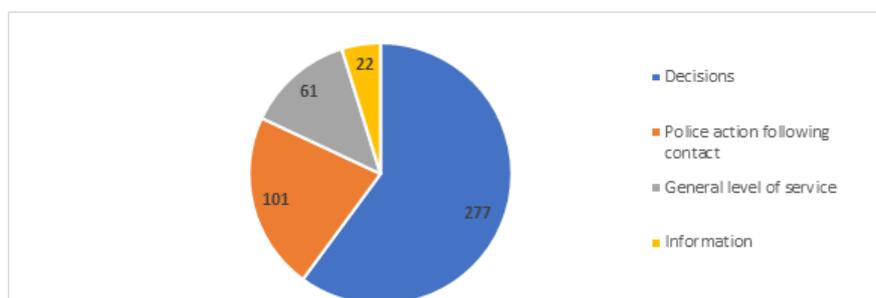


Chart 7 shows the breakdown of types of allegations received about Action Fraud.

While the majority of allegations are about a failure to investigate cases sent to Action Fraud (in 'decisions' category below), Action Fraud is solely a reporting service and does not have investigative responsibilities. Cases sent to Action Fraud are first assessed by the National Fraud Investigative Bureau and, where appropriate, are disseminated to local police forces to consider an investigation.

The City of London Police now, as standard, provides complainants with details of relevant partners and stakeholders that may be better placed to address their complaint and recovery of money lost, which has resulted in increasing number of cases being resolved to the complainant's satisfaction.

Chart 7 - Breakdown of allegations recorded for Action Fraud (internal data)



Complaints regarding the delivery of the Action Fraud service are included with the City of London Police data by the IOPC. The City of London Police Authority's Professional Standards and Integrity Committee (see below) has received separate reporting on the Action Fraud and City Police complaints data since September 2020. This has allowed a more focused approach to scrutinising the separate areas of complaints.

The detail of IOPC data on complaints and allegations against the City of London Police in 2021/22 is set out in Annex B to this report.

How the City of London Police Commissioner is held to account

The Professional Standards and Integrity (PSI) Committee of the City of London Police Authority has responsibility for providing detailed oversight of professional standards in the City of London Police, including scrutiny of the City Police's handling of complaints and conduct matters. It is chaired by an elected member of the City of London Corporation. Members of this Committee also meet to determine complaints reviews received by the Police Authority (see below).

Further details on the overall work of this Committee can be found here: <https://democracy.cityoflondon.gov.uk/mgCommitteeDetails.aspx?ID=398>.

The outcome of the quarterly PSI Committee meetings is reported to the City of London Police Authority Board, which has the overall responsibility for holding the City of London Police Commissioner to account for running an effective and efficient police service.

During 2021/22, the PSI Committee received statistical updates on complaint cases and trends relating to (a) the nature of allegations in complaints, and (b) the means by which those allegations are resolved. The PSI Committee continues to perform a highly detailed scrutiny function to examine the casework of complaints logged by the City Police.

The PSI Committee has worked with the Director of the Professional Standards Directorate (PSD) of the City Police to ensure that the papers reviewed by Committee Members contain sufficient information to be able to assess whether an appropriate outcome was reached, while not unnecessarily revealing personal details of individuals involved or creating extra workload. In 2021/22, the Committee continued to look at matters of conduct; it received updates on all misconduct meetings and hearings which had been dealt with by the City Police.

The PSI Committee continues to support the City Police in ensuring themes identified in complaint or conduct cases are progressed as issues of organisational learning and embedded widely across the service.

Learning is central to the work of PSD. Complainants often express that they want the officer/organisation to acknowledge what went wrong and understand how the Force will ensure that similar issues will not happen again. The PSD Engagement Officer established excellent relationships throughout the Force during the period in question, sharing learning identified from PSD cases and matters of reputational importance. Reflective Practice has been immersed as a part of the learning culture the Police Regulations encourage.

The Organisational Learning Forum (OLF) in the City Police has an important role in terms of embedding learning in the Force. It is supported by tactical working groups focusing on custody, public order, stop and search and professional standards, to promote learning at a local level. The Professional Standards Directorate Working Group (PSDWG) is attended by the compliance officer from the City of London Corporation's Police Authority Team, representing the PSI Committee. They attended meetings of the PSDWG in 2021/22, engaged in refresher workshops

facilitated by the IOPC with other South East area Offices of Police and Crime Commissioners, and provided the Committee with a digest of highlighted areas/themes of learning at these meetings.

The Police Authority Board's assessment of its own performance in carrying out its complaint handling function

Since February 2020, local policing bodies have been responsible for making determinations on reviews of police complaints, which are appeals by the complainant where they feel the response they have received has not been handled in a reasonable or proportionate manner.

In the City of London, this responsibility is delegated to the Professional Standards and Integrity Committee of the Police Authority Board, whose members meet (in line with the established governance within the Corporation) to hold review panels to consider review applications received by the Police Authority.

The review panel consists of the Chair and two other members of the Professional Standards and Integrity Committee. The panel exists independently to review the handling of complaints and determine whether the complaint in question was dealt with reasonably and proportionately. It also considers any themes, trends and wider organisational learning which emerge from complaints.

The complaints review panel function is supported by the Compliance Lead within the Police Authority Team in the City of London Corporation, who handles the review process from start to finish. Their duties include the acknowledgement and assessment of review requests submitted to the Police Authority, administration of the review documentation, and drafting a report of recommendations to the review panel for each case, based on consideration of the relevant documentation.

All review requests submitted to the Police Authority are assessed against the criteria outlined in the IOPC statutory guidance for police complaints.

Reviews considered in 2021/22

Table 3 sets out the outcome of reviews completed by the local policing body for the City of London Police (i.e. the City of London Police Authority).

When a complaint has been recorded under 'Schedule 3' the complainant has the right to review the outcome of their complaint, and this is either done by the local policing body or the IOPC depending on a range of criteria, set out in Chapter 18 of the [IOPC guidance](#).

Reviews are not a reinvestigation of the merits of the original complaint – instead the relevant body will assess whether the police handled the complaint in a 'reasonable and proportionate' manner. If they conclude they did not, they may issue recommendations for how the police will improve their processes.

During 2021/22, the complaints review panel met on four occasions to consider nine cases.

Table 3 - Outcomes of reviews by Local Policing Body:		Upheld	Not Upheld
Reviews completed	9	1	8
Subject matter of cases			
Action Fraud	4	1	3
Police Powers, policies and procedures	5	0	5

One review was upheld by the Professional Standards and Integrity Review Panel during 2021/22, which determined that the City of London Police should provide a fuller explanation to the complainant of the matters being addressed.

There is no statutory timescale for reviews to be completed under the IOPC statutory guidance. There are several factors which may cause a delay in the completion of a review request. These can include the complexity of the case, and the necessity to make further enquiries with the force and/or the complainant, including reviewing police statements and Body Worn Video footage. Nevertheless, the Police Authority recognises the importance of completing reviews in as timely a manner as practicable.

In 2021/22, requests for reviews were acknowledged within 10 days of receipt. The average number of days taken for the review panel to make determinations on cases during this period was 197 days.

Themes

Three main themes emerged from complaint reviews submitted to the City of London Police Authority in 2021/22:

- i) *Perceptions of an inadequate service provided by the City of London Police* – this includes expressions of dissatisfaction from complainants across the initial handling of a complaint submitted (i.e., delayed engagement from the force to the complainant to discuss proportionate measures to resolve the matter reported).
- ii) *Greater acknowledgement of the emotional/financial impact of police decisions on complainants* – particularly across complaints that allege a disproportionate or unfair use of police powers, policies and procedures (i.e., police vehicle stops, use of force, stop and search, arrest and detention).
- iii) *Seeking appropriate reassurance that learning emerges from dissatisfaction and leads to fewer repeat incidents* – complainants have often cited a lack of acknowledgement from the force, on ‘what went wrong’ (across the handling of their complaint) as the main reason for submitting a complaint review.

These themes have been fed back directly to the Professional Standards Directorate Complaints Team, Professional Standards Directorate Engagement Officer and Working Group. Collectively, they have continued to work extensively

across the force, to address poor service as learning and have provided training to officers and staff on improvements that can be made via continuous professional learning and a non-disciplinary process called reflective practice. This process has enabled officers and line management opportunities to better understand complainants concerns and dissatisfaction, discuss matters that have gone wrong and identify key solutions to prevent future reoccurrences.

During the period in question, there was no system in place to assess a complainant's satisfaction with the review process. Complainants have been reminded about the Police Authority's remit in relation to the complaints system (i.e., to determine whether a reasonable and proportionate outcome was provided in respect to the handling of their complaint). And the Police Authority signposts complainants to alternative bodies outside the police complaints system that may be able to provide further impartial advice across a wide range of matters, such as the Citizens Advice Bureau and the Financial Conduct Authority. In addition, any dissatisfied complainant is advised on their legal right to seek judicial review via an application to the High Court. No such applications were made during 2021/22.

Reviews - conclusion

The Police Authority Board remains satisfied that the right approach is being taken in terms of forming review panels from its Professional Standards and Integrity Committee to undertake independent complaints reviews.

It is a requirement in the complaints regulations that those determining review outcomes have relevant training. To this end the Compliance Lead in the Police Authority Team will continue to engage in refresher workshops facilitated by the IOPC and SANCUS (a nationally recognised investigative skills training company), to ensure that consistency continues to be applied across rationales produced for review outcomes.

The Police Authority Board recognises that improvements are required to ensure that complaints reviews are completed in a timely manner. Doing so will help support the Police Authority with its ambitions to be an effective oversight body that supports the delivery of the City of London Policing Plan. Work is being undertaken to improve the timeliness of responses.

The Police Authority Team has been expanded since January 2023, including with the appointment of a new policy officer to lead on professional standards and integrity work. This additional capacity will improve the support given to the Professional Standards and Integrity Committee, including in terms of the efficiency of its complaints review responsibilities.

Annex A – Glossary of Terms

Annex B – IOPC data for 2021/22